

Invitation to Comment

Title	Alternative Dispute Resolution (ADR): Qualifications of Mediators in Court-Connected Mediation for General Civil Cases (amend Cal. Rules of Court, rule 10.781 and the advisory committee comments to rules 3.851 and 3.865, and approve model qualifications standards for mediators in court-connected mediation programs for general civil cases)
Summary	This proposal would expand existing general requirements concerning neutrals who serve in superior court ADR programs to require that courts that have mediation programs for general civil cases establish minimum qualifications for the mediators who serve in those programs.
Source	Civil and Small Claims Advisory Committee Hon. Dennis M. Perluss, Chair
Staff	Heather Anderson, 415-865-7691, heather.anderson@jud.ca.gov Alan Wiener, 818-558-3051, alan.wiener@jud.ca.gov
Discussion	<p><u>Background</u></p> <p>The Judicial Council encourages superior courts to establish mediation programs for civil cases. (See Cal. Stds. Jud. Admin., std. 10.70(a).) Many courts refer or order civil cases to mediation, maintain panels of mediators, provide lists of mediators to litigants, or refer cases to specific mediators.</p> <p>The state of California does not currently license, certify, or regulate mediators. To support the quality of court-connected mediation programs and promote public confidence in the mediation process and the courts, the Judicial Council previously adopted rules of conduct governing mediators serving in court-connected mediation programs for general civil cases and procedures for handling complaints about such mediators (see Cal. Rules of Court, rule 3.850 et seq.). While the council encourages courts to evaluate the ADR training, experience, and skills of potential ADR neutrals, such as mediators, who will serve in court-connected ADR programs (see Cal. Rules of Court, rule 3.872, and Cal. Stds. Jud. Admin., std. 10.72(a)), there are currently no statewide requirements for the qualifications of mediators in court-connected mediation programs for general civil cases.¹</p>

¹ There are statewide minimum qualification requirements for mediators who handle mandatory child custody and visitation mediations (see Fam. Code, §§ 1815–1816, and Cal. Rules of Court, rule 5.210(f)).

When the Civil and Small Claims Advisory Committee circulated for public comment an earlier proposal regarding the procedures for handling complaints about court-program mediators, some commentators suggested that the Judicial Council should consider adopting standards for the qualifications of individuals who can serve as mediators for the courts. These commentators suggested that such qualifications, when combined with the rules of conduct and complaint procedures, would create a more comprehensive system for ensuring the quality of court-connected mediation programs for civil cases.

In response to these comments, the committee established a working group to assist in considering whether to propose that the council establish standards for the qualifications of court-program mediators. This working group included superior court judges, court ADR program administrators, community ADR program representatives, dispute resolution educators and trainers, mediators, and attorneys. The working group considered information about the mediator qualification standards that have been established by individual courts for their civil mediation programs, mediator qualification standards set by other states, reports concerning mediator qualifications prepared by both national and state ADR organizations, and other articles and materials concerning such qualifications. The working group also sought public input on whether the council should adopt qualification standards for mediators serving in court mediation programs for civil cases and, if so, what those standards should be.

The Proposal

Based on the input from the working group, the committee is proposing the adoption of a new rule provision and new model qualification standards for mediators in court-connected mediation programs for general civil cases. The proposed rule would not establish a uniform, statewide set of qualifications for mediators. Instead, it would require each court that makes a list of mediators available to litigants in general civil cases or that recommends, selects, appoints, or compensates mediators to mediate any general civil case pending in the court to establish its own minimum qualifications for those mediators (these are the same mediators who are required to comply with the rules of conduct for mediators in court-connected mediation programs for general civil cases). This would ensure that all courts with mediation programs for general civil cases consider and adopt qualification standards for their court-program mediators, but it would also allow each court to establish standards that reflect its

individual program needs and local circumstances.

To assist courts in considering appropriate qualifications for their mediators, the committee is proposing new Model Qualification Standards for Mediators in Court-Connected Mediation Programs for General Civil Cases. These model standards encourage courts to set both initial requirements that individuals must meet in order to serve as mediators for the court and continuing eligibility requirements that must be met to continue as court-program mediators. The model standards for initial eligibility include provisions suggesting that potential mediators be required to:

- Complete a high school education or equivalent and at least four years of subsequent college coursework or work or volunteer experience;
- Complete a program on the civil justice system (attorneys and paralegals would be exempted);
- Complete a minimum of 40 hours of mediation training, including a comprehensive mediation training program of at least 32 hours in length covering specified topics;
- Complete at least two mediations under observation and evaluated by a mentor mediator;
- Mediate at least four other cases within the past two years;
- Complete an orientation to the court's mediation program; and
- Provide the court with references and information about their professional standing.

