D.   APPLICATION FOR RECERTIFICATION AS A MEDIATOR

1. To maintain certification, a mediator must recertify every two (2) years on November 1. Note the first recertification may come less than two years after initial certification. (For example, all mediators initially certified between November 1, 2017 and October 31, 2018 must recertify as of November 1, 2019. Their next recertification date would be November 1, 2021.)

2. Submit OES Form ADR-1003. Recertification forms and instructions are available on the court web site. Each summer DRS will notify by email all mediators whose recertification is due on October 31st of that year.

3. **Continuing mediation education (CME) training must be completed during the two-year certification period that falls between the previous recertification date and October 31 of the year currently due for recertification. Depending on the previous recertification date, a mediator may have less than two years to complete the CME requirements.**

4. CME Requirements:
a) For single and multiple certifications, submit objective evidence of having completed ten (10) hours of approved mediation training during the certification period.

b) At least two (2) of the ten (10) hours of training must be mediator ethics training. Only *mediator* ethics trainings satisfy this requirement.

c) In place of some or all CME approved trainings, mediators may take entire core courses (Basic Mediation, Family Mediation, Circuit Court-Civil Mediation, Circuit Court-Family Mediation, Orientation to Virginia's Judicial System, Screening for and Dealing with Domestic Abuse, Observation Course, Mentoring Individuals Seeking Certification as a Court-Referred Mediator).

d) Mediators with multiple certifications who recertify every year may reuse trainings as long as they take place during the two year certification period.

5. Credit hours accrued during the certification period in excess of the requirement may be carried over to meet the next two-year certification period requirement, except for the ethics requirement. A maximum of eight (8) credit hours may be carried forward. A mediator must complete two (2) hours of mediator ethics training during each certification period.

6. A mediator should exercise discretion in choosing those approved trainings most likely to enhance his or her mediation skills and improve delivery of mediation services.

7. Mediators may request DRS approval of other learning opportunities to meet CME requirements. Possibilities include online or in person training from organizations such as the Association for Conflict Resolution, the American Bar Association Section on Dispute Resolution, and Virginia CLE.

8. Mediators participating in approved Mediation Peer Consultation (MPC) sessions may receive up to six (6) hours of CME credit for attendance at such sessions.

9. Mediators may request up to six (6) hours of CME credit for up to six (6) hours of co-mediation followed by self-reflection. To request credit, mediators must complete a Mediator Self-Reflection Form (ADR-****) for each co-mediation, including the number of hours spent in the co-mediation (self-reflection hours do not count toward CME credit), and submit the form to DRS. Requests should be made soon after the co-mediation and well in advance of the recertification deadline. To qualify for CME, forms must demonstrate 1) thoughtful and thorough self-reflection; and 2) mediator insight and/or new learning. Otherwise, credit will be denied.

10. Mediators who deliver a CME course or CLE seminar related to the subject of mediation may receive up to six (6) hours of ethics or other CME credit. Objective evidence of providing such training, the length of the training, the number of times the training was offered during the certification period as well as the number of hours spent preparing the training must be provided.

11. Forms ADR-1002 (Evaluation of Mediation Session(s) and Mediator(s)) received by DRS and/or any other written communication concerning the performance of the mediator may also be considered in the recertification process.

12. Notification of recertification shall be made through letter and certificate. A letter denying recertification shall state the grounds for the denial and make reference to the right of the applicant to make a written request for reconsideration to the Executive Secretary of the Supreme Court of Virginia within thirty (30) calendar days of the date of the notification of denial of recertification. The written request must be received by the Executive Secretary within five (5) calendar days after expiration of the thirty (30) day time period. An applicant's request for reconsideration must include a statement of the reasons recertification is warranted. If the Executive Secretary decides it would be helpful, the Executive Secretary may convene a meeting as part of the reconsideration process. Meetings with the Executive Secretary are confidential. Within forty-five (45) calendar days of receipt of the written request, the Executive Secretary shall reconsider the denial. Within fifteen (15) calendar days of reconsideration, the Executive Secretary shall render a decision on recertification. A decision by the Executive Secretary is final.

13. A mediator denied recertification may reapply for initial certification after six (6) months from the date of the final denial. In the sole discretion of DRS, deviations from the initial certification requirements may be allowed or required on a case-by-case basis.

14. Mediators who do not meet the recertification requirements may not hold themselves out as certified mediators, mediation mentors, or certified mediation trainers.

15. A mediator whose certification lapsed as a result of not meeting the recertification requirements in a timely manner must reapply for initial certification. In the sole discretion of DRS, deviations from the initial certification requirements may be allowed or required on a case-by-case basis.