



I.C.A.R. 73. Qualifications of Civil Mediators.

Idaho Court Administrative Rule 73. Qualifications of Civil Mediators.

Each trial court administrator shall maintain a list of mediators who meet the qualifications of subsection A, and rosters from dispute resolution organizations that meet the criteria set forth in subsection B below.

(a) Mediation Registration -- Qualifications of Court-Appointed Mediators

1. The Administrative Director of the Courts shall compile and distribute at least annually a list of mediators. For that purpose, the Administrative Director of the Courts shall gather from all applicants an application demonstrating that the applicant:

(i) is a member of the Idaho State Bar;

(ii) has been admitted to practice law for not less than five (5) years; and

(iii) has attended a minimum of forty (40) hours of mediation training.

2. In order for a person to remain on the list of mediators maintained by the Administrative Director of the Courts, the mediator must submit proof that the mediator has completed a minimum of five (5) hours of additional training or education during the preceding three (3) calendar years on one of the following topics: mediation, conflict management, negotiation, interpersonal communication, conciliation, dispute resolution or facilitation. This training shall be acquired by completing a program approved by an accredited college or university or by one of the following organizations: Idaho State Bar, or its equivalent from another state; Idaho Mediation Association, or its equivalent from another state; or Society of Professionals in Dispute Resolutions; American College of Civil Trial Mediators; Northwest Institute for Dispute Resolution; Institute for Conflict Management; the National Academy of Distinguished Neutrals or any mediation training provided by the federal courts. Any program that does not meet this criteria may be submitted for approval either prior to or after completion. The requirement that continuing education for mediators include at least five (5) hours of training in mediation takes effect for renewals due on or after July 1, 2013.

(b) Mediation Registration -- Sponsors of Additional Rosters of Mediators



1. A public or private dispute resolution organization may make its roster of mediators available to the Administrative Director of the Courts for distribution to the trial court administrators if it documents that it has:

(i) an established selection and evaluation process for neutrals;

(ii) a mechanism for addresssing complaints brought against neutrals; and

(iii) a published code of ethics that the neutrals must follow. A compilation of the organization's selection, evaluation, published code of ethics, and complaint processes that can be distributed to the parties shall be provided.

(c) A list and roster(s) of mediators distributed by the Administrative Director of the Courts, pursuant to subsections (a) and (b), above, must contain the following information about each mediator:

(i) name, address, telephone and FAX number(s);

(ii) professional affiliation(s);

(iii) education;

(iv) legal and/or mediation training and experience; and

(v) fees and expenses.

(Adopted December 2, 2015, effective July 1, 2016.)

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