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Training Program Guidelines

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I. Introduction

These Training Program Guidelines are promulgated by the Georgia Commission on Dispute Resolution (Commission) pursuant to Section V of the Georgia Supreme Court's Alternative Dispute Resolution Rules (ADR Rules). The Commission is staffed by the Georgia Office of Dispute Resolution (GODR) and the ADR Rules and other information can be found on the GODR's website. As discussed in more detail in Appendix B of the ADR Rules, a prospective neutral must successfully complete a GODR-approved training program in order to register in a particular category with the GODR. (They must also meet other requirements as well, described in Appendix B). These Guidelines outline the application process for those who seek GODR approval for their training programs, as well as the substantive requirements for training programs in each registration category.

The most current version of the Guidelines is available on the GODR's website. Those applying for training program approval are responsible for obtaining and following the most recent version of these Guidelines. **Failure to follow the Guidelines may result in a denial of approval or renewal of a training program.**

II. Initial Application Procedures

- A. Applicants must apply via the GODR website. On the website, applicants will be directed to register with the Georgia Courts Registrar (GCR) system. The training program application must be completed via GCR.
- B. All applicants must designate one or more persons to serve as the program's administrator(s). All administrators must keep their contact information updated in GCR. The administrator serves as the primary point of contact for GODR and Commission communications. The administrator is also responsible for ensuring that all training provider information in GCR is accurate and is updated timely. **All official communication from the GODR comes through GCR.** Contact information must be kept current in GCR throughout the application process.
- C. All applicants must designate at least one primary trainer. The primary trainer is responsible for ensuring that the application for approval or renewal of a training program complies with the ADR Rules and with these Guidelines, and if approved, with the continuing duties in the ADR Rules and in these Guidelines. A primary trainer may delegate this duty to a designee but is still ultimately responsible for ensuring compliance with the ADR Rules and with these Guidelines.
- D. The GODR sets and collects a non-refundable application fee, which must be paid in full before an application will be processed. The application fee must be submitted through GCR. Specific instructions are provided as part of the application process in GCR. The amount of all applicable fees can be found in the Fee Schedule located in Section IV of these Guidelines and on the GODR website.
- E. GODR approval attaches to an individual training program and depends in part on the background and experience of the primary trainer(s). If there is a substantive change in curriculum or a change in primary trainers, the training program must be resubmitted for approval. Details regarding primary trainer requirements are located in Section J below.

- F. A training program application must include the following:
1. A detailed agenda that includes topics and for each topic: scheduled time, learning objectives, and a description of training methodologies employed. Include time for breaks, although they do not count towards the requisite number of hours. If the training program will be delivered in differing mediums/platforms, separate agendas are required for each training format.
 2. Proposed curriculum.
 3. Copy of the participant manual.
 4. Resume(s) of the primary trainer(s).
 5. Additional materials are required, as outlined in the application on GCR. Applicants should refer to the application instructions within GCR while assembling their training program application materials.

III. Requirements for Approved Training Programs

- A. Approved training programs must comply with all requirements to remain approved. A failure to comply can result in withdrawal of approval. Prior to revocation of approval, the training program will receive notice from GODR informing the training program of the nature of the deficiencies and allowing time for the training program to make corrections. GODR shall establish a timeline for the program to correct the issues and the training program must comply with the GODR-established timeline.
- B. A training program must keep its contact information current in GCR. **All official communication from the GODR comes solely through GCR.** If a program misses a deadline or misses important communication because it has failed to update contact information in GCR, the GODR is not responsible for any consequences as a result, up to and including suspension or removal of GODR approval. If the GODR includes important information in an email message or newsletter, this is not a waiver of this section—programs are still responsible for ensuring their GCR contact information is accurate.
- C. An approved training program must provide and collect evaluation forms for each training program session from all participants. Training programs must retain all evaluation forms for three (3) years from the date of completion of that particular training program session and make them available upon request to the GODR and in the manner requested by GODR.
- D. Training programs may include the fact that they are GODR-approved in their advertising. However, programs must be sure not to imply that successful completion of a GODR-approved training entitles a participant to acceptance onto the roster for any court-connected ADR program. A disclaimer regarding this fact must be placed on all training program advertising, and the exact language of the disclaimer is contained within the Training Program Guidelines. A failure to include this language in any advertising related to the training program may result in immediate revocation of program approval.

