



MINNESOTA SUPREME COURT

Alternative Dispute Resolution (ADR)

**GUIDELINES FOR *SPONSOR'S PETITION*  
ALTERNATIVE DISPUTE RESOLUTION - RULE 114  
TRAINING COURSE CERTIFICATION**

**FAMILY LAW EVALUATIVE/HYBRID NEUTRALS:  
SOCIAL EARLY NEUTRAL EVALUATION (SENE)  
FINANCIAL EARLY NEUTRAL EVALUATION (FENE)  
MODERATED SETTLEMENT CONFERENCE (MSC)**

**Alternative Dispute Resolution Program**

135 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, Minnesota 55155-1500  
(651) 297-7590

Under the General Rules of Practice Rule 114 only those individuals who meet the training requirements established in Rule 114.12, subdivision 4, or who have received a waiver under subdivision 4(m) shall be listed on the roster of Qualified Neutrals. The State Court Administrator certifies training programs which meet the training criteria. Any sponsor (agency, organization, or person) who provides training may seek course certification. A list of certified training programs is kept by State Court Administration, ADR Program.

### **APPLICATION REQUIREMENTS**

1. Application for course approval shall be submitted on petition forms available on [mncourts.gov](http://mncourts.gov) under the help topic Alternative Dispute Resolution (ADR)/Mediation.
2. It is strongly recommended that an application for course approval shall be submitted at least 30 days prior to the scheduled training date(s) to ensure the course meets all requirements to be certified. Note: If the course is not certified 30 days prior to the scheduled training date(s), the course may be denied.
3. Course certification is based on Rule 114.12 of the General Rules of Practice.
4. The number of hours certified are based on each contact hour of training. A contact hour shall consist of no less than a sixty-minute class session. The number of hours certified will not include time spent on meals, breaks, homework assignments, or unrelated activities.
5. Training for family evaluative/hybrid processes shall include experiential learning. Certified hybrid process training for SENEs shall consist of a minimum of 5 hours of SENE experiential learning and certified hybrid process training for FENEs shall consist of a minimum of 2 hours of FENE experiential learning. Certified training for MSCs shall consist of a minimum of 1 hour of MSC experiential learning.
6. Certification will not be granted for courses consisting solely of television viewing, correspondence work, or self-study. Video, motion picture, or sound tape presentations will not be certified unless a qualified instructor is present to discuss the content and answer questions.

### **TRAINER REQUIREMENTS**

In order to qualify as a certified training program, trainer(s) must meet the following requirements:

1. Have taken a training as set forth in Rule 114.12 of the General Rules of Practice, or equivalent training on the same topic before teaching it.
2. Be a Qualified Neutral if providing ADR services in Minnesota. If a trainer from out of state is not on the roster, the Minnesota ADR rules/law topics that is required in Rule 114.12, including the Code of Ethics for Court-Annexed ADR Neutrals, must be taught by a local expert who is on the roster.
3. Demonstrate 5 years of experience as a Neutral in the ADR process being taught.

4. Demonstrate experience as a trainer using the role play/experiential learning format required by Rule 114.12.
5. Instructors shall provide a suitable learning environment and assist attendees and answer questions related to the course.

### **COORDINATOR REQUIREMENTS**

1. The sponsor shall designate a **coordinator** who is responsible for supervising the course and assuring compliance with the statutes and rules governing alternative dispute resolution methods.
2. The coordinator shall notify the ADR Program Manager of the date and location of each subsequent presentation of a certified course. Any change in faculty or course content must also be noted.

### **FACILITIES**

1. Classroom training shall be conducted in a comfortable classroom or other facility which provides space and equipment appropriate for the learning activities. "Classroom training" includes both interactive training conducted in person and interactive training conducted through virtual means. Classroom training also includes a "ride-along." "Ride-along" means observation of a real-life ADR process, including observation by remote means, conducted by a Qualified Neutral. With consent of the parties and under the supervision of the Qualified Neutral, the ride-along may also include participation in the ADR process.

### **ADVERTISING**

1. Courses must be certified in writing by the ADR Program Manager in order to be advertised as *certified alternative dispute resolution training*.
2. A sponsor may make a written request to use the term "certification pending" if a petition has been made to the ADR Program Manager. Permission must be granted prior to using the term "certification pending."
3. When a sponsor receives written notice from the ADR Program Manager of certification, advertising may include the statement "This course has been certified for ( ) hours of alternative dispute resolution training by the State Court Administrator, ADR Program."
4. Advertising must be truthful, clear, and not deceptive or misleading.

### **FAILURE TO COMPLY**

1. Failure to comply with these guidelines will result in loss of certification of the course until full compliance with all requirements has been met.



