



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE
Promoting Consensus and Access to Justice
www.IMImediation.org

Family Mediation Canada (FMC)

IMI QUALIFYING ASSESSMENT PROGRAM

Introduction & Background

Family Mediation Canada/Mediation Familiale Canada (FMC) is the national association for conflict resolution specifically focused on family mediation. It is an interdisciplinary association of professionals, working together, creating a better way to provide for co-operative conflict resolution relating to families. We help families succeed by providing referrals to Consumers and information to Family Mediators and other like-minded organizations across Canada. FMC was established in 1985 as a charitable, not-for-profit association. It has affiliates and professional partner organizations across Canada.

FMC strives to be the leading body for the field of family mediation on an international basis and members only are given the opportunity to seek national FMC mediator certification. FMC's national certification program is focused on turning out qualified and trained mediators. In light of this, the Family Mediator Certification Program is unique in that there is a rigorous training process and a thorough assessment of the candidate's mediation skills in keeping with the high standards that FMC lays out for its mediators in its Code of Professional Conduct. Our certification program puts strong emphasis on skills assessments for each candidate.

The following are some of the unique features of FMC's Family Mediator Certification Program, which sets it apart from other forms of mediator recognition/courses:

- A minimum of 80 hours of basic conflict resolution & mediation training and at least an additional 100 hours of further education & training in specific areas of family issues is mandatory.
- An approved mediation practicum is necessary or, in lieu of, two positive peer evaluations from experienced family mediators.
- The candidate must produce a videotaped role-play assessment along with a skills-assessment.

- A written final examination.
- Continuing education hours are required in order to maintain certification status.

The practice guidelines and the process for certification are the result of Family Mediation Canada's (FMC's) continuing consultation and collaboration with provincial, territorial and international mediation associations, researchers and practitioners to establish Certification Standards for family mediators that will apply across Canada. This document, which includes a complaint process (Section 6.6) provides the public with an important measure of protection. As a leader in the field of family mediation, FMC continually makes changes to this document to reflect the growth in the field of family mediation. This document reflects the energy and development of family mediation in Canada and it is written to manifest the culture and values of Family Mediation Canada. Modifications to this document do not apply retroactively unless specifically stated otherwise. They take effect from the date they are passed by the Board of Directors. Applications for certification are governed by the provisions in force on the date FMC receives the application for certification.

Family Mediation Canada is a self-regulating and highly respected professional institution. Family Mediation Canada provides recognized practice designations:

- a) Family Relations Mediator: the mediator limits their practice to child, relationship and child support issues and excludes disputes over the entitlement, ownership, division or control of property, inheritance, businesses, corporations, trusts or debts;
- b) Financial Family Mediator: the mediator limits their practice to helping people resolve family conflicts about the entitlement, ownership, division or control of finances, property, inheritances, businesses, corporations, trusts and debts;
- c) Comprehensive Family Mediator: the mediator's practice includes the mediation of child, relationship, financial and property issues.

These designations are known and respected across Canada and internationally. These designations assist the public to choose a practitioner whose practice includes the issues in dispute, and whose qualifications have been reviewed by FMC for enhanced quality assurance.

FMC implements standards via a Certification Committee, which reports to the FMC Board of Directors. The Certification Committee's role is to review and approve recommendations for accreditation as a certified family mediator and to review and approve mediation training and competency assessment programs to ensure national consistency.

In selecting a mediator who is certified by FMC, the public can be assured that they are selecting someone who is a member of an established and recognized professional institution, are assured of the member's commitment to upholding FMC's

Code of Conduct and have an avenue of redress should standards of practice fall below a certain standard.

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.

In order to apply for certification an FMC Certification candidate must show evidence of:

a) completion of an approved 30-hour supervised mediation practicum in accordance with FMC standards, and three positive references from persons who have first-hand knowledge of the students' skills and knowledge as a mediator, i.e. the person needs to have participated in at least one mediation with the student. OR,

b) if the applicant has been a practicing family mediator, in lieu of completion of a practicum the applicant must submit evidence of:

i) completion of at least 10 fee-paid, private family mediation; or, completion of 10 family mediations in a structured setting with a mediation organization acceptable to FMC; and,

ii) submit two positive evaluations from persons who have seen the applicant's work (co-mediators, supervisors, lawyers who have attended the family mediation or received direct feedback from their client(s) during the past two years,

as set out in section 5.3 (c) of the Practice, Certification and Training Standards.

Almost all of our certified mediators actually have considerably more experience than the minimum indicated and FMC Canada is therefore currently considering increasing these minimum experience levels.

In order for a FMC certified family mediator to be qualified by FMC as IMI Certified, we will require the applicant to provide evidence that they have a level of experience of at minimum 200 hours as a mediator in their designated field.

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.

FMC's criteria for application to be a certified mediator require candidates to complete:

- at least 80 hours of basic conflict resolution and mediation theory, education and skills training including 10 hours on the cultural dynamics of conflict and conflict resolution process; and,

- at least another 100 hours of further related education and training (150 for a comprehensive family mediator).

These are outlined in sections 5.3, 5.4 and 5.5 of the [Practice, Certification and Training Standards](#).

