

## **APPENDIX B RULES FOR QUALIFICATION AND TRAINING OF NEUTRALS<sup>1</sup>**

### **ESTABLISHED BY THE GEORGIA COMMISSION ON DISPUTE RESOLUTION**

The Georgia Commission on Dispute Resolution (Commission) seeks to ensure that courts and litigants have access to well-trained, highly skilled neutrals who adhere to the highest ethical standards. All neutrals must have process expertise and some neutrals must have subject matter expertise. Neutrals should be drawn from a variety of disciplines and should reflect the racial, ethnic, and cultural diversity of our society. Local court alternative dispute resolution (ADR) programs should screen prospective neutrals carefully for qualities such as the ability to listen actively, to isolate issues, and to focus discussion on issues.

#### **I. REGISTRATION CATEGORIES AND REQUIREMENTS**

This section lists the categories in which neutrals may register with the Georgia Office of Dispute Resolution (GODR). Neutrals who completed training in programs not approved by the GODR should refer to Section II (J) of this Appendix. The requirements for approval and renewal of training programs for each category are found in Section III of this Appendix. Throughout these Rules, the term “approved” refers to approval by the GODR and the term “registered” refers to registration with the GODR.

- A. **Non-binding Arbitration:** There is no prerequisite category in which a neutral must register before registering in non-binding arbitration. To register as a neutral in non-binding arbitration, an applicant must meet all the following requirements:
  - 1. Successfully complete six hours of GODR-approved arbitration training.
  - 2. Consent to a background check, cooperate with the background check process, and pass a background check pursuant to Appendix C of these Rules.
  
- B. **General Civil Mediation:** This is the prerequisite course for all registration categories with the exception of non-binding arbitration. To register as a neutral in general civil mediation, an applicant must meet all the following requirements:
  - 1. Consent to a background check, cooperate with the background check process, and pass a background check pursuant to Appendix C of these Rules.
  - 2. Successfully complete 28 hours of GODR-approved general civil mediation training.
  - 3. Complete either (a) or (b) as follows:
    - a. A 12-hour GODR-approved practicum.
    - b. Observe five civil (non-domestic and non-juvenile) mediation sessions totaling at least ten hours of mediation session time. Requirements for these observations are as follows:
      - 1. If an applicant reaches ten hours of mediation session time in fewer than five mediations, the applicant still must observe a total of five mediations to

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<sup>1</sup> As amended May 3, 2023 to be effective July 1, 2023

completion, regardless of whether the five mediations ultimately run longer than ten hours.

2. Similarly, if an applicant finishes the five observed mediations in fewer than ten hours, the applicant must continue observing mediations until they meet the ten-hour requirement.
3. The applicant must observe at least two different registered mediators.
4. The observations must be conducted live, either remotely or in-person. Pre-recorded videos may not be viewed as observations.

C. **Early Neutral Evaluation:** To register as an early neutral evaluator, an applicant must meet all the following requirements:

1. Be a registered neutral with the GODR.
2. Have practiced law or served as a judge (or a combination of both) for at least eight years preceding the date of application.
3. Have five years of relevant experience in the substantive area of dispute involved.
4. Have completed six hours of GODR-approved early neutral evaluation training.
5. Have served as an arbitrator or mediator in a minimum of ten court-connected or private ADR sessions.

D. **Probate Mediation:** To register as a neutral in probate mediation, an applicant must meet the following requirements:

1. Satisfy all requirements for registration in general civil mediation as provided in Section I (B) of this Appendix.
2. Successfully complete 16 hours of GODR-approved combined probate training and practicum.

E. **Domestic Relations Mediation:** To register as a neutral in domestic relations mediation, an applicant must meet all the following requirements:

1. Satisfy all requirements for registration in general civil mediation as provided in Section I (B) of this Appendix.
  2. Hold a bachelor's degree from an accredited college or university.
  3. Successfully complete 42 hours of GODR-approved domestic relations mediation training.
  4. Complete either (a) or (b) as follows:
    - a. A 12-hour GODR-approved domestic relations practicum taken ***after*** successful completion of the domestic relations training.
    - b. Both of the following:

- i. Observe at least one mediation of a domestic relations case. The observation must be: a mediation session for a case currently filed in a court within the State of Georgia; conducted live, either remotely or in-person (pre-recorded video cannot be viewed as an observation); and completed with a mediator who is registered in domestic relations mediation and in Active status.
- ii. Participate in at least two co-mediations of domestic relations cases. Each co-mediation must be: a mediation session for a case currently filed in a court within the State of Georgia; conducted live, either remotely or in-person (pre-recorded video cannot be viewed as an observation); and completed with a mediator who is registered in domestic relations mediation and in Active status.

