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NEWS AND UPDATES

DISPUTE RESOLUTION COMMISSION

May 2024

DRCMediators@nccourts.org

919-890-1415

The Commission Seeks Comment!

The following items were approved by the Commission at the April 19, 2024 Commission meeting, and are now Open for Comment until May 28, 2024. All comments will be shared with the full Commission.

AO 44 (2024) - Draft Advisory Opinion addressed processing fees charged for mediation services.

Standard 7 Conflicts of Interest - The Commission proposes to amend Standard 7(h).

MSC Rule 2 Designation of the Mediator. The Commission proposes creating two new forms, 1. Appointment of Mediator by the Parties, and 2. a Request for Court Appointed Mediator in Superior Court.

Farm Nuisance Dispute Rules - The Commission proposes to amend the Rules to bring them in line with the MSC and FFS Rules.

The Commission created the Advisory Opinion Ad Hoc Committee to review and amend all the Advisory Opinions to remove bad law and outdated procedures. The substance of the proposed AOs did not change, except for AO 33 Gift Giving, was addressed, and amended. AO 36 was archived, and the substantive content was included in AO 33; AO 35 was archived, and the substantive content was included in AOs 42 and 24; and AO 2 was archived, and the substantive content was included in AO 24. The Advisory Opinions are posted in two formats:

Tracked Amendments (show all cross-outs and underlined amendments), and Clean Versions of the Advisory Opinions.

Visit the [Commission Seeks Comment page](#) to view all documents.

Forward your comments to DRCMediators@nccourts.org by May 28, 2024.

Reporting CME Hours FOR FY 2024-25

Mediators may now record their FY 2024-25 CME Hours on their Mediator Profile page.

To find a currently list of approved CME trainings, visit the Commission's [Continuing Mediator Education page](#).

Filing Report of Mediators in eCourts (eFiling)

Staff received a inquiry as to how a mediator is to file their Report of Mediator (ROM) in cases in which the mediator is not listed as a party/participant to a case.

The option to indicate the mediator's *relationship* to the case will not be present in File & Serve as they are not a party to the case. The mediator being logged into their File & Serve account does however provide a reliable log to the clerk of who is filing the report.

In short, the mediator should be logged into his/her account to file the ROM. There should be no requirement to click on the drop-down box to indicate the list of filers. Once filed, the ROM should appear as a docketable court filing which will show who mediated the case, and the clerk will have a log that the mediator submitted the ROM.

The NCAOC has eCourt training and registration resources available for those that have not yet used eCourts. Please visit the [NC eCourts Services page](#), scroll down to Support and Training for training information.

Have you recently moved? Changed email address?

Mediator Profiles - be sure to keep your profile current with your contact information. You do not want to miss out on any announcements, emails or updates from the Commission.

eCourts - Contact information posted on your Mediator Profile is not yet being transferred when it is edited. You will be required to contact court staff to be sure the district has your correct contact information.

DID YOU KNOW....

Would you like to know some history of the mediation in North Carolina? Roy Baroff, certified MSC/FFS/Clerk mediator, shared an article he wrote in the Fall 2008 for the NC State Bar's Journal. The article has been posted to the [Commission's Articles and News webpage](#).



North Carolina Dispute Resolution Commission



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Listen to the Commission's Two Podcasts "Beyond Neutrality" and receive one-hour of CME credit for each podcast. (No CLE credit is available.)

In each episode listen to Tara Kozlowski and Maureen Robinson discuss ethical questions and concerns from certified mediators regarding Rules, Standards, Forms, and Advisory Opinions.

To find a full list of approved CME courses, visit the [DRC CME Page](#).

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