

European Mediation Academy IMI QUALIFYING ASSESSMENT PROGRAM

Introduction & Background

The "European Mediation Academy" (*emEac*) is an independent, non-profit distributing and a non-governmental professional membership organization created by the association "Mediation for All" (www.m4all.at).

The people behind *emEac* and *m4all* are the experts of mediation in Austria and Croatia.

Its mission is contributing to the development of mediation through promotion in civil and family area:

- Lobbying and advocacy for establishment of the legal framework for mediation (implementing in the law structure);
- Capacity building through organization of high qualified training programs in mediation;
- Awareness raising in the area of mediation, negotiation, facilitation, reconciliation, restorative justice, peer mediation, etc., tailored to the needs of state institutions, civil society actors, local government and schools;
- Development and application of the monitoring and evaluation scheme to assess the quality of the mediation service provided to parties;
- Contribute to the implementation, awareness and use of mediation in the European countries, by promoting and organizing information and training sessions in mediation particularly directed to all legal professionals, including magistrates, lawyers, paralegals, notaries, law students, mediators and any other interested parties;
- Promote and organize conferences, events, debates and legal publications in order to contribute to the development of mediation in the European countries;
- Support and develop mediation in cross-border conflicts, at European and global level;
- Our certification program puts strong emphasis on skills assessments for each candidate;
- *emEac* also has a particular focus on Europe to ensure that European heritage and values are incorporated in the development of solutions that suits European conditions.

emEac attaches great importance to the cooperation with the science. Many university professors are working as trainers for *emEac*.

emEac shares IMI's ethos that the practice of mediation needs to be forged into a recognised profession on a worldwide scale by the transparent exposure of high standards of competency and conduct. *emEac* fully shares IMI's criteria for establishing those standards of competency, and will share with IMI, and with all others in the field, the beneficial results of its ongoing experience of mediation delivery, training techniques, standards and benchmarks as a direct contribution to the progressive enhancement of the mediation profession both in the countries in which we operate, and internationally.

1. Mediator Experience

The Qualifying Assessment Program (QAP) must include a methodology for ensuring that Applicants have demonstrated to the satisfaction of the Program's Assessors a substantial level of experience as a mediator. The QAP must include clearly identified criteria on this requirement.

emEac will require that successful application to the QAP leading to IMI certification only be granted to candidates that have satisfied the following criteria.

Each mediator assessed by emEac as applicant for the IMI Certification has to demonstrate a minimum of **20 mediation cases** or **200 hours mediation** experience by completing and signing a questionnaire addressing the following categories, without violation of the fundamental principle of mediation confidentiality:

1. Categories of mediations
2. Main topics
3. Mediation Team
4. Number of persons in the conflict
5. Total number of hours and mediation dates
6. Start date and end date of mediations
7. Whether an agreement was reached
8. Key points to solve the conflict
9. Key points that hindered a solution
10. Whether a representative was present (union, advocates etc.)
11. Preferred style of mediation

Fundamentally, in order to ensure that a mediator's experience is full proof, we will require a logbook and a minimum of 20 feedbacks from the parties or co-mediators.

Each mediator assessed by emEac as applicant for the IMI Certification has to be fluent in English and another living language.

2. Mediation Knowledge

The QAP must include a methodology for determining that Applicants have demonstrated a strong understanding of general mediation theory and practice which may be based on written tests, essays, reports, theses interviews and/or other testing platforms

- A. The practical assessment will be conducted in one **roleplay** followed by a *Mediator Knowledge Scoring Sheet* consisting of different mediation areas, tailored to fully grasp the applicant's knowledge as well as understanding of the particularities of the mediation.
- B. After the evaluation of the written test knowledge will be assessed by an oral exam before **3 (three) assessors**.

3. Mediator Skills

The QAP must include a methodology for the evaluation of candidates' performance in terms of the occurrence and effectiveness of mediation process and mediation techniques, against high competency benchmarks. The Evaluations/Assessments may be based on roleplay or live action assessments, and may include videotaped and online assessments such as web dramas, self-assessments, interviews, peer reviews, user feedback and other in-practice skill evaluations.

The practical assessment is based on advanced and complex **roleplay cases** designed by *emEac* to test a wide range of advanced knowledge, experience and skills of a mediator. Roleplay assessment as such is categorised into groups:

- the ability to create relationships as mediator
- ability to facilitate the process and
- ability to support content,

as forseen in the attached *Mediator Scoring Sheet*.

The practical assessment requires applicants to perform as a mediator in a given roleplay case, before **3 (three) assessors**, and with the help of two students who will play the roles of the mediation parties.

The applicant will get the scenario of the roleplay case **30 minutes before** the start of the roleplay. It is possible that other mediation parties get special instructions for the case.

Roleplay runs for maximum of **60 minutes**.

4. Program Transparency

The benchmarks and criteria applied by the QAP must be published and be openly accessible on the organization's website. Details of all approved programs will be listed on the IMI web portal www.IMImediation.org and will include a direct link to the credentialing organizations' websites.

All the assessment criteria are published on the *emEac* Website at <http://emeac.eu/imi>

5. Program Integrity

Each Assessor must have substantial experience of assessing the performance of mediators. At least one of the Assessors on each Program must be independent of the QAP.

To guarantee the integrity of the program we have designed the following rules:

1. Our QAP's Assessors' team will consist of three experts: two experts from *emEac*, who have substantial experience of assessing the performance of mediators by acting as jury, expert assessors etc. and who are recognised as accredited mediators in their own jurisdiction or by IMI Certified; and one independent expert from an academic institution in mediation.

2. For assessors, we will use *Mediator Scoring Sheet*, used and fulfilled at the end of each assessment, as monitoring tools to guarantee a high level of professionalism and impartiality.

6. Ongoing monitoring of Programs

The QAP must include a process for the ongoing monitoring of the performance and practice of the Assessors. IMI will liaise closely with all recognised program organizers to maintain a sustainable quality control system.

In order to guarantee a high level of professionalism and impartiality we use following performance and practice monitoring tools:

- a. *Mediator Scoring Sheet* to be filled at the end of each assessment;
- b. IMI representatives welcome as observers of the assessment parts.

emEac will address feedback from participants, keep records of this, evaluate the assessors and ensure proper communication between the members of a given assessment panel.

For evaluating the mediators under QAP, the assessors will be given by *emEac* special guidelines for evaluating mediation knowledge, experience and mediation skills. This is to ensure that the QAP's assessors evaluate the mediators on a high quality standards, and that the outcome is the same for all assessors, in identical situations, thereby ensuring the consistency of appraisal ratings. Assessors will assess applicants based on the roleplay and fulfill the *Mediator Scoring Sheet* at the end of each assessment, while the process will be monitored by *emEac*.

Assessors will be invited to assist *emEac* to improve the QAP and to develop higher standards.

7. Commitment to Diversity

The QAP must be accessible on an equal basis to experienced mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation or other personal characterization.

The *emEac* QAP will be accessible on equal basis to all mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation or other personal characterization.