



GEORGIA OFFICE OF DISPUTE RESOLUTION

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Training Approval Guidelines

Application Procedures

General Provisions

1. All mediators who are registered with the Georgia Office of Dispute Resolution will be trained in programs approved by the Georgia Office of Dispute Resolution.
2. Application for approval of training programs may be made with the Georgia Office of Dispute Resolution (“GODR or Office.”) Applications will be made on the form provided by the Office.
3. Applications will be accepted for training programs that meet the Georgia Supreme Court requirements for general mediators, domestic relations mediators, and specialized domestic violence mediators. Mediation training programs will be approved for the hours required for registration in that category even if the course involves more hours of training. Time allotted for training (excluding lunch and breaks) may not extend more than eight (8) hours per day. Video training, video-conferencing or other remote learning media will not be approved. Other mediation training programs that provide specialized mediation training are not currently subject to Commission review. When the Georgia Commission on Dispute Resolution develops standards for continuing education for neutrals, these courses will be reviewed for approval as continuing education courses.
4. Approval attaches to an individual program, not to sponsors. The approval of the program depends in part upon the experience and background of the primary instructors. If there is a change in primary instructors, the program must be resubmitted for approval. If there is a significant change in the content of a program, it must be resubmitted for approval.
5. A program that is approved will first be granted provisional approval. Full approval will be considered only upon receipt of evaluation forms from the first training session. If the training was given prior to submission of the application and approval by the Georgia Office of Dispute Resolution, evaluation forms from the most recent training session conducted by the primary trainer(s) may be considered by the Georgia Office of Dispute Resolution in order for the training program to receive full approval immediately. Approval will not be retroactive.
6. Applicants for approval shall consent to observation and evaluation by the Georgia Office of Dispute Resolution and shall provide evaluations as requested on forms approved by the Georgia Office of Dispute Resolution. Applicants should retain evaluation forms for two (2) years for possible audit.
7. Approval will be granted for a three (3) year period. Applicants may resubmit programs for approval (3) years from the date of original approval.
8. The Office of Dispute Resolution may audit training programs from time to time by observation and/or request for evaluation forms. As a result of an audit, approval may be withdrawn from a

program that is not in compliance with the standards set forth in these guidelines. Appeal from a decision of the Office of Dispute Resolution may be taken to the Georgia Commission on Dispute Resolution. A decision of that body will be final.

9. The Georgia Commission on Dispute Resolution requires that all approved providers of mediation training include the following language in advertising brochures and announcements of training courses:

The fact that a training program has been approved by the Georgia Office of Dispute does not imply that any particular court-annexed or court referred program must or will accept as neutrals those who have completed that program. Each local court program is expected to exercise its discretion with reference to the qualifications of each neutral and may inquire into the training received by such neutral. Completion of a state-approved program does not automatically qualify one as a neutral in any particular local program.

10. There is a processing fee of \$100 for each application.
11. Effective January 1, 2011, a \$25 per-participant training fee is assessed to all approved trainers for all ADR training approved by the Georgia Office of Dispute Resolution (GODR) that occurs in Georgia, with the exception of GODR-sponsored training. The fee applies to all training participants, whether they are Georgia residents or out-of-state residents. The charge, collection and remittance of the per-participant fees is the responsibility of the trainer. This fee applies only to courses that are approved by GODR as registration categories (General Civil, Domestic Relations, Domestic Violence, Arbitration and Case Evaluation). The fee does not apply to practicums or continuing education courses.
12. An accredited educational institution in Georgia that offers a GODR-approved course of ADR training may charge and collect the \$25 per-participant training fee for that course as follows:
 - a) The institution may issue a GODR-approved certificate of completion to any student who pays the \$25 training fee directly to GODR. The course trainer shall collect these payments from students, issue the certificates, and forward the payments to GODR. Students may use the certificate when applying for registration as a neutral, as evidence that they have completed the relevant GODR-approved training;
 - b) The institution may not issue a GODR-approved certificate of completion to any student who does not pay the \$25 to GODR. Such a student may not use completion of the course to satisfy GODR training requirements;
 - c) The institution may offer credit and grades to all students in the course pursuant to the rules of that institution, independent of GODR requirements;
 - d) The institution will seek review and approval from GODR of the form of the certificates that it uses for any GODR-approved program that it offers;

- e) Neither the institution nor the course trainer shall have an obligation to pay the training fee on behalf of any student in such a course.

Out-of-State Training Programs

Training programs held in other states will not be approved by the Georgia Office of Dispute Resolution. However, individuals who have received training in out of state training programs may apply for Georgia registration on the basis of this training. Detailed information on that training will be required. Other requirements for registration, including observations and references, must be met.

Domestic Relations Training Programs

The rules of the Georgia Supreme Court require that domestic relations mediators in Georgia receive training which “substantially meets the standards of the Family Section of the Association for Conflict Resolution.” The phrase “substantially meets the standards of the Family Section of the Association for Conflict Resolution” provides flexibility for deviations that the Georgia Office of Dispute Resolution may find necessary or desirable in the future. At present, no domestic training program will be considered for approval without certification by the Family Section of the Association for Conflict Resolution.

Directions for Completing Applications for Approval

Section I. Program Information

1. This section is designed to elicit specific information concerning the request for approval, sponsors of the program, the primary instructor(s), class size and the history of the program.
2. Information submitted shall demonstrate an appropriate ratio of instructors to trainee so that no instructor or mediation coach is called upon to observe more than (2) role-plays or small discussion groups simultaneously. This provision does not apply to a role-play designed to practice a single component such as the introductory statement or caucus. The role-plays should be designed so that each participant in the training will serve as a mediator for an entire role-play at least once during the training.
3. Class size shall in no event exceed 40 people.
4. Information submitted shall demonstrate that the primary instructor(s) for a general mediation training program: a) are mediators registered with the Georgia Office of Dispute Resolution; b) have a minimum of two years mediation experience with at least eight cases per year; and c) that their years of mediation experience and post secondary education total at least 4 years.

