THE NORTH CAROLINA DISPUTE RESOLUTION COMMISSION

ANNUAL REPORT
FISCAL YEAR 2025-2026

Post Office Box 2448
Raleigh, North Carolina 27602
(919) 890-1415
www.ncdrc.gov

November 4, 2026

Ladies and Gentlemen:

I am pleased to present the North Carolina Dispute Resolution Commission's Annual Report for Fiscal Year (FY) 2025 – 2026.

Commission members and staff are keenly aware of the important role with which we have been entrusted and are committed to the faithful execution of the Commission's statutory charge to certify and regulate the conduct of mediators and mediator trainers who are serving North Carolina's court-ordered Mediated Settlement Conference, Family Financial Settlement Conference, Clerk Mediation, District Criminal Court Mediation, and the Pre-Litigation Farm Nuisance Mediation Programs. This Report details the exemplary work of the Commission and its staff in the discharge of those statutory obligations during the last fiscal year.

The Commission undertakes its work in order to educate and raise awareness about North Carolina's court-ordered mediation programs, to ensure that our mediators are highly ethical people of good moral character, and to maintain the public trust and confidence in, and integrity of, our certified mediators and our state's court-ordered mediation programs.

The Report also discusses the Commission's goals for FY 2026-2027. Please feel free to contact me if there are questions or concerns you would like the Commission to address or comments you would like to make. With best wishes,

Sincerely,

Judge Lori Hamilton, Chair
NC Dispute Resolution Commission

TABLE OF CONTENTS

From the Chair		**3**
1. Introduction		**5**
2.	**A. Commission Members**	**6**
	B. Ex-Officio Members	**8**
3.	**Commission's Office**	**9**
4.	**Interface with Other Agencies or Programs**	**10**
5.	**Budget**	**10**
6.	**Certifications Issued FY 25-26**	**10**
7.	**Program Statistics FY 25-26**	**11**
8.	**Commission Structure in FY 25-26**	**12**
9.	**Commission Business in FY 25-26**	**14**
10.	**Plans and Goals for FY 2026-2027**	**18**
11.	**Conclusion**	**21**
	Addendum 1: MSC Program Statistics Chart	**22**
	Addendum 2: FFS Program Statistics Chart	**23**



1. INTRODUCTION

The North Carolina Dispute Resolution Commission (Commission) was established in 1995 by G.S. § 7A-38.2. The Commission is charged primarily with administering mediator and mediator training program certification and with regulating the conduct of mediators and mediator training program personnel. The Commission also helps to support mediated settlement conference programs operating in North Carolina's courts, including: the superior courts' Mediated Settlement Conference (MSC) Program, the district courts' Settlement Procedures in Equitable Distribution and Other Family Financial Settlement Conference (FFS) Program, the district courts' District Criminal Court Mediation (DCC) Program, the Clerk Mediation (Clerk) Program, and the Pre-litigation Farm Nuisance Mediation (Farm) Program. In addition to certifying and regulating mediators and providing program support, the Commission also recommends policy, rules, and rule revisions relating to dispute resolution to the General Assembly and Supreme Court; seeks to promote mediator education and skills development; interfaces with and serves as a resource for other state agencies offering mediation services or seeking to provide such services; and serves as a clearinghouse for dispute resolution information.

Over the past thirty years, mediation has become institutionalized in our courts. The programs the Commission helps to implement enjoy the support of judges, court staff, attorneys, and the public. The work of mediators results in many cases settling earlier than they would have otherwise and enables judges to better manage their caseloads. Moreover, the programs are cost-effective in that they do not rely on taxpayer dollars. Rather, the MSC, FFS, Clerk, and Farm Programs operate on a "party-pay" model, in which the parties referred to mediation share the costs of mediation equally, or as otherwise agreed to by the parties during the mediation. The DCC program operates on a flat fee model, paid by the defendant prior to the conference. The court may waive the mediator's fee for indigent parties. In turn, mediators fund the work of the Commission and its staff in the form of certification and certification renewal fees.

This Annual Report describes the activities and accomplishments of the Commission for the fiscal year period from July 1, 2025, through June 30, 2026.

2. MEMBERSHIP

A. Commission Members

The Commission is currently an eighteen-member body. In accordance with G.S. § 7A-38.2, its membership consists of: five judges, including two superior and two district court judges (the additional judge has often been a member of the North Carolina Court of Appeals); a clerk of superior court; five mediators, including two who are certified to conduct mediated settlement conferences in superior court, two who are certified to conduct family financial settlement conferences in district court, and one who is certified to conduct criminal district court mediations; a district attorney; two practicing attorneys not certified as mediators, one of whom shall be a family law specialist; three citizens knowledgeable about mediation; and a court management staff member. Members who were serving as of June 30, 2026, and their appointing authorities are listed below.

