

DISPUTE RESOLUTION COMMISSION

NEWS AND UPDATES

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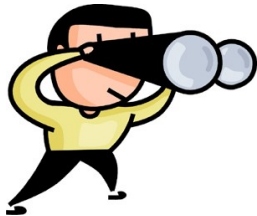


March 2019

919-890-1415

CONFLICT RESOLUTION DAY 2019!

The Dispute Resolution Commission is planning its annual reception for Conflict Resolution Day on **Thursday, October 17, 2019**, at the NC Judicial Center, 901 Corporate Center Drive, Raleigh. This year's event will include an appearance by Chief Justice Cheri Beasley, and CME training for certified mediators. A reception will be held at 11:00 am with a light lunch. NCDRC staff will keep you posted on all the details as we get closer to the date.



BE ON THE LOOKOUT

Rules and Standards Submitted to the Supreme Court

Commission staff has submitted amended Program Rules, DRC Rules and The Standards of Conduct to the Supreme Court of North Carolina. Once staff has received the newly amended Rules/Standards, mediators will receive copies via email.

CONTINUING MEDIATOR EDUCATION

The 2019-2020 renewal period is fast approaching, Have you completed your two hours of CME? Certified (Active) Mediators will not be able to access their Renewal Application until staff records their CME. Inactive Mediators are not required to complete CME for renewal.

The DRC has posted several CME opportunities for mediators, from live presentations, CLE/CME courses through the NCBA, and free videos.

Please visit the [Commission's CME Page](#) for more information.

POSTED FOR COMMENT

Standard VII was recently revised and approved by the Commission at the March 1, 2019, meeting. This revision has been posted for comment, and can be found on the [Commission Seeks Comment](#) page. Comments will be accepted until April 8, 2019, and **will be shared with the full Commission.**

Standard VII addresses Conflict of Interest for Mediators if asked to mediate a dispute where the mediator had previously served as a professional for one or more parties, or if asked to serve as a professional in a matter in which he/she had previously served as a mediator.

The Mediator Toolbox Has Been Redesigned

After careful review, the Commission's New Media Committee decided it was time to make some enhancements to the Mediator Toolbox. The newly designed Toolbox has each program listed with the corresponding rules, forms, brochures, and court contacts. The other resources available 24-hours a day are Mediator Renewal Information, Mediator Ethics, Continuing Mediator Education, Standards of Conduct, adopted Advisory Opinions, the Advisory Opinion Policy, DRC Polices and Guidelines and DRC Articles and News. The Commission hopes these changes will make it easier for mediators to locate much needed materials.



Judge Richard Gottlieb was appointed to the NCDRC by Chief Justice Mark Martin on October 1, 2018. Judge Gottlieb was sworn in by Judge John M. Tyson at the March 1, 2019, Commission meeting.

Welcome Mary Brooks!

Mary is the newest member of the DRC staff, as the Administrative Secretary. To see more information about DRC staff, please visit the [DRC Staff webpage](#).



Newly Adopted DRC Policy

Interpreting and Implementing the Rules of The North Carolina Supreme Court for the Dispute Resolution Commission Rule IX.C.(2)(d) Policy

(Adopted by the Dispute Resolution Commission on March 1, 2019.)

In an effort to protect the public and to ensure that our State's pool of certified mediators remains of the highest caliber, the Commission's Grievance and Disciplinary Committee is committed to carefully investigate any meritorious grievance complaint filed by a member of the Commission, its staff, a judge, court staff or any member of the public. Upon staff's initial review of an oral or written complaint regarding the moral character, conduct, or fitness to practice of a mediator under the jurisdiction of the Commission or a trainer or manager affiliated with a certified mediator training program (respondent), Commission staff may request a respondent to respond in writing to the complaint. In the event Commission staff requests a response to an oral or written complaint, the respondent shall have 30 days from the date of the letter transmitting the complaint to respond to Commission staff. Upon request, the respondent may be afforded 10 additional days to respond to the complaint. Rule IX.C.(2)(d) of the Rules of the North Carolina Supreme Court for the Dispute Resolution Commission.

If a respondent fails to respond to the complaint within the original deadline or the extended deadline, as outlined above, the respondent's failure to respond shall be treated as or considered a new offense, triggering a new grievance which shall automatically be referred, along with the original complaint, to the full Grievance and Disciplinary Committee for review.

Upon the matter being referred to the Grievance and Disciplinary Committee for respondent's failure to provide a response to the complaint in a timely matter, the Grievance Committee shall review the matter and determine if any action should be taken against the respondent pursuant to Rule IX.D. of the Rules of the North Carolina Supreme Court for the Dispute Resolution Commission.

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