F. **Specialized Domestic Violence Mediation:** To register as a neutral in specialized domestic violence mediation, an applicant must meet all the following requirements:

1. Successfully register as a neutral in general civil mediation as provided in Section I (B) of this Appendix.
2. Successfully register as a domestic relations mediator as provided in Section I (D) of this Appendix.
3. Successfully complete 14 hours of GODR-approved specialized domestic violence mediation training after registering as a domestic relations mediator as provided in Section I (D) of this Appendix.

G. **Delinquency Mediation:** To register as a neutral in delinquency mediation, an applicant must meet all the following requirements:

1. Successfully register as a neutral in general civil mediation as provided in Section I (B) of this Appendix.
2. Successfully complete 21 hours of GODR-approved delinquency mediation training.

H. **Dependency Mediation:** To register as a neutral in dependency mediation, an applicant must meet all the following requirements:

1. Successfully register as a neutral in general civil mediation as provided in Section I (B) of this Appendix.
2. Successfully complete 21 hours of GODR-approved delinquency training prior to taking a GODR-approved dependency mediation training.
3. Successfully complete a GODR-approved dependency mediation training.
4. Hold a bachelor's degree from an accredited college or university.

Mediators who are registered in domestic relations mediation may satisfy Section I (G) (3) of this Appendix by attending a GODR-approved dependency mediation training that is no less than 21 hours (including role plays and other participatory exercises).

Mediators registered in delinquency mediation, but not in domestic relations mediation, must satisfy the requirement to successfully complete a GODR-approved dependency mediation training by attending a GODR-approved dependency mediation training that is no less than 28 hours of classroom training (including role plays and other participatory exercises).

## **II. NEUTRAL REGISTRATION PROCEDURES AND CONTINUING EDUCATION**

### **A. General Requirements**

All neutrals practicing in court programs and in court-ordered mediation of cases shall be registered with the GODR. Prior to serving as a neutral in a court program or in court-ordered cases, neutrals shall register in the appropriate category for the type of case in which they wish to serve. Prospective neutrals must follow the procedures outlined for registration on the GODR website. The application guidelines available on the GODR website set forth the specific requirements for registration and may be amended by GODR from time to time<sup>2</sup>.

### **B. Initial Registration Period for New Applicants**

1. A neutral who completes an application for initial registration prior to October 1<sup>st</sup> in a calendar year remains registered only through the end of that calendar year, and the neutral must renew his/her/their registration prior to December 31<sup>st</sup> of the calendar year in which the neutral first registered.
2. A neutral who registers on or after October 1<sup>st</sup> remains in good standing through December 31<sup>st</sup> of the following calendar year. Thus, for example, a neutral registering on October 30<sup>th</sup> will be registered for 14 months and will not have to renew in the same calendar year in which the neutral registered.

### **C. Registration Procedures**

1. Registration for New Applicants in Non-binding Arbitration.

To register in non-binding arbitration, an applicant must meet all the following requirements:

- a. Submit a completed application, including a signed consent form for background check and all required documentation.
- b. Apply for registration no later than 18 months after completing a GODR-approved training.
- c. Submit a non-refundable application fee set by the Commission. The application fee may be changed from time to time, and potential applicants should refer to the GODR fee schedule on the website for the latest information.

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<sup>2</sup> Mediators have until July 1, 2024 to become registered in the Probate Court Mediation category.

2. Registration for New Applicants in General Civil Mediation.<sup>3</sup>

To register in general civil mediation, an applicant must meet all the following requirements:

- a. Submit a completed application, including a signed consent form for background check and all required documentation.
- b. Apply for registration within 18 months from the last date on the 28-hour GODR-approved training certificate.
- c. Submit a non-refundable application fee set by the Commission. The application fee may be changed from time to time, and potential applicants should refer to the GODR fee schedule on the website for the latest information.

