



MINNESOTA SUPREME COURT

Alternative Dispute Resolution Program

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

CIVIL (NON-FAMILY) NEUTRALS

Legal Counsel Division

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 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. The Legal Counsel Division certifies the training programs which meet the training criteria.

APPLICATION REQUIREMENTS

1. Course certification is based on Rule 114.13 of the Rules of General Practice.
2. Application for course approval shall be submitted at least 30 days prior to the scheduled training date(s).
3. 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.
4. Training for mediation, med-arb, and mini-trial services must emphasize *experiential learning* with a minimum of fifteen (15) hours of role-playing.
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.



INDIVIDUAL'S PETITION
ALTERNATIVE DISPUTE RESOLUTION - RULE 114

CIVIL (NON-FAMILY) 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:

Civil Facilitative Hybrid

Civil Adjudicative/Evaluative

TRAINING FOR CIVIL FACILITATIVE/HYBRID
(Mediation, Mediation-Arbitration, Mini-Trial Processes)

If you are requesting certification in these process areas, include the following information.

1. Indicate *by name* the segments of the course agenda that deal with each of the following topics.
 - a) Conflict resolution and mediation theory, including causes of conflict and interest-based versus positional bargaining and models of conflict resolution.

 - b) Mediation skills and techniques, including information gathering skills, communication skills, problem solving skills, interaction skills, conflict management skills, negotiation techniques, caucusing, cultural and gender issues and power balancing.

 - c) Components in the mediation process, including an introduction to the mediation process, fact gathering, interest identification, option building, problem solving, agreement building, decision making, closure, drafting agreements, and evaluation of the mediation process.

 - d) Mediator conduct, including conflicts of interest, confidentiality, neutrality, ethics, standards of practice and mediator introduction pursuant to the Civil Mediation Act, Minn. Stat. § 572.31.

 - e) Rules, statutes and practices governing mediation in the trial court system, including these rules, Special Rules of Court, and applicable statutes, including the Civil Mediation Act.

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

3. _____ Number of hours of lecture (15 hour maximum)

4. _____ Number of hours of role-playing (15 hour minimum)

TRAINING FOR CIVIL ADJUDICATIVE/EVALUATIVE

(Arbitration, Summary Jury Trial, Early Neutral Evaluation, Moderated Settlement Conference, Consensual Special Magistrate Processes)

If you are requesting certification in these process areas, include the following information.

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

a) Pre-hearing communications between parties and between parties and neutral.

b) Components of the hearing process including evidence; presentation of the case; witness, exhibits, and objectives; awards; and dismissals.

c) Settlement techniques.

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

e) Management of presentations made during early neutral evaluation procedures and moderated settlement conferences.

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

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:

Legal Counsel Division
Alternative Dispute Resolution Program
135 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1500

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

DO NOT WRITE BELOW THIS LINE - FOR USE BY LCD

_____ Approved for credit hours of training for:

_____ **CIVIL FACILITATIVE/HYBRID**
of hours (Mediation, Mediation-Arbitration, and Mini-Trial Processes)

_____ **CIVIL ADJUDICATIVE/EVALUATIVE**
of hours (Arbitration, Summary Jury Trial, Early Neutral Evaluation, Moderated Settlement Conference, and Consensual Special Magistrate Processes)

_____ Not approved for the following reason(s): _____

Renee Salmon, Legal Counsel Division
Alternative Dispute Resolution Program

Date