The Georgia Commission on Dispute Resolution requires that all approved providers of GODR-approved 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 Resolution 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 exercises 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.”

IV. Renewal Application Procedures

- A. Approval of a training program must be renewed pursuant to the renewal cycle established by the GODR. Training programs must submit renewal applications through GCR. Instructions will be emailed to the training program via GCR with 90 days advance notice, and programs will be notified of renewal cycle deadlines through GCR.
- B. If a program fails to apply for renewal timely, its approval will expire automatically. Notice will be sent through GCR. A training program will then have to apply for approval via the initial approval process.
- C. GODR sets and collects a non-refundable renewal application processing fee, which is found in the fee schedule, and which must be paid in order for a renewal application to be processed.
- D. The GODR establishes the renewal cycle such that every training program applies for renewal every three years. If a program is granted approval within 24 months of the start of a renewal cycle for that registration category, they shall be allowed to apply for renewal at the next renewal cycle.
- E. The current renewal cycle is every three years as follows:
 - 1. General Civil Mediation and General Civil Practicum: 2021, 2024, 2027.
 - 2. Arbitration, Delinquency Mediation, Dependency Mediation: 2022, 2025, 2028.
 - 3. Domestic Relations, Domestic Relations Practicum, Specialized Domestic Violence Mediation, and Probate: 2023, 2026, 2029.

V. Audit and Revocation of Approval of Training Programs

- A. GODR staff or their designee may, in the GODR staff’s discretion, audit and investigate training programs by observations, requests for evaluation forms, surveys of participants, or any other means. GODR may conduct audits of a program without prior notice to such program.
- B. Upon receipt of information that a program is not in compliance with the GODR Rules or the Guidelines, or that it is failing to teach the training program in accordance with its initial application, GODR staff or their designee shall conduct an audit and investigation unless GODR determines that such information does not require investigation.

- C. If an audit or investigation reveals that the program is failing to meet substantive standards for a training program as outlined in these Rules and in the Training Program Guidelines or has significantly failed to follow the training program's agenda and course materials submitted with its application, GODR shall inform the training program in writing of the deficiencies. A deficiency notice shall provide a timetable for coming into compliance. GODR may aid the training program to cure the deficiencies as resources and budget permit, but GODR shall not be required to provide assistance. If a program does not come into compliance within the timelines established by GODR, GODR may revoke approval of a program. GODR shall notify the program in writing that approval has been revoked. A notice of revocation of program approval shall include the effective date of the revocation.
- D. Refusal by a program to cooperate with a GODR audit and investigation shall result in immediate revocation of approval of the program.
- E. Upon revocation of a training program's approval, GODR shall remove the program from the list of approved training programs.
- F. Training programs may appeal a GODR decision to revoke approval using the procedures in Section IV of Appendix B.

VI. General Requirements for All Training Programs and Trainers

- A. These requirements apply to all training programs seeking GODR approval, regardless of the registration category. Category-specific requirements are located below these general requirements.
- B. Training programs may be conducted in-person or remotely. Regardless of training platform, the program must be synchronous. Any pre-recorded content, reading, and assignments should be accompanied by live content, recorded demonstrations, or opportunities to practice simulations.
- C. Time allotted for training must not exceed eight hours per day, excluding lunch and breaks. It is recommended that trainers offer frequent breaks, especially for online trainings, to prevent participant fatigue.
- D. All training programs shall provide participants with instruction for registration with GODR, to include:
 - 1. Educational prerequisites for registration in any category;
 - 2. Training sequencing prerequisites for registration in any category;
 - 3. Practicum or observation requirements for registration in the category of general civil or domestic relations.
- E. A training program must award a certificate of completion to all participants who successfully complete the training program. The certificate must identify how the training was conducted (i.e., in-person, virtual, hybrid).

F. Attendance:

1. For in-person trainings, the maximum number of participants is 40. No portion or component of the training is to be asynchronous, with the exception of homework. All components of the training must be synchronous and in real time.
2. For online trainings, the maximum number of participants for a virtual training is 18, unless the trainer can provide a plan for accommodating more participants and receive prior approval from GODR. It is required that all online trainings have a designated support person, not a trainer in the class, to handle technical and logistical matters with the virtual technology.

