



\*Candidates will be required to affirm under penalty of perjury that their mediator education and training included a minimum of 10 hours of mediation role plays and simulations, as well as the Core Content that has been identified by MC3. Candidates who have met the requirements established by the Judicial Council of Virginia to receive referrals will be deemed to have met the minimum 25-hour requirement of a discrete program that covers the basics of how to conduct a mediation.

\*\*Two (2) semester unit or three (3) quarter unit or greater college or university courses and programs that cover the basics in how to conduct a mediation demonstrate through syllabi or other submitted evidence may receive the full 80-hour credit.

\*\*\*Candidates will be exempt from the litigation nuts and bolts training requirement by 1) showing completion of at least 10 adjudicated, civil limited or unlimited jurisdiction litigated cases with the exception of civil harassment or unlawful detainer cases or 2) completion of an American Bar Association approved Paralegal Studies program by submitting certificate of completion. Candidates will be required to affirm to the mediations under the penalty of perjury.

Comments: Candidates who meet the 80-hour requirement of 1.A. will not have to complete any additional mediation-specific training to satisfy this Component. Candidates who meet the requirement of 1.B. will still need to complete an additional 50 hours of mediation specific training to satisfy this Component. Candidates who meet the requirement of 1.C. will still need to complete an additional 55 hours of mediation specific training to satisfy this Component.

#### Core Content for Courses and Programs Covering the Basics in how to Conduct a Mediation

- (1) The structure, design, practice, and theory of dispute resolution proceedings and services, including the varying roles, functions and responsibilities of neutral persons, and the distinction between binding and non-binding processes;
- (2) Intake and convening skills, including agreements to mediate, and preparing parties and their counsel for mediation;
- (3) Mediation theories and styles, including evaluative, facilitative and transformative models, assessing risks and advantages of models; matching models to contexts and parties;
- (4) Communication skills and techniques, including developing opening statements, building trust, gathering facts, framing issues, taking notes, agenda setting, empowerment tactics, effective listening, framing, and clarification skills. Face-to-face as well as over-the-telephone communication skills shall be addressed;
- (5) Managing challenges in dealing with different cultures, gender differences, language barriers, and other unique situations;
- (6) Problem identification and disagreement management skills, including instruction in the establishment of priorities and areas of agreement and disagreement; and
- (7) Techniques for achieving agreement or settlement, including instruction in creating a climate conducive to resolution, identifying options, understanding BATNA, facilitating negotiations, methods for breaking impasse, reaching consensus, and working toward agreement and drafting of settlement agreements.
- (8) Ethics shall include party self-determination and the necessity of the voluntary and consensual nature of a disputant's participation in any dispute resolution proceedings; mediation confidentiality; and ABA/ACR/AAA Model Standards of Conduct for Mediators.

<p style="text-align: center;"><b>Mediation Experience Component</b>  <b>50 POINTS REQUIRED OF ALL CANDIDATES</b>            Activities must have been completed in the five years immediately prior to applying for the certificate</p>	<p style="text-align: center;"><b>Required Points</b></p>	<p style="text-align: center;"><b>Permitted Points</b></p>	<p style="text-align: center;"><b>My Score</b></p>
<p>1. Proof of mediations (minimum 10 cases mediated or co-mediated, 1 point per hour mediated; ½ point per hour in co-mediation). Maximum 50 points. Candidates must attach a list of cases and will be asked to provide detail on their role in the mediation, and the dates and length of time of those cases. Candidates will be required to affirm to the mediations under the penalty of perjury.</p>		<p><b>Maximum 50 points/</b>  <b>Minimum 30 points</b></p>	
<p>2. Mediation support and/or ancillary activities, acceptable to the MC3, with a mediation provider organization (1 point per 2 hours). Such support roles may include, but are not limited to, mediation observations, case management, case intake or convening, facilitations, conciliations, mentoring, and peer mediation. Purely administrative task (clerical tasks where there is no direct contact with the mediator or the parties) will not qualify for points. Candidates intending to qualify for the points available in this category will be required to submit a letter from their supervisor validating each role and experience. Maximum 20 points.</p>		<p><b>Maximum 20 points</b></p>	

Comments: The emphasis of this Component is performance in actual mediation activity. Therefore, the MC3 may require additional documentation under 2, above, if the nature of the activity appears to be solely administrative.