The committee is particularly interested in comments about whether the general educational requirements suggested in these proposed standards are sufficient.

The model standards for continuing eligibility include provisions suggesting that mediators be required to:

- Complete at least 7 hours of continuing mediation training every two years; and
- Mediate at least two general civil cases in a court mediation program every two years.

In addition, the model standards include a provision encouraging courts to allow individuals who do not meet all of the required qualifications to serve as mediators for the court if they can show the court's ADR administrator other satisfactory evidence of sufficient education, training, skills, and experience.

To assist readers in understanding the basis for these standards, each proposed standard is followed by drafter’s notes that explain the purpose of the standard and the origin of the proposed language.

In response to some of the preliminary public input received on the qualifications proposal, the committee is also proposing a change to the advisory committee comments to rule 3.851, which specifies the mediators who must comply with the rules of conduct, and rule 3.865, which specifies the courts that must have procedures for handling complaints about those mediators. One of the preliminary comments received by the committee concerning the proposed amendment to rule 10.781 suggested that the phrase “Each superior court that . . . recommends, selects, appoints, or compensates mediators” might be read as encompassing situations in which the court approves or enters an order based on the litigants’ selection of a private mediator. The committee did not intend that these rules apply to private mediators who are not on a court panel or list and who are selected by the parties without any input from the court. Such mediators do not bear the imprimatur of the court. To clarify this intent, the committee has included language in the proposed advisory committee comment to rule 10.781 indicating that a court’s approval or memorialization of the litigants’ selection of a mediator does not, by itself, constitute recommending, selecting, or appointing the mediator within the meaning of this rule. Since the same language regarding mediators recommended, selected, or appointed by the court also appears in rules 3.851 and 3.865, the committee is proposing similar amendments to the advisory committee comments accompanying those rules.

Attachments

Rule 10.781 of the California Rules of Court and the advisory committee comments to rules 3.851 and 3.865 would be amended and the Model Qualification Standards for Mediators in Court-Connected Mediation Programs for General Civil Cases would be approved, effective January 1, 2010, to read:

1 **Rule 3.851. Application**

2
3 **(a) Circumstances applicable**

4
5 The rules in this article apply to mediations in which a mediator:

- 6
7 (1) Has agreed to be included on a superior court’s list or panel of mediators for
8 general civil cases and is notified by the court or the parties that he or she has
9 been selected to mediate a case within that court’s mediation program; or
10
11 (2) Has agreed to mediate a general civil case pending in a superior court after
12 being notified by the court or the parties that he or she was recommended,
13 selected, or appointed by that court or will be compensated by that court to
14 mediate a case within that court’s mediation program.

15
16 **(b)–(d) * * ***

17 **Advisory Committee Comment**

18
19 Subdivision (a). A mediator who is not on a superior court list or panel and who is selected by the
20 parties is not “recommended, selected, or appointed” by the court within the meaning of (a)(2) simply
21 because the court approves the parties’ agreement to use this mediator or memorializes the parties’
22 selection in a court order.

23
24 **Subdivision (d).** * * *

25
26
27 **Rule 3.865. Application and purpose**

28
29 The rules in this article apply to each superior court that makes a list of mediators
30 available to litigants in general civil cases or that recommends, selects, appoints, or
31 compensates a mediator to mediate any general civil case pending in that court. These
32 rules are intended to promote the resolution of complaints that mediators in court-
33 connected mediation programs for civil cases may have violated a provision of the rules
34 of conduct for such mediators in article 2. They are intended to help courts promptly
35 resolve any such complaints in a manner that is respectful and fair to the complainant and
36 the mediator and consistent with the California mediation confidentiality statutes.

1 **Advisory Committee Comment**

2
3 A court that approves the parties’ agreement to use a mediator who is selected by the parties and who is
4 not on the court’s list of mediators or that memorializes such a selection by the parties in a court order has
5 not recommended, selected, or appointed that mediator within the meaning of this rule.
6

7 As used in this article, complaint means a written communication presented to a court’s complaint
8 coordinator indicating that a mediator may have violated a provision of the rules of conduct for mediators
9 in article 2.