G. Online training requirements: The following are specific requirements for trainings conducted remotely using virtual technology:

1. Participants must participate by video and audio. No audio only participation is permitted.
2. Trainers must require that participants be visible the entire training session.
3. Trainers must provide participants, at least five days in advance of the training, a copy of the participant manual.
4. Trainers must have a technology failure protocol for internet, software, platform, or hardware failure.

H. The GODR has authority to deny an application for approval of a training program for failing to meet substantive quality standards as determined by GODR. The denial of a training program application on these grounds is subject to appeal, as outlined in Appendix B, Section IV of the ADR Rules. Before denying a program on these grounds, GODR will inform the applicant of the deficiencies and will allow a reasonable time for the applicant to correct them.

I. Role Plays:

1. An instructor or coach cannot observe more than two role plays or small discussion groups simultaneously if participants are physically in the same room. If the training is being conducted in an online format, there must be one coach per role-play or small discussion group.
2. The role-plays should be designed so that each participant in the training will serve as a mediator at least once during the training.
3. Online role-plays should mimic actual mediation sessions, including breakout rooms for caucuses.

J. Requirements for Trainers:

1. As discussed in Section II above, GODR approval attaches to a training program as it is described and outlined in the training program's application. Approval depends not only on the quality and substance of the proposed curriculum and participant manual, but also on the background and experience of the primary trainer(s). A program may list more than one primary trainer. If there is a change in primary trainers, the training program must be

resubmitted for approval. Applications must list all primary trainers but are not required to list all assistant trainers and coaches.

2. The primary trainer(s) for a training program must:
 - a. Be registered with the GODR for five years in the category in which they want to train. If the registration category has been established less than five years, then the primary trainer must meet the five-year registration requirement with GODR, but not in the newly created category.
 - b. Have a verifiable minimum of five years of dispute resolution experience and have mediated at least eight cases per year. GODR must be able to verify this experience upon request through written documentation.
 - c. Hold a bachelor's degree from an accredited college or university.
3. Assistant trainers may have less experience than the primary trainer but must be supervised by primary trainers during the training program.
4. At least one primary trainer must be present for the training program at all times.
5. All trainers and coaches must be registered in good standing in the appropriate category for which training program they are assisting.

VII. Substantive Requirements for Programs in Individual Registration Categories

- A. General Civil Mediation
- B. General Civil Practicum
- C. Domestic Relations Mediation
- D. Domestic Relations Practicum
- E. Specialized Domestic Violence Mediation
- F. Delinquency Mediation
- G. Dependency Mediation
- H. Non-binding Arbitration
- I. Early Neutral Evaluation
- J. Probate Mediation

A. **General Civil Mediation:**

1. Applications for approval of a general mediation training must demonstrate that pedagogical methods include a combination of lecture, role-play, discussion, and individual and participatory exercises.
2. The training must be 28 hours. Total number of hours for training does not include lunch or breaks.
3. The general civil mediation training shall, at a minimum, include the following:
 - a. An overview of ADR processes:
 - i. Continuum of dispute resolution
 - ii. ADR Processes including mediation, arbitration, conciliation, summary jury trials, moderated settlement conferences, early neutral evaluation, and judicially hosted settlement conferences
 - iii. Emphasis on facilitative model including demonstration
 - b. Mediation theory/history; role of the mediator:
 - i. History of mediation and current practices
 - ii. History in Georgia - Commission on Dispute Resolution & Georgia Office of Dispute Resolution
 - iii. Qualities and characteristics of a mediator
 - iv. Mediator's role and functions
 - c. The mediation process:
 - i. Logistics (scheduling, notice, location, room configuration, etc.)
 - ii. Setting the stage (opening statements)
 - iii. Information gathering and exchange
 - iv. Use of caucus and joint sessions
 - v. Problem-solving
 - vi. Resolution
 - vii. Agreement writing
 - d. Communication skills:
 - i. Listening
 - ii. Facilitation
 - iii. Problem-solving
 - iv. Reframing
 - v. Questioning
 - vi. Note-taking
 - vii. Body language (nonverbal communication)
 - e. Conflict resolution techniques:
 - i. Dealing with difficult people and situations
 - ii. Working through impasse
 - iii. Reality checks
 - iv. Reframing toxic language

- f. Agreement writing:
 - i. Importance of clarity and accuracy
 - ii. Role of attorneys in finalizing agreement
 - iii. Practice for participants/students