<p align="center"><b>Professional Activity and Continuing Professional Development Component</b></p> <p align="center"><b>40 POINTS REQUIRED OF ALL CANDIDATES</b></p> <p align="center">Activities must have been completed in the 5 years immediately prior to applying for the initial certification and this Component's requirements must then be met every 3 years for continuing certification</p>	<p align="center"><b>Required Points</b></p>	<p align="center"><b>Permitted Points</b></p>	<p align="center"><b>My Score</b></p>
<p>1. Education and training that enhances the practice of mediation from organizations acceptable to MC3, 1 point per hour. At least 1.5 of those hours must come from attending mediation ethics programs; completion of the Distance Learning Course on Mediator Ethics offered by the Administrative Office of the Court will fulfill the mediation ethics requirement in full. Candidates may prove their education with certified transcripts, certificates, and/or other proof of education and training acceptable to the MC3. While not all MCLE or CEUs obtained in pursuant of other professional endeavors may be accepted to satisfy this standard, education and training that is an enhancement on the Core content enumerated in the Education Component would presumptively qualify. Initial certification candidates may use training hours from the Education Component to satisfy this requirement provided the training was in the previous 5 years.</p>	<p align="center"><b>20 points</b></p>		
<p>2. Membership in professional societies or organizations relevant to mediation. This category includes, but is not limited to, ADR sections of various bars and associations, SCMA, NAFCM, ACR, CDRC, etc.). 5 points for each membership, maximum 10 points.</p>		<p align="center"><b>Maximum 10 points</b></p>	
<p>3. Published mediation articles or conference presentations relevant to mediation. While not all articles or presentations may be accepted to satisfy this standard, training that is an enhancement on the Core content enumerated in the Education Component would presumptively qualify. 5 points per article or conference presentation. Maximum 10 points.</p>		<p align="center"><b>Maximum 10 points</b></p>	
<p>4. Awards for professional contributions to mediation or mediator accomplishments. 5 points per award, maximum 10 points.</p>		<p align="center"><b>Maximum 10 points</b></p>	
<p>5. Teaching in university conflict resolution programs, law school ADR course, and trainings recognized by MC3. 5 points for each training, maximum 10 points.</p>		<p align="center"><b>Maximum 10 points</b></p>	
<p>6. Proof of mediations (1 point per hour mediated; ½ point per hour in co-mediation). Maximum 20 points. Candidates must attach a list of cases and will be asked to provide detail on their role in the mediation, and the dates and length of time of those cases. Candidates will be required to affirm to the mediations under the penalty of perjury.</p>		<p align="center"><b>Maximum 20 points</b></p>	
<p>7. Mediation support and/or ancillary activities, acceptable to the MC3, with a mediation provider organization (1 point per 2 hours). Such support roles may include, but are not limited to, mediation observations, case management, case intake or convening, facilitations, conciliations, mentoring, and peer mediation. Purely administrative tasks will not qualify for points. Maximum 20 points. Initial certification candidates may use activities from the Mediation Experience Component to satisfy this requirement.</p>		<p align="center"><b>Maximum 20 points</b></p>	

Comments: This section is primarily intended to keep mediators current and active in their field. Therefore, for initial candidacy and new mediators to the field, this currency requirement can be satisfied solely by meeting requirements that may have already been met in the Education & Performance Components as long as those tasks were completed *in the last 5 years*. MC3-Certified Mediators must keep current and meet this requirement again with activities occurred while they were Certified Mediators.