10
11 Complaints about mediators are relatively rare. To ensure the quality of court mediation panels and public
12 confidence in the mediation process and the courts, it is, nevertheless, important to ensure that any
13 complaints that do arise are resolved through procedures that are consistent with California mediation
14 confidentiality statutes (Evid. Code, §§ 703.5 and 1115 et seq.), as well as fair and respectful to the
15 interested parties.

16
17 The requirements and procedures in this article do not abrogate or limit a court’s inherent or other
18 authority, in its sole and absolute discretion, to determine who may be included on or removed from a
19 court list of mediators; to approve or revoke a mediator’s eligibility to be recommended, selected,
20 appointed, or compensated by the court; or to follow other procedures or take other actions to ensure the
21 quality of mediators who serve in the court’s mediation program in contexts other than when addressing a
22 complaint. The failure to follow a requirement or procedure in this article will not invalidate any action
23 taken by the court in addressing a complaint.
24

25
26 **Rule 10.781. Court-related ADR neutrals**

27
28 **(a) Qualifications of mediators for general civil cases**

29
30 Each superior court that makes a list of mediators available to litigants in general
31 civil cases or that recommends, selects, appoints, or compensates mediators to
32 mediate any general civil case pending in the court must establish minimum
33 qualifications for the mediators eligible to be included on the court’s list or to be
34 recommended, selected, appointed, or compensated by the court. In establishing
35 these qualifications, courts are encouraged to consider the Model Qualification
36 Standards for Mediators in Court-Connected Mediation Programs for General Civil
37 Cases approved by the Judicial Council.
38

39 **(b) Lists of neutrals**

40
41 If a court makes available to litigants a list of ADR neutrals, the list must contain, at
42 a minimum, the following information concerning each neutral listed:

- 43
44 (1) The types of ADR services available from the neutral;
45

- 1 (2) The neutral’s resume, including his or her general education and ADR training
2 and experience; and
3
4 (3) The fees charged by the neutral for each type of service.
5

6 **(b)(c) Requirements to be on lists**
7

8 In order to be included on a court list of ADR neutrals, an ADR neutral must sign a
9 statement or certificate agreeing to:
10

- 11 (1) Comply with all applicable ethics requirements and rules of court and;
12
13 (2) Serve as an ADR neutral on a pro bono or modest-means basis in at least one
14 case per year, not to exceed eight hours, if requested by the court. The court
15 must establish the eligibility requirements for litigants to receive, and the
16 application process for them to request, ADR services on a pro bono or
17 modest-means basis.
18

19 **Advisory Committee Comment**
20

21 **Subdivision (a).** A court that approves the parties’ agreement to use a mediator who is selected by the
22 parties and who is not on the court’s list of mediators or that memorializes such a selection by the parties’
23 in a court order has not recommended, selected, or appointed that mediator within the meaning of this
24 rule.
25

26 The Model Qualification Standards for Mediators in Court-Connected Mediation Programs for General
27 Civil Cases approved by the Judicial Council are published by the Administrative Office of the Courts
28 and are available on the California Courts Web site (www.courtinfo.ca.gov).
29

1 recommended, selected, appointed, or compensated by a court to mediate general civil
2 cases, either through a formal courtwide program or through a more informal program of
3 referrals by individual judges.
4

5
6 **(a) Education**

7
8 **(1) General education**

9
10 Have a high school diploma or GED and at least four years of subsequent
11 work or volunteer experience or four years of college coursework.
12

13 **(2) Legal training or education**

14
15 Have completed a program on the court system and civil litigation that
16 covers the topics required by the court. Individuals who have a law
17 degree, are licensed to practice law in any state, or have a paralegal
18 certificate are exempt from this requirement.
19

20 Drafter's Notes

- 21
- 22 1. Subdivision (a)(1) would recommend that courts' local rules require individuals
23 wishing to serve as mediators for the court to have a high school diploma or
24 equivalent and four years of subsequent college coursework or work or volunteer
25 experience.
26
 - 27 2. The work experience alternative is modeled on the mediator qualifications in several
28 other states that allow potential mediators to qualify with a lower level of education if
29 they have work experience (see, for example, the rules in New Jersey, which allow
30 potential mediators to qualify if they have a bachelor's degree and five years of
31 professional experience in the field of their expertise; in North Carolina, which allow
32 non-attorneys to be certified as mediators if, among other things, they have a
33 bachelor's degree and four years of professional, management, or administrative
34 experience; and in Tennessee, which allow potential mediators to qualify if they have
35 a bachelor's degree and six years of practical work experience. Note, however, that
36 all of these states require a bachelor's degree; the work experience is substituting
37 for a graduate degree or license to practice law).
38
 - 39 3. Subdivision (a)(2) would recommend that courts' local rules require mediators to
40 have education or experience relating to the legal system and civil litigation. Many
41 California courts' local rules and the rules of other states contain similar provisions.
42 This subdivision would allow mediators to fulfill the requirement by taking a training
43 program on the court system and civil litigation. This provision is modeled on the
44 rules of the Superior Court of Los Angeles County, which require that non-attorney
45 mediators must complete at least 3 hours of training on "litigation nuts and bolts" and