- g. Ethics and professionalism:
 - i. Georgia Supreme Court ADR Rules
 - ii. Self-determination and voluntariness
 - iii. Confidentiality and exceptions
 - iv. Capacity
 - v. Neutrality/Impartiality
 - vi. Conflicts of interest
 - vii. Fairness

- h. Court process:
 - i. Overview of Georgia court system structure and process
 - ii. Supreme Court ADR Rules & Appendices
 - iii. GCDR Model Court Mediation Rules
 - iv. Registration with GODR
 - v. Court ordered vs. private

- i. Handling escalating tension and violence in the mediation context (not domestic violence):
 - i. Escalating tension and techniques to defuse
 - ii. Safety of all parties
 - iii. Dealing with power imbalances
 - iv. Managing high emotions

- j. Diversity awareness:
 - i. Cross-cultural communication
 - ii. Explicit and implicit bias
 - iii. Culturally specific behavioral nuances
 - iv. Working with interpreters

- k. Role plays:
 - i. Minimum of four role plays covering general civil matters under Georgia law
 - ii. For each role play, there must be time allotted for debriefing with coach and large group debriefing
 - iii. All role plays, including debriefing and coaching, shall be no less than five hours total

B. General Civil Mediation Practicum

1. Applications for approval of a 12-hour general civil mediation practicum shall satisfy the following criteria:
 - a. Participants should be presented with a range of situations and different types of disputes.
 - b. The practicum may consist of a combination of in-person and video simulations.
 - c. Professional mediators should be employed for in-person simulations or shown in video presentations to present participants with different styles of mediation and to co-mediate with participants if the exercise is a co-mediation.
 - d. Trainer(s) should be available throughout to debrief the simulations.
 - e. The practicum must be at least 12 hours in length, not including meals and breaks.
 - f. The practicum must include at least five simulations of general civil matters.

C. Domestic Relations Mediation

1. Applications for approval of a domestic relation mediation training must demonstrate that pedagogical methods include a combination of lecture, homework, role-play, discussion, and individual and participatory exercises.
2. The training must be 42 hours in length (at least 40 hours of in class instruction and up to two hours of out of class assignments). Total number of hours for training does not include lunch or breaks.
3. The domestic relations mediation training shall, at a minimum, include the following:
 - a. Supreme Court ADR Rules
 - i. Court Rules/Program Rules/Model Rules
 - ii. GODR requirements and registration
 - b. Structure and Process of Facilitative Mediation
 - i. Agreement to mediate
 - ii. Agreement writing
 - iii. Demonstration of facilitated mediation
 - c. Skills of the Mediator
 - i. Managing family conflict
 - ii. Dealing with impasse
 - iii. Communication/listening skills
 - iv. Reality testing
 - v. Facilitating conversation
 - d. Family Dynamics
 - i. Impact on children
 - ii. Mental health implications
 - iii. Dynamics of divorce/family separation
 - iv. Co-parenting
 - e. Financial matters
 - i. Assets and liabilities
 - ii. Insurance
 - iii. Education
 - iv. Qualified Domestic Relations Orders (QDROs)
 - v. Tax considerations
 - f. Spousal support/alimony
 - i. Rehabilitative
 - ii. Tax implications
 - g. Parenting Plan
 - i. Visitation/parenting issues
 - ii. Child development as related to visitation
 - iii. Custody/guardianship

- iv. Final decision making for religion, health, education, and extracurricular
- h. Child Support
 - i. Child Support Commission calculator
 - ii. Child support calculation exercises
 - iii. Child support addendum
 - iv. Non-custodial payments
- i. Domestic Violence or Intimate Partner Violence and Abuse (IPV/A)
 - i. Family violence
 - ii. Resources
 - iii. Safe termination
 - iv. Screening
 - v. Georgia Supreme Court ADR *Rules for Mediation in Cases Involving Issues of Domestic Violence*
- j. Legal matters
 - i. Overview of domestic law
 - ii. Unauthorized practice of law
 - iii. Immigration
 - iv. Legitimation/Paternity
- k. Ethics
 - i. Georgia Supreme Court ADR Rules
 - ii. Mandated reporting
 - iii. Conflict of interest
- l. Role-plays
 - i. Role-plays shall be a minimum of 10 hours and must include all of the following subject areas:
 - a. Assets and liabilities
 - b. Child issues and parenting plan
 - c. Child support and spousal support
 - d. Other domestic relations issues such as high conflict, complex legal issues, immigration, termination, etc.

