



### **Selection, Training, and Performance Evaluation of Small Claims and Family Mediators**

This system for selection, training and monitoring mediators is designed to ensure that quality services are provided to the public and to the volunteer mediators. The program attempts to recruit volunteers who are representative of the community. A selection orientation is conducted so that applicants may understand the purpose and philosophy of the program prior to making a decision about the substantial volunteer commitment. The program provides volunteers with comprehensive training and on-going skills evaluation opportunities so they can effectively assist in resolving conflicts through mediation. Selected veteran volunteers actively participate in the selection process, initial and on-going training, and skill assessment of other volunteers.

#### **Recruitment**

Mediators are recruited through speaking engagements and by sending announcements to newspapers, Bar publications, television, radio, community groups and associations. Applicants are recruited from a wide cross-section of the population and application forms are made available to all interested individuals throughout the year.

Once training dates are determined for each program, letters are sent to all applicants to determine their availability for the selection orientation and the training. Applicants expressing interest in more than one program will be notified of the first available training only. Participation in the selection orientation is not guaranteed to any one applicant.

#### **Selection**

The pool of applicants from which the Division selects new mediators is quite large, typically three to four times as many as the number actually selected and trained. Every effort is made to match a volunteer's skills with mediator traits.

In order to identify individuals who possess a mediator-like communication style, the selection process incorporates various components, including individual interviews with a staff member and a veteran mediator. The purpose of this selection process is threefold:

1. To assess each candidate's communication style
2. To give applicants a better understanding of the mediation process
3. To give applicants information about mediation training

Based on the collective information gathered from the individual interviews, a selection committee, comprised of staff members from various branches of the division, invites the appropriate number of applicants to be trained. Every effort is made to achieve racial and gender balance of trainees in each training class. Only candidates who successfully complete the selection orientation are recommended by the selection committee.

## **Training**

### **Initial Training:**

The Multi-Door Division develops the agenda, recruits the trainers and produces the material used in each training. The classroom training consists of lectures, demonstrations, exercises and role-plays. Division staff are assisted by veteran mediators who have received additional training as trainers.

Each trainee is required to complete the entire training program. Absences may result in dismissal from the program. During the in-class training each trainee's performance during role plays is assessed by trainers. Trainers work with trainees in identifying strengths and areas requiring improvement. The trainee's ability to master the basic skills of mediation during the training is necessary for continued participation in the program.

### **On-going Training:**

Following the formal classroom training, the trainees will mediate initially with a mentor. Select veteran mediators are trained as mentors and paired with the trainees. Each mentor will provide the trainee with verbal feedback following each mediation. Completed evaluation forms will be kept on file to assist in monitoring each trainee's progress.

Each trainee will co-mediate with several mentors. The mentorship period is based on each trainee's individual needs, determined during the classroom training and throughout the mentorship period. Following an overall positive evaluation, the trainee becomes a probationary mediator for a period of one year.

Several in-service training opportunities are available to trainees during the course of their service. In-service trainings provide procedural information or focus on mediation techniques. Mediator suggestions on subjects for additional training are welcomed.

## **Performance Evaluation**

After completing one year of service, selected mediators are asked to continue to mediate with the program. Thereafter, if a mediator leaves the program on

his or her own accord, but wishes to return after a period of time (longer than six months), he or she will be asked to contact the training officer for a re-entry interview and training plan.

In addition to performance evaluation during basic training and the mentorship period, each mediator will be observed by a staff and/or mediator evaluator so that an assessment of each person's skills can be made. Verbal and written feedback is provided following each observed mediation. If, at any time, a mediator's performance is deemed to be less than satisfactory, he/she will be asked to complete an additional evaluation process. This process may involve one or more of the following steps:

1. Mediating an actual case to be observed by a staff or a trained mediator evaluator.
2. Co-mediating with a staff member or mentor for an additional period of time.
3. Participating in a special in-service training geared toward helping them to improve specific skills.
4. Observing a mediation session to gain a better understanding of different mediator styles.

Upon completion of one or more of the above steps, the training and program officers will make a recommendation to the director of the division, regarding the continued participation of the mediator in the program.