1 of several other states that have similar requirements (see, for example, the rules in
2 Michigan, which require persons who are not licensed to practice law in Michigan to
3 complete “a 6-hour program which addresses the basic laws, rules and guidelines
4 governing civil actions in Michigan” and in Virginia, which require persons who are
5 not licensed to practice law in Virginia to complete at least 4 hours of training in
6 Virginia’s judicial system). Individuals who have a law degree, are licensed to
7 practice law in any state, or have a paralegal certificate would be exempted
8 from taking this training.
9

10
11 **(b) Mediation training**

12
13 (1) Have either:

14
15 (A) Completed 40 hours of mediation training that meets the
16 requirements of (2) and (3) within the past two years; or

17
18 (B) Completed 40 hours of mediation training that meets the
19 requirements of (2) and (3) at any time and completed at least 7
20 hours of continuing or advanced mediation training covering at least
21 one of the topics listed in (2) or (3) within the past two years.
22

23 (2) At least 32 of the 40 hours of training required under (1) must be in the
24 form of a single, comprehensive, mediation training program. The
25 curriculum for this comprehensive training must include:

26
27 (A) Conflict, communication, and mediation theory;

28
29 (B) Stages of the mediation process;

30
31 (C) Mediation and communication skills and techniques;

32
33 (D) Mediator ethics;

34
35 (E) The law governing mediation, including mediation confidentiality;
36 and

37
38 (F) Observation of mediation demonstrations and participation in role-
39 playing.
40

41 (3) The 40 hours of mediation training required under (1) must also include
42 training on:
43

- (A) The Rules of Conduct for Mediators in Court-Connected Mediation Programs for Civil Cases;
- (B) Cultural and gender issues in mediation; and
- (C) Issues concerning the role of mediators in the preparation of mediated agreements.

Drafter's Notes

1. Subdivision (b)(1) would recommend that courts' local rules require completion of at least 40 hours of mediation training. Forty hours is the amount of mediation training required in the greatest number of California courts and other states.
2. Subdivision (b)(1) includes recommended limitations on when the required mediation training was completed. This subdivision would recommend that courts' local rules require that the 40 hours of training have been completed within the past two years or the potential mediator would also need to have completed at least 7 hours of continuing or advanced mediation training during the past two years. This requirement is designed to ensure that mediators have received recent training. It is modeled on provisions in several other states (see, for example, Alabama, which requires training to have been completed within the past two years; Indiana, which requires training to have been completed within the past three years or that the potential mediator have also taken 6 hours of Continuing Mediation Education (CME) in the past three years; and Michigan, which requires training to have been completed within the past two years or that the potential mediator have also taken 8 hours of CME in the past two years).
3. Subdivision (b)(2) would recommend that courts' local rules require that 32 hours of the required 40 hours of mediation training must be a single, comprehensive, training program, not separate, shorter training programs that total up to 40 hours. This requirement is modeled on requirements in several California courts and other states (see, for example, the rules for the Superior Court of Contra Costa County, which provide that mediators must have completed "an initial 40-hour comprehensive mediation training program"; the Superior Court of Los Angeles County, which provide that the required mediation training be "from a single mediation training provider"; Kansas, which provide that the initial mediation training "be done in a continuous manner within a 120-day period"; and Michigan, which provide that "[a]ccumulating a total of 40 hours of mediation training from various trainers in different programs does not satisfy this requirement."
4. Subdivision (b)(2) would recommend that courts' local rules specify the curriculum requirements for the basic mediation training. The curriculum requirements in this standard have been articulated in broad, general terms in order to encompass a wide variety of mediation styles and training approaches. This type of general

1 articulation of curriculum requirements is modeled on provisions in several other
2 states, including Idaho, Kansas, Maryland, Minnesota, and North Carolina.

