



MINNESOTA SUPREME COURT

Alternative Dispute Resolution (ADR) Program

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

FAMILY LAW ADJUDICATIVE NEUTRALS

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 the 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 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. 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 course, 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 for certification has been made to the ADR Program Manager. Permission must be granted by the ADR Program Manager to use "certification pending."
3. When a sponsor receives written notice from the ADR Program Manager of the 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 LAW ADJUDICATIVE 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:

Family Law Adjudicative

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

Trainer Name(s)

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 play/experiential learning format required by these rules.

Qualified Trainer Signature

Date

SECTION IV. TRAINING FOR FAMILY LAW ADJUDICATIVE PROCESS

(Arbitration and Consensual Special Magistrate)

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, witnesses, exhibits, awards, dismissals, and vacation of awards.

c) Settlement techniques.

- d) Rules, statutes, and practices pertaining to arbitration in the trial court system, including ADR Rule 114, Special Rules of Practice for the District Courts, and applicable state and federal statutes. This section must be taught by a Qualified Neutral providing ADR services in Minnesota pursuant to Rule 114.12, subd. 4(1)(2).

- e) Domestic abuse in general, including legal definitions, dynamics of abusive relationships, and types of power imbalance (2 hours).

- f) Domestic abuse screening, including simulation or role-playing (3 hours).

- g) Legal issues relative to domestic abuse cases (1 hour).

- 2. Total number of instruction hours (60 minutes of instruction - 1 credit hour)
- 3. Number of family law adjudicative training hours (6 hours minimum)
- 4. Number of domestic abuse training hours (6 hours minimum)

SECTION V: 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 VI: EVALUATION FORMS

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

SECTION VII. COURSE MATERIALS

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

Petitioner's Signature

Date

<p>DIRECTIONS: Complete this form and send it with supporting materials to:</p> <p style="text-align: center;">ADR@courts.state.mn.us</p> <p style="text-align: center;">This form will be returned to applicant after review. The following section will be completed to indicate whether the course is certified.</p>

DO NOT WRITE BELOW THIS LINE - FOR USE BY LCD

Approved for credit hours of training for:

Family Law Adjudicative Training
(Arbitration and Consensual Special Magistrate)
of hours

Not approved for the following reason(s):

Kirsten Stockwell, ADR Program Manager
Alternative Dispute Resolution

Date