

## **CHAPTER FIVE FAMILY LAW DIVISION**

### **APPENDIX 5.A**

## **FAMILY LAW MEDIATION NON-CUSTODY PANEL REQUIREMENTS**

### **SELECTION PROCESS:**

#### **I. Random Select Panel**

To utilize the Random Select Panel, the parties must provide the case criteria, which includes the type of ADR process requested, area of law, jurisdiction, location, and special needs, if any, to the ADR staff. The ADR staff will enter the case criteria on the Court website which then selects, on a random basis, one neutral who meets the case criteria. The fact that the randomly selected mediator is not an attorney will not be a ground for disqualification.

#### **II. Party Select Panel**

To utilize the Party Select Panel, the parties may enter the case criteria on the Court website and make their choice of a particular neutral from the Party Pay Panel. In order to avoid neutral conflict or unavailability, the parties may select the names of two neutrals and enter their names on the ADR Case Referral Intake in order of preference.

### **QUALIFICATION PROCESS**

The following qualifications are required to join the Court's Family Law Non-Custody Mediation Panel:

#### **I. Random Select Panel**

- A. The applicant must be a member in good standing with the California State Bar with two (2) years experience in family law;
- B. A minimum of 40 hours mediation training in the following areas:
  1. Core/Classroom Training

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A minimum of 20 hours training from a single mediation training provider whose curriculum includes the following content:

- a. Principles of Alternative Dispute Resolution, including mediation theories and styles
- b. Confidentiality
- c. Ethics
- d. Initiating the mediation process – convening, opening
- e. Managing the mediation process – negotiating, caucus strategies, managing parties/relationships, managing content
- f. Effective communication techniques – between parties and mediator and between parties
- g. Managing challenges in dealing with different cultures, gender differences, language barriers, and other unique situations
- h. Methods for breaking impasse
- i. Methods of bringing closure to the process – emotional and documentary

2. Practical Training

- a. A minimum of ten hours mediating the litigated case training, which may include role play, observation and lecture, from a single training provider (the provider may be the same one used to complete Part A.1. or it may be a different provider); and
- b. Completion of five mediations (either litigated cases or community-based cases) that are at least two hours in length;
- c. Eight hours of CLE on an annual basis.

**II. Party Select Panel**

- A. The applicant must be a member in good standing with the California State Bar with 80% of their practice Family Law for the past five years;
- B. Minimum of 40 hours mediation training as described in I.B;
- C. Completion of at least ten Random Select Court-annexed mediations from the L.A. Superior Court, each with a minimum hearing time of two hours or the case settled at mediation in less than two hours. Mediators who have previously met this requirement through prior service on the Court's panel will be eligible;
- D. Available to accept one random select mediation case per month with a minimum of three hour hearing time;

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- E, \$150.00 per hour with a minimum of a three hour session. After three hours the parties may stipulate to continue at the mediator's private rate;
- F. Eight hours of CLE on an annual basis.

**REQUIREMENTS FOR ALL FAMILY LAW NON-CUSTODY PANEL MEMBERS**

1. Complete an Application for Appointment to ADR Panel (LAADR 006), available at [www.lasuperiorcourt.org/adr](http://www.lasuperiorcourt.org/adr).
2. Certificate of completion of Core/Classroom Training required in part B.1. of the Qualification Process section.
3. Certificate of completion of Practical Training required in part B.2. of the Qualification Process section.
4. Maintain a place of business to conduct mediations, or have the ability to conduct mediations in an attorney's or client's place of business. If the place of business is the mediator's home, the mediator must have space to accommodate confidential discussions and have technological support commensurate with running a business (e.g., a separate telephone line that is answered in a timely fashion by the mediator or his/her staff). Indicate if place of business is ADA compliant.

Any neutral inactive for one year will be removed from the panel. The neutral may reapply for appointment in accordance with the requirements set forth above.

[Adopted and effective July 1, 2011. As amended, January 1, 2012.]