



MINNESOTA SUPREME COURT

Alternative Dispute Resolution Program

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**GUIDELINES FOR *INDIVIDUAL'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.

Individuals may seek certification of training courses. However, before doing so, they should consult a list of certified training programs with Finance. Individuals do not have to apply for certification of courses appearing on the certified list.

APPLICATION REQUIREMENTS

1. Application for course approval shall be submitted at least 30 days prior to the scheduled training date(s).
2. Course agenda that includes topics, speakers, and time frames of presentations must be attached to the petition.
3. Course certification is based on Rule 114.13 of the Rules of General 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 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.

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INDIVIDUAL'S PETITION
ALTERNATIVE DISPUTE RESOLUTION - RULE 114
FAMILY LAW NEUTRALS
TRAINING COURSE CERTIFICATION

APPLICANT INFORMATION

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Email: _____

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

COURSE INFORMATION

Course Title: _____

Date(s): _____

Location: _____

Sponsor: _____

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

SUPPORTING MATERIALS

Submit a course agenda that includes topics, speakers, and time-frames of presentations.

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) 205-4441

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