

**Riverside County Superior Court
Civil Mediation Panel
Qualifications and Requirements
Information Sheet**

Background: The Riverside County Superior Court has established a Mandatory Mediation program and a court-connected Civil Mediation Panel to handle court-ordered and other civil mediations. (**Local Rule, Title 3**)

For all mediations, court-ordered and otherwise, Riverside County civil litigants have the choice of selecting and retaining a mediator from the Civil Mediation Panel or a mediator who is not affiliated with the panel. In court-ordered mediations, if the parties do not select a mediator, the court randomly assigns one from the Civil Mediation Panel.

To ensure quality and public confidence in court-connected mediation, per CRC Rule 10.781(a) (eff. Jan. 2011), each superior court that makes a list of mediators available to litigants in general civil cases or that recommends, selects, appoints, or compensates any mediator to mediate any general civil case pending in that court is required to establish minimum qualifications for such mediators.

The qualification standards for Riverside County Superior Court’s Civil Mediation Panel are intended to establish a Civil Mediation Panel comprised of highly skilled, well-educated, and dedicated mediators who may be privately retained to provide the best possible mediation services to the citizens of our county:

Qualifications and Requirements

1. **Bar Membership:** An applicant must be a member in good standing of the State Bar of California with at least five (5) years of legal practice experience in California.
2. **Mediation Training:** An applicant must have completed at least 40 hours of “approved mediation training”, as defined below
 - (a) within two (2) years of the application OR
 - (b) at any time IF within two (2) years of the application the applicant has also completed at least six (6) hours of continuing education that includes recent developments in California mediation law, mediation ethics and mediation confidentiality.

“Approved Mediation Training” means: A 40-hour mediation training in which at least 25 of the 40 hours of training are in the form of a single, comprehensive, mediation training program. Training must include the mediation of litigated cases and

 - (a) Conflict, communication, and mediation theory;
 - (b) Stages of the mediation process;
 - (c) Mediation and communication skills and techniques;
 - (d) Mediator ethics;
 - (e) The law governing mediation, including mediation confidentiality; and
 - (f) Observation of mediation demonstrations and participation in role-playing.

- (g) The Rules of Conduct for Mediators in Court-Connected Mediation Programs for Civil Cases;
- (h) Cultural and gender issues in mediation; and
- (i) Issues concerning the role of mediators in the preparation of mediated agreements.

Applicants may contact the Court's ADR Director for further information about approved mediation programs.

Mediation Experience: An applicant must have conducted at least five (5) mediations of at least two (2) hours in length within two years prior to the application.

At its discretion, the ADR Subcommittee may, on a case-by-case basis, waive this requirement; increase this requirement; or apply this requirement to any applicant.

3. **Alternative Qualification:** A person who does not meet all program requirements may still qualify for the Civil Mediation Panel by completing an application to the court demonstrating satisfactory evidence of sufficient education, mediation training, skills, and experience to serve on the Panel, including but not limited to:

- (a) A minimum of 10 years of active California Bar membership;
- (b) As a neutral, conducted a significant number of complex mediations or settlement conferences; and
- (c) Within the past two (2) years, received at least six (6) hours of continuing or advanced mediation training including recent developments in California mediation law, mediation ethics and mediation confidentiality.

4. **Pilot Mediation Panel Expansion Alternative Qualifications:**

(a) Active California Bar Membership is not required. Former members of the California State Bar, attorneys licensed to practice law in any state, or persons working as a professional litigation or pre-litigation mediator are invited to apply.

(b) Applicants should provide information regarding the types of cases mediated, and the number of mediations conducted by the applicant. Experience will be evaluated on an integrated basis considering factors including but not limited to:

- (i) Number of years' experience mediating/practicing law;
- (ii) Amount and type of mediation training; and
- (iii) Type and complexity of mediations performed by applicant.
- (iv) Experience requirement may be satisfied in part or in full through participation as a mediation in Riverside Superior Court's Countywide Settlement Days. Experience may include shadowing and/or pro bono co-mediating with a current Civil Mediation Panel Member during Court-Ordered Mediations with the consent of the mediator and the parties.

