

Brief description of the Mediators' Certification Program

The Mediators' Certification Program is mandatory component for entry into the mediator's profession, provided by the Law on Mediation, which equips future mediator with theoretical knowledge and mediation skills and enables his/her successful integration in the profession.

Mediators' certification program consists of three parts:

- ❖ Mediation/mediator's training;
- ❖ Testing practical skills of a person wishing to become a mediator;
- ❖ Developing the skills necessary for leading real mediation of a person wishing to be a mediator.

The mediator's training course is focused on provision of theoretical knowledge necessary for mediator and development of practical skills. The training course consists of at least 60-hour curriculum, developed and approved by LEPL "The Mediators Association of Georgia". The training shall be provided by any interested private person, with the approval of the LEPL "The Mediators Association of Georgia", upon accreditation and in accordance with the rule provided by the Mediators' Certification Program.

The Mediators Association of Georgia supports the organization and implementation of mediator training by various private institutions that have the relevant knowledge and experience and meet the requirements of the present program.

Testing practical skills of the persons wishing to become a mediator, is focused on testing the skills envisaged in the mediators' training, in accordance with the Mediators' Certification Program.

The part of development of the skills necessary for leading real mediation by the person wishing to become a mediator, is focused on practicing, understanding and improvement of the knowledge required by the mediators' training and testing.

Testing of practical skills, as a rule shall take place in two groups on annual basis. Testing of the first group starts in April (spring group), and the second – in October (autumn group). Admission for the program is provided based on preliminary registration, announced in January, for spring group and in September, for autumn group.

Transitional provisions of the Mediators' Certification Program envisage the rule, different from the common rule, which shall apply to the applicants who to become members of the association by January 2021 (inclusively).

The rule for implementation of the Mediators' Certification Program is regulated by statute approved by the general assembly of the association, given below:

Statute

Of the Mediators' Certification Program of LEPL the Mediators Association of Georgia

Article 1. Grounds for the statute of the mediators' certification program

The present statute was approved by the general assembly of the Mediators Association of Georgia (hereinafter – the Association), based on subparagraph “d” of paragraph 9 of article 14 of Georgian Law on Mediation, as well as on subparagraph 5 of paragraph 12 of article 11 and paragraph 2 of article 23 of the charter of the association.

Article 2. Essence and goal of the certification program

The Mediators' Certification Program of the Association (hereinafter the "Program") is a mandatory component for entry into the profession of mediator established by the Law of Georgia on Mediation, which provides a person with practical knowledge and mediation skills and facilitates his/her successful and qualified integration into the profession.

Article 3. Definition of terms

3.1. Mediators' Certification Program - a mandatory precondition for obtaining the status of a mediator under Article 14 (9) (d) of the Law of Georgia on Mediation, which consists of three parts.

3.2. Participant of the Mediators Certification Program - a capable natural person who has not been convicted and is registered as a participant in the Mediators' Certification Program in accordance with this statute.

3.3. Trainer - successful graduate of the training of trainers conducted by the association and / or under the joint auspices of the association and the international donor organization, in accordance with the program approved by the Association, who meets the requirements of this statute and is included in the unified list of the association trainers, by the decision of the executive council. A foreign citizen may obtain the status of a trainer for specific mediation / mediator training purposes, organized by the association, or the status of temporary trainer could be assigned to the foreign citizen, provided that programmatic or institutional accreditation shall also be obtained by the training conducted by him/her.

3.4. Person evaluating practical skills of the persons wishing to become a mediator/assessor - acting member of the Association, who by the decision of the executive board will be selected as a person evaluating practical skills of the person wishing to become a mediator, with the purpose of implementation of spring or/and autumn program.

3.5. Provider of the skills necessary for leading real mediation for the person wishing to become a mediator / mentor - acting member of the Association, engaged in court mediation program, who in every particular case will be assigned by the court mediation center, with the status of the mentor mediator.

Article 4. The rule for implementation of the Mediators' Certification Program

4.1. The mediators' certification program consists of three stages:

- ❖ Mediation / mediator's training;
- ❖ Testing practical skills of the person wishing to become a mediator;
- ❖ Developing the skills necessary for leading real mediation.