3. Registration in Probate Mediation.

- a. A neutral seeking to register in probate mediation must register no later than 18 months after the date the neutral completed the 16-hour GODR-approved probate combined training and practicum.

4. Registration in Domestic Relations.

- a. A neutral seeking to register in domestic relations must register no later than 18 months after the date the neutral completed the 42-hour GODR-approved training course.
- b. If the training and practicum are taken as a combined course, the 18 months shall begin at the end of the entire combined training. If taken separately, the 18 months shall begin at the end of the course.

5. Registration in Early Neutral Evaluation, Specialized Domestic Violence, Delinquency, or Dependency Mediation.

- a. A neutral seeking to register in the following categories must register no later than 18 months after the date the neutral completed each individual GODR-approved training course for registration.

**D. Renewal of Registration**

1. Except as noted elsewhere in these Rules, a neutral shall be registered for a period of one year unless the neutral relinquishes or loses registration as part of an adverse action taken by the Commission, its Committee on Ethics, or both.

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<sup>3</sup> This section applies to neutrals who took an approved GODR training. For applicants seeking a waiver of the requirement that they complete a GODR-approved training, please see Section II (J) of this Appendix.

2. A neutral seeking to renew that neutral's registration must apply for renewal by December 31<sup>st</sup> each calendar year. A renewal application must be submitted online no later than noon on December 31<sup>st</sup> each calendar year, unless extenuating circumstances require the Commission to change the renewal deadline. Notice shall be given in advance if the renewal deadline is changed.
3. A neutral seeking to renew must complete a renewal application using the form provided by the GODR and must pay a nonrefundable fee set by the Commission.
4. A neutral who submits a renewal application online by noon on December 31<sup>st</sup> of the calendar year that renewal is due and chooses to submit the renewal fee via mail rather than online must mail the appropriate renewal fee so that it is postmarked by January 10<sup>th</sup>. If payment is not postmarked by January 10<sup>th</sup>, the neutral shall be placed in a lapsed status pursuant to Section II (E) of this Appendix.
5. As discussed in Section II (B) (2) of this Appendix, A neutral who completes an application for initial registration prior to October 1<sup>st</sup> must renew their registration by noon on December 31<sup>st</sup> of that calendar year, while neutrals registering on or after October 1<sup>st</sup> do not have to renew until noon on December 31<sup>st</sup> of the following calendar year.
6. A neutral may remove one or more specific registration category or choose to deregister altogether as a neutral. The neutral must complete a GODR-provided affidavit available on the website and submit it through the neutral's account. Once removed, a category may not be added back unless the neutral meets the initial training requirements for that specific registration category. Once deregistered, the neutral's registration may not be reinstated unless the neutral meets all of the requirements for initial registration.

#### **E. Lapsed Status**

1. A neutral who fails to file a renewal application by noon on December 31<sup>st</sup> of the calendar year the neutral is required to renew shall be placed in a lapsed status.
2. A lapsed neutral may file a renewal application between January 1<sup>st</sup> of the calendar year after his or her renewal application is due through noon on the last day of February. Such filing shall include all the following: payment of the renewal fee, payment of an additional nonrefundable late fee set by the Commission, and proof of completion of any continuing education (CE) hours still outstanding.
3. A neutral may continue to serve in court-programs and in court-connected cases while in a lapsed status.

#### **F. Inactive Status**

1. On March 1<sup>st</sup> of each calendar year, each lapsed neutral shall be placed in inactive status and may not provide services in court programs or in court-connected cases.
2. To reinstate his or her registration, a neutral in inactive status shall complete additional hours of CE and pay any late fees set by the Commission.