Zachary Bolen (Raleigh), Knowledgeable Citizen, appointed by the Senate President Pro Tempore on June 29, 2020, for a term expiring on September 30, 2023. Reappointed to the Commission by the Senate President Pro Tempore on October 1, 2023, for a term expiring September 30, 2026.

The Honorable Christopher Bragg (Monroe), Certified Superior Court Mediator, appointed by the Chief Justice on October 1, 2022, for a term expiring on September 30, 2025. Reappointed by Chief Justice Newby on October 1, 2025, for a term expiring on September 30, 2028.

The Honorable Justin Davis (Gastonia), Superior Court Judge, appointed by the Chief Justice on October 1, 2025, for a term expiring on September 30, 2028. (Filled the seat held by Judge Gorham.)

Joy Easley (Oak Island), Knowledgeable Citizen, appointed by the Speaker of the House of Representatives Tim Moore, on September 2, 2024, for a term expiring on September 30, 2027.

Paul Ekster (Tabor City), Attorney at Law not certified as a mediator, appointed by the President of the NC State Bar on October 1, 2023, for a term expiring on September 30, 2026.

The Honorable Phyllis Gorham (Wilmington), Superior Court Judge, appointed by the Chief Justice on October 1, 2019, for a term expiring on September 30, 2022. Judge Gorham was appointed Chair of the DRC by the Chief Justice in October of 2020, for a term expiring on September 30, 2022. Reappointed to the Commission by the Chief Justice on October 1, 2022,

for a term expiring September 30, 2025. Reappointed Chair of the DRC by the Chief Justice in October of 2022, for a term expiring on September 30, 2024.

The Honorable Lori Hamilton (Lexington), Senior Resident Superior Court Judge, appointed by the Chief Justice on September 28, 2021, for a term expiring on September 30, 2024. Reappointed to the Commission by the Chief Justice on October 1, 2024, for a term expiring September 30, 2027. Judge Hamilton was appointed Chair of the DRC by the Chief Justice on October 1, 2024, for a term expiring on September 30, 2026.

Clerk of Superior Court Angela Kidd (Lenoir), Clerk of Superior Court, appointed by the Chief Justice on October 1, 2023, for a term expiring September 30, 2026.

The Honorable Toni King (Fayetteville), District Court Judge, appointed by the Chief Justice on September 28, 2021, for a term expiring on September 30, 2024. Reappointed to the Commission by the Chief Justice on October 1, 2024, for a term expiring September 30, 2027.

Frank Laney (Cary), Certified District Criminal Court Mediator, appointed by the Chief Justice on November 15, 2021, for a term expiring on September 30, 2023. Reappointed to the Commission by the Chief Justice on October 1, 2023, for a term expiring on September 30, 2026.

Ralph Meekins (Shelby), Certified Superior Court Mediator, appointed by the Chief Justice on October 1, 2023, with a term expiring on September 30, 2026.

District Attorney Andrew Murray (Waynesville), District Attorney, appointed by the Chief Justice on September 1, 2024, to fill the seat of retired DA Benjamin David, the appointment took effect immediately for a term beginning on October 1, 2023, expiring on September 20, 2026.

N. David Niblock (Winston-Salem), Certified Family Financial Mediator, appointed by the Chief Justice on April 18, 2022, retroactive to September 30, 2021, for a term expiring on September 30, 2024. Reappointed to the Commission by the Chief Justice on October 1, 2024, for a term expiring September 30, 2027.

Lauren Quinn (Raleigh), Attorney at Law, Family Law Specialist, not certified as a mediator, appointed by the President of the NC State Bar on October 1, 2024, to replace Alice Stubbs who resigned from her seat effective September 30, 2024. The appointment term expired September 30, 2025. Reappointed to the Commission by Matthew W. Smith, President of the State Bar, for a term expiring September 30, 2028.

The Honorable William Southern (Dobson), District Court Judge, appointed by the Chief Justice on September 28, 2021, for a term expiring on September 30, 2024. Reappointed to the Commission by the Chief Justice on October 1, 2024, for a term expiring September 30, 2027.

The Honorable Michael Stading (Raleigh), NC Court of Appeals Judge, appointed by the Chief Justice on October 1, 2023, for a term expiring on September 30, 2026. Judge Stading was elected Vice-Chair by the full Commission for a term beginning on October 1, 2024, and expiring September 30, 2026.

Robin Stinson (Winston-Salem), Certified Family Financial Mediator, appointed by the Chief Justice on September 30, 2022, backdated to October 1, 2021, with a term expiring on September 30, 2024. Reappointed to the Commission by the Chief Justice on October 1, 2024, for a term expiring September 30, 2027.

