



MINNESOTA SUPREME COURT

Alternative Dispute Resolution Program

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

**FAMILY LAW 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. Legal Counsel Division (LCD) 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 Legal Counsel Division.

### **APPLICATION REQUIREMENTS**

1. Application for course approval shall be submitted on petition forms available from LCD. 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 Legal Counsel 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**

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

## **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.



# MINNESOTA JUDICIAL BRANCH

## 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 EVALUATIVE NEUTRALS**

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

**Legal Counsel Division**  
Alternative Dispute Resolution Program  
135 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, Minnesota 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:

\_\_\_\_\_ 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):

\_\_\_\_\_  
*Renee Salmon, Legal Counsel Division*  
*Alternative Dispute Resolution Program*

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