- 3
4 5. The recommended curriculum content is also modeled on the topics most commonly
5 required to be covered in other states' rules.
6
7

8 **(c) Mediation experience**
9

10 After having completed the 40 hours of mediation training required under (b):
11

- 12 (1) Have mediated at least two mediations of at least 2 hours in length
13 observed and evaluated by a mentor mediator; and
14
15 (2) Have mediated or co-mediated at least 4 additional mediations of at least
16 two hours in length within the past two years.
17

18 Drafter's Notes
19

- 20 1. Subdivision (c)(1) would recommend that courts' local rules require potential
21 mediators to conduct at least two mediations under the observation of and evaluated
22 by a mentor mediator. This provision is modeled on requirements in nine other
23 states, including Florida, Georgia, and Virginia. It is designed to ensure that potential
24 mediators' mediation skills have been assessed before they are eligible to mediate
25 cases for a court. Although other states and some California courts and community
26 programs have implemented this type of mentor/evaluation for the mediators who
27 serve in their programs, there are many challenges to implementing this type of
28 requirement. These challenges include identifying and training those who will
29 conduct the evaluations and developing evaluation methods and instruments to
30 ensure consistent evaluations based on appropriate criteria. While a mentor
31 evaluation would be an important tool in assuring the quality of mediators, it is also
32 recognized that it may not be feasible for all courts to implement such a requirement
33 in the short term.
34
35 2. Subdivision (c)(2) would recommend that courts' local rules require that, in the two
36 years before applying to the court, potential mediators either conduct or co-mediate
37 at least four mediations.
38
39 a. The requirement of at least four mediations is similar to the mediation
40 experience requirement in Virginia (three mediations) and, when combined
41 with the two additional supervised mediations required under (c)(1), is similar
42 to the requirements in several California superior courts that require five
43 mediations, including those in Contra Costa and Los Angeles Counties.
44
45 b. This provision would also recommend that courts' local rules require that the
46 mediations have been conducted within the past two years. This is intended

1 to ensure that the potential mediator has recent mediation experience and is
2 modeled on similar provisions in the rules of the Superior Court of Stanislaus
3 County and several other states (see, for example, Maryland and Michigan).
4

5 c. Finally, this provision would recommend that courts' local rules require that
6 the mediations be at least 2 hours in length. This is similar to provisions in
7 the rules of several California courts and other states (see, for example, the
8 Superior Courts of Contra Costa and San Diego Counties, and the state of
9 New Jersey)

10
11 3. Subdivision (c) would recommend that courts' local rules require that the mediation
12 experience needed to fulfill these qualifications be completed after the potential
13 mediator has completed the required 40 hours of training. This provision is modeled
14 on a similar provision in Virginia, which provides that the required mentorship (which
15 includes observations of mediations conducted by a mentor mediator) cannot begin
16 until the basic mediation training has been completed. This timing requirement is
17 also implicit in other state rules.
18
19

20 **(d) Program orientation**

21
22 Have completed an orientation sponsored by the court concerning its mediation
23 program.
24

25 Drafter's Note

26
27 Subdivision (d) would recommend that courts' local rules require potential mediators to
28 complete an orientation to the court's mediation program. This provision is modeled on
29 the rules of the Superior Courts of Los Angeles and San Diego Counties, which require
30 all mediators to attend a program orientation session.
31
32

33 **(e) References and informing court of any public discipline or other matters**

34
35 (1) Submit references or evaluation forms from at least three individuals
36 who participated in mediations conducted by or co-mediated by the
37 applicant.
38

39 (2) Inform the court if:

40
41 (A) Public discipline has been imposed on him or her by any public
42 disciplinary or professional licensing agency;
43

- 1 (B) He or she has resigned his or her membership in the State Bar or
2 another professional licensing agency while disciplinary or
3 criminal charges were pending;
4
5 (C) A felony charge is pending against him or her;
6
7 (D) He or she has been convicted of a felony or of a misdemeanor
8 involving moral turpitude; or
9
10 (E) There has been an entry of judgment against him or her in any civil
11 action for actual fraud or punitive damages.
12