D. Domestic Relations Mediation Practicum

1. Applications for approval of a 12-hour general civil mediation practicum shall satisfy the following criteria:
 - a. Participants should be presented with a range of situations and different types of disputes.
 - b. The practicum may consist of a combination of in-person and video simulations.
 - c. Professional mediators should be employed for in-person simulations or shown in video presentations to present participants with different styles of mediation and to co-mediate with participants if the exercise is a co-mediation.
2. Trainer(s) should be available throughout to debrief the simulations.
3. The practicum must be at least 12 hours in length, not including meals and breaks.
4. There must be a minimum of three role plays that address the following:
 - a. Assets/liabilities
 - b. Child support/ spousal support
 - c. Parenting time, termination
5. Each trainee must serve as mediator for a minimum of 1 hour for a particular topic area and 2 hours in a final role play covering all components. 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.
6. The role-plays should cover a subject area in depth but need not include all stages of mediation.

E. Specialized Domestic Violence Mediation

1. Applications for approval of a specialized domestic violence must demonstrate that pedagogical methods include a combination of lecture, role-play, discussion, and individual and participatory exercises. Total number of hours for training do not include lunch or breaks.
2. The training must be 14 hours in length. Total number of hours for training does not include lunch or breaks.
3. In addition to the general requirements for trainers as stated in VI (J) above, primary trainer(s) for a specialized domestic violence training program must include documentation of mediating at least 50 domestic relations cases including a significant number of domestic violence cases. GODR must be able to verify this experience.
4. The specialized domestic violence training shall, at a minimum, include the following:
 - a. Background Information about Domestic Violence (DV) and Intimate Partner Violence and Abuse (IPV/A):
 - i. Definition(s) of DV and IPV/A. Must include definitions provided in *Rules for Mediation in Cases Involving Issues of Domestic Violence*
 - ii. Dynamics & types of domestic violence (IPV/A)
 - iii. How different types of violence impact the mediation process
 - iv. Understanding survivors of domestic violence (IPV/A)
 - v. Distinguishing different types of domestic violence (IPV/A): coercive controlling violence (intimate terrorism), violent resistance, situational couple's violence (common couple's violence) and separation-instigated violence
 - vi. Revisiting the Power and Control Wheel and why it falls short of illuminating the complexity of domestic violence (IPV/A)
 - vii. Some characteristics of common couple's violence and coercive controlling violence
 - viii. Red flags for mediation
 - ix. How the abuser might use technology in mediation
 - x. Lethality indicators
 - xi. Impact of domestic violence (IPV/A) on children
 - xii. Cultural differences and domestic violence (IPV/A)
 - xiii. Mediation and domestic violence (IPV/A) dynamics from the perspective of advocates who work with at-risk parties and/or batterers
 - xiv. Legal information (including GA Family Violence Act)
 - b. Mediation process when DV allegations are present:
 - i. How domestic violence (IPV/A) impacts the mediation process & challenges normal assumptions
 - c. Screening for domestic violence (IPV/A)
 - i. Review of Commission's Rules
 - ii. Tier I and Tier II screening

- iii. Online screening tool
 - iv. Mediator recommendation/criteria
- d. Ethical considerations
 - i. Neutrality
 - ii. Confidentiality
 - iii. Child abuse reporting (mandated reporters)
- e. Specialized process: shuttle/caucus mediation
 - i. Whether & under what circumstances to use joint session
 - ii. Security issues
- f. Safety planning
- g. GODR Website
 - i. Statewide statistics
 - ii. Relevant statutes
 - iii. Resources
- h. Special considerations in agreement writing

5. Role-plays and exercises:

- a. There must be a minimum of three role-plays that address the topics identified by the bullet points below:
 - i. Mediating when domestic violence (IPV/A) is known at the outset
 - a. Addressing the agreement to mediate
 - b. Confirming informed consent
 - c. How the opening statement may be different
 - d. Whether to begin in caucus
 - ii. Domestic Violence (IPV/A) issues surfacing for the first time in the mediation session
 - a. Mediator screening
 - b. Informed consent
 - c. Decisions about whether and how to proceed
 - iii. Safe termination and safety planning
 - a. Strategies for having parties leave safely
 - b. Avoiding disclosure of allegations
 - c. Referral to resources
 - iv. Issues such as dealing with parenting issues, acquiescence and unfair agreements must also be included in the role-plays.