If staff receives complaints regarding a mediator's behavior from parties involved in a dispute or from other court personnel, or has some other reason to be concerned, the appropriate program officer will gather information regarding the complaint and apprise the training officer of the nature of the complaint. If necessary, the program and training officers will make recommendations to the director regarding any action to be taken.

### **Family Mediation Program**

The family mediation program has formed an alliance with the Court to implement an expanded mediation program. Following a status hearing, judges routinely require that parties in contested domestic cases consider mediation. Clients are assisted by mediators to reach a fair and workable agreement; mediated agreements may or may not be incorporated into a court order.

In addition, family issues can be mediated prior to filing a formal complaint in court. Cases are eligible for mediation if one or both parties live in the District of Columbia, if there is a dispute about property division, spousal support, child support, child custody and visitation, or other matters incident to separation or divorce. Typically, over 50% of

parties are able to reach a consensus on future relationships among themselves and their children in mediation.

Mediators in the family mediation program include individuals with a wide variety of personal and professional experience. Mediators are often social workers, mental health professionals, lawyers and persons with prior mediation experience. Volunteers mediate at least three times per month during their first year, the first six hours of which are on a *pro bono publico* basis; a small stipend may be requested thereafter.

### **Small Claims Mediation Program**

Volunteer mediators are available in the courtroom to mediate small claims matters on the day of trial. During a confidential session, mediators provide a forum for resolving conflicts that allows for creative and positive negotiations. Typically, small claims disputes involve consumer and service provider complaints with claims for monetary compensation under \$5000. Small claims mediators also mediate certain types of collection matters with claims up to \$25,000.

Agreements between the parties are written by the mediators, reviewed and presented to the court for approval. Close to half of the cases that are mediated are resolved in mediation.

Mediators in the small claims mediation program include individuals with a wide variety of personal and professional experience. Volunteers mediate at least three mornings per month during their first year, the first six hours of which are on a *pro bono publico* basis; a small stipend may be requested thereafter.

#### **Dear Mediator Applicant:**

Thank you for your interest in becoming a volunteer mediator in one of the Multi-Door Dispute Resolution Division's mediation programs. Once you complete and return the attached application form, your name will be placed on a list, and you will be notified as soon as training dates are set for the program in which you are interested. Please feel free to contact Fetneh A. Fleischmann at 202-879-1625 if you need more information.

### Volunteer Mediator Application

Please check preference: \*

Family Mediation

Small Claims Mediation

Name

Daytime Phone

Address

Evening Phone

Date of Birth

Zip Code

#### Mediation Training & Experience:

Program

Year

Experience: From

To

#### Current Employment / Occupation:

Position / Title

Duties

Full Time  Part Time

#### Community Activities: (Please list major community / volunteer activities only)

Organization

Active Years

#### Education:

Name of School / College:

Degree(s) & major course of study

Bar Membership(s)

Foreign Languages

It is our policy to accept volunteers based on qualifications and merit only, without regard to race, color, religion, sex, age, disabilities, national origin, marital status, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, source of income, or place of residence or business.

Please provide the following information: Sex:  Female  Male Race:  African American  Caucasian  Hispanic  Asian

**Why are you interested in mediating with Multi-Door?**

**How would mediating in this program fit with your other commitments?**

Program Commitment

*By my signature below, I acknowledge that if I am accepted into a Multi-Door training program, I will be required to make a firm commitment to the Superior Court of the District of Columbia. During the year immediately following training, I will mediate three (3) mornings per month (Small Claims) or three (3) sessions per month (Family - 1 to 3 hours each session).*

---

Signature

---

Date

Invitation to a particular screening session or training class can not be guaranteed. Please refer to the information in "Selection, Training and Performance Evaluation of Small Claims and Family Mediators" (enclosed).

\* Please note, applicants expressing an interest in both programs will be notified of the **next** training only. Applicants must notify the Training Manager if they remain interested in being considered for other Multi-Door Division programs.

**Please return this form to:**

**Fetneh A. Fleischmann  
Training & Evaluation Manager  
Multi-Door Dispute Resolution Division  
D.C. Superior Court  
500 Indiana Avenue, N.W.  
Washington, D.C. 20001  
Phone: 202-879-1625**