(c) Completion of at least 6 hours of Court Approved mediation training, or alternatively at least 6 hours of mediation training that minimally includes:

- (i) Laws governing mediation, including mediation confidentiality (at least 1 hour within the last 2 years);
- (ii) Cultural, gender, bias issues in mediation (at least 1 hour);
- (iii) Mediator ethics; and
- (iv) Rules of Conduct for Mediators in Court-Connected Mediation Programs for Civil Cases

(d) The Court acknowledges there may be additional information or experience that makes an applicant an excellent candidate for the Civil Mediation Panel. Applicants using the Pilot Mediation Panel Expansion Alternative Qualifications are encouraged to include attachments and/or explanations regarding their qualifications that may not otherwise be included on the application.

(e) An interview with members of the ADR Subcommittee may be scheduled with those candidates applying to the Civil Mediation Panel via these Pilot Mediation Panel Expansion Alternative Qualification standards.

5. **References:** An applicant must submit references or evaluations from at least two (2) individuals with personal knowledge of the applicant's mediation skills. References to skills as a temporary judge, arbitrator, settlement attorney/judge, or referee will be considered but do not fulfill this requirement.

6. **Program orientation:** Civil Mediation Panelists must complete an orientation sponsored by the court concerning its Civil Mediation Program, policies and procedures.

7. **Observations:** Panel members shall agree to observations of mediations by the ADR Director or designee upon the consent of counsel and parties.

8. **Informing the court of any public discipline or other matters**

A potential mediator must inform the court of:

- (a) Public discipline imposed on him or her by any public disciplinary or professional licensing agency;
- (b) Resignation of his or her membership in the State Bar or another professional licensing agency while disciplinary or criminal charges are pending;
- (c) Any felony charge pending against him or her;
- (d) Conviction of a felony or of a misdemeanor;
- (e) Entry of judgment against him or her in any civil action within the past ten (10) years; and
- (f) All currently pending litigation in which the potential mediator is a party.

9. **Location of Title 3 mediations:** Each mediator on the Civil Mediation Panel will provide court-ordered mediations pursuant to Local Rule, Title 3, within Riverside County unless all parties stipulate to another location.

10. **Costs:** Civil Mediation Panel Mediators may not charge parties in Title 3 cases for any costs associated with the mediation.

11. **Term of Service and Continuing Eligibility Requirements:**

Civil Mediation Panelists serve for terms of one (1) year, which may be renewed if the following conditions are met:

- (a) Compliance with all applicable ethics requirements, California Rules of Court, Local Rules and Civil Mediation Panel policies and procedures.
- (b) At least three (3) hours of continuing mediation education or training per year, including recent developments in California mediation law, mediation ethics and mediation confidentiality.
- (c) Mediate at least three (3) court-ordered mediations (Local Rule, Title 3) per year pursuant to the compensation policies for that program.
- (d) Participate in the annual renewal.

- (e) Update the on-line “Mediator Profile” in compliance with CRC Rule 3.856(b) (Truthful representation of background).
- (f) Contact information/address changes:
Provide the ADR Director with current contact information, including a physical address, phone number and e-mail address.
- (g) Submit the Payee Data Change Form
If the address on your fee statement does not match the information you originally submitted on your Payee Data Record, payment will be delayed until a Payee Data Change form is processed by the court's Financial Services Unit.
- (h) Inform the ADR Director of the following:
 - (1) Any public discipline imposed by any public disciplinary or professional licensing agency;
 - (2) Resignation from the State Bar or any other professional licensing agency while disciplinary or criminal charges are pending;
 - (3) A felony charge pending against you;
 - (4) A conviction of a felony or a misdemeanor;
 - (5) An entry of judgment against you in any civil action; and
 - (6) All currently pending litigation in which you are a party.

12. All applications will be reviewed by the Court’s ADR Sub-Committee.

13. Privilege to serve as a Civil Mediation Panelist

Inclusion on a court list of ADR neutrals and eligibility to be recommended, appointed, or compensated by the court to serve as a neutral are privileges that are revocable and confer no vested right on the neutral. A court has absolute discretion to determine who may be included on a court list of neutrals. [California Rule of Court, Rule 10.781(c)]

If you are interested in joining the Court’s Civil Mediation Panel, please complete the online application <https://forms.riverside.courts.ca.gov/Forms/ADRMEd> or contact Ms. Sarah Hodgson, the Court’s ADR Director, for assistance: 951-777-3262 or ADRDirector@riverside.courts.ca.gov.