



MINNESOTA SUPREME COURT

Alternative Dispute Resolution Program

Page 1 of 9

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

FAMILY LAW NEUTRALS

2012

Finance Division

Alternative Dispute Resolution Program
110 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1500

adr@courts.state.mn.us

Under the Minnesota Rules of General Practice only those individuals who meet the training requirements in Rule 114.13 shall be listed on the roster of qualified neutrals. Finance Division certifies the training programs that meet the training criteria. Any sponsor (agency, organization, or person) who provides training may seek course certification. A list of certified courses is maintained by Finance Division.

APPLICATION REQUIREMENTS

1. Application for course approval shall be submitted on petition forms available from Finance. The petitions must be received at least 30 days prior to the scheduled training date(s).
2. Course certification is based on Rule 114.13 of the Rules of General Practice.
3. 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.
4. Training for family law facilitative/hybrid processes and domestic abuse issues should emphasize *experiential learning*. Certified facilitative/hybrid processes training shall consist of at least forty-percent role-play and simulations. The use of simulations and/or role-playing must be used when training about domestic abuse screening.
5. 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.

FACULTY REQUIREMENTS

1. Instructors shall possess professionally recognized training and experience in the assigned subject area.
2. Instructors shall be familiar with the alternative dispute resolution methods and all laws and rules pertaining to any of these methods.
3. Instructors shall provide a suitable learning environment and assist students 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 Finance Division 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

Courses shall be conducted in a comfortable classroom or other facility, which provides space and equipment appropriate for the learning activities.

ADVERTISING

1. Courses must be certified in writing by the Finance Division 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 Finance Division. Permission must be granted prior to using the term “certification pending”
3. When a sponsor receives written notice from the Finance Division, advertising may include the statement “This course has been certified for __ hours of alternative dispute resolution training by the Finance Division”

FAILURE TO COMPLY

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

7/12

SPONSOR'S PETITION
ALTERNATIVE DISPUTE RESOLUTION - RULE 114

FAMILY LAW NEUTRALS
TRAINING COURSE CERTIFICATION

COURSE INFORMATION

Course Title: _____

Date(s): _____

Location: _____

Sponsor: _____

Coordinator: _____

Address: _____

City/State/Zip: _____

Telephone: _____ Fax: _____

Email: _____

I agree to receive a signed, scanned, copy of the approval.

FOCUS OF THE COURSE

Course will fulfill Rule 114 requirements for:

- Family Law Facilitative/Hybrid and Domestic Abuse Issues Training
- Family Law Facilitative/Hybrid Training **ONLY**. Domestic Abuse Issues Training is **not** included.
- Family Law Adjudicative Processes Training
- Family Law Evaluative Neutrals Training
- Domestic Abuse Issues Training

TRAINING FOR FAMILY LAW FACILITATIVE PROCESSES

1. Indicate *by name* the segments of the course agenda that deal with each of the following topics.
 - a) Four hours of conflict resolution theory.

 - b) Four hours of psychological issues relative to separation and divorce, and family dynamics.

 - c) Four hours of psychological issues and needs of children in divorce.

 - d) Six hours of family law including custody and visitation, support, asset distribution and evaluation, and taxation as it relates to divorce.

 - e) Five hours of family economics.

 - f) Two hours of ethics, including: (i) the role of mediators and parties' attorneys in the facilitative process; (ii) the prohibition against mediators dispensing legal advice; (iii) a party's right of termination.

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

3. _____ Number of hours of role-playing and simulations (16 hour minimum)

(Please complete the Domestic Abuse Issues Training section if you intend for the training to fulfill the Rule 114 Domestic Abuse Training requirement.)

TRAINING FOR FAMILY LAW ADJUDICATIVE PROCESSES

1. Indicate *by name* the segments of the course agenda that deal with each of the following topics.
 - a) Pre-hearing communications among parties and between the parties and neutral(s).

 - b) Components of the family court hearing process including evidence, presentation of the case, witness, exhibits, and objectives, awards, dismissals, and vacation of awards.

 - c) Settlement techniques.

 - d) Rules, statutes, and practices covering arbitration in the trial court system, including Minnesota Supreme Court ADR rules, special rules of court and applicable state and federal statutes.

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

TRAINING FOR FAMILY LAW EVALUATIVE NEUTRALS

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

Management of presentations made during evaluative processes.

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

DOMESTIC ABUSE ISSUES TRAINING FAMILY LAW FACILITATIVE, ADJUDICATIVE AND EVALUATIVE PROCESSES

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

- a) 2 hours about domestic abuse in general, including definition of battery and types of power imbalance.

- b) 3 hours on domestic abuse screening (this section must demonstrate participants are involved in simulation and role-playing involving ADR processes).

- c) 1 hour of legal issues relative to domestic abuse cases.

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

3. _____ Number of hours of role-playing

FACULTY/SPEAKERS

Please provide: (1) name, (2) title, (3) area of expertise for this course, and (4) applicable experience. Attach supplemental sheet(s) if necessary.

1. _____

2. _____

3. _____

4. _____

1. _____

2. _____

3. _____

4. _____

1. _____

2. _____

3. _____

4. _____

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.

EVALUATION FORMS

- Participant critique submitted at end of session
- Survey to be sent out after program
- Other (Specify)

COURSE MATERIALS

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

Petitioner's Signature

Date

DIRECTIONS: Complete this form and send it with supporting materials to:

Finance Division

Alternative Dispute Resolution Program
110 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1500

Email: adr@courts.state.mn.us

Fax: (651) 405-4441

This form will be returned to applicant after Finance review.
The following section will be completed to indicate whether the course is certified

DO NOT WRITE BELOW THIS LINE - FOR USE BY FINANCE

Approved for credit hours of training for:

_____ Family Law Facilitative/Hybrid **and** Domestic Abuse Issues Training
of hours

_____ Family Law Facilitative/Hybrid only. Domestic Abuse Issues Training is not included.
of hours

_____ Family Law Adjudicative Processes
of hours

_____ Family Law Evaluative Neutral
of hours

_____ Domestic Abuse Issues Training
of hours

Not approved for the following reason(s):

Signature

Date