13 Drafter's Notes
14

- 15 1. Subdivision (e)(1) would recommend that courts' local rules require the submission
16 of letters of recommendation or evaluation forms from individuals who participated
17 in mediations conducted by the potential mediator. The draft calls for three letters
18 of recommendation. This is modeled on provisions from the Superior Courts of San
19 Diego, Santa Clara, and Sonoma, and the state of North Carolina (for non-attorney
20 mediator candidates).
21
22 2. Subdivision (e)(2) would recommend that courts' local rules require potential
23 mediators to inform the court if they have been subject to any public professional
24 discipline, certain criminal charges or convictions, or certain civil judgments. The
25 language of this provision is modeled on rule 3.856(c), part of the Rules of Conduct
26 for Mediators in Court-Connected Mediation Programs for Civil Cases, which
27 requires those who are already serving as mediators for the courts to inform the
28 court of any such professional discipline or other matter. Several California courts
29 and other states have similar requirements for background checks or for being in
30 good professional standing.
31
32

33 **Standard 3. Continuing eligibility requirements**
34

35 Courts are encouraged to require all persons to meet the following minimum
36 qualifications to continue to be included on a list of mediators made available by a
37 court to litigants in general civil cases or to be recommended, selected, appointed, or
38 compensated by a court as a mediator to mediate any general civil case pending in
39 the court.
40
41
42
43
44

1 **(a) Mediation training**

2
3 Complete at least 7 hours of continuing mediation education or training
4 covering at least one of the topics listed in standard 2(b)(2) or (3) every two
5 years. At least 1 of these 7 hours must address mediator ethics.

6
7 **(b) Mediation experience**

8
9 Mediate at least two complete mediations of at least 2 hours in length in
10 general civil cases in a court’s mediation program every two years.

11
12 Drafter’s Notes

- 13
14 1. Subdivision (a) of this standard would recommend that courts’ local rules require
15 mediators to complete at least 7 hours of continuing mediation education or training
16 every two years. Many California courts’ and other states’ rules contain similar
17 provisions, although the amount of continuing education or training required varies.
18
19 2. Subdivision (b) would recommend that courts’ local rules require that mediators also
20 mediate at least two general civil cases in a court mediation program every two
21 years. This provision is intended to ensure that mediators maintain their mediation
22 skills through regular practice. This provision is modeled on similar requirements in
23 the rules of several California courts and other states (see, for example, the rules of
24 the Superior Court of Los Angeles County, which require mediators to mediate at
25 least two cases in the court’s program per year; the Superior Court of San Diego
26 County, which require mediators to mediate at least one case in the court’s program
27 every two years; Oklahoma, which requires mediators to provide 10 hours of
28 mediation service in the program per year; Utah, which requires mediators to
29 mediate at least six cases per year; and Virginia, which requires mediators to
30 mediate at least five cases or 15 hours every two years.)

31
32
33 **Standard 4. Alternative qualification**

34
35 Courts are encouraged to provide that a person who meets some but not all of the
36 initial qualification requirements of standard 2 or the continuing qualifications of
37 standard 3 may still qualify to be a mediator for the court if he or she provides the
38 ADR Administrator with other satisfactory evidence of sufficient education,
39 training, skills, and experience. The ADR Administrator may require that the person
40 complete additional training or fulfill other conditions within a specified time period
41 in order to maintain his or her qualification as a mediator for the court.

1 Drafter's Note

2

3 This standard would recommend that courts' local rules give the court's ADR
4 administrator general discretion to accept a person who does not meet all of the
5 required qualifications as a mediator or who has not met the continuing mediation
6 education or experience requirements if the potential mediator provides other
7 satisfactory evidence of sufficient education, training, skills, and experience. This
8 provision is modeled on the rules in several California courts (see, for example, the
9 rules in the Superior Courts of San Francisco, San Mateo, and Sonoma Counties, which
10 all give potential mediators the option of qualifying by providing other satisfactory
11 evidence of mediation skills and experience) and in other states. It would also specify
12 that the ADR administrator may require the person to complete additional training or
13 fulfill other conditions.

14

Item SPR09-01 Response Form

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- Agree** with proposed changes
- Agree** with proposed changes **if modified**
- Do not agree** with proposed changes

Comments: _____

Name: _____ **Title:** _____

Organization: _____

- Commenting on behalf of an organization**

Address: _____

City, State, Zip: _____

To Submit Comments

Comments may be submitted online, written on this form, or prepared in a letter format. If you are *not* commenting directly on this form, please include the information requested above and the proposal number for identification purposes. Please submit your comments online or email, mail, or fax comments. You are welcome to email your comments as an attachment.

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DEADLINE FOR COMMENT: 5:00 p.m., Wednesday, June 17, 2009
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Circulation for comment does not imply endorsement by the Judicial Council or the Rules and Projects Committee. All comments will become part of the public record of the council's action.