- b. It is recommended that other exercises include:
 - i. Identifying mediators' own assumptions/feelings that could impair ability to safely mediate these cases
 - ii. Ethical dilemmas
 - iii. "Fishbowl" demonstrations (screening, safety planning, cultural assumptions, etc.)
- c. 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.
- d. Coaches for role plays must be registered in the category of domestic relations and specialized domestic violence, should be mediators with no less than three years' verifiable experience as active domestic relations mediators who also mediate DV cases. There must be sufficient coaches so that each coach works with no more than two small groups per role-play for in person classes and one per virtual role play group.

F. **Delinquency Mediation**

1. Applications for approval of a delinquency mediation training must demonstrate that pedagogical methods include a combination of lecture, role-play, discussion, and individual and participatory exercises.
2. The training must be 21 hours in length. Total number of hours for training does not include lunch or breaks.
3. The delinquency training shall, at a minimum, include the following:
 - a. Agreement Writing
 - i. Options to address offenses
 - ii. Agreement writing samples/practice
 - iii. Balancing the terms of the agreement between the parties
 - b. Violence related to juvenile cases
 - i. Family violence
 - ii. School violence
 - iii. Gang violence
 - c. Ethics
 - i. Mandated Reporting
 - ii. Supreme Court ADR Rules
 - d. Child Development
 - i. School related development
 - ii. Balancing power in mediation with child
 - iii. Moral development
 - e. Legal/Court Process
 - i. OCGA § 15-11-470 et seq.
 - ii. Offenses commonly seen in delinquency cases
 - iii. Waiver of time limits
 - f. Communication/Language
 - i. Reflecting
 - ii. Reframing
 - iii. Communication skills
 - iv. Modeling conflict resolution
 - g. Roles of the participants
 - i. Confidentiality
 - ii. Parties involved (parents, probation, schools, etc.)
 - iii. Interpreter
 - h. Mediation Process

- i. Court Procedures
 - i. Model Court JV Court Mediation Rules
 - ii. Model Court forms and documents

- j. Additional Topics
 - i. Sex, Drugs/Alcohol
 - ii. Diversity
 - iii. Cultural differences/disproportionality

- k. Demonstration/Role Play
 - i. Role-plays shall be a minimum of 5 hours and must include various types of juvenile charges and scenarios.
 - ii. The use of recorded or live demonstrations that employ professional mediators or utilize minors is encouraged.

G. Dependency Mediation

1. Applications for approval of the 28-hour dependency training must demonstrate that pedagogical methods include a combination of lecture, role-play, discussion, and individual and participatory exercises.
2. Dependency mediation training is offered in a 28-hour or 21-hour format. As outlined in Appendix B Section I (G), mediators registered in Domestic Relations may take an adjusted 21-hour Dependency Mediation Training.
3. The training must be 28 hours in length. Total number of hours for training does not include lunch or breaks.
4. Topics for dependency mediation training shall, at a minimum, include the following:
 - a. Abuse & Neglect
 - i. Types (physical, emotional, sexual, etc.)
 - ii. Effects on the children
 - iii. Available resources
 - iv. State involvement/removal
 - b. Diversity/Cultural
 - i. Indian Welfare Act
 - ii. Regional expectations
 - iii. Financial implications
 - c. History of dependency
 - i. Legal actions
 - ii. Child welfare
 - iii. Parental obligations
 - iv. Extended family
 - d. Referral Overview/Process
 - i. Specifics of dependency cases
 - ii. Model court mediation rules
 - iii. Referral to mediation – private and court-connected
 - e. Mediation Process
 - i. Confidentiality
 - ii. Handling multiparty disputes
 - iii. Use of caucus
 - iv. Technology
 - v. Room arrangement/layout
 - f. Support and visitation issues
 - i. Case planning
 - g. Guidelines/Waiver of time limits
 - i. If the mediator is an attorney, must disclose