Justina Tate (Morganton), Court Management Staff, appointed by the Chief Justice on September 21, 2021, for a term expiring on September 30, 2024. Reappointed to the Commission by the Chief Justice on October 1, 2024, for a term expiring September 30, 2027.

David A. Wijewickrama (Waynesville), Knowledgeable Citizen, appointed by the Governor on October 11, 2019, for a term expiring on September 30, 2022. Reappointed by Governor Roy Cooper on October 1, 2022, for a term expiring on September 30, 2025.

The Honorable Reuben F. Young (Ret.) (Gastonia), Knowledgeable Citizen, appointed by Governor Stein on December 19, 2025, for a term expiring on September 30, 2028. (Filled the seat held by Mr. Wijewickrama.)

B. Ex-Officio Members

A number of *ex-officio* members also attend Commission meetings. Although ex-officio members do not vote on matters before the full Commission and its committees, they actively participate in committee and Commission meetings. Serving as *ex-officio* members as of June 30, 2024, were:

De Maca Adams (Raleigh), Court Management Specialist, NCAOC Court Programs and Management Services Division.

Tina Estle (Fayetteville), Director, Cumberland County Dispute Resolution Center, representing the Mediation Network of North Carolina. Ms. Estle served as an Ex-Officio until her passing on February 5, 2026.

Kevin Howell (Raleigh), Deputy Commissioner and Dispute Resolution Coordinator, NC Industrial Commission, appointed by Judge Phyllis Gorham on November 14, 2023, for a term expiring September 30, 2025. Reappointed by Judge Hamilton on October 1, 2025, for a term expiring September 30, 2027.

Rick Igou (Durham), NC Bar Association's Dispute Resolution Section, recommended by the NCBA DR Section and appointed by Judge Hamilton on September 4, 2024, for a term expiring September 1, 2026.

Maureen Robinson (Cary), DRC Knowledge, appointed by Judge Lori Hamilton on August 1, 2025, for a term expiring September 30, 2027.

Ketan Soni (Charlotte), Technology Liaison, appointed by Judge Phyllis Gorham on October 1, 2023, for a term expiring on October 1, 2025. Reappointed by Judge Hamilton on October 1, 2025, for a term expiring September 30, 2027.

STATE ETHICS COMMISSION REVIEW. The Dispute Resolution Commission is a covered agency under the North Carolina State Government Ethics Act. During FY 2025-2026, Commission members and its staff liaison complied with all State Ethics Commission (SEC) requirements pertaining to training and the filing of Statements of Economic Interest (SEI) with the SEC. Following review of each SEI filed, the SEC found no conflicts of interest on the part of any member of the Commission that would prohibit his/her service.

3. COMMISSION'S OFFICE

During FY 2025-2026, the Commission's office operated with the following staff members: Executive Director **Tara L. Kozlowski;** Administrative Assistant, **Maureen McCarthy Robinson** until her retirement on July 11, 2025**;** Secretary **Jennifer Suchanec**, promoted to Administrative Secretary on September 1, 2025; Secretary **Brenda Spence** beginning September 8, 2025; and Secretary **Erica Chretien** beginning September 10, 2025. Office staff supports the work of the Commission and its committees; create drafts of rules, policies, advisory opinions for committee review; processes applications and application renewals for mediator certification and certification of mediator training programs; reviews complaints; and supports court staff, judges, mediators, and attorneys in implementing North Carolina's mandatory mediated settlement conference programs. Staff maintain the Commission's website, which can be accessed at www.ncdrc.gov and publish articles and news about the Commission on a regular basis. Additionally, the Commission provides information and updates through social media on LinkedIn and Twitter. The Commission's office is in the North Carolina Judicial Center located at 901 Corporate Center Drive in Raleigh, NC.

4. INTERFACE WITH OTHER AGENCIES AND PROGRAMS

In addition to North Carolina's state courts, dispute resolution programs and services are also operating in many other venues within the state. Though the Commission was established under the Judicial Department and is largely a creature of the courts, it has not hesitated to respond to requests for assistance from agencies and offices housed and working outside the courts. The NC Industrial Commission (mediation of workers' compensation claims); the NC Office of Administrative Hearings; the Federal Eastern, Middle, and Western Districts of North Carolina; the NC Office of State Personnel; the NC Department of Insurance (disaster mediation); the United States Department of Agriculture's Mediation Program (targeting farmers and lending institutions); and a number of smaller state and federal agencies all operate established mediation programs with assistance, in part, from mediators and trainers certified by the Commission.