4.2. Mediation / mediator's training is at least 60-hour module of mediation/mediator's training, approved by association, and which is integral part of this statute (annex #1) and which could be implemented by any interested private person, upon the accreditation, in accordance with the requirements of the present statute. In particular, the association and the institutions, offering the mediation/mediator's training in full compliance with the standard provided by the mediation/mediators' certification program, are eligible for organizing and conducting the mediation/mediator's training.

4.3. Executive council of the association is authorized to define the list of international programs, providing the mediation/mediator's trainings in compliance with the requirements of the mediators' certification program or the executive board of the association, for the purposes of every individual application (description of the course, methodology and agenda shall be provided), evaluates the compliance of the content of the certificate issued upon completion/program, with the standards provided by the statute and grants or denies recognition of the submitted certificate.

4.4. The mediation training could at a time be attended by no more than 25 attendees, and the trainer shall be successful graduate of the training of trainers conducted by the association and / or under the joint auspices of the association and the international donor organization, in accordance with the program approved by the Association, who meets the requirements of this statute and is included in the unified list of the association trainers, upon the decision of the executive board.

4.5. In the course of implementation of the mediators' training, sufficient number of trainers shall be ensured, in particular – at least 1 trainer per 8 attendees.

4.6. Testing practical skills of the person wishing to become a mediator, as a rule is shall take place in two groups on annual basis. Testing of the first group starts in April (spring group), and the second – in October (autumn group).

4.7. The list of the persons evaluating practical skills of the individuals wishing to become a mediator/assessors is approved by the decision of the executive board of the association for purposes of the implementation of spring or/and autumn program. Preconditions for selection of the assessors shall be established by decision of the executive board of the association.

4.8. For purposes of testing practical skills of the mediators' certification program, the number of participants per each session shall not exceed to 200, who are registered based on preliminary registration. The person, who fails to get registered for the first session, will go through practical skills assessment on the next session. The association board is authorized to determine, for the purposes of testing practical skills, the number of participants on each session, at own initiative.

4.9. The testing shall take place at the office of association or/and alternative space provided by the decision of the association, for mentioned purposes.

4.10. The testing shall be carried out in accordance with the date and time determined by the executive board of the association, of which the program participants will be notified in advance.

4.11. The stage of development of the skills for leading real mediation, will be carried out by acting mediator of the association, engaged in the court mediation. For purposes of given stage, the board with its own decision defines/approves the regulations concerning the stage and the list of obligations to be fulfilled by the future mediator.

4.12. Passing the stage of developing the skills for leading real mediation depends on the number and terms of the mediation sessions ongoing in the court mediation centers, in which the engagement of the participants of mediation certification program is ensured by the association and acting court mediation centers, in accordance with the timing of ongoing mediations.

4.13. Successful graduation of the mediators' certification program by the participant is verified by respective certificate and positive recommendation, received upon passing the stage of developing the skills for leading real mediation.

Article 5. The rule of registration

5.1. The registration on practical skills test, as a rule shall take place in April – for spring group and in September – for autumn group.

5.1.1. Registration for the program is announced publicly, on the website and official Facebook page of the association.

5.1.2. The date of registration for the program shall be determined at least 10 calendar days after announcing the registration.

5.1.3. The registration shall take place electronically, by filling the application on the association's website.

5.1.4. The applicants shall attach to the application the following documents:

- (a) Copy of the ID card of the citizen of Georgia;
- (b) Health certificate – Form 100 (issued maximum 10 days before registration);
- (c) A certificate of conviction (issued maximum one month before registration);
- (d) Certificate of completion of mediation/mediator's training during last three years;
- (e) Biography (CV);
- (f) Digital color photo with 3X4 size;
- (g) Receipt of payment of the fee for testing practical skills.

5.1.5. Within 10 working days after the completion of the registration, the association shall verify the compliance of the documents submitted by the applicant with the formal requirements specified in this article. In case anything is missing, the applicant shall be notified of that, be provided with additional 3 working days for submitting missing documents.

5.1.6. The list of applicants, which are in compliance with formal requirements, shall be approved by the executive board and the status of program participant shall be granted to the person included in the list.

5.1.7. Within 7 working days upon approving the list of the program participants, they will be provided with the information on location and time of their assessment/testing.

5.2. The registration for purpose of developing the skills for leading real mediation, shall take place upon successful completion of practical skills test. In particular, the association ensures distribution of the person wishing to become a mediator, to respective court mediation center, as soon as such practical mediation becomes available, of which the association will notify the person wishing to become a mediator in advance.