- ii. Confidentiality
 - iii. Impact on the case
 - iv. Review guidelines/waiver of time limits
 - h. Agreement Writing
 - i. Practice of at least one reviewed agreement
 - ii. Flexibility in outcomes
 - i. Legal/court process
 - i. OCGA § 15-11-100 *et seq.*
 - ii. Participants (attorneys, CASA, GAL, child advocate, child attorney, etc.)
 - iii. Panel reviews
 - iv. Department of Family and Children Services (DFCS) policies
 - v. Federal requirements “contrary to the welfare language” and “reasonable efforts”
 - j. Ethics
 - i. Supreme Court ADR Rules, Appendix C
 - ii. GCDR Ethics and Advisory Opinions
 - k. Demonstration/Role Play
 - i. Role-plays shall be a minimum of 4 hours and must include various types of dependency issues and scenarios.
 - ii. The use of recorded or live demonstrations that employ professional mediators or utilize minors is encouraged.
5. Mediators not registered in Domestic Relations mediation are required to complete the 28-hour dependency training, which includes all of Section C above and the following:
- a. Parenting Plan
 - i. Visitation/parenting issues
 - ii. Child development as related to visitation
 - iii. Custody/guardianship
 - b. Child support calculations
 - c. Child Support Commission worksheet
 - d. Addendum
 - e. Non-custodial payments
6. Domestic Violence or Intimate Partner Violence and Abuse (IPV/A)
- a. Family violence
 - b. Resources
 - c. Safe termination

7. Demonstration/Role Play

- a. Role-plays shall be a minimum of 2 additional hours and must address the following:
 - i. Parenting schedule/reunification
 - ii. Child support calculations
 - iii. Safe termination

H. Non-binding Arbitration

1. Applications for approval of the arbitration training shall qualify for CLE credits and shall include, at a minimum, the following:
 - a. Overview and definitions from Supreme Court ADR Rules
 - b. The arbitration process and the role of the arbitrator
 - c. Arbitration versus other types of dispute resolution processes
 - d. Binding versus non-binding arbitration
 - e. State and federal laws that govern the arbitration process
 - f. Ethical rules for arbitrators
 - g. How to conduct an arbitration and draft an award
2. The training must be 6 hours in length. Total number of hours for training does not include lunch or breaks.

I. **Early Neutral Evaluation (ENE)**

1. Applications for approval of the 6-hour early neutral evaluation training shall include, at a minimum, the following topics:
 - a. Overview and definitions from Supreme Court ADR Rules
 - b. ENE process and comparison to other ADR processes
 - c. Role and qualities of the Case Evaluator
 - d. Reasons to use ENE
 - e. Evaluation process and management skills
 - f. Settlement discussions
 - g. Case development planning
 - h. Ethics
2. The training must be 6 hours in length. Total number of hours for training does not include lunch or breaks.

J. Probate Mediation Training and Practicum

1. Applications for approval of a Probate mediation training must demonstrate that pedagogical methods include a combination of lecture, homework, role-play, discussion, and individual and participatory exercises.
2. The training must be 16 hours in length (at least 14 hours of in class instruction and up to two hours of out of class credit). Total number of hours for training does not include lunch or breaks.
3. The Probate mediation training shall, at a minimum, include the following:

** Indicates items that could be read in advance for out of class credit*

- a. Overall/General Material
 - i. Selected Terminology as provided in the Judicial Handbook *
 - ii. Probate Court Jurisdiction/Case types/non-equity court - relevance*
 - iii. Article 6 vs traditional probate courts- relevance
 - iv. Supreme Court of Georgia ADR Rules and Appendices
 - v. Georgia Uniform Mediation Act
 - b. Estates/Will Contests/Year's Support
 - i. Standard Forms*
 - ii. Relevant Statutory Language
 - iii. Relevant Cases
 - iv. Timeline of cases/ relevant statutory deadlines (chart)
 - v. Guardianship/Conservatorship of Minor for Probate purposes
 1. What constitutes property in an estate vs property that passes outside of the probate process
 - c. Guardianship/Conservatorship
 - i. Standard Forms*
 - ii. Relevant Statutory Language
 - iii. Relevant Cases
 - iv. Timeline of cases/relevant statutory deadlines (chart)
 - v. Emergency
 - vi. Limited/Tailored
 - vii. Restoration of right/termination
4. The following required in class modules must be provided to the trainee and may be included in the participant notebook/provided day of training/presented or covered with small group discussions/ exercises, etc.
 - a. PowerPoint overview of material above
 - b. The Mediation Process in Probate Cases

