

# **Step by Step Guide**

❖

## **How to Become a Florida Supreme Court Certified Mediator**



To assist new mediators, the Florida Dispute Resolution Center has created this guide which contains qualifications for mediator certification, a list of certified mediation training programs, good moral character screening procedures, mentorship definitions and eligible activities, and continuing mediator education requirements.

## Attachment A - Mediator Certification Qualifications

| <b>Requirements for County, Family, Circuit, Dependency and Appellate Mediator Certification</b> |                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| County                                                                                           | <p><b>Minimum Points:</b></p> <p>30 certified county mediation training; and<br/>           10 education for HS Diploma or GED; and<br/>           60 mentorship. [<i>Note: Mentorship points cannot be reduced as a product of having more than the 10 points in the educational / mediation experience component.</i>]</p> <p><b>= 100 points</b></p> |
| Family                                                                                           | <p><b>Minimum Points:</b></p> <p>30 certified family mediation training; and<br/>           25 educational / mediation experience; and<br/>           30 mentorship; and<br/>           15 additional points via mentorship, higher education, mediation experience, or options under miscellaneous points.</p> <p><b>= 100 points</b></p>              |
| Dependency                                                                                       | <p><b>Minimum Points:</b></p> <p>30 certified dependency mediation training; and<br/>           25 educational / mediation experience; and<br/>           40 mentorship; and<br/>           5 additional points via mentorship, higher education, mediation experience, or options under miscellaneous points.</p> <p><b>= 100 points</b></p>           |
| Circuit                                                                                          | <p><b>Minimum Points:</b></p> <p>30 certified circuit mediation training; and<br/>           25 educational / mediation experience; and<br/>           30 mentorship; and<br/>           15 additional points via mentorship, higher education, mediation experience, or options under miscellaneous points.</p> <p><b>= 100 points</b></p>             |
| Appellate                                                                                        | <p>An applicant must be a certified circuit, family or dependency mediator and successfully complete a certified appellate mediation training program.</p>                                                                                                                                                                                              |

Any discrepancy between the summary and the written certification requirements shall be resolved in favor of the latter.

**Educational & Mediation Experience Points for Family, Circuit, and Dependency Certification**

[Note: County Education Minimum Listed on Previous Page]

|            |                                                                                                                                                |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| 40 points  | Ph.D. from accredited CR Program                                                                                                               |
| 30 points  | Doctorate (e.g., JD, MD, PhD, EdD, LLM)                                                                                                        |
| 30 points  | Master's Degree in Conflict Resolution                                                                                                         |
| 25 points  | Master's Degree                                                                                                                                |
| 25 points  | Graduate Certificate Conflict Resolution Program <b>AND</b> a Bachelor's Degree                                                                |
| 25 points  | Mediated 15 cases ( <i>of any type</i> ) a year as a Florida certified mediator for a consecutive 5 year period <b>AND</b> a Bachelor's Degree |
| 25 points  | Minimum of 100 mediations ( <i>of any type</i> ) conducted as mediator over a consecutive 5 year period <b>AND</b> a Bachelor's Degree         |
| + 5 points | An additional five points will be awarded for completion of a graduate level conflict resolution certificate program                           |

Florida certified mediator: 1 point per year in which mediated at least 15 mediations (any type) OR any mediator: 5 points for minimum of 100 mediations (any type) over a 5-year period

**Mentorship Options: You Choose How to Reach Required Points**

[Note: You must work with at least two different certified mediators and must be completed for the type of certification sought.]

|                                   |                      |
|-----------------------------------|----------------------|
| 5 points each session             | Observation          |
| 10 points each complete mediation | Supervised Mediation |

**Miscellaneous Options: Helping You Reach 100 Points**

|                  |                                                                                                                                                                                                                                                                                                      |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5 points (total) | Licensed to practice law, psychology, accounting, social work, mental health, health care, education, or mediation in any US jurisdiction                                                                                                                                                            |
| 5 points (total) | Florida Certified Mediator ( <i>currently certified</i> )                                                                                                                                                                                                                                            |
| 5 points (total) | Foreign Language Conversational Ability as demonstrated by certification by ACTFL Oral Proficiency Test; qualified as a court interpreter; or accredited by the American Translators Association; Sign Language Interpreter as demonstrated by approval by the Registry of Interpreters for the Deaf |
| 5 points (total) | Completion of additional mediation training program (minimum 30 hours in length) certified/approved by a state or court other than Florida                                                                                                                                                           |

Any discrepancy between the summary and the written certification requirements shall be resolved in favor of the latter.

