



International Mediation Institute

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

Indian Institute of Arbitration and Mediation

IMI QUALIFYING ASSESSMENT PROGRAM

Introduction & Background

Indian Institute of Arbitration & Mediation (IIAM) is one of the pioneer institutions in India dealing with mediation & arbitration. The ethical and policy aspects of IIAM is guided by an Advisory Board comprised of eminent and distinguished personalities headed by Hon'ble Mr. Justice M.N. Venkatachaliah, former Chief Justice of India.

IIAM has also launched the "IIAM Community Mediation Service", which is a system of decentralized, socially oriented and inexpensive Dispute Resolution Mechanism to serve the needs of the common people by providing a platform near their home and also to train individuals from the concerned local community as mediators.

IIAM maintain a panel of eminent Neutrals, who are recognized for their integrity, impartiality, expertise, dispute resolution skills and reputation in their fields. Internationally and Nationally accredited Mediators are empanelled as IIAM Mediators and as per the IIAM Mediator Accreditation System (MAS), they are categorized as Grade A to Grade D. Mediators are entitled for upgradation based on the IIAM Qualifying Assessment Programs (QAP).

Eligibility for Application:

A qualified mediator, trained under a professional mediator training program of atleast 40 hours, recognised by IIAM, who completes 200 hours of mediation, spread over at least 20 mediations, is eligible to apply for IMI Certification.

The Applicant shall provide documentary evidence to show the level of experience as a mediator. This could be approved logbooks specifying the experience as a mediator, including dates and duration of mediations, capacity (eg. sole or co-mediator) or supporting evidence such as references, feedback forms etc. IMI Certification will be made based on the guidelines issued by IMI.

The Applicant will be entitled to avail the benefit of attendance in recognized CPD programs, like mediation/conciliation workshops, seminars, conferences, training programs, courses etc. The hours of CPD can be taken in lieu of hours of mediation, provided only a maximum of 40 CPD hours will be accepted.

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.

IIAM Grade B Mediator, who completes 200 hours of mediation, spread over at least 20 mediations and successfully complete the Qualifying Assessment Program (QAP 3), will be entitled for IMI (International Mediation Institute) Certification. Applicant shall provide documentary evidence to show the level of experience as a mediator. This could be approved logbooks specifying the experience as a mediator, including dates and duration of mediations, capacity (eg. sole or co mediator) or supporting evidence such as references, feedbackforms etc.

The Applicant will be entitled to avail the benefit of attendance in recognized CPD programs, like mediation/conciliation workshops, seminars, conferences, training programs, courses etc. The hours of CPD can be taken in lieu of hours of mediation, provided only a maximum of 10 CPD hours will be accepted for QAP 1 and only a maximum of 40 CPD hours will be accepted for QAP 3.

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.

As per the QAP, the Applicant shall provide proof of having completed at least 40 hours of training in mediation theory and skills in one or more training programs and at least 10 CPD hours. Any article or presentation given by the Applicant on Mediation will be given an equivalent of 2 CPD hours. The applicant can avail a maximum of 4 CPD hours under this category.

Applicant will have to demonstrate mediation knowledge by submitting an assignment given to him/her which would cover topics on negotiation theory,

mediation theory, mediation rules, professional code and ethical standards. On evaluation of the assignment, the candidate should get a minimum of 55% score. On failure to get the minimum grade, the candidate will be able to apply again, only after a period of 3 months.

On failure to get the minimum grade, the candidate will be able to apply again, only after a period of 3 months.

Guidelines to Assessors for Mediation Knowledge Evaluation:

Knowledge of negotiation/mediation theory:	25%
Knowledge of Mediation rules:	20%
Knowledge of mediation ethics & code:	20%
Fairly & accurately presenting the matter & assessment of the issue	25%
Confirming with time schedule and number of words:	10%

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.

Eligible Mediator, who successfully completes the Mediation Knowledge evaluation, will be evaluated for mediation skills. This shall consist of three modes:

1. Assessment based on a role play assigned to the applicant, or by evaluating a real mediation where the applicant acts as a sole mediator. In exceptional cases, IIAM may seek the IMI Independent Standard Commission's approval to qualify individual mediators for IMI Certification without role play assessment, but through an interview between the Applicant and Assessors or by other means of assessing an applicant's competency in mediation, proposed by the applicant and approved by IIAM.
2. Assessment of Feedback forms of at least 10 mediations conducted by the applicant.
3. Assessment of Mediator Skills Evaluation form collected from 5 individuals who have witnessed the Applicant acting as a mediator (e.g. parties, counsel, or co-mediator).

The candidate should obtain a minimum of 55% score in the role play evaluation and should have at least a minimum of 60% "3" rating or above in the Feedback and Evaluation forms.

On successful evaluation, the Feedbacks and Evaluation Forms could become a base for the Feedback Digest which would be put into the IMI Certified Mediator Profile.