- i. Preparation (how to read a file to prepare/overview of forms)
 - ii. Notification of parties (using court or ADR office to assure parties are notified)
 - iii. Parties
 - iv. When mediation can move forward
 - v. Powers of attorney or others claiming to have settlement authority
 - vi. How to determine that all needed parties are there
 - vii. Special considerations for self-represented litigants
 - viii. Attorneys
 - ix. Working with attorneys
 - x. How to effectively maintain a facilitative mediation style
 - xi. Exercises on dealing with some unexpected issues related to process
- c. Party Expectations and role in mediation/multiparty and multi-attorney
- d. Financial issues
 - i. Bonding requirements
 - ii. Reporting requirements for all case types
- e. Communication
- f. Family dynamics/culture/cultural competency
- g. Facilitating capacity
- h. Managing Emotions
- i. Neuroscience and heuristics
- j. Estate/Will Contests/ Years Support
 - i. Practice Exercises
 - ii. Opening statement
 - iii. Needed adjustments for case type
 - iv. Managing expectations
 - v. Unique issues
 - vi. What's in or not included in estate
 - vii. Real estate- how titled
 - viii. Minor inheriting – guardian appointment in estate cases
 - ix. Trusts (revocable vs testamentary)
 - x. Non-contest clauses
- k. Guardianship Conservatorship
 - i. Practice Exercise

- ii. Opening Statemen
 - iii. Needed adjustments for case type
 - iv. Managing expectation
 - v. Role of court appointed counsel and GA
 - vi. Health and medical decisions (value of preplanning documents
 - vii. Living arrangement
 - viii. Communication issue
 - ix. Safety/Risk takin
 - x. Lifestyle choice
 - xi. Family issues (new and long-standing)
- l. Other Issues/ Units
- i. Elder Abuse
 - 1. Types of abuse
 - 2. Recognition/Red Flags
 - 3. Self-neglect and the right to refuse service
 - 4. Reporting requirements and process (voluntary vs mandatory)
 - ii. Ethics
 - 1. Capacity
 - 2. Self determination
 - 3. Confidentiality
 - iii. Agreement drafting
 - 1. Review /discuss examples and practice exercises
 - 2. Judicial expectation (video)
 - iv. Upcoming Trends
 - 1. Restorative justice in elder abuse/financial exploitation cases
 - 2. Elder Care Coordination/ Florida Statute
 - 3. Supported Decision Making
 - v. Prefiling cases – how to work on these issues outside a court referral and special considerations
 - 1. IDD and working with school system
 - 2. Elder care mediation
 - 3. Mediation in long-term care settings (role of the Long-Term Care Ombudsman?)
 - 4. Employee Assistance programs
 - 5. Identify Networking partners in your area
 - vi. A GODR Probate Court Resource list will be made available to trainers to share and will include state and national resources and can be customized with local contact information and resources for parties.
Resources to include:
 - 1. Aging and Disability Resource Centers
 - 2. Fiduciary Law Sections (Atlanta and State Bar contact information)

3. National Academy of Elder Law Attorneys
 4. Area Agencies on Aging
 5. Elderly Legal Assistance Programs
 6. Georgia Senior Legal Aid
 7. Free legal answers.org
 8. Georgia Council of Probate Judge's website
- vii. A2J (Access to Justice) state and local bar initiatives like pop up clinics and legalaidgeorgia.com that provides self-help resources and information.
- viii. Role plays:
1. The training assumes a robust mixture of role plays and experiential exercises covering aspects of probate matters under Georgia law
 2. The role plays do not have to be full coached role play, provided that all trainees have the chance to serve as mediator and receive feedback during debriefing and coaching.
 3. All role plays and experiential exercises, including debriefing and coaching, shall be no less than five hours total
- ix. Practicum
1. Minimum of 4 hours
 2. GODR sponsored videos with discussion points/questions
 - a. Estate case mediation
 - b. Guardianship/conservatorship case mediation

Fee Schedule for Training Programs	
<u>Fee Type</u>	Fee Amount
New Training Program Application	
<ul style="list-style-type: none"> • Applies to all trainings, regardless of training category 	\$200
Renewal Training Program Application	
<ul style="list-style-type: none"> • Applies to all trainings, regardless of training category • Fees are due for each pre-approved training, not per training provider • Due every three years according to the training category renewal cycle 	\$50