



ADR Atlantic Institute
Institut de médiation et
d'arbitrage de l'Atlantique



ADR Atlantic Institute, Inc.

APPLICATION FOR MEDIATION COURSE APPROVAL

The ADR Atlantic Institute (ADRAI) has established standards for the approval of privately provided mediation training courses leading toward Membership in the Institute. The Institute accepts applications from qualified trainers who wish to offer a forty hour mediation course (or an integrated combination of courses) which would be recognized by the Institute for membership purposes.

ADR Atlantic Institute approval brings added value to courses and to their students. Trainers benefit from objective peer review of their courses and materials; and course participants derive benefit both from knowing that a course has been screened and approved by the Institute and from Student Membership in the Institute.

TO APPLY FOR COURSE APPROVAL, PLEASE COMPLETE THIS FORM, ATTACH ALL REQUIRED MATERIALS, AND RETURN IT TO THE ADDRESS BELOW

1. Name of course _____

2. Name of course provider _____

3. Hours of mediation training offered in this course _____ hours

4. Names of principal trainers

Member of the Institute?

Yes

No

5. Names of coaches

Experienced Mediator?

Yes

No

6. The following required materials are enclosed:

- Completed ADRAI Trainers Checklist (attached)
- Three copies of your participants training manual
- Your trainers guide (if you use one)
- Any hand-outs or reading materials circulated, including role plays
- Trainers' current CVs or resumes
- Trainers' references
- Biographies of any supervising coaches
- A letter outlining where and when the course is proposed to be held, a point of contact for interested persons, and the course fees
- Proposed agenda
- Course outline with specific learning objectives
- Application Filing Fee:
\$300.00 + \$45.00 (HST) = \$345.00

7. Agreements:

If approved, I will:

- a involve a principal instructor(s) who is a Mediator Member of the Institute in good standing, and use trainers and coaches who have mediation experience;
- b complete and submit documents for an annual review of the approved course, and
- c pay an annual fee based on the number of students trained, as described in the Approved Course Fee Structure.

Trainers will:

- a submit a list of participants who attended and completed the program or provide a Registrar's undertaking as to the number of students and timely response to a request for information if a student requests a certificate from the Institute; and
- b upon completion of the course, conduct course evaluations in a form equivalent to ADRAI's Model Course Evaluation Form, and submit them to the Institute if requested.

Participants will be provided with:

- a information about obtaining a certificate from ADRAI stating they have taken a course that meets ADRAI's requirements;
- b Student Membership in the Institute for the duration of the course; and

- c application materials for full ADRAI membership (to be handed out by the trainers during the course).

I may:

- a say in advertising and informational material that completion of this course will satisfy the educational component of the ADR Atlantic Institute's membership requirements. The course will not be represented as being offered by the Institute or as the Institute's 40 hour mediation course.
- b provide a simple notice (location, date, time, instructors, cost and point of contact for registration) which will be published in the Institute's publications, providing that usual publication dates are met (trainers are responsible for ascertaining these deadlines and providing suitable publication within these timelines).

8. I certify that the information provided fairly and accurately reflects the course and my undertakings with regard to the delivery of the course.

Print Name of Mediation Course Provider

Signature of Mediation Course Provider

Date

REVIEW PROCEDURE

The application and supporting materials will be submitted to the Education Committee at the Institute office in Halifax. The Education committee will appoint two impartial assessors who will independently assess the application for approval based upon the **Requirements for Approval: 40 Hour Mediation Training Program** and the **Trainer's Checklist**. The Education Committee may require up to three professional references for trainers or coaches at their discretion.

The Committee will communicate the results of the assessment within 60 days of receipt, provided that all necessary documents required to complete the review are submitted. In the event that there are questions for clarification or where the submission is considered incomplete, the trainer candidate will be notified within 60 days for the Committee's receipt of the request for assessment.