3. A neutral who is in an inactive status may remain in such status for up to five years from the date his or her registration should have been renewed.
4. Neutrals may apply for reinstatement by submitting the requisite number of continuing education hours and remitting fees as outlined in the GODR fee schedule. The reinstatement CE requirements are as follows:
  - a. Inactive I: March 1-December 31 (within the same year of the missed late renewal period). Neutrals must submit six hours of CE.
  - b. Inactive II: January 1-December 31 (year following Inactive I). Neutrals must submit seven hours of CE.
  - c. Inactive III: January 1-December 31 (year following Inactive II). Neutrals must submit eight hours of CE.
  - d. Inactive IV & V: January – December 31 (years following Inactive III or Inactive IV, respectively). Continuing education hours, training updates, or both will be determined by the Training and Credential Committee on a case-by-case basis. After application for reinstatement, the neutral will be notified in writing of specific education requirements for reinstatement.
5. A list of neutrals who are inactive shall be published on the GODR's website and disseminated to local court ADR programs.

#### **G. Deregistered Status**

1. After five years from the date registration was due, each inactive neutral shall be placed in a deregistered status.
2. A deregistered neutral who wants to register again must meet the initial requirements for registration, including completion of a GODR-approved training course in each category for which they desire to register. The deregistered neutral must also complete any and all observations or practicums that may be required for each category of registration for which they are seeking to register.

#### **H. Volunteer Status**

Neutrals who volunteer their services may qualify for a registration fee waiver. For purposes of determining neutral registration fees, a “volunteer” is defined as a neutral who receives no compensation – no matter how little – for providing any ADR-related services, whether within or outside of a court ADR program. Further, such ADR services rendered must include only instances in which zero compensation has been received by any person, organization, or entity from parties, unless otherwise approved by the Commission. Volunteer neutrals do not include court ADR program or court staff who receive any compensation, including wages, from a court, government office, or local ADR board. Those who qualify as a volunteer neutral under these terms must submit a sworn affidavit each registration renewal period, requesting that their registration fees be waived. Such affidavit, made available by the GODR, must be sworn and signed by the executive director of a court ADR program for which the neutral volunteers. A volunteer neutral

who is granted a fee waiver and later receives any compensation for providing ADR services must notify the GODR immediately and pay the required non-volunteer registration fee.

### **I. Military Servicemember Relief**

Neutrals who are military servicemembers may qualify for a stay of registration renewal requirements, including a waiver of the continuing education, fees, or both. For purposes of determining eligibility under these Rules, in accordance with the federal Servicemembers Civil Relief Act, “military servicemember” means “active duty personnel in the [U.S.] Armed Forces (including reserves called to active duty); National Guard members called to active service for more than 30 consecutive days; commissioned officers of the [U.S.] Public Health Service or NOAA; in limited cases, dependents of SM (Service Members); holders of power of attorney for SMs; SMs absent for lawful cause or because of sickness, wounds, or leave.”<sup>4</sup>. Such requests must be submitted in writing to the executive director of the GODR and may be applied retroactively, upon his or her/their discretion.

### **J. Registration of Neutrals with Training Not Approved by GODR**

1. A prospective neutral seeking to register as a neutral with the GODR who did not complete a GODR-approved training may apply for a training waiver.
2. As a prerequisite to registration, a prospective neutral who applies for a waiver must pass a test on Georgia ethics provided by the GODR. A passing score is considered 80% correct or better. Applicants who fail on the first attempt must wait 30 days to attempt the test again. If an applicant fails on the second attempt, they must re-apply for registration.
3. Training waivers will not be approved for the following Georgia registration categories: Specialized Domestic Violence Mediation, Juvenile Delinquency Mediation, Juvenile Dependency Mediation, or Probate Mediation. To register in such categories, prospective neutrals must take a GODR-approved training.
4. A request to waive GODR training requirements for any other registration category (Non-binding Arbitration, Domestic Relations Mediation, Early Neutral Evaluation, General Civil Mediation,) must demonstrate that the applicant’s training and qualifications substantially meets those required for GODR registration in the category of which the applicant seeks to register.
  - a. To be approved, the applicant’s training must have the equivalent number of hours (or greater) of classroom instruction (not including breaks or meals) for the category in which they want to register.
  - b. The topics covered by the training must be substantially similar to the required topics of each registration category as outlined in the Training Program Guidelines. The Training Program Guidelines are available on the GODR website and described in Section III (A) of this Appendix.
  - c. To be approved in either the General Civil Mediation or Domestic Relations Mediation category, the applicant must have also completed an equivalent practicum

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<sup>4</sup> From the *Servicemembers Civil Relief Act* bench card: *Application of the SCRA*—SCRA §§ 3911, 3912, “Individuals.” See 50 USC §§ 3911; 3912.



or observations or co-mediations. This portion of the training must have been completed after successful completion of qualified classroom instruction.