5. BUDGET

Commission revenues are deposited in N.C. Administrative Office of the Court's (NCAOC) Fund 220052265. Fees collected from mediators and mediation training programs for certifications and certification renewals constitute the Commission's sole source of revenue. FY 2025-2026 collections for certifications and renewals, plus our legislative carryforward from previous years, totaled $533,549.00. This fiscal year, as in all past fiscal years, the Commission fulfilled its charge to fund its operations **without authorization or expenditure of any tax dollars.** The increase in our budget is largely attributed to the increase in the annual renewal certification fees and application fees allowed under NCGS 7A-38.2. This increase in mediator fees has provided for the full staffing of the Commission office with four employees.

6. CERTIFICATIONS ISSUED

The total number of outstanding certifications by program as of June 30, 2026, were as follows: 945 active Mediated Settlement Conference Program (MSC) certifications, 379 active Family Financial Settlement Conference Program (FFS) certifications, 90 active Clerk Mediation Program (Clerk) certifications (to conduct guardianship and estate mediations), and 44 active District Criminal Court (DCC) certifications.* In addition, there were 108 inactive MSC, 24 inactive FFS, and 6 inactive CMP certifications.** This year shows a greater decrease in certifications than in prior years. The Commission moved our renewal applications to Enterprise Justice which provided to be a difficult process for many, resulting in the choice to lapse over renewing the certification.

* These numbers reflect total certifications outstanding and not the total number of mediators. The number of mediators is less than the total number of certifications in that

a number of mediators hold dual certifications, *i.e.,* both MSC and FFS certification or multiple certifications.

** Inactive mediators may not conduct mediated settlement conferences, and their names do not appear in the Commission's mediator database accessible at www.ncdrc.gov. However, they continue to receive information and updates from the Commission and may reactivate their certification(s) upon request.

7. PROGRAM STATISTICS

The NCAOC FY 2025-2026 Statistical and Operations Reports provide data as to the implementation and efficacy of the MSC and FFS Programs. North Carolina began moving into eCourts, transitioning from paper to digital, in 2023, completing the transition in 2025. The Commission's statistical data for FY 25-26 has been impacted by the rollout of the Enterprise Justice Integrated Case Management System. The information below reflects the data we were able to obtain but does not provide a complete accounting of cases that have completed a mediated settlement conference.

In the MSC Program, it was reported that 4,017 cases were mediated, and of those, 2,413 cases, or 60% were resolved, or partially resolved, at a mediated settlement conference. If one includes the 424 cases that were reported as settled prior to mediation or during a recess in that computation, the percentage of resolved cases rises to 64%. The Commission considers this latter percentage, i.e., 64%, to be more representative of the true impact of the MSC Program, believing that the order to mediate serves as a catalyst for these early settlements. In addition, research conducted in 2012 suggests that settlement rates are likely higher in that many cases which impasse at the table but go on to settle in the days and weeks ahead as attorneys and parties continue to discuss offers made at mediation.

In the FFS Program, 959 cases were mediated, and 655 cases, or 68% were resolved in whole or in part at the mediated settlement conference. If one also considers, as above, the 55 cases resolved after referral but prior to a conference or during recess, 70% of FFS cases were resolved. These settlement rates are slightly lower than the percentages of mediated cases that settled in FY 2024-2025. The reports track data by individual judicial district as well as provide statewide totals and are attached as Appendices to this Annual Report.

Caseload statistics for the Clerk Mediation Program have been disappointing to date. For FY 2025-2026, the Clerk Mediation Program, statewide reports show 20 cases were mediated. The statistics received came from nine counties, the remaining counties did not report any activity for the Clerk Mediation Program. This number has increased slightly since FY 2024-2025, which may be from completion of the State's transition into eCourts.

Statistics are not currently maintained for the District Criminal Court Program. Feedback received from participating districts and community mediation centers indicated a high settlement rate among the minor misdemeanor matters that entered mediation. However, the community mediation centers indicate a drop in cases entering mediation. The Commission is currently considering options on how to reinvigorate this program including a potential program for law students.

8. COMMISSION STRUCTURE

In this fiscal year, the Commission operated with seven standing committees. The committees undertake the work of the Commission and make recommendations to the full body. Committees meet as needed, generally at least once per quarter, usually by conference call or by Webinar which offers the ability to review and edit documents during the call.

A. Standing Committees

Executive/Operations Committee: Judge Hamilton, Chair, from July 1, 2025 - June 30, 2026. This Committee is charged with considering matters relating to legislation, budget, and personnel.

Standards and Advisory Opinions Committee: Mr. Laney, Chair, from July 1, 2025 – June 30, 2026. This Committee is responsible for reviewing matters relating to the Standards of Professional Conduct for Mediators, including suggesting amendments to the Standards; assisting staff in responding to inquiries regarding ethics: and drafting Advisory Opinions for consideration by the Commission.