Referee's Review

In the event that the submission is not accepted, the candidate may request that the Committee appoint a single referee who will conduct a review, consider any written submission (which shall not include additional course materials or other requirements outlined in either the **Requirements for Approval or Trainer's Checklist**) on the part of the candidate, together with the comments of the assessors and make a final decision that is not subject to appeal, either to the Education Committee or to the Board of Directors of the Institute. The referee may, in his or own discretion, provide reasons. A candidate requesting a referee's review will submit, with the letter requesting the review, a cheque in the amount of \$50.00 plus HST of \$7.50 = \$57.50 which amount is refundable in the event that the referee reverses the assessor's decision.

The referee's review shall be complete within 60 days of receipt of the letter requesting a referee's review and notice of the referee's decision will be provided to both the assessors and the trainer's candidate promptly thereafter.

ATTACHMENTS

1. Requirements for Approval: 40 Hour Mediation Training Program
2. Trainers' Checklist for 40 Hour Mediation Training Program
3. Model Course Evaluation: 40 Hour Mediation Course
4. Approved Course Fee Structure

Please direct any questions you may have to Jessica Scott at the ADR Atlantic Institute office, admin@adratlantic.ca.

ADR Atlantic Institute, Inc.

REQUIREMENTS FOR APPROVAL: 40 HOUR MEDIATION TRAINING PROGRAM

I. SUBSTANTIVE KNOWLEDGE BASE (minimum 8 hours total)

- A. Nature of Conflict and Conflict Management Theory and Principles (including ADR definitions and in particular definitions of negotiation, mediation and arbitration)
- B. Principles of Contract Law and Interest Based Negotiation
- C. The Mediation Process - A Model
- D. Area Specific Terminology and Practice (Optional)

II. CORE TRAINING (minimum 2 hours each)

- A. Information gathering skills and knowledge
- B. Relationship skills and knowledge
- C. Communication skills and knowledge
- D. Problem-solving skills and knowledge
- E. Ethical decision making and values skills and knowledge
- F. Skills and knowledge specific to the mediation profession

III. ROLE PLAYS (minimum 10 hours)

Trainers should not supervise more than **two small role plays** (groups of four or fewer) or more than **one large role play** (groups of more than four) at any one time. Coaches must have completed the requirements for ADR Atlantic Institute, Inc. mediator membership or equivalent and must have experience mediating several cases to agreement.

IV. OTHER

- A. Each Program should have a set of specific learning objectives.
- B. Training should include a balance of lecture, video, role play, small group exercises and discussion
- C. While supplementary reading by way of bibliography is encouraged and preparation at home is expected, this time shall not be counted toward the forty (40) hour requirement
- D. Forty (40) hour training programs must be taught over five or more days, and may include more than one stage for completion.
- E. For each training day of six hours or more, a maximum of 30 break minutes may be counted toward the 40 hour requirement.

- F. Training manuals are required and should relate in specific terms to the learning objectives and agenda for the program.
- G. The principal instructor(s) must be a member(s) of the Institute. All instructors, trainers and coaches must have mediation or arbitration experience, as appropriate.
- H. Evaluation forms in a format similar to the ADR Atlantic Institute, Inc. Model Evaluation Form will be provided to participants and will be submitted to the Institute, if requested.
- I. Trainers will submit a list of participants who attended and completed the program, or a Registrar's undertaking as to the number of students trained and timely confirmation of eligibility when students request certificates from the Institute, and advise students that they may purchase an Institute Certificate of Attendance or Participation.
- J. ADR Atlantic Institute, Inc. membership will be discussed and Membership materials provided to all participants.
- K. Approved course providers may say advertising and informational material that completion of the course will satisfy the educational component of the ADR Atlantic Institute's membership requirements. The course will not be represented as being offered by the Institute or as the Institute's 40 hour mediation course.
- L. Approved course providers may provide a simple notice (location, date, time, instructors, cost, and point of contact for registration) which will be published in the Institute's publications, providing that usual publication dates are met (trainers are responsible for ascertaining these deadlines and providing suitable publication information within these timelines).
- M. Approved courses must demonstrate continuing compliance with the approval standards of the Institute annually.
- N. Approved courses must pay an annual fee as described in the Approved Course Fee Structure.

Please complete and submit the 40 Hour Mediation Training Checklist if you wish to submit a training program for approval.

ADR Atlantic Institute, Inc.