Guidelines to Assessors for Mediation Skill (Role play) Evaluation:

Ingenuity and ability to communicate and facilitate dialogues:	20%
Style, Poise, Courtesy & Demeanor:	10%
Understanding of mediation theory & practice:	10%
Covering the topics pertaining to the dispute:	20%
Reflection of experience as a Mediator:	10%
Time Management and Organisation:	10%
Structuring the mediation process (including plenary & caucus sessions) in a logical manner:	20%

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 benchmarks and criteria applied by IIAM QAP are published in the IIAM website in the link <http://www.arbitrationindia.com/htm/ neutrals.html>. This is openly accessible to all.

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.

Assessors & Fee: The Assessors for IMI QAP will comprise of IMI Certified Mediators and/or former Judges. For each evaluation, there would be two Assessors. Fee for IMI QAP: Rs. 20,000/- + 18% GST.

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.

For evaluating the mediators under QAP, the Assessors will be given guidelines for evaluating mediation knowledge and mediation skills. This is to ensure that the QAP's Assessors evaluate the mediators on a consistent application of high quality standards. The adherence to the guidelines also conform that the standard of evaluation and outcome is the same for all Assessors, in identical situations, thereby ensuring the consistency of appraisal ratings. Assessors will assess Applicants based on the written documentation and role play required in Criteria 1 to 3 as per the Guidelines given to them. IIAM will monitor that the Assessors evaluate the mediators based on the guidelines. IIAM shall also monitor the performance and practice of the Assessors based on their (i) responsiveness, (ii) timeliness, (iii) meticulousness, and (iv) impartiality. Assessors will be invited to assist IIAM to improve the QAP and to develop high 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 IIAM Accreditation and Qualifying Assessment Programs 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. The Mediator accreditation will be purely based on evaluation under the respective QAP's. Training or Orientation programs on mediation received by candidates, on equal rating with IIAM programs as accepted by IIAM, will entitle the mediator to apply under the IIAM QAP's.

Records for Accreditation

1. The credit for hours of mediation done by the applicant will be recorded in accordance with the Mediation Record Form maintained by IIAM or any other authentic record revealing the hours of mediation done by the applicant.

2. Evaluation forms are separate from the Feedback forms. Same individual shall not provide both Evaluation and Feedback forms. Persons giving Evaluation forms must have direct experience with the mediation process. Applicant shall provide the contact information for these individuals to enable IIAM to send them the Evaluation Form and Guidelines.
3. The applicant shall be entitled to avail the benefit of attendance in recognized CPD programs, like mediation/conciliation workshops, seminars, conferences, training programs, courses. The hours of CPD can be taken in lieu of hours of mediation, provided only a maximum of 40 CPD hours will be accepted for IMI QAP. The self-attested certificates of such programs and self-attested copies of articles written by the applicant shall be produced for availing this.

Procedure for Consistent QAP Evaluation

For evaluating the mediators under QAP, the Assessors will be given guidelines for evaluating mediation knowledge and mediation skills. This is to ensure that the QAP's Assessors evaluate the mediators on a consistent application of high quality standards. The adherence to the guidelines also conform that the standard of evaluation and outcome is the same for all Assessors, in identical situations, thereby ensuring the consistency of appraisal ratings. Assessors will assess Applicants based on the written documentation and role play as per the Guidelines given to them. IIAM will monitor that the Assessors evaluate the mediators based on the guidelines. IIAM shall also monitor the performance and practice of the Assessors based on their (i) responsiveness, (ii) timeliness, (iii) meticulousness, and (iv) impartiality. Assessors will be invited to assist IIAM to improve the QAP and to develop the high standards.

IMI Certified Mediators and Retired Judges who are empanelled as Neutrals with IIAM, are independent of the Institution and have no administrative or policy connection with the Institution. Those IMI Certified Mediators or retired Judges who are members of the Institution or members of the Governing Council of the Institution will be put in as Assessors only along with another Assessor who is independent of the Institution.

Guidelines to Assessors for QAP Evaluation

Mediation Knowledge Evaluation:

- Knowledge of negotiation / mediation theory: 25%
- Knowledge of mediation rules: 20%
- Knowledge of mediation ethics & code: 20%
- Fairly & accurately presenting the matter & assessment of the issue: 25%
- Confirming with time schedule and number of words: 10%

Mediation Skill Evaluation:

- Ingenuity and ability to communicate and facilitate dialogues: 20%

- Style, Poise, Courtesy & Demeanor: 10%
 - Understanding of mediation theory & practice: 10%
 - Covering the topics pertaining to the dispute: 20%
 - Reflection of experience as a Mediator 10%
 - Time Management & Organization: 10%
 - Structuring the mediation process (including plenary & caucus sessions) in a logical manner: 20%
-
- For more details about IMI Certification, please visit:
<http://imimmediation.org/imi-certification-in-a-nutshell>
 - For details about IIAM QAP for IMI Certification, please visit:
<http://imimmediation.org/qap-profile-iiam>
-

To view the website of IIAM, [click here](#)