

**OPEN FOR COMMENT UNTIL JANUARY 2, 2019**

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

(Adopted by the NC Dispute Resolution Commission on \_\_\_\_\_.)

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.