

SECTION III BACKGROUND

- 1. Have you ever 1) had a disciplinary action related to a profession, including mediation (for example, a professional license suspended or revoked); 2) had any professional privileges curtailed; and/or 3) relinquished a professional privilege or license while under investigation? Yes No If Yes, describe on the lines provided below.

- 2. Have you ever been convicted of a felony, a misdemeanor (includes reckless and aggressive driving), a traffic violation resulting in suspension or revocation of a driver’s license, or a DUI/DWI? Conviction includes guilty or nolo contendere pleas. Yes No If Yes, list on the lines provided below (please include the specific code section(s) violated).

- 3. Please describe the impact, if any, that such conviction(s) could have on your ability to provide mediation services.

SECTION IV EVALUATION AND CERTIFICATION (signature required below)

I understand that in court-referred cases, **I will provide an initial orientation session for the parties, and their lawyers if they choose to attend, at no cost to the parties.**

I understand that I am obligated as a condition of my continuing certification:

- (1) to familiarize myself with, and abide by, the Standards of Ethics and Professional Responsibility for Certified Mediators, adopted by the Judicial Council of Virginia effective July 1, 2011; and
- (2) to ensure that Forms ADR-1002 (Evaluation of Mediation Session(s) and Mediator(s)) are provided to all parties referred from the courts.

I also hereby certify that the information provided in this application is true to the best of my knowledge and accurately reflects my qualifications to provide mediation services in cases referred through the court system of the Commonwealth of Virginia. I understand that all information herein is subject to verification.

Signature of Applicant

Date

Please forward this application to:

Dispute Resolution Services
Office of the Executive Secretary
Supreme Court of Virginia
100 N. Ninth Street, Third Floor
Richmond, VA 23219

If you have any questions or comments, please contact Dispute Resolution Services, 804-786-6455.

Important Information Regarding the Recertification Process

1. Recertification of a mediator will be required every two years on November 1. Note that the first recertification date may be less than two years after initial certification, depending on the time of year you are certified.
2. An applicant for recertification must complete and submit OES [FORM ADR-1003](#) and [FORM ADR-1003/GDC/CCC](#) and/or [FORM ADR-1003/JDR/CCF](#).
3. General District and Circuit Court-Civil Mediation: An applicant for recertification as a General District or Circuit Court-Civil Mediator must submit evidence of cases mediated and training taken during the two-year period that falls between the last recertification date and October 31st of the year currently due for recertification.
4. Juvenile and Domestic Relations and Circuit Court-Family Mediation: An applicant for recertification as a Juvenile and Domestic Relations District Court or Circuit Court-Family Mediator must submit evidence of cases mediated and training taken during the two-year period that falls between the last recertification date and October 31st of the year currently due for recertification.
5. For casework proof, mediators may submit agreements to mediate, a case list from a case tracking system, a letter of verification from a colleague or case manager, a mediator signed referral or outcome form, evaluations, invoices, DC-40's signed by court personnel, MoA's, etc., as long as the date of the mediation and type of case is easily discernable from the document.
6. Applicants for recertification may request approval by the Office of the Executive Secretary of training or education relevant to mediation practice they receive from organizations such as the Association for Conflict Resolution, the American Bar Association Section on Dispute Resolution, the Virginia Mediation Network, appropriate courses sponsored by the Virginia Committee on Continuing Legal Education, and others to meet the requirements for continuing education. *When requesting approval, the applicant should submit an outline or agenda describing the content of the educational program.*
7. Mediators participating in an approved Peer Mediation Consultation Project program may receive up to four hours of general or family CME credit for attendance at such sessions.
8. Mediators who provide either advanced general or family mediation skills training or present an advanced CLE seminar related to the subject of mediation may receive up to four hours of general or family CME credit. Evidence of providing such training, information on the length of the training, the number of times the training was offered during the recertification period as well as the number of hours spent in preparation for the course must be provided.
9. Applicants who are unable to meet the requirements for number of complete cases or mediation hours or approved continuing education may apply for an extension. Certification lapses during any extension period. During the extension, the applicant may not hold him/herself out as a certified mediator, may not train others seeking certification, and if he/she holds

mentor status, may not mentor others. The applicant should co-mediate any court cases with a certified mediator during the extension period.

10. Notification of recertification shall be made through letter and certificate. A letter denying recertification shall state the grounds for the denial and make reference to the right of the applicant to make a written request for reconsideration to the Executive Secretary of the Supreme Court of Virginia within 30 calendar days of the date of the notification of denial of recertification. The written request must be received by the Executive Secretary within 5 calendar days after expiration of the 30 day time period. An applicant's request for reconsideration must include a statement as to the reasons recertification is warranted.
11. A mediator denied recertification may reapply for initial certification after six months from the date of the final denial. In the sole discretion of DRS, partial waivers of training and mentorship requirements may be granted on a case-by case basis.
12. Mediators who do not meet the recertification requirements may not hold themselves out as certified mediators, may not mediate court-referred cases without a certified co-mediator, may not mentor others seeking certification, and may not train others seeking certification.
13. A mediator whose certification has lapsed as a result of not meeting the recertification requirements in a timely manner must reapply for initial certification. In the sole discretion of DRS, partial waivers of training and mentorship requirements may be granted on a case-by-case basis.
14. If a core course trainer has not been certified as a mediator for over two years, and upon mediator recertification, wishes to train, he or she must also reapply for trainer certification.