**All mediators must be at least 21 years of age and be of good moral character.**

**Rule 10.100. Certification Requirements**

- (a) General. For certification as a county court, family, circuit court, dependency, or appellate mediator, a mediator must be at least 21 years of age and be of good moral character. For certification as a county court, family, circuit court, or dependency mediator, one must have the required number of points for the type of certification sought as specifically required in rule 10.105.
- (b) County Court Mediators. For initial certification as a mediator of county court matters, an applicant must have at least a high school diploma or a General Equivalency Diploma (GED) and 100 points, which shall include:
  - (1) 30 points for successful completion of a Florida Supreme Court certified county court mediation training program;
  - (2) 10 points for education; and
  - (3) 60 points for mentorship.
- (c) Family Mediators. For initial certification as a mediator of family and dissolution of marriage issues, an applicant must have at least a bachelor's degree and 100 points, which shall include, at a minimum:
  - (1) 30 points for successful completion of a Florida Supreme Court certified family mediation training program;
  - (2) 25 points for education/mediation experience; and
  - (3) 30 points for mentorship.

Additional points above the minimum requirements may be awarded for completion of additional education/mediation experience, mentorship, and miscellaneous activities.

- (d) Circuit Court Mediators. For initial certification as a mediator of circuit court matters, other than family matters, an applicant must have at least a bachelor's degree and 100 points, which shall include, at a minimum:
  - (1) 30 points for successful completion of a Florida Supreme Court certified circuit mediation training program;
  - (2) 25 points for education/mediation experience; and
  - (3) 30 points for mentorship.

Additional points above the minimum requirements may be awarded for completion of additional education/mediation experience, mentorship, and miscellaneous activities.

Any discrepancy between the summary and the written certification requirements shall be resolved in favor of the latter.

- (e) Dependency Mediators. For initial certification as a mediator of dependency matters, as defined in Florida Rule of Juvenile Procedure 8.290, an applicant must have at least a bachelor's degree and 100 points, which shall include, at a minimum:
  - (1) 30 points for successful completion of a Florida Supreme Court certified dependency mediation training program;
  - (2) 25 points for education/mediation experience; and
  - (3) 40 points for mentorship.

Additional points above the minimum requirements may be awarded for completion of additional education/mediation experience, mentorship, and miscellaneous activities.

- (f) Appellate Mediators. For initial certification as a mediator of appellate matters, an applicant must be a Florida Supreme Court certified circuit, family or dependency mediator and successfully complete a Florida Supreme Court certified appellate mediation training program.
- (g) Senior Judges Serving As Mediators. A senior judge may serve as a mediator in a court-ordered mediation in a circuit in which the senior judge is presiding over criminal cases or in a circuit in which the senior judge is not presiding as a judge, or in both, only if certified by the Florida Supreme Court as a mediator for that type of mediation.
- (h) Referral for Discipline. If the certification or licensure necessary for any person to be certified as a family or circuit mediator is suspended or revoked, or if the mediator holding such certification or licensure is in any other manner disciplined, such matter shall be referred to the Mediator Qualifications Board for appropriate action pursuant to rule 10.800.
- (i) Special Conditions. Mediators who are certified prior to August 1, 2006, shall not be subject to the point requirements for any category of certification in relation to which continuing certification is maintained.

**Rule 10.105. Point System Categories**

- (a) Education. Points shall be awarded in accordance with the following schedule (points are only awarded for the highest level of education completed and honorary degrees are not included):
 

|                                                   |           |
|---------------------------------------------------|-----------|
| High School Diploma/GED                           | 10 points |
| Associate's Degree                                | 15 points |
| Bachelor's Degree                                 | 20 points |
| Master's Degree                                   | 25 points |
| Master's Degree in Conflict Resolution            | 30 points |
| Doctorate (e.g., Ph.D., J.D., M.D., Ed.D., LL.M)  | 30 points |
| Ph.D. from Accredited Conflict Resolution Program | 40 points |

Any discrepancy between the summary and the written certification requirements shall be resolved in favor of the latter.

An additional five points will be awarded for completion of a graduate level conflict resolution certificate program in an institution which has been accredited by Middle States Association of Colleges and Schools, the New England Association of Schools and Colleges, the North Central Association of Colleges and Schools, the Northwest Association of Schools and Colleges, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, the American Bar Association, or an entity of equal status.