- d. All training hours must have been completed within a synchronous format (in-person, virtual, or a hybrid of in-person and virtual components).
5. Training waiver requests will be reviewed by the GODR, and a decision will be rendered by the Executive Director. Consideration will be given to, but is not limited by, any of the following:
  - a. Certificate(s) of training completion, including dates completed;
  - b. Syllabus/syllabi or agenda from completed training(s);
  - c. A copy of the training participant manual/training documents;
  - d. Proof of an official neutral credential in a state other than Georgia, issued and verifiable by that state's credentialing office (if applicable);
  - e. Information regarding history of dispute resolution practice, including the number of years practicing and the average number of cases conducted per year.
6. If a training waiver request is denied, the applicant may appeal the matter to the GCDR Training and Credentials Committee no later than 30 days after issuance of the GODR executive director's denial of the waiver request. The decision of the Training and Credentials Committee regarding a waiver request shall be final.

## **K. Continuing Education of Neutrals**

1. General Rules.
  - a. A registered neutral must complete three hours of continuing education (CE) each calendar year to maintain his or her registration. Each neutral must ensure that the appropriate paperwork demonstrating completion of GODR-approved CE hours is submitted with that neutral's renewal application.
  - b. Proof of completion of CE hours should be submitted throughout the year as a neutral completes CE. Except for carryover CE, proof of CE completion must be submitted no later than noon on December 31<sup>st</sup> of the calendar year in which the CE was taken.
  - c. A neutral must complete three hours total of CE each calendar year regardless of the number of categories in which a neutral is registered. Thus, a neutral registered in several categories need only complete a total of three hours of CE each calendar year.
  - d. A neutral may carry over three CE hours to the calendar year immediately following the calendar year in which the excess CE hours were earned. CE may not be carried over more than one calendar year.

- e. A neutral is not required to complete CE in the first year of his or her registration. The CE requirement begins the year after the first year of a neutral's initial registration in general civil mediation or non-binding arbitration.
  - f. A neutral who is registered in general civil mediation or non-binding arbitration, and who becomes registered in another category in the next calendar year, or any subsequent calendar year may count his or her GODR-approved training for his or her CE requirement for one calendar year.
  - g. The GODR will post pre-approved CE courses on its website. Other continuing education courses may be acceptable as CE if there is a nexus between the continuing education attended and enhancement of the neutral's skill, substantive knowledge, or professionalism as a neutral. The agendas, curricula, and speaker qualifications must meet the approval of the GODR for the course to qualify as CE. Other professional continuing education credits may be eligible for the CE requirement for registered neutrals.
  - h. Any continuing judicial education (CJE) course approved by the Institute of Continuing Judicial Education of Georgia (ICJE) for CJE credit will be accepted as CE for registered neutrals.
  - i. CE may be taken in person or online.
2. Failure to Meet CE Requirements.

If a neutral fails to submit acceptable proof of completion of CE requirements by noon on December 31<sup>st</sup>, the neutral's application for registration will be denied. A neutral who fails to complete and timely submit CE will be considered lapsed pursuant to Section II (E) of this Appendix and must renew their registration in accordance with that section.

#### **L. Hardship Exception**

1. In cases of extraordinary hardship (e.g., illness, injury, or personal or family circumstances, etc.), a neutral may request any of the following: an extension of time for renewal, a waiver of the continuing education requirement, or a waiver of any penalties. Such a request shall be submitted in writing to the executive director of the GODR.
2. The GODR executive director may request additional information and documentation as needed to evaluate a hardship exception request. Failure to submit requested information or documents within the time required shall be treated by the GODR executive director as a withdrawal of the request for a hardship exception.
3. The GODR executive director shall issue a written response to a hardship exception.
4. If a request is denied, the neutral may appeal the denial to the Training and Credentials Committee of the Commission no later than 30 days after receipt of the GODR executive director's denial of the request for waiver. The decision of the Training and Credentials Committee regarding a request for a hardship exception shall be final.

