



THE NORTH CAROLINA DISPUTE RESOLUTION COMMISSION

GUIDELINES

Guidelines Amplifying Rules for Certification of 16-Hour Superior Court Mediation Training Programs

(Adopted by the Commission on May 5, 2003; amended on
March 5, 2021; and November 19, 2021.)

1. Curriculum for 16-Hour Supplemental Training for Superior Court Certification under MSC Rule 8(a).

Mediated Settlement Conference (MSC) Rule 9(b) provides that the curriculum for the 16-hour superior court course shall include all the subjects in MSC Rule 9(a) and shall include discussion of the mediation and culture of insured claims. There shall be at least two simulations as specified in MSC Rule 9(a)(7). The Commission has set the following minimum time periods to be allocated to each of the topics set forth in MSC Rule 9(a):

2 Hours Total:

1. Conflict resolution and mediation theory;
2. Mediation process and techniques, including the process and techniques of trial court mediation; and
3. Communication and information gathering skills.

1 Hour Total:

4. Standards of conduct for mediators including but not limited to the Standards of Professional Conduct adopted by the Supreme Court.

2 Hours Total:

5. Statutes, rules and practice governing mediated settlement conferences conducted pursuant to the MSC Rules.

1.5 Hours Total:

6. Demonstrations of mediated settlement conferences with discussion and commentary.

4 Hours Total:

7. Simulations of mediated settlement conferences, involving student participation as mediator, attorneys or disputants, which simulation shall be supervised, observed and evaluated by program faculty.

1 Hour Total:

8. Satisfactory completion of an exam by all students testing their familiarity with the statutes, rules and practice governing mediated settlement conferences in North Carolina (includes discussion of the exam).

1 Hour Total:

9. Discussion of mediation and the culture of insured claims.

2. Additional Guidelines.

Sixteen-hour supplemental courses may be offered in-person or through remote technology. The times listed above do not total 16 hours. It is expected that trainers will meet the minimum requirements set out for the topics above and may use the balance of time to augment minimum times or to add other material as they see fit.

Sixteen-hour supplemental courses may be offered as stand-alone courses or a trainer may segregate the requirements of the 16-hour program into a discrete portion of an approved 40-hour training program, *i.e.*, a trainer may embed the 16-hour program within a full forty-hour MSC Superior Court training and have any FFS District Court certified mediators seeking dual certification attend only that portion of the 40-hour MSC program wherein the 16 hours are encapsulated.

It is expected that trainers will provide the Commission with an agenda, list of trainers and resumes, role play scenarios and copies of all handouts that participants will receive. It is expected that trainers will have experience conducting mediations in superior or district court as appropriate and in litigating superior court civil or district court family cases. Trainers seeking certification of 16-hour programs should refer to Trainer Guidelines for full 40-hour Superior Court and Family Financial Mediation Training Programs. It is expected that 16-hour programs will comply with these fuller Guidelines in all areas.

Any trainer with questions is invited to contact the Commission's office at (919) 890-1415 or by email DRCMediators@nccourts.org.