- (b) **Mediation Experience.** One point per year will be awarded to a Florida Supreme Court certified mediator for each year that mediator has mediated at least 15 cases of any type. In the alternative, a maximum of five points will be awarded to any mediator, regardless of Florida Supreme Court certification, who has conducted a minimum of 100 mediations over a consecutive five-year period.
- (c) **Mentorship.** Ten points will be awarded for each supervised mediation completed of the type for which certification is sought and five points will be awarded for each mediation session of the type for which certification is sought which is observed.
- (d) **Miscellaneous Points.**
  - (1) Five points shall be awarded to applicants currently licensed or certified in any United States jurisdiction in psychology, accounting, social work, mental health, health care, education, or the practice of law or mediation. Such award shall not exceed a total of five points regardless of the number of licenses or certifications obtained.
  - (2) Five points shall be awarded for possessing conversational ability in a foreign language as demonstrated by certification by the American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Test, qualification as a court interpreter, accreditation by the American Translators Association, or approval as a sign language interpreter by the Registry of Interpreters for the Deaf. Such award shall not exceed a total of five points regardless of the number of languages in which the applicant is proficient.
  - (3) Five points shall be awarded for the successful completion of a mediation training program (minimum 30 hours in length) which is certified or approved by a jurisdiction other than Florida and which may not be the required Florida Supreme Court certified mediation training program. Such award shall not exceed five points regardless of the number of training programs completed.
  - (4) Five points shall be awarded for certification as a mediator by the Florida Supreme Court. Such award shall not exceed five points per category regardless of the number of training programs completed or certifications obtained.

Any discrepancy between the summary and the written certification requirements shall be resolved in favor of the latter.

## **Attachment C - Mentorship Requirements**

Mentorship must include observing mediations conducted by certified mediators and may include conducting mediations under the supervision and observation of certified mediators. A trainee is not required to participate in supervised mediations under the certification point system. There is no requirement that either type of mentorship be conducted in person; both types of mentorship are permitted to be conducted by remote electronic means, either by audio or audio-video communication technology.

The mentorship requirements for those seeking certification must be performed in a manner consistent with the following requirements. The responsibility of structuring a mentorship rests with each trainee. The trainee must not receive any fees for any case which the trainee utilizes to complete the required mentorship.

All duly certified mediators are required to allow, upon request, a minimum of two mediation observations or supervised mediations per year. The certified mediator must not charge the trainee any fees to observe mediation conducted by the certified mediator. The certified mediator may charge a reasonable fee for supervising a trainee while the trainee conducts mediation. In addition, the certified mediator must be entitled to any compensation paid for the mediation.

The certified mediator must remain in control of the case.

For an applicant to be awarded mentorship points the applicant must work with at least two different certified mediators and the mediations involved must be of the type for which certification is sought.

State-funded trial court mediation programs must assist trainees in completing their mentorship requirements.

Applicants must provide original or verified electronic signatures of all mentors in relation to all mentorship activity claimed. In lieu of original or electronic signatures, the Center will accept an email from the mentor verifying mentorship activities. Such email verification must be addressed to the applicant or the Center.

A trainee must not fulfill any of the mentorship requirements completed before beginning the certified mediation training program; however, a trainee may be awarded points for observations completed after the commencement but prior to the conclusion of the certified mediation training program. A supervised mediation must only be conducted by a trainee after the completion of a certified mediation training program.

### **Mediation Observations**

For each observation required for certification, the trainee must observe an entire session of the type of mediation for which certification is sought, conducted by a certified mediator in the same category for which certification is sought. The observation requirement must not be satisfied by any individual who is a party, participant, or representative in the mediation. An appellate or pre-suit mediation may be utilized for observation purposes if (1) it is or would have been the type of mediation for which certification is sought if it had been filed in a trial court and (2) if it is conducted by a certified mediator of the type for which certification is sought. A federal court mediation conducted by a certified circuit court mediator may be utilized to fulfill a circuit court mentorship. In addition, pre-suit homeowner association (HOA) disputes, within the jurisdiction of the circuit court, mediated by a certified circuit court mediator may be utilized to fulfill a circuit court mentorship. Administrative agency mediations conducted under rules and procedures other than those of the state trial courts may not be utilized to fulfill the mentorship requirements.

### **Supervised Mediations**

A supervised mediation is defined as one in which the trainee conducts a mediation under the supervision and observation of a certified mediator, or the trainee co-mediate with a certified mediator. At the conclusion of the mediation, the mentor must determine if the trainee made a substantial contribution to the mediation. If so, the case may qualify as a supervised mediation. If not, the case will qualify only as an observation.

For purposes of conducting supervised mediations, mediation is defined as a complete case, which may consist of multiple sessions. The entire mediation must be co-mediated or observed by a certified mediator of the type for which certification is sought. In the event the trainee is only able to participate in a single session of a multi-session mediation, such participation qualifies as an observation regardless of the trainee's level of participation. An appellate or pre-suit mediation may be utilized for the requirements to conduct mediations under supervision and observation if (1) it is or would have been the type of mediation for which certification is sought if it had been filed in a trial court, and (2) it is conducted by a certified mediator of the type for which



certification is sought. A federal court mediation conducted by a certified circuit court mediator may be utilized to fulfill a circuit court mentorship. In addition, pre-suit homeowner association (HOA) disputes, within the jurisdiction of the circuit court, mediated by a certified circuit court mediator may be utilized to fulfill a circuit court mentorship. Administrative agency mediation conducted under rules and procedures other than those of the state trial courts may not be utilized to fulfill the mentorship requirements.