Grievance and Disciplinary Committee: Judge Southern, from July 1, 2025 – June 30, 2026. This Committee reviews character, conduct, and fitness matters, including matters self-reported by mediators at any time during the year and matters disclosed by applicants or otherwise discovered by Commission staff in the context of mediator certification and certification renewal applications. This Committee also investigates, and reviews complaints filed by court staff, litigants, attorneys, and others related to mediator moral character, conduct, or fitness to practice.

Mediator Certification and Training Committee: Mr. Bolen, Chair, from July 1, 2025 – June 30, 2026. This Committee considers issues that arise in connection with mediator training programs and mediator certification or certification renewal applications which relate to an applicant's education, training, and/or professional experience. This Committee also makes recommendations on rule changes regarding certification requirements for mediator and mediator training programs. This Committee is also responsible for overseeing the Commission's continuing mediator education reporting requirement and making recommendations on certification fees.

Civil Subcommittee: Ms. Stinson, Chair, from July 1, 2025 – June 30, 2026. This Committee is charged with helping to ensure that all of North Carolina's mediation programs operate effectively and efficiently through the civil courts. The committee considers recommendations and amendments to program enabling statutes and rules to achieve that end.

Criminal Subcommittee: Judge Toni King, Co-Chair, from July 1, 2025 – February 5, 2026, and Chair, from February 6, 2026 – June 30, 2026. Ms. Estle, Co-Chair, from July 1, 2025 – February 5, 2026. This Committee is charged with helping to ensure that all of North Carolina's mediation programs operate effectively and efficiently through the criminal courts. The committee considers recommendations and amendments to program enabling statutes and rules to achieve that end.

New Media Committee: Mr. Wijewickrama, Chair, from July 1, 2025 – September 30, 2025, Mr. Niblock from October 1, 2025 - June 30, 2026. This Committee is charged with overseeing Commission outreach to judges and court staff, lawyers, mediators, and the general public. Specifically, this Committee is tasked with maintaining the Commission's website at www.ncdrc.gov; maintaining the Commission's page on Juno, the NCAOC's internal website; and with implementing and maintaining the Commission's new social media platforms on Twitter and LinkedIn.

B. Ad Hoc Committees

The Commission also establishes ad hoc committees to address specific matters or issues that arise and are more temporary in nature. This fiscal year the Commission operated with four Ad Hoc Committees:

Ad Hoc eCourts/Statistics Committee: Ms. Adams, Chair, July 1, 2025 – June 30, 2026. This Committee is charged with providing guidance to the NCAOC, as they proceed to implement a state-wide Integrated Court Management System over the coming years. The Committee is responsible for creating accurate workflows for all Commission programs to provide the ICMS vendor a basic understanding of the Commission programs. The Committee also makes recommendations to the NCAOC's system analyst of what data the Commission would like to receive on mediation once the ICMS is in place.

Ad Hoc Long Range Planning Committee: Mr. Bolen, Chair, from July 1, 2025 – June 30, 2026. This Committee makes recommendations to the full Commission on matters regarding future planning, and growth for the Commission.

Ad Hoc Video Observation Committee: Mr. Wijewickrama, Chair, from July 1, 2025 – September 30, 2025. Mr. Meekins from October 1, 2025 - June 30, 2026. This Committee was established to create guidelines and make recommendations to the full Commission regarding the

use of observation videos for application purposes. Each applicant must observe two mediations if applying as an attorney and observe five mediations if applying as a non-attorney.

Ad Hoc Funds Committee: Mr. Niblock, Chair, from July 1, 2025 – June 30, 2026. This Committee is charged with managing the excess budget in the Commission's financial account. The Commission determined the excess funds should be utilized to promote ADR practices in the State. The Committee acknowledges the funds are to be used with caution as the Commission does not receive state funding and relies solely on receipts from certified mediators and trainers.

Ad Hoc Cherokee Nation: Mr. Wijewickrama, Chair, from July 1, 2025 – March 6, 2026. This Committee has been tasked to work with the Cherokee Nation to determine the feasibility of providing certification for mediators who mediated in the Cherokee Nation Courts. The Committee was dissolved at the March 6, 2026 meeting, due to lack of progress.

Ad Hoc AO Review Committee: Ms. Stinson, Chair, from July 1, 2025 – June 30, 2026. This Committee has been tasked with reviewing the Commission's 43 Advisory Opinions to determine if they are accurate under the current legislation, rules, and standards. Additionally, the Committee has been asked to review the AOs for consistency.

Ad Hoc Green Book Committee: Mr. Laney, Chair, from July 1, 2025 – June 30, 2026. This Committee has been charged with overseeing the revision of the second edition of the book, *Alternative Dispute Resolution in North Carolina, A New Civil Procedure* ("Green Book").

