

## **Academy of Professional Family Mediators (APFM)**

### **Introductory 40-Hour Family & Divorce Mediation Training Program Guidelines**

**Approved by the Board of APFM on December 22, 2014**

**(Version 3.8)**

**Project Coordinator: Anju D. Jessani at [ajessani@dwdmediation.org](mailto:ajessani@dwdmediation.org)**

#### **Introduction**

APFM has developed guidelines for approving Introductory 40-Hour Family & Divorce Mediation training programs with the goal of casting a wide net and allowing for customization and flexibility of these programs. Additionally, different states have court and other programs that have their own specific requirements that trainers will incorporate into their programs so that programs can meet the needs of both private and court mediators. These guidelines incorporate much of what was previously utilized by the Academy of Family Mediators and the Association for Conflict Resolution.

In order to implement APFM standards, trainings and trainers previously approved by other organizations will not be grandfathered so that all trainers and training programs approved by APFM will be based on APFM criteria. In developing the guidelines we involved trainers from many practice backgrounds. Our guidelines have been designed to be flexible and apply to all mediators, regardless of their profession of origin (e.g. attorneys, mental health professionals, financial professionals, etc.), who provide trainings and want to serve as instructors for introductory 40-hour family and divorce mediation training programs and seek approval of these programs from APFM.

These guidelines should be viewed as a work in progress that can be amended as needed. The guidelines consist of six sections:

- I. Sixteen Identified Training Outcomes for Training Approval
- II. General Guidelines for Training Approval
- III. Applicant's qualifications to offer training
- IV. The Student Manual
- V. Design of the program
- VI. Summary of Documentation Required for Introductory 40-Hour Family & Divorce Mediation Training Program Approval

### **I. Sixteen Identified Training Outcomes**

Introductory 40-Hour Family & Divorce Mediation Training Programs approved by APFM should ensure that participants can demonstrate the following knowledge and skills:

1. Understanding concepts about the importance of mediator influence and neutrality and their impact on creating and establishing an impartial, non-judgmental, non-evaluative and non-coercive process that ensures client self-determination;
2. Ability to explain what mediation is (within the dispute resolution context), what a mediator does, and to differentiate mediation from arbitration, negotiation, litigation, and other settlement processes;
3. Awareness of theories, research and literature underlying conflict and its resolution, and their application to family mediation;
4. Ability to clearly explain the terms of the Agreement to Mediate, including fees, and confidentiality;
5. Ability to screen cases for suitability for mediation and to self-assess one's skills and approaches for suitability for the case and the parties. In particular, an

understanding of the knowledge and skills required to effectively identify, assess and manage power imbalances including family violence, before accepting a case for mediation and on an ongoing basis. Ability to apply appropriate adaptations to the process to manage power imbalances, or potential for the same, including family violence, such as caucusing, including attorneys in the mediation process and conducting separate sessions. Also, ability to assist clients with safety planning before, during and after mediations. Knowledge of the principles and best practices for safe termination of mediation and referral to more appropriate process options.

6. Ability to assist the parties in surfacing and framing the topics to be discussed in mediation;
7. Awareness of the range of emotional reactions to separation and divorce for separated and divorcing adults and their children;
8. Ability to manage data, documents, information from third-party experts, and other information encountered in separation/divorce mediation in order to develop a comprehensive divorce agreement;
9. Ability by mediator to facilitate communication between the parties (and if appropriate, their counsel) by using a range of specific skills (e.g., active listening, reframing) in developing and maintaining an effective working relationship;
10. Understanding the importance of each jurisdiction's specific rules and laws concerning divorce;
11. The ability to facilitate problem-solving between the parties in the areas of co-parenting, child and spousal support, division of assets and debts, and the tax aspects of divorce;

12. Knowledge of ethical issues in mediation, including standards of practice and review of common case situations, in order to practice in an ethical manner, and avoid areas of potential liability;
13. Knowledge of technology that would be helpful to the family and divorce mediation process, such that the mediator can competently utilize child support guideline software, parenting time software ,if appropriate, alimony support guideline software, spreadsheets, and teleconference vehicles;
14. Self-awareness of one's own mediation abilities and limitations, and when and how to consult with and/or refer a case to another mediator, when appropriate;
15. Ability to recognize when the assistance of additional professionals might be helpful to the mediation process and the ability to facilitate this discussion with the parties;
16. Awareness of resources for a mediator to obtain additional knowledge, training, skills, or mentoring. (These areas of knowledge may include but are not limited to: Children with special needs, children or adults with disabilities, personality disorders, LGBTQ issues, substance abuse issues, culturally diverse backgrounds, complex financial instruments, estate planning, and tax issues).