## **Attachment D - Criminal Background Screening Process**

The Rules for Certified and Court-Appointed Mediators require mediators to have good moral character. All applicants for mediator certification and certified mediators adding additional areas of certification are required to complete a criminal background screening conducted by the Florida Department of Law Enforcement (FDLE). Mediators seeking renewal are not required to complete this requirement. Any vendor fee and state and federal processing fees associated with the criminal background screening are to be borne by the applicant.

- Applicants are required to go to a Live Scan service provider to be fingerprinted. A list of Live Scan providers throughout the state is found at [here](#). Applicants may want to contact more than one vendor. The cost of the criminal background screening varies depending on the Live Scan provider.
- Applicants are required to provide the Florida Dispute Resolution Center's (DRC) Originating Agency Identification (ORI) number to the Live Scan provider so that the criminal background screening results are sent directly to the DRC. The DRC will provide the ORI to applicants via email upon the DRC's receipt of the application for certification. Applicants **should not** submit fingerprints for a criminal background screening before filing an application with the DRC.
- Mediator certification applications will not be considered complete and processed until the results of the criminal background screening have been received by the DRC.
- If a certified mediator submitted fingerprints for a criminal background screening on or after July 1, 2023, and subsequently applies for another type of certification within two years of initial certification, additional criminal background screenings will not be required for the additional certification(s).

## **Attachment E - Continuing Mediator Education (CME)**

The purpose of CME is to enhance the participant's professional competence as a mediator. The requirement of CME and the reporting thereof applies to all certified mediators seeking renewal and must be fulfilled in accordance with the following procedures.

To qualify as CME, a course or activity must have significant, current intellectual or practical content and must constitute an organized program of learning directly related to the practice of mediation. To qualify as CME, a course must be conducted by an individual or group qualified by practical or academic experience. CME credit is based on a 50-minute hour.

All mediators must complete 16 hours of CME, which must include a minimum of four hours of mediator ethics, a minimum of two hours of interpersonal violence education, and a minimum of one hour of diversity/cultural awareness education in each two-year renewal cycle, including the two years following initial certification.

Family and dependency mediators must complete an additional two hours of the required 16 hours in interpersonal violence education each renewal cycle, for a total of four hours in interpersonal violence.

Mediators who are certified in more than one area are only required to obtain 16 hours of CME regardless of the number of certifications held.

Mediator certification may not be renewed until all CME requirements are completed.

### **A. Continuing Education from Other Professions**

Continuing education completed for another profession's continuing education requirement may be used as CME if the material bears directly on the mediator's mediation practice and complies with the CME guidelines set forth in these operating procedures.

### **B. Educational Formats**

CME may be completed by any of the following educational formats:

- (1) attendance at a live lecture or seminar; or
- (2) attendance at an internet based presentation; or
- (3) participation as a lecturer, presenter, or panel member in a CME program; or
- (4) serving as a mentor under rule 10.100, Florida Rules for

Certified and Court- Appointed Mediators. Mentorship hours are limited to eight hours. Mentoring hours cannot be applied toward the required ethics, cultural diversity, or interpersonal violence education (IPV) CME components; or

(5) attendance at court alternative dispute resolution committee and board meetings for the time spent on mediation topics; or listening to or viewing previously recorded presentations; or

(6) authoring or editing written materials submitted for publication that have significant intellectual or practical content directly related to the practice of mediation; or

(7) successfully completing a self-directed program that is qualified for continuing education credit by a governmental licensing board.

### **C. Reporting Requirements**

Mediators must maintain proof of attendance at CME programs or other appropriate documentation and must report their CME at the end of each two-year renewal cycle on the DRC's renewal form. Each mediator is responsible for maintaining all records relating to CME, which records are subject to audit by the DRC.

Any CME hours completed may be utilized for only one renewal cycle. Hours in excess of the minimum requirement may not be carried forward to the next renewal cycle. A mediator may begin earning CME hours for the next renewal cycle upon submission of the mediator's completed renewal form, renewal fees, and required CME hours.

Attending and lecturing or teaching at the same CME presentation will not entitle a mediator to additional credit. This prohibition against repeat attendance will not apply to annual conferences and yearly updates of a previously attended session.

If all other qualifications for renewal are satisfied and all fees are paid or waived, but a mediator is deficient in CME credits, the mediator will be notified in writing and certification will be continued for 90 days from the mediator's renewal date. During those 90 days, the mediator must complete all remaining CME requirements in order to be eligible for renewal without penalty.