TRAINERS' CHECKLIST 40 HOUR MEDIATION TRAINING PROGRAM

I. SUBSTANTIVE KNOWLEDGE BASE (min. 8 hours total)

A. Nature of Conflict and Conflict Management Theory and Principles, including ADR definitions and in particular definitions of negotiation, mediation, and arbitration processes; choosing the Correct Process, the pros and cons of each.

- Location in agenda
- Manual Page #s or Section headings: _____

- Total time allocated: _____ hrs

B. Principles of Contract Law and Interest Based Negotiation

- Location in agenda
- Manual Page #s or Section headings: _____

- Total time allocated: _____ hrs

C. The Mediation Process: A Model

- Location in agenda
- Manual Page #s or Section headings: _____

- Total time allocated: _____ hrs

D. Area Specific Terminology, Practice, Policy (required for area specific courses only)

- Location in agenda
- Manual Page #s or Section headings: : _____

- Total time allocated: _____ hrs

II. CORE TRAINING (min. 2 hours each)

A. Information Gathering Skills and Knowledge

- Location in agenda
- Manual Page #s or Section headings: _____

- Total time allocated: _____ hrs

Some suggested Topics Include:

1. Clients:
 - a Intake procedures
 - b Screening for appropriateness
 - c Contracting for service
 - d Preparing pre-mediation plan
2. Counsel and Other Experts:
 - a Role of counsel in DR processes
 - b Involving experts in clarifying data issues
3. Issues:
 - a Questioning
 - b Setting agenda / prioritizing issues
 - c Identifying and screening issues
 - d Exploring client interests and concerns
4. Recording and retaining data
5. Dealing with complex factual materials

B. Relationship Skills and Knowledge

- Location in agenda
- Manual Page #s or Section headings: : _____

- Total time allocated: _____ hrs

Some suggested Topics Include:

1. Establishing neutrality and impartiality
2. Forming relationships / building rapport
3. Establishing trust
4. Setting a cooperative tone
5. Active listening and questioning
6. Empowering parties
7. Encouraging opportunities for recognition
8. Remaining non-judgmental

C. Communication Skills and Knowledge

- Location in agenda
- Manual Page #s or Section headings: : _____

- Total time allocated: _____ hrs

Some suggested Topics Include:

1. Identifying areas of consensus and disagreement
2. Paraphrasing
3. Confronting
4. Attending to non-verbal communication
5. Reframing
6. Clarifying
7. Balancing communication
8. Being respectful of the parties
9. Assertiveness skills e.g. using "I statements"

D. Problem-Solving Skills and Knowledge

- Location in agenda
- Manual Page #s or Section headings: _____

- Total time allocated: _____ hrs

Some suggested Topics Include:

1. Identifying and analyzing problems and needs
2. Converting positions into interests
3. Framing and narrowing issues
4. Identifying principles and criteria to assist in decision making
5. Designing and testing plans and arrangements
6. Developing and evaluation options / brainstorming
7. Dealing with impasses
8. Reality testing
9. Assisting parties to identify and evaluate alternatives to a negotiated agreement
10. Questioning

E. Knowledge of Ethical Values and Ethical Decision-Making

- Location in agenda
- Manual Page #s or Section headings: _____

- Total time allocated: _____ hrs

Some suggested Topics Include:

1. Understanding ADR Canada and other mediation standards of practice
2. Not imposing personal or professional opinions or values on clients
3. Ensuring voluntariness of participation and agreements
4. Sensitivity to parties' values and culture
5. Establishing and maintaining parties' right to self-determination
6. Encouraging genuine recognition between the parties
7. Ensuring parties' ability to negotiate for themselves
8. Establishing a mutual commitment to honest disclosure
9. Confidentiality and caucusing
10. Recognizing responsibilities to non-present parties
11. Dealing with common ethical dilemmas
12. Balancing power appropriately

F. Professional Skills and Knowledge

- Location in agenda
- Manual Page #s or Section headings: _____

- Total time allocated: _____ hrs

Some suggested Topics Include:

1. Drafting progress notes, minutes of settlement, and other memoranda
2. Working with experts effectively
3. Case management
4. Competence and knowing when to refer cases
5. Knowing community services, legal, financial, and other resources
6. Setting up a practice

III. ROLE PLAYS (minimum 10 hours)

Please attach role play scenarios, indicate in your agenda when each I introduced, and describe how each is incorporated into your training (e.g. demo, small group participatory activity). Include biographies of each supervising coach.