## **II. General Guidelines for Training Approval**

Introductory 40-Hour Family and Divorce Mediation Training Programs are viewed by APFM as introductory courses for the family and divorce mediation practitioner-to-be. They differ from more generic mediation training programs in that they are family and divorced-focused. APFM approved training programs,

including skills-building and role-play exercises, must reflect this focus. Training approval for programs will be based upon three distinct components of the application:

1. The applicant's qualifications to offer training;
2. The training materials (for example: student manual, handouts, books); and
3. The design of the training program.

Applications shall be submitted to the APFM Training Committee, via submission to the APFM Administrative Office address. Approval of said trainings shall be by the APFM Training Committee or its designated subcommittee. In the event an application is denied and the applicant wishes to appeal this decision, the APFM Board shall make the final decision.

### **III. Lead Instructor's Qualifications to Offer Training**

Minimally, the lead instructor for a Introductory 40-Hour Family & Divorce Mediation Training Program must be an Advanced Mediator of APFM, Advanced Practitioner member of ACR's Family Section, or show equivalent accreditation credentials. The lead instructor must also have previous experience as a presenter in relevant workshops, seminars, and courses.

To ensure relevance of past and current experience, lead instructors must be active in mediation practice. Active involvement in the field (e.g., service on local councils, participation in continuing education opportunities, etc.) is desirable but not required. Please submit the following: curriculum vitae or resume evidencing mediation and presentation experience, no fewer than 16 completed evaluation forms from previous Introductory 40-hour Family and Divorce Mediation trainings.

[Note re: 16 Evaluation forms from previous 40-hour programs]: If you are seeking approval for a newly launched program, we will provide a conditional approval, pending receipt of this within 90 days of your actual program. (If you have less than 16

students in your class, please send in whatever evaluation forms you have for that session. Full approval of your class will be received upon receipt of 16 evaluations within a three year period. The committee will consider unusual circumstances to accept fewer evaluation forms.);

*Please note that any co-trainer in your program who participates actively for 20 hours or more must meet the same criteria.*

Trainers shall inform students of their training, experience and competence.

Please note that we reserve the right to request further information about your program, which may include excerpts of audio or video recordings of your trainings, contacting previous students who have taken your training for their feedback on the training, and conducting an audio or video teleconference to ask additional questions regarding both the content and instructional approach.

#### **IV. The Student Manual**

Please submit a clear and comprehensive training manual for students. Materials must be more than a compilation of materials from other sources. Your manual should be a reflection of your faculties' contributions to the training experience, and, therefore, some of the materials should be written by you or your faculty. While some copied materials written by leaders in the field are suggested, you should provide appropriate attribution.

While the manual for students taking training need not "stand alone," it should be substantial, so that when students are set to practice, they will be able to refer to the manual as a guide. A good question to ask is, "Would a student be able to return to the manual at a later date and pick up necessary knowledge or skills to improve his/her competency as a mediator?"

At a minimum, the manual and training materials should address the following content areas: conflict resolution, mediation theory, communication skills, divorce reactions and needs, legal aspects of divorce, child custody and parenting time, financial information including child and spousal support and division of assets and liabilities, tax aspects of divorce, ethics, and domestic violence (minimum of two hours). The manual should also include dilemmas and case studies for exercises in reframing, questioning, summarizing, agenda setting and other useful skills.

## **V. Design of the Program**

Please submit an outline and schedule for each day of your training program showing the time allotted to each topic, and the speakers(s) for that topic.

