



International Mediation Institute

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

The International Institute for Conflict Prevention and Resolutions

IMI QUALIFYING ASSESSMENT PROGRAM

Introduction & Background

CPR is the leading independent resource helping global business and their lawyers resolve complex commercial disputes more cost effectively and efficiently.

In 1979, CPR was the first to bring together corporate counsel and their firms to find ways to lower the cost of litigation. Since that time, CPR has changed the way the world resolves conflict by being the first to develop a pledge that obliges over 4,000 operating companies and 1,500 law firms to explore alternative dispute resolution options before pursuing litigation. In January 2013, CPR once again challenged the way the world resolves conflict by introducing the 21st Century Corporate ADR Pledge. With 33 signatories committing to date, this new pledge is systemically changing the way global businesses and their leaders resolve complex commercial disputes.

CPR's membership comprises an elite group of ADR trailblazers, including executives and legal counsel from the world's most successful companies and global law firms, government officials, retired judges, highly-experienced neutrals, and leading academics. CPR harnesses the expertise of these leading legal minds to change the way the world resolves conflict.

CPR's Qualifying Assessment Program (QAP) for candidates seeking IMI Mediator Certification will consist of the following parts:

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.

For approval by CPR, a candidate seeking IMI Mediator Certification must complete an application to aid CPR in assessing whether the candidate has a substantial level of experience as a mediator.

For a candidate seeking IMI Mediator Certification, CPR will require 200 hours of mediation experience, with completion of at least 26 cases. CPR staff will determine whether the candidate satisfies this requirement by reviewing the candidate's answers to the appropriate sections in the application.

In addition, the candidate must demonstrate to CPR's satisfaction his or her ability as a mediator through membership on other panels, trainings, and most importantly references and feedback. CPR requires two references of parties or counsel who have been involved in the same mediation conducted by the applicant, and contacts these references for feedback on the mediator's performance. In addition, the applicant is also required to submit no fewer than fifteen completed feedback forms.

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.

CPR requires that the candidate have undergone mediation training presented by CPR or one of its approved programs (e.g., Center for Dispute Settlement (CDS) or Centre for Effective Dispute Resolution (CEDR)), which must address the theory and practice of mediation in a minimum of twenty hours of basic training, and include multiple active roleplays with feedback.

Candidates who have completed any other training, including CDS or CEDR, will be required to submit a syllabus and documentation demonstrating successful completion.

All candidates will be required to submit a one-page self statement that describes the candidate's understanding of, and his or her particular approach to, mediation.

CPR regularly seeks participant feedback on the performance of neutrals it appoints, by means of a Case Evaluation Form. Available case evaluations will form part of the IMI certification application for applicants who are members of CPR's panel.

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.

Applicants' mediation skills, performance, and general competence will be assessed via evaluation of the applicant's conduct of a real mediation or a role play of at least one hour, by an experienced mediation trainer and/or an experienced mediator from the CPR Panel of Distinguished Neutrals who has demonstrated evaluation and assessment experience, using a mediator skills evaluation checklist that will address the candidate's knowledge, skills, abilities and other attributes, focusing inter alia on preparation, information gathering, empathy, impartiality, generating options and agreement, and process management. This will be followed by an interview with the assessor. The role play may be videotaped in order to provide feedback to the applicant and assist in training and monitoring assessors (see 5, below).

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.

Upon approval by the ISC, these criteria, including the abovementioned mediator skills evaluation checklist and all other relevant data will be published and openly accessible on CPR's website at: www.cpradr.org, and will include a direct link to the IMI website as well.

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.

Applications for IMI certification will be assessed by highly experienced CPR Peer Review Committees and panels staff, who also conduct the rigorous screening process for inclusion on CPR's Roster of Distinguished Neutrals. Assessors of candidates' practical mediation skills, as set forth under 3, above, will not be employees of CPR, and will be independent of the candidate under assessment. Assessors must be highly experienced mediators and/or teachers of mediation, with experience evaluating and assessing

mediators. In order to serve as an Assessor, members of CPR's Roster of Distinguished Neutrals must meet the basic qualifications for IMI certification set out under 1 and 2 above. All Assessor candidates must successfully complete an interview with a senior member of CPR's Panels Management or Dispute Resolution Services staff.

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.

Please be informed that the above Helena Tavares Erickson, CPR Senior Vice President and Secretary, will oversee the performance and practice of the Assessors. Information about Ms. Erickson's background can be found at <http://bit.ly/1eFGXmK>. Each CPR Assessor must report regularly on his or her activities to Ms. Erickson and be prepared to participate in meetings aimed at sharing experiences and comparing assessments, in order to ensure uniformity. This may include review of videotaped role-plays with co-assessors. CPR will report to IMI as required and welcomes IMI's monitoring and input.

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.

CPR is committed to diversity. It has established a National Task Force on Diversity in ADR, to devise practical strategies to increase the participation of women and minorities in mediation, arbitration and other ADR processes. The committee administers the annual "CPR Award for Outstanding Contribution to Diversity in ADR", which recognizes a person who has contributed significantly to diversity in the alternative dispute resolution field. The Task Force has developed a corporate commitment to diversity (<http://bit.ly/1fe93Bw>) that has been signed by a number of Fortune 500 companies, as well as an ADR mentoring program and an apprentice program designed to further diversity among neutrals chosen to mediate or arbitrate by large corporations.

The CPR QAP for IMI Mediator Certification will be open and accessible on an equal basis to qualified mediators regardless of their professional affiliation, gender, race, ethnicity, age, religion, sexual orientation, disability, national origin or other personal characterization.