



MINNESOTA SUPREME COURT

Alternative Dispute Resolution (ADR)

**GUIDELINES FOR *SPONSOR'S PETITION*  
ALTERNATIVE DISPUTE RESOLUTION - RULE 114  
TRAINING COURSE CERTIFICATION  
FAMILY LAW FACILITATIVE/HYBRID 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 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 will be 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 law facilitative/hybrid processes and domestic abuse issues should emphasize experiential learning. Certified facilitative/hybrid processes training shall consist of at least 16 hours of role play and simulations. The use of simulations and/or role-playing must be used when training about domestic abuse screening.
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 under 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 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 by the ADR Program Manager prior to using the term "certification pending."
3. When a sponsor receives written notice from the ADR Program Manager, 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 FACILITATIVE/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:

Family Law Facilitative/Hybrid **and** Domestic Abuse Issues Training

Domestic Abuse Issues Training **ONLY**

**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)*

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**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 role play/experiential learning format required by these rules.

\_\_\_\_\_  
*Qualified Trainer Signature*

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

**SECTION IV. TRAINING FOR FAMILY LAW FACILITATIVE/HYBRID PROCESSES**  
(Mediation, Mediation-Arbitration, Arbitration-Mediation, and Other Processes)

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

- a) 4 hours of conflict resolution theory, including intercultural conflict and mediator bias awareness.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- b) 4 hours of psychological issues related to separation and divorce, and family dynamics.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- c) 4 hours of issues and needs of children in divorce.

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- d) 6 hours of family law including custody and parenting time, visitation, child and spousal support, asset distribution and valuation, and taxation.

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- e) 5 hours of family budget and finances.

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- f) 2 hours of ethics, including: self-determination of the parties; the role of mediators and parties' attorneys in the facilitative process; the prohibition against mediators dispensing legal advice; and the parties' rights to terminate the mediation 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 (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.)*

**SECTION V. DOMESTIC ABUSE ISSUES TRAINING**

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 legal definitions, dynamics of abusive relationships, and types of power imbalance.

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

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

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- 2.  Total number of instruction hours (60 minutes of instruction - 1 credit hour)
- 3.  Total number of hours of role-playing or simulation

**SECTION VI: 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 VII: EVALUATION FORMS**

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

**SECTION VIII. COURSE MATERIALS**

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

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*Petitioner's Signature*

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*Date*

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

**ADR@courts.state.mn.us**

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

**DO NOT WRITE BELOW THIS LINE - FOR USE BY LCD**

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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

Domestic Abuse Issues Training **only**  
# of hours

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

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

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