Ad Hoc Law Student ADR Committee: Judge Bragg, Chair, from August 22, 2025 – June 30, 2026. This Committee has been tasked with creating programs that may be integrated into law schools that would allow law students hands-on mediation training and experience.

Ad Hoc Clerk 2026 Committee: Mr. Laney, Chair, from August 22, 2025 – June 30, 2026. This Committee has been asked to revamp the Clerk Mediation Program by reviewing and revising the statutes, rules, forms, and viability of the program.

9. COMMISSION BUSINESS in FY 2025-2026

The full Commission met in person, with the option of attending via remote technology, two times this fiscal year: August 22, 2025, and March 6, 2026. Commission business slowed toward the end of FY 24-25 in anticipation of the implementation of mediator renewal applications through the eCourts Guide & File system. The transition into eCourts has been awkward, pulling much of staff's time toward assisting mediators in renewing their certifications by filing a renewal application. Notice of meeting dates and locations were posted on the Commission's website in

advance of meetings. Minutes from the meetings are also archived on the Commission's website, **www.ncdrc.gov**.

During this fiscal year, the Commission and its Committees undertook a number of projects designed to improve operations of the Mediated Settlement Conference (MSC), Family Financial Settlement (FFS), Clerk (Clerk), Farm Nuisance (Farm), and District Criminal Court (DCC) Mediation Programs and to facilitate the work of North Carolina State courts and mediators. Goals met during this fiscal year and other projects undertaken by the Commission are highlighted below.

A. Mediator Education Provided Statewide. The Commission, working through the Mediator Certification and Training Committee, reviewed and approved several continuing mediation education courses. The courses were taught all over the state, by a variety of different sponsors. Commission staff also provided several courses for mediators to attend and meet their annual educational requirement. The Commission has approved educational courses to be offered live, via webinars, and by podcasts.

B. Renewal Application and Self-Reporting Continuing Mediator Education (CME). The Commission adopted a mandatory Continuing Mediator Education Policy during fiscal year 2015-2016, which became effective during the FY 2017-2018 renewal period. The policy requires each active, certified mediator to annually complete two hours of approved CME which relates either to program enabling legislation, the N.C. Supreme Court's program rules, Standards of Professional Conduct for Mediators, grievance procedures of the Commission, and/or updates in case law involving mediation. In FY 2018-19, the NCAOC technology team created a new application that provides each mediator a list of CME courses available for credit. The mediator self-reports their completed course online when they renew their certification(s).

C. Advisory Opinions Adopted and Updated. The Commission adopts Advisory Opinions in response to mediator requests for assistance in resolving ethical dilemmas and rule interpretation questions or upon request of a Commission member. Advisory Opinions may also be issued in situations where discipline has been imposed and the Commission wishes to alert other mediators to the circumstances involved. The Commission adopted the following Advisory Opinions this year.

1. Advisory Opinion 46(2025): **Electric Signatures Under the Uniform Electronic Transactions Act in a Final Settlement Agreement, Rule 4**
   a. An electronic signature must be valid under the Uniform Electronic Transactions Act to create a final written agreement for settlement purposes in a court ordered mediation under the Dispute Resolution Commission Rules.

2. Advisory Opinion 47(2025): **Mediator is in Control of the Conference, Rule 6(a)(1)**
    a. The mediator is always in control of the conference. The mediator may elect to prohibit mediation participants from possessing, displaying, or carrying a weapon in a mediated settlement conference. This applies to any mediation conference, whether the conference is held in person, remotely, or a hybrid conference.
3. Revised Advisory Opinion 43(2022): **Mining Metadata and Recording the Conference, Rule 4 And The Use of Artificial Intelligence During a Remote Mediation**
    a. The mediator or a party to a mediated settlement conference shall not mine metadata from a mediated settlement conference or record the mediated settlement conference. The mediator is responsible for ensuring Artificial Intelligence (AI) is not operational during a remote mediated settlement conference.
4. Revised Advisory Opinion 39(2018): **A Mediator's Duty, Rule 6**
    a. Mediators shall actively and effectively manage their cases by scheduling and holding the mediated settlement conference and by timely filing the Report of Mediator.

D. The Enabling Legislation for Mediation Programs under the Commissions Jurisdiction were Amended. During this fiscal year the Commission's proposed amendments to the mediation statutes were adopted by the General Assembly. House Bill 620 was signed into law by Governor Stein on July 2, 2025. HB620 broadened the language for reporting of abuse in General Statute 7A-38.1(*l*), 7A-38.4A(j), 7A-38.3B(g), and 7A-38.3D(k). The amended language allows for reporting of abuse, neglect, or dependency of a juvenile under Chapter 7B, or in proceedings for abuse, neglect, or exploitation of an adult under Article 6 or 6A of Chapter 108A of the General Statutes.