APFM reviewers are unable to observe the training program for which you seek approval, so it is important that you fully describe the nature of the training experience. To assist you in this effort, APFM has identified these 16 outcomes that we believe are basic requirements for any family and/or divorce mediation training program. Please complete a separate strategy sheet for each of the 16 outcomes and identify what strategies you will use to accomplish each goal. Write one to two paragraphs under each outcome to demonstrate your specific teaching methods and what trainees will experience. Submissions must contain a clear plan describing what information will be presented, how it will be delivered, and what opportunities your students will have to practice the skills involved. If referring to pages in your manual, please list the page numbers. Please note time frames in your training agenda to help reviewers identify where you are placing your emphasis.

Training programs should include a variety of approaches (discussion, lecture, role play, video, demonstration, etc.) and provide guidance on what students might need after completing the training. For example, what resources and suggestions will you provide for students to enhance their skills and increase their depth of

understanding of concepts? What opportunities or resources exist for students to gain experience and supervision necessary for successful practice of mediation?

Please also note the following:

**Assigned reading:** Many family and divorce mediation training programs include either mandatory or recommended assigned reading. While supplementary reading is encouraged, reading time may not be counted toward the Introductory 40-hour requirement.

**Role Play:** There is a significant difference between role-plays and demonstrations. The latter SHOW someone how YOU do something, while the former provide the student with the opportunity to develop and practice a skill and receive feedback on his/her mastery. A minimum of eight hours of role-play is required for 40-hour training programs. Please include your role-play scenarios with your application, and describe how each is incorporated into the training agenda and schedule.

**Student/Trainer Ratio:** Trainers should aim for a manageable student-to-trainer ratio to allow for individual instructor feedback, as well as peer feedback for role plays. Using additional trainers/coaches is encouraged for the role play phase of training. It is recommended that the student-to-instructor ratio for the class and for role plays be disclosed in the marketing materials for the class. Each role play group shall be supervised by a separate coach.

**Scheduling:** Training programs must be taught over five days or more for 40-hour programs. Breaks and lunches are excluded from hours needed towards the 40-hour requirement. Students who miss training time should be able to make up the missed time at a future training, and viewing videos and/or reading the course manual is not a substitute for class time.



Trainer participation: At all times, a trainer must be present who meets the requirements for APFM Lead Instructor.

## **VI. Summary of Documentation Required for Introductory 40-Hour Family & Divorce Mediation Training Program Approval**

Please indicate in your cover letter to AFPM when and where you plan to offer your Introductory 40-Hour Family & Divorce Mediation Training Program. If you plan to offer this program more than once, please indicate your schedule. With your letter, please also include the following:

1. CV for lead instructor or co-instructor(s) for 20 or more hours;
2. For lead or co-instructor(s) – please provide explanation of any previous accreditation credential/process that was undertaken by an organization other than APFM or ACR;
3. 16 evaluation forms from previous 40-hour programs. If you are seeking approval for a newly launched program, we will provide a conditional approval, pending receipt of this within 90 days of your actual program (If you have fewer than 16 students in your class, please send in whatever evaluation forms you have for that session. Full approval of your class will be received upon receipt of 16 evaluations);
4. Student manual;
5. Outline and schedule for each day of your training program showing the time allotted to each topic and the speakers(s) for that topic;
6. An analysis of each of the desired APFM 16 outcomes;

7. A signed affidavit that you have never had a professional license relevant to the practice of mediation suspended or revoked, that you are not currently the subject of an ethics complaint, that you have not been convicted of a felony, and that you are not aware of any disciplinary action against you. If any of these has occurred, please provide an explanation. Such information shall not necessarily be cause to deny approval. In the event of a denial and an appeal, the ultimate decision shall be made by the APFM Board;
8. Evidence of current Mediator Malpractice Insurance coverage; and
9. An affirmation that the training program has a financial aid policy (e.g. a reduced fee for participants in need).

Please mail application materials  
and payment of non-refundable  
fee of \$125 made out to APFM to:

Ann Marie Termini  
204 Crossgate Drive  
Clarks Summit, PA 18411

coparent@yahoo