Information submitted shall demonstrate that instructors for a domestic mediation training program meet the requirements of the Family Section of the Association for Conflict Resolution. (See “Domestic Relations Training Programs” above.)

Information submitted shall demonstrate that the primary instructor(s) for a specialized domestic violence training program are: (1) registered with GODR as mediators in the categories of

domestic relations and domestic violence; (2) have taken the approved DV training; (3) have no less than five years experience in mediating DR and DV cases; and (3) have mediated at least 50 domestic relations cases including a significant number of domestic violence cases. Trainers should have no less than three years experience as professional mediation trainers and no less than one year of experience as approved domestic relations trainers. Out-of-state trainers may apply for training approval for specialized domestic violence trainings to be offered in Georgia. Approval will be at the discretion of the Director of GODR. Factors considered will include the trainer's experience and qualifications and whether the proposed training meets the content requirements for approved Georgia training.

Section II. Content and Supporting Documents

These sections are designed to elicit information about the subject matter of the program, the topics covered, the participatory exercises and role-plays included, and the time allotted to various activities. Please be as specific as possible in your answers.

A. Applications for Approval of General Mediation Training

Applications for approval of the 28-hour general mediation training must demonstrate that pedagogical methods include a combination of lecture, role-play, discussion and individual and participatory exercises.

Applications for approval of the 28-hour general mediation training must demonstrate that the substantive areas covered include:

- 1) An overview of ADR processes
- 2) Mediation theory/history; role of the mediator
- 3) The mediation process
- 4) Communication skills, including listening, questioning, note taking, body language
- 5) Conflict resolution techniques
- 6) Agreement writing
- 7) Ethics and professionalism
- 8) Court process
- 9) Handling escalating tension and violence in the mediation context (not domestic violence)
- 10) Diversity awareness
- 11) Role play

B. Applications for Approval of Specialized Domestic Violence Mediation Training

Applications for approval of the fourteen (14) hour specialized domestic violence mediation training must demonstrate that pedagogical methods include a combination of lecture, role-play, discussion and individual and participatory exercises.

Applications for approval of the fourteen (14) hour specialized advanced domestic violence mediation training must demonstrate that the substantive areas covered include:

Background Information About DV:

- Definition(s) of domestic violence/abuse (must include definition provided in Guidelines)
- Dynamics of domestic abuse
 - Power and Control and the Equality Wheels
 - Myths about domestic violence
 - Why victims remain in abusive relationships
- Cultural differences and domestic violence
- The impact of domestic violence on children
- Mediation and domestic violence dynamics from the perspective of advocates who work with victims and/or batterers
- Legal information (including GA Family Violence Act)

Mediation Process When DV Allegations Are Present:

- How domestic violence impacts the mediation process & challenges normal assumptions
- Screening for domestic violence
 - Review of Commission's Guidelines
 - Screening by ADR Program
 - Screening by mediator
- Ethical considerations
 - Neutrality
 - Confidentiality
 - Child abuse reporting
- Specialized process: shuttle/caucus mediation
 - Whether & under what circumstances to use joint session
 - Security issues
- Safety planning
- Appropriate referral to resources
- Special considerations in agreement writing

Role-plays and exercises:

There must be a minimum of three role-plays that address the topics identified by the bullet points below. Each trainee must serve as mediator for an entire role-play at least once. The role plays should last at least an hour (including up to 15 minutes for small group debrief), with half an hour following the role-play for large group debrief. The role-plays should cover a subject area in depth but need not include all stages of mediation. Coaches for role plays must be registered in the category of domestic relations, should be mediators with no less than three years experience as active domestic relations mediators who also mediate DV cases and who have had approved domestic violence mediation training. As of January 1, 2005, coaches must be registered in the category of specialized domestic violence mediation. There must be sufficient coaches so that each coach works with no more than two small groups per role-play.

- Mediating when domestic violence is known at the outset
 - Addressing the agreement to mediate
 - Confirming informed consent
 - How the opening statement may be different
 - Whether to begin in caucus

- Domestic violence issues surfacing for the first time in the mediation session
 - Mediator screening
 - Informed consent
 - Decisions about whether and how to proceed

- Safe termination and safety planning
 - Strategies for having parties leave safely
 - Avoiding disclosure of allegations
 - Referral to resources

Issues such as dealing with parenting issues, acquiescence and unfair agreements may also be included in the role-plays.

It is recommended that other exercises include:

- Identifying mediators' own assumptions/feelings that could impair ability to safely mediate these cases

- Ethical dilemmas

- "Fishbowl" demonstrations (screening, safety planning, cultural assumptions, etc.)

Learning objectives:

Upon completion of specialized domestic violence training a participant should:

- Understand patterns of behavior common in DV victims and abusers that affect the mediation process and challenge the normal assumptions underlying the process;

- Demonstrate skills necessary to recognize indicators of DV when allegations are not overtly presented;

- Understand informed consent and the Commission's policy;

- Demonstrate skills to screen and determine whether informed consent is given.

- Demonstrate knowledge and skills in how to adapt the normal process to facilitate safety and assertion of needs.
- Understand how cultural differences may influence perceptions about domestic violence
- Use practical strategies for security, safety and termination.
- Understand the ethical issues involved in the domestic violence context and be able to formulate strategies for dealing with these ethical issues.