### **III. APPROVAL AND RENEWAL OF TRAINING PROGRAMS**

This section contains the rules and procedures for approval and renewal of training programs. Training program applicants must adhere to these rules and procedures in order to receive and maintain GODR approval. Additional requirements are contained in the Training Program Guidelines, which are available on the GODR website, as described in this section.

As used in this Appendix, the term “training program” includes both the organization offering the training and all the primary trainers associated with the training program. A training program must identify one or more administrators in its application and must ensure that the contact information of all administrators remains updated in the GODR registration system.

#### **A. Training Program Guidelines**

1. In Section V of the Supreme Court of Georgia’s ADR Rules, the Commission is tasked with establishing guidelines for training programs for neutrals. To carry out this duty, the Commission has promulgated Training Program Guidelines (Guidelines). The Guidelines are a separate document available on the GODR website.
2. The Guidelines contain detailed procedures for those applying to provide a GODR-approved training program, as well as the substantive requirements for training programs in each registration category. They also contain guidelines for the renewal of GODR approval for training programs. A training program applicant must not only follow the procedural steps outlined in the Guidelines, but the applicant must also show that the proposed training program meets the substantive requirements for the registration category in which the applicant seeks to train.
3. An application for approval or renewal of GODR approval of a training program must meet the requirements of the Guidelines. Failure to follow either the substantive or the procedural requirements for training programs in the Guidelines shall result in a denial of approval of a training program application.
4. The GODR periodically updates the Guidelines. A training program applicant must adhere to the current version of the Guidelines available on the GODR website. Each applicant is responsible for reviewing and following the latest version of the Guidelines. Failure to follow these rules or the Guidelines may result in denial of approval of a training program application. A prospective trainer must review and become familiar with the Guidelines.

#### **B. Initial Application Procedures**

1. A training program applicant must apply via the GODR website.
2. An applicant must pay in full a non-refundable application fee set and collected by the GODR before his or her application is processed.
3. The GODR may deny an application for approval of a training program for failure to meet substantive quality standards as determined by GODR staff in their discretion. The denial of a training program application for failure to meet substantive quality standards may be appealed pursuant to Section IV of this Appendix. Before denying an application on these grounds,

GODR shall inform the applicant of the deficiencies and allow a reasonable time, not to exceed 90 days, for the applicant to correct and resubmit his or her application.

4. Detailed application instructions are contained within the Guidelines. A training program application must include a proposed curriculum, a copy of the participant manual, and the biography of each primary trainer. A training program application must also include any additional materials outlined in the Guidelines.
5. An applicant for training program approval must consent to observation and evaluation of his or her training program by GODR staff or their designee. GODR may observe an applicant's training program without notice prior to the observation.
6. After GODR review, a training program shall be denied or approved subject to Section III (F) of this Appendix.

### **C. Requirements for Approved Training Programs**

1. 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.
2. 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 calendar 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.
3. A training program may include the fact that they are GODR-approved in their advertising. However, a training program must not imply that successful completion of a GODR-approved training entitles a participant to acceptance onto the roster of any court-connected ADR program. A disclaimer regarding this fact must be placed on all training program advertising. The exact language of the required disclaimer is contained within the Training Program Guidelines. Failure to include the required disclaimer language in any advertising related to the training program may result in immediate revocation of program approval.
4. GODR approval attaches to an individual training program and depends in part on the background and experience of each primary trainer as well as other factors. If there are any substantive changes in curriculum, addition or substitution of a primary trainer, or other substantive change, the training program must notify the GODR of the changes and may be required to resubmit its application for approval.

### **D. Other General Requirements Applicable to All Training Programs**

1. All training programs shall provide participants with instruction for registration with GODR, to include:
  - a. Educational prerequisites for registration in any category; and

- b. Training sequencing prerequisites for registration in any category; and
  - c. Practicum or observation requirements for registration in the category of general civil or domestic relations.
2. 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, or hybrid).
  3. Additional requirements are located in the Training Program Guidelines.

#### **E. Renewal of Approval of Training Programs**

1. Approval of a training program must be renewed pursuant to the renewal cycle established by the GODR.
2. Each applicant for renewal of approval of a training program must pay in full the non-refundable renewal application processing fee set and collected by the GODR, which is found in the fee schedule on the GODR website for a renewal application.
3. Detailed instructions are in the Training Program Guidelines. The GODR shall provide approved training programs notice of the timeline and schedule for renewal.