E. Program Rules, Policies, and Guidelines of the Commission Continuously Reviewed. The Commission reviews of Rules for the Dispute Resolution Commission, Mediated Settlement Conference Program, Family Financial Settlement Conference Program, Clerk Mediation Program, District Criminal Court Mediation Program, and the Standards of Professional Conduct for Mediators regularly to ensure the DRC mediation programs operate effectively and efficiently.

The Commission regularly reviews its policies, procedures, and guidelines for consistency with each other and with statutory and rule amendments and revises them as needed. All policy revisions were posted for comment to the Commission's website.

F. Regulatory Role Fulfilled. During this fiscal year the Commission addressed a few regulatory concerns, including reviewing certification to individuals whose certification applications raised ethical concerns and investigating complaints. The Commission continues to take seriously its charge to regulate mediator and mediator trainer conduct thereby protecting the public, encouraging ethical conduct on the part of its certified mediators, and ensuring that program rules are being followed, while balancing the due process rights of its certified mediators against whom complaints may be filed.

G. Review of District Criminal Court Program. During this fiscal year the Commission continued efforts to increase the viability of the District Criminal Court Program (DCC). The program had been state funded in the past, and currently operates on a defendant-pay based system. After meeting with directors from various community mediation centers handling DCC cases, the Commission reports community mediation centers have difficulty in collecting the mediation fees, where cases are continued to multiple court dates and creating excess work for court staff. The Criminal Subcommittee continues to work with other stakeholders for a permanent solution for the DCC program. The Commission was awarded a $100,000 grant through IOLTA, Interest on Lawyers Trust Accounts, to fund district criminal court mediations for the 2024 calendar year, and the 2025 calendar year. With the assistance of these funds, the DRC began operating a Pilot District Criminal Court Mediation Program, where certified centers could participate where the grant funds would pay the $60/case mediation fee. As of June 30, 2026, the pilot program had engaged 18 districts across North Carolina, working with nine Commission certified community mediation centers. The IOLTA grant funds were not made available for 2026. The General Assembly earmarked the IOLTA funds to be used for indigent services. The Commission has not obtained grant funds to continue the DCC Pilot Mediation Program. The Pilot DCC Program stopped operating on January 1, 2026. The Commission did not retain any funds from the award but acted as a fiscal sponsor of the funds distributed to the centers for mediations performed.

H. Communications and Outreach Improved. This fiscal year the Commission, working through its New Media Committee, continued to make significant strides in improving communications and outreach. The Committee and Commission staff work regularly with an NCAOC consultant to enhance the Commission's website at www.ncdrc.gov. The Commission utilizes media platforms including Twitter and LinkedIn on a regular basis and has published two episodes for Beyond Neutrality, the Commission's podcast. In addition, staff published a newsletter after each Commission meeting.

The Commission offers one video observation for the MSC Program and one video observation for the FFS Program. The availability of a video observation reduces the

number of live observations each prospective mediator must complete to fulfill the application requirements.

The U.S. Department of Justice issued a final rule requiring state government websites, and other content made available on the web by public entities to comply with the Web Content Accessibility Guidelines (WCAG). The Commission's website was fully compliant by May of 2025.

I. Creating Avenues for Pro-Bono Mediation Services Through Law Students. The Commission collaborated with Duke Law School's PONDR Program. The Program on Negotiation & Dispute Resolution (PONDR) at Duke University School of Law, led by Professor Casey Tompson, has worked closely with the Commission to create potential programs that would allow law students to engage in court mediations, after completing the requisite mediation training. The Commission adopted District Criminal Court Training Guidelines for Law Schools, that would allow a DCC Certified Mediator to train law students in a semester course, who will then be provided an opportunity to mediation in district criminal court under the proper supervision until certified by the Commission. Additionally, the Ad Hoc Law Student ADR Committee is considering offering an additional opt-out mediation program in district courts. The Commission will seek enabling legislation from the General Assembly in 2027 to operate a pilot program.

J. Celebrated Conflict Resolution Day, October 16, 2025. The Commission sponsored a live program on Thursday, October 16, 2025, featuring continuing mediation education and continuing legal education courses. The program included opening remarks from Tara Kozlowski, Executive Director of the Commission, and featured a two-hour program hosted by Professor Ellen Gelbin, and Mediator Leslie Brown. The program was attended by 325 individuals. The Commission is proud to engage in educational outreach about alternatives to litigation for resolving conflicts, including mediation, arbitration, collaborative law, etc.