SPONSOR'S PETITION  
ALTERNATIVE DISPUTE RESOLUTION  
MINNESOTA SUPREME COURT FOR ADR ROSTERS AND TRAINING  
FAMILY EVALUATIVE/HYBRID NEUTRALS  
TRAINING COURSE CERTIFICATION

**SECTION I: COURSE INFORMATION**

Course Title: \_\_\_\_\_

Date(s): \_\_\_\_\_

Location: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Coordinator: \_\_\_\_\_

Registration URL: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**SECTION II: FOCUS OF THE COURSE**

Course will fulfill Rule 114 requirements for:

Social Early Neutral Evaluations (SENE)

Financial Early Neutral Evaluations (FENE)

Moderated Settlement Conference (MSC)

**SECTION III. TRAINER QUALIFICATION (to be completed by the Trainer)**

Trainer Name(s)

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To qualify as a trainer, one or more trainers must be a Qualified Neutral on the Rule 114 ADR Roster and have taken a training as set forth in Rule 114.12 or equivalent training on the same topic before teaching it. Indicate the certified or equivalent training the trainer attended. Attached additional sheets if necessary. To verify the trainer is currently active on the Roster, follow the link [Minnesota Statewide ADR-Rule 114 Qualified Neutrals Roster](#) to search the public list of all active Neutrals.

*Qualified Trainer Name(s)*

Date(s) of Training	Name of Training	Sponsor	Total Hours

I certify that I have five years of professional experience as a Neutral in the ADR process being taught and that I have experience as a trainer using the role playing/experiential learning format required by these rules.

Qualified Trainer Signature

Date

**SECTION IV. TRAINING FOR SOCIAL EARLY NEUTRAL EVALUATION (SENE) PROCESS**

If you are requesting certification in this process area, include the following information.

1. Indicate *by name* the segments of the course agenda that deal with each of the following topics.

a) Demonstration of a judicial officer's Initial Case Management Conference orientation.

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b) Pre-SENE considerations and staging the SENE.

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c) Introduction to the process.

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d) Information gathering.

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e) SENE team consultation.

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f) Feedback.

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g) Attorney-client caucus.

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h) Negotiation.

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i) Completing the process.

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j) Reporting to the court.

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k) Addressing domestic violence in SENE and FENE.

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2.  Total number of instruction hours (60 minutes of instruction - 1 credit hour)

3.  Total number of hours of experiential learning (5 hour minimum)

**SECTION V. TRAINING FOR FINANCIAL EARLY NEUTRAL EVALUATION (FENE) PROCESS**

If you are requesting certification in this process area, include the following information.

1. Indicate *by name* the segments of the course agenda that deal with each of the following topics.

a) Pre-FENE considerations.

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b) The financial evaluative meeting.

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c) Making sure the parties are heard.

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d) Delivering the opinion.

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e) Concluding the FENE.

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f) Finalizing the agreement.

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2.  Total number of instruction hours (60 minutes of instruction - 1 credit hour)

3.  Total number of hours of experiential learning (2 hours minimum)

**SECTION VI: TRAINING FOR MODERATED SETTLEMENT CONFERENCE (MSC) PROCESS**

If you are requesting certification in this process area, include the following information.

1. Indicate *by name* the segments of the course agenda that deal with each of the following topics.

a) When MSC process is appropriate.

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b) Logistics of MSC process.

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c) Dealing with attorneys and parties in highly entrenched positions.

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d) How to share opinion without alienating parties or attorneys.

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e) Managing domestic abuse situations (e.g. OFP, DANCO, HRO).

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f) Confidentiality and communication with judicial officers.

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g) MSC notes and records in discovery process.

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2.  Total number of instruction hours (60 minutes of instruction - 1 credit hour)

3.  Total number of hours of experiential learning (1 hour minimum)



**SECTION VII: COURSE OUTLINE**

Include a course agenda/brochure with this completed form. A course agenda should indicate the time allocations and subject matter of each segment of the course.

**SECTION VIII: EVALUATION FORMS**

Participant critique submitted at end of session

Survey to be sent out after program

Other (specify): \_\_\_\_\_

**SECTION IX. COURSE MATERIALS**

Submit copies of all course materials to be provided to participants (including evaluation forms).

\_\_\_\_\_  
*Petitioner's Signature*

\_\_\_\_\_  
*Date*

<p><b>DIRECTIONS:</b> Complete this form and send it with supporting materials to:</p> <p><b>ADR@courts.state.mn.us</b></p> <p>This form will be returned to applicant after review. The following section will be completed to indicate whether the course is certified.</p>
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**DO NOT WRITE BELOW THIS LINE - FOR USE BY LCD**

Approved for credit hours of training for:

Social Early Neutral Evaluation (SENE) Training  
# of hours

Financial Early Neutral Evaluation (FENE) Training  
# of hours

Moderated Settlement Conference (MSC) Training  
# of hours

Not approved for the following reason(s): \_\_\_\_\_

\_\_\_\_\_  
*Kirsten Stockwell, ADR Program Manager*  
**Alternative Dispute Resolution**

\_\_\_\_\_  
*Date*