#### **F. Audit and Revocation of Approval of Training Program**

1. GODR staff or their designee may, in the discretion of GODR staff, audit and investigate training programs by observations, requests for evaluation forms, surveys of participants, or any other means. GODR may conduct audits of a training program without prior notice to such program.
2. Upon receipt of information that a training program is not in compliance with the GODR Rules or Training Program 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.
3. 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 provide assistance to 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 training program. GODR shall notify such program in writing that approval has been revoked. A notice of revocation of training program approval shall include the effective date of the revocation.
4. Refusal by a training program to cooperate with a GODR audit and investigation shall result in immediate revocation of approval of such program.

5. Upon revocation of approval of a training program, GODR shall remove such program from the list of GODR approved training programs on the GODR website.
6. Training programs may appeal a GODR decision to revoke approval using the procedures in Section IV of this Appendix.

#### **IV. APPEAL FROM ADVERSE DECISIONS OF THE OFFICE OF DISPUTE RESOLUTION.**

- A. Registration decisions shall be made by the GODR. Applicants who are denied registration for any reason other than that described in this Appendix may appeal to the Commission's Committee on Training and Credentials no later than thirty days after the date of notice of denial. The Committee which may grant a hearing to the applicant upon written request. The Committee on Training and Credentials shall make a determination as to whether the applicant may be registered and notify the applicant.
- B. An adverse decision of the Committee on Training and Credentials may be appealed to the full Commission no later than thirty days after the date of such decision. The Commission may grant a hearing to the applicant.

#### **V. ETHICS PRE-CERTIFICATION OF FITNESS TO REGISTER**

- A. A person interested in registering as a neutral who is concerned that his or her past criminal or professional issues may prevent him or her from registering may request an ethics review of his or her background prior to taking an approved Georgia training.
- B. The GODR shall make available upon request an ethics pre-certification application. Ethics pre-certification applicants shall pay a non-refundable fee pursuant to the fee schedule, which will be credited toward any registration fees due if the applicant applies for registration later.
- C. After a completed ethics pre-certification application and fee is received, the GODR executive director or the Commission's designee shall conduct an investigation into the pre-certification applicant's criminal and professional background according to established registration procedures for applicants, including consultation with the Commission's Committee on Ethics if needed.
- D. If the GODR executive director or the Committee on Ethics determines that the ethics pre-certification applicant's criminal or professional history renders the applicant unfit to register, the GODR shall notify the applicant in writing of the decision and the applicant's right to appeal in accordance with Sections IV of this Appendix.
- E. If the GODR or the Committee on Ethics determines that the ethics pre-certification applicant is fit to register, the GODR shall notify the applicant and issue a letter of fitness for registration. The ethics pre-certification of fitness for registration will remain valid for a period of 12 months after the date the certification is issued or until the applicant completes and submits all registration requirements, whichever occurs first. The applicant shall complete and submit to the GODR all registration requirements before the date his or her certification expires. If the applicant does not submit all registration requirements in a timely manner, then the applicant must apply and pay for another pre-certification. The rule that permits

a trainee to apply for registration no later than 18 months after the date of completion of his or her training shall not apply to applicants who have received an ethics pre-certification of fitness.

- F. An applicant shall maintain the currency of his or her ethics pre-certification by notifying the GODR in writing no later than 30 days after the date of any occurrence that would change his or her answer to any question on the pre-certification application.
- G. Assuming nothing occurs within the certification period that would call into question the pre-certification applicant's fitness to register and assuming the applicant meets all other application requirements and deadlines, the GODR shall register such applicant in the appropriate category or categories.
- H. If necessary, prior to the expiration date, an applicant may file his or her application to renew his or her pre-certification with the GODR no earlier than 30 days before the date his or her certification is set to expire. If the applicant applies for renewal of pre-certification within the time required, provides current information in his or her application, pays a renewal fee to the GODR, and nothing has occurred that would call into question the pre-certification applicant's fitness to register, the applicant's pre-certification shall be renewed for up to an additional 12 months. A pre-certification may be renewed only once.