10. PLANS & GOALS FOR FISCAL YEAR 2026-2027

In FY 2026-2027, the Commission will focus on the following projects, among others:

A. Transition Mediator Annual Renewal Applications into Microsoft Application. It was determined that the DRC's renewal procedures did not integrate well with eCourts Guide & File or File & Serve. For FY 26-27, the renewal process will move into Power Apps, a Microsoft Application.

B. Engage in Long Range Planning. In an effort to maintain the Commission's place in promoting ADR across the State, the Commission intends to continue its focus on long range planning in FY 26-27.

C. **Celebrate Conflict Resolution Day, October 15, 2026.** The Commission is honored to sponsor a celebration of Conflict Resolution Day on October 15, 2026. The Commission will provide two hours of continuing mediation education and continuing legal education, including two hours of ethics credit. The program will be held remotely and will be recorded and posted for future views.

D. Continue Website Overhaul. The Commission and its staff will continue to work with NCAOC website designers and consultants to fully overhaul, update the appearance, streamline content, and enhance the functionality of the Commission's website, www.ncdrc.gov.

E. Expand outreach through social media and other channels. The Commission will embrace and expand its outreach to Commission stakeholders and the public through the Commission's Twitter and LinkedIn accounts. The Commission hopes to record and disseminate videos and public service announcements about NC's mediation programs, the Commission, and mediation as an effective conflict resolution process.

F. Continue efforts to introduce legislation of importance to the Commission. The Civil and Criminal District Court Subcommittees will continue to work with NCAOC to address concerns and introduce rule modifications and new legislation as necessary to move the Commission forward.

G. Encourage certification of all mediators working in the District Criminal Court Program. The Commission will continue to work with the Mediation Network of North Carolina (MNNC), local community mediation centers, local district attorneys, and chief district court judges to encourage local community mediation centers to adopt the NC Supreme Court Rules for the District Criminal Court Mediation Program and seek mediator certification of mediators affiliated with the centers from the Commission to conduct mediations in cases in the District Criminal Court Program. Currently eleven (11) community mediation centers require their mediators to be certified by the Commission. By encouraging certification, certified mediators serving the district criminal courts will be bound by the enabling legislation, DCC Program Rules and the N.C. Supreme Court's Standards of Professional Conduct for Mediators, thereby insuring uniformity among programs, and accountability of center mediators.

H. Ensure informative, accessible, and affordable CME opportunities. The Commission and its staff will continue to work in partnership with the North Carolina Bar Association, the NCAOC, the NC State Bar, and other organizations and individuals to ensure that a wide variety of CME approved programs are available which are accessible and affordable to certified mediators who must comply with the Commission's Mandatory CME Policy.

I. Submit approved amendments to the Commission Rules, Program Rules, and the Standards of Professional Conduct to the NC Supreme Court for review and adoption. The Commission hopes to adopt, post for comment, review comments, and finalize all such amendments for submission to the Supreme Court of NC during the 2026-2027 fiscal year.

J. The Commission will continue to interface and work with 1) other agencies and organizations with mediation programs; 2) the NC State Bar; and 3) the Dispute Resolution Section of the NCBA, and others as necessary to promote dispute resolution in North Carolina and the programs that the Commission helps to support.

K. Continue regulatory oversight. The Commission shall continue to ensure that only qualified individuals of good moral character become certified as mediators, and to investigate and promptly address complaints regarding mediator conduct, character, and fitness to practice.

L. Continue Commission operations. The Commission and its staff shall continue to operate the Commission's office efficiently and cost-effectively while serving the needs of mediators, court personnel, attorneys, and the public, as those needs relate to North Carolina's mandatory court mediation programs.

M. Communicate regularly with mediators. The Commission and its staff shall continue to inform the Commission's certified mediators about amendments to enabling legislation, program rules, Standards, newly adopted advisory opinions, case law involving mediation, and other matters relevant to their service as mediators to our courts, through its newsletter, email announcements, website postings, potential social media channels, and the like.

N. The Commission will continue to work towards providing court staff proper information and access to mediators, designated and court appointed, in their districts. The Commission and its staff have been working diligently with the AOC's tech team to integrate its programs into the new eCourts filing system, Odyssey. This has been

a work in progress as we continue to move forward by updating our programing and operational systems.

11. CONCLUSION

As it has done every year since its creation in 1995, Commission members and staff worked diligently this fiscal year to ensure that the Mediated Settlement Conference, Family Financial Settlement, Clerk, Farm, and District Criminal Court Mediation Programs operated effectively and efficiently. The Commission strives to meet its charge of ensuring effective and ethical mediator performance through its consistent application of the rules regarding certification and by insisting on high ethical standards through its regulatory authority. In the coming fiscal year, the Commission pledges to continue its work to make the mediation process responsive to the changing needs of North Carolina State's court system and its citizens through innovation and thoughtful re-evaluation of the mediation process and the role and work of mediators.