



THE NORTH CAROLINA DISPUTE RESOLUTION COMMISSION

GUIDELINES

Guidelines Amplifying Rules for Certification of 16-Hour Supplemental FFS Mediation Training Programs

(Adopted by the Certification and Training Committee on February 5, 2002;
amended on March 5, 2021; November 19, 2021; and May 1, 2023.)

1. Curriculum for 16-Hour Supplemental Training for District Court (FFS) Certification under FFS Rule 8(a).

Family Financial Settlement (FFS) Rule 9(b) provides that the curriculum for the 16-hour district court course shall consist of a minimum of 16 hours of instruction and shall include all the subjects in FFS Rule 9(a). There shall be at least two simulations as specified in FFS Rule 9(a)(7). The Commission has set the following minimum time periods to be allocated to each of the topics set forth in Rule 9(a):

2 Hours Total:

1. Conflict resolution and mediation theory;
2. Mediation process and techniques, including the process and techniques of typical family and divorce mediations; and
3. Communication and information gathering skills.

1 Hour Total:

4. Standards of conduct for mediators including but not limited to the Standards of Professional Conduct adopted by the Supreme Court.

2 Hours Total:

5. Statutes, rules and practice governing mediated settlement conferences conducted pursuant to these Rules.

1 Hour Total:

6. Demonstrations of mediated settlement conferences with and without attorneys involved with discussion and commentary.

3 Hours Total:

7. Simulations of mediated settlement conferences involving student participation as mediator, attorneys, or disputants, which simulation shall be supervised, observed and evaluated by program faculty.

1 Hour Total:

8. An overview of family dynamics, the effect of divorce on children and adults, and child development; and
9. Protocols for the screening of cases for issues of domestic violence and substance abuse.

1 Hour Total:

10. Satisfactory completion of an exam by all students testing their familiarity with the statutes, rules and practices governing mediated settlement conference in North Carolina (includes discussion of the exam).

2. Additional Guidelines.

Sixteen-hour supplemental courses may be offered in-person or through remote technology. The times listed above do not total 16 hours. It is expected that trainers will meet the minimum requirements set out for the topics above and may use the balance of time to augment minimum times or to add other material as they see fit.

Sixteen-hour supplemental courses may be offered as stand-alone courses or a trainer may segregate the requirements of the 16-hour program into a discrete portion of an approved 40-hour training program, *i.e.*, a trainer may embed the 16-hour program within a full forty hour FFS District Court training and have any MSC Superior Court certified mediators seeking dual certification attend only that portion of the 40-hour FFS program wherein the 16 hours are encapsulated.

It is expected that trainers will provide the Commission with an agenda, list of trainers and resumes, role play scenarios and copies of all handouts that participants will receive. It is expected that trainers will have experience conducting mediations in superior or district court as appropriate and in litigating superior court civil or district court family cases. Trainers seeking certification of 16-hour programs should refer to Trainer Guidelines for full 40-hour Superior Court and Family Financial Mediation Training Programs. It is expected that 16-hour programs will comply with these fuller Guidelines in all areas.

Any trainer with questions is invited to contact the Commission's office at (919) 890-1415 or by email DRCMediators@nccourts.org.