Once candidates have satisfied the knowledge and training requirements, they must successfully pass at the required level, a written test designed to assess the candidates' understanding of the applicable substantive knowledge set out in sections 5.3, 5.4 or 5.5;

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 knowledge, skills, abilities and other attributes required of an FMC certified family mediator are set out in Section 4 of the [FMC Practice, Certification and Training Standards document](#). Section 6.5 of the same document outlines the requirements for an applicant seeking to be certified by FMC.

On application candidates must submit:

i) evidence of completion of the appropriate minimum number of hours of training for the certification designation being sought, and evidence of completion of an FMC-approved practicum in accordance with the provisions of sections 5.3 (c), 5.4 (c), and 5.5 (c).

ii)a curriculum vitae outlining educational and professional qualifications and achievement;

iii)three letters of reference discussing personal attributes on FMC-approved reference forms;

iv)evidence of the required professional liability insurance coverage; v)an affidavit or solemn declaration verifying that the applicant is a member in good standing of FMC and will adhere to the Code of Standards and Code of Ethics of FMC and that the information provided on the application is true; andvi)must complete a FMC performance-based skills assessment process and achieve a minimum score. This includes a self-reflective exercise on the video completed which shall be submitted with the video.

vii)Must successfully pass at the required level, a written test designed to assess the candidates' understanding of the applicable substantive knowledge set out in sections 5.3, 5.4 or 5.5;

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.

The FMC Practice, Certification and Training Standards sets out the requirements for certification as a mediator. Section 5.3 outlines the minimum training standards for applicants seeking certification as a family relations mediator. Section 5.4 outlines the minimum training standards for applicants seeking certification as a financial mediator. Section 5.5 outlines the minimum training standards for applicants seeking certification as a comprehensive family mediator. This document is available to the public and can be downloaded from the FMC website at: <http://www.fmc.ca/pdf/CertificationStandards.pdf>

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.

Assessments for certification under FMC's certification program are monitored by the Chair of the FMC Certification Committee, or designate. There are no fewer than three

certification assessors, all of whom are independent and none of whom are employees of FMC. Section 6.4 of the FMC Practice, Certification and Training Standards sets out criteria for the qualifications of a Certifying Assessor.

6. Ongoing Monitoring of Program

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.

Under the FMC Practice, Certification and Training Standards Section 6.5 (j) in order to maintain and renew FMC certification, the certified family mediator shall:

- i) maintain a yearly membership in FMC;
- ii) complete the prescribed hours of continuing family mediation education each year with at least 14 hours of conflict resolution or mediation skills training in the last three years;
- iii) complete at least 30 hours of family mediations per year, averaged over the last five years; and,
- iv) maintain the prescribed amount of mediator liability insurance as set out on the FMC website.

This requires (a) completion of an Annual Certification Maintenance form which includes a declaration that:

- i) the mediator is a member in good standing of FMC; ii) the mediator agrees to adhere to and does adhere to the FMC Members' Code of Professional Conduct;
- iii) the mediator continues to adhere to the standards set out in the FMC Practice, Certification and Training Standards for a mediator with their designation;
- iv) the mediator is responsible for covering their annual Certification Maintenance fee for the current renewal year;
- v) the mediator declares that they have provided a minimum of 30 hours of family mediation, limited to their designation, averaged over each of the last five years (the mediator writes in the number of hours);
- vi) the mediator has completed a minimum of 20 hours of continuing family mediation education in the last year (training specified);

vii)the mediator has completed at least 14 hours of conflict resolution or mediation skills training in the last three years (training specified);

viii)the mediator has liability insurance as set out on the FMC website (or is covered through their employer);

Certification will not be renewed where the mediator has not completed the declaration, or has not met the minimum standards for annual renewal. Under the FMC Practice, Certification and Training Standards Section 6.5 (k), (l) and (m) outline the steps that a mediator must take to to renew their certification if they let their certification lapse.If IMI Certified on the strength of their FMC Certified status, they would also lose their IMI designation.

The Chair of FMC's Certification Committee or his/her designate monitors the performance and practice of its Assessors using the following criteria: (i) responsiveness; (ii) timeliness; (iii) thoroughness, and (iv) objectivity.

FMC will appoint the Chair of its Certification Committee, or his/her designate, to monitor Feedback for the mediators it qualifies for IMI Certification, requiring Reviewers to provide copies of all completed forms on a spot-check basis to enable FMC to monitor and verify the consistency of the Feedback Digest requirement with the IMI Guidelines.

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.

Canada is one of the world's most diverse multi-cultural societies, with approximately 20% of the population believed to be born outside Canada. In common with all leading professional organizations in the country, FMC invites applications for its certified mediators from all sectors of society, regardless of gender, race, ethnicity, age, religion, sexual orientation and personal characterization. Membership of FMC is open to all mediators of good standing.

On the above basis, Family Mediation Canada applies to the Independent Standards Commission convened by the International Mediation Institute for authority to qualify FMC Certified Mediators (Family Relations Mediator, Financial Mediation, and Comprehensive Mediator) as IMI Certified in the manner described. Any material changes to the FMC Assessment Criteria or other elements of the Qualifying Assessment Program will be notified to IMI's Executive Director.