IV. TRAINING MATERIALS

All material excerpted or copied from copyrighted materials (or from someone else's materials) must be properly acknowledged and permission obtained.

A. Manual *must* include:

1. Table of Contents
2. Stages of the mediation Process
3. Definition of negotiation, mediation, arbitration, and litigation
4. ADR Institute of Canada, Inc. Code of Ethics
5. A current bibliography
6. Biography of the trainer

B. ADRAI *recommends* that the following be included:

1. Sample forms for practice
2. Sample Agreement(s) to Mediate
3. Sample Minutes of Settlement or other Memoranda
4. Information about choosing the correct process for a given dispute
5. Sample Mediation Brief
6. Sample Letter Confirming Mediation Conference

V. TRAINERS

At all times there must be present a trainer who is a Mediator member of the ADR Institute of Canada, Inc.

ADR ATLANTIC INSTITUTE

MODEL COURSE EVALUATION 40 HOUR MEDIATION COURSE

Please indicate your strong agreement (5) or disagreement (1) with the following statements:

1. I was well satisfied with the course content:

Strongly Disagree 1 2 3 4 5 Strongly Agree

Comments:

2. I found the trainers to be knowledgeable and well organized:

Strongly Disagree 1 2 3 4 5 Strongly Agree

Comments:

3. Please rate the teaching techniques from 1 to 5 in terms of how helpful you found them to be (large #'s for most helpful to small #'s for least helpful techniques):

demos , videos , skills , exercises ,

role plays , mini lectures , instructional "games" ,

anecdotes from practice , other (specify)

Comments:

4. The written materials (including lecture notes and handouts) met my needs:

Strongly Disagree 1 2 3 4 5 Strongly Agree

Comments:

5. The coaches were helpful and provided guidance where appropriate in the role-plays:

Strongly Disagree 1 2 3 4 5 Strongly Agree

Comments:

6. I found the allocation of time to be realistic and workable:

Strongly Disagree 1 2 3 4 5 Strongly Agree

Comments:

7. I would prefer a greater focus on mediation theory and research:

Strongly Disagree 1 2 3 4 5 Strongly Agree

Comments:

8. I would prefer a greater focus on mediation skill building and practice:

Strongly Disagree 1 2 3 4 5 Strongly Agree

Comments:

9. I would recommend this mediation course to others:

Strongly Disagree 1 2 3 4 5 Strongly Agree

Comments:

Name (optional)

Thank you! By completing the Evaluation Questionnaire, you have helped your trainers and ADRAI to provide better training workshops in the future!

ADR Atlantic Institute, Inc.

APPROVED COURSE FEE STRUCTURE

This is a new fee structure to encourage mediation and arbitration trainers to continue receiving and advertising approval by the ADR Atlantic Institute, Inc.

Fees are changed as follows:

- There will be an annual fee paid by all approved courses as follows:

Trainers training up to 40 students per year: \$ 250.00 (plus HST)

Trainers training from 41 up to 80 students per year: ... \$ 450.00 (plus HST)

Trainers training over 81 students per year: \$ 850.00 (plus HST)

This fee gives trainers the right to advertise that they are “approved by the ADR Atlantic Institute”, and that this training qualifies for membership. They will also all be recommended when calls come in to the Institute for lists of trainers. If trainers do not train anybody, they could withdraw from payment for two years, after which they need to be re-approved.

- Students wishing an ADR Institute certificate may apply in person to the Institute, and receive a certificate signed by the Institute president for a fee of \$25 per person. Trainers would be required to forward lists of each class to the Institute, or a Registrar’s undertaking as to the number of students trained and timely confirmation of eligibility when students request certificates from the Institute.
- Course approval fees remain unchanged.

Rationale: The above system means that the most any trainer would be paying would be in the \$11 per student range, and could be as little as \$6 (or less, for the very large trainers). This should be a small enough fee for anyone serious in the training business.

Approved September 1, 2016