



DRC Pilot Guidelines Amplifying Rules for Certification of Superior Court Mediation, Family Financial Mediation, and District Criminal Court Training Programs Through Remote Technologies

(Adopted by the Dispute Resolution Commission on May 6, 2020, Amended on October 19, 2020, and June 25, 2021.)

These Guidelines create a Pilot Program to allow trainers who were certified by this Commission prior to the date of the adoption of these Guidelines to provide mediator training through the use of remote technology. These Guidelines are further intended to amplify Rules 8 and 9 of the Rules for Mediated Settlement Conferences and Other Settlement Procedures in Superior Court Civil Actions, Rules 8 and 9 of the Rules for Settlement Procedures in District Court Family Financial Cases, and Rules 7 and 8 of the Rules of Mediation for Matters in District Criminal Court..

Terms:

1. **DRC PROGRAM CERTIFICATION.** Only trainers who were certified by this Commission prior to the date of the adoption of these Guidelines, qualify under this Pilot Program. A trainer seeking to conduct remote training(s), must apply to the DRC for certification to conduct remote training(s).

2. **TRAINING PACKAGE REQUIREMENTS.** All requirements outlined in the current Training Program Guidelines shall apply. Trainers are not required to provide copies of already approved material but shall provide copies of all new, or supplemental, material to Commission staff. Trainers choosing to provide remote training programs shall update their training material to conform with the requirements of this Pilot Program. See list of package requirement below.

3. **CONTROLLING LANGUAGE.** The terms of this Pilot Program shall control and supersede any inconsistent language found in the DRC Guidelines Amplifying Rules for Certification of 40-Hour Superior Court Mediation Training Programs, the DRC Guidelines Amplifying Rules for Certification of 40-Hour Family Financial Mediation Training Programs, the DRC Guidelines Amplifying Rules for Certification of 16-Hour Supplemental MSC Mediation Training Programs, the DRC Guidelines Amplifying Rules for Certification of 16-Hour Supplemental FFS Mediation Training Programs, and District Criminal Court Program Trainer Guidelines (hereinafter collectively known as the “Training Programs”).

4. **TRAINING PLATFORM.** The Platform used to provide the remote training shall be at the trainer’s discretion. All remote training shall be conducted live and participants must appear by video throughout the training. Participants shall be able to interact with the trainer during the presentation, i.e. participants can ask questions and receive answers during the training session. The trainer(s) shall have “host” or “maintain control” over the platform functions at all times.

5. **CLASS SIZE AND ACCOMMODATION.** At no time should the number of participants exceed 15 people. The number of participants is limited to the trainer’s ability to see all participants on the same computer screen during the training.

6. **RECORDING.** All remote training conducted under this Pilot Program shall be recorded for auditing purposes only. The Commission shall be allowed to review the recording upon request. The recording shall not be replayed for training purposes under any circumstances. The recording may be deleted upon completion of an audit.

7. **FEEDBACK FROM PARTICIPANTS.** All participants in a Pilot Program remote training program shall agree to complete a brief survey created by Commission staff regarding their experience during the remote training course. Trainers shall provide the course participants the survey and return to DRC staff at the conclusion of each program. Completion of the survey is a required to receive a program certificate.

8. **PRE-REQUISITE TRAINING.** All non-attorney participants must complete the 6-hour course on N.C. court organization, legal terminology, and civil procedure, or have equivalent experience as determined by DRC staff, prior to registering for a 40-hour or 16-hour training course.

9. **DURATION OF PILOT PROGRAM.** This pilot program shall expire on July 1, 2022 and shall be reviewed at that time.

Remote training packages shall include the following material that has not previously been produced to, and approved by, the DRC:

- A. a detailed agenda identifying topics to be covered, and time frames allocated to each topic;
- B. a list of trainers who will cover each topic, with each trainer’s resume;
- C. the total number of hours and days the program will run;
- D. a complete copy of all materials to be distributed to participants as handouts, including copies of any texts, of role-play scenarios to be used, and the exam to be administered pursuant to the Rules; and
- E. a detailed outline of how the class will be offered using remote technology, i.e. the platform to be used, who will manage the administrative settings on the platform, the settings used, etc.

Any questions should be directed to the Commission's office at (919) 890-1415.