Article 6. Mediators' Certification Program

6.1. The program aims to develop practical skills necessary for the mediator.

6.2. Training course consists of 60 hour curriculum.

6.3. In February 2021 the association will announce the call on applications from private organizations on programmatic accreditation of the course, the cost of which shall be 2.000 (two thousand) GEL.

6.4. The programmatic accreditation makes the applicant eligible to carry out mediation/mediator's training once, within the term provided by the application, in accordance with the program approved by the association.

6.5. The same applicant can receive programmatic accreditation for unlimited times during the year.

6.6. Upon submission of the application, the applicant shall provide to the association the following information:

(a) Date of conducting the training;

(b) The identity and number of the trainers in accordance with the rule and standards established by the statute;

(c) Information on the city and / or location of the training;

(d) Training program – indicating detailed agenda and methodology;

(e) The receipt confirming the payment of the fee for obtaining programmatic accreditation.

6.7. Upon completion of the training, the program participant will get a certificate which s/he may submit to the association for registration for the stage of testing skills for mediators' certification.

6.8 In January 2022 and every next year, the association will announce call on applications of the private institutions for institutional accreditation conducting the training course approved by the association during one calendar year, the cost of which shall be 5000 (five thousand) GEL.

6.9. Institutional accreditation enables the holder to provide unlimited number of trainings during one calendar year.

6.10. The executive board of the association reviews the application for programmatic and institutional accreditation and takes decision, within 30 calendar days upon registration of respective application.

Article 7. Program monitoring

The association is eligible to inspect the process of conducting training, by the programmatic or/and institutional accreditation holder, without advance warning, and in case of detecting violations give the

warning and time implementing organization to eliminate deficiencies or revoke the accreditation in accordance with the extent and level of the violation. The association board is entitled to revoke the accreditation in accordance with present rule and elaborate criteria and rule of revoking accreditation for the purposes of program monitoring by its decision.

Article 8. Document confirming completion of the mediators' certification program

After completing all the steps of the mediator's certification program, based on the verification of the relevant certificate / assessments, the association will issue the document certifying the completion of full certification program (certificate), which is the precondition for entry into the profession.

Article 9. Mediator certification program fee

9.1. Mediator's training, as part of the mediators' certification program is paid and fees are determined by organization implementing the training.

9.2. Testing of the mediators' skills is paid and fees are determined by the executive board of the association at its own decision.

9.3. Testing skills for leading real mediation is free of charge.

9.4. Person registered in general database of socially vulnerable families, upon decision of the executive board shall be eligible to go through mediator's skills testing free of charge,

Article 10. Transitional provisions

10.1. The present statute shall become fully effective from 1 January 2021.

10.2. The statute does not apply to the persons, envisaged by the articles 10.2 and 10.3, the standard of whose entry into the profession shall be defined in accordance with the following rule:

(a) to persons, who before the entry into force of the Georgian Law on Mediation acted as mediators or/and co-mediators at Tbilisi City Court, Rustavi City Court, Mtskheta District Court and Gori District Court, which shall be proved by respective certificate. Such persons will be eligible to apply to the LEPL Mediators Association of Georgia and become its members, upon passing the stage of developing the skills for leading real mediation, in accordance with mediators' certification program and the rule developed based on the program.

(b) persons, who have attended at least 40-hour mediation/mediator training, before adoption of the mediators' certification program, apply to LEPL the Mediators Association of Georgia for recognition of the mentioned training. Once training is recognized by the executive council of association such persons will have opportunity to apply and become members of the LEPL Mediators Association of Georgia after passing the stages of practical skills test and stage of developing skills for leading real mediation, in accordance with the rule provided by the mediators certification program. Instead of such individuals, the training institution which provided mediation/mediators training may apply to the Association for recognition of the training, provided that participant's consent is attached to the application. In any case, the description of attended course, methodology and agenda shall be attached to the application for recognition.

10.3. Executive board of the association, will accept:

a. the applications of the persons envisaged by the article 10.2 (a) of present statute from 1 September 2020 to 30 November 2020;

b. the application on recognition envisaged by the article 10.2 (b) from 1 September 2020 to 30 November 2020, while review of received documentation and decision making will last up to 30 January 2021 and for the persons of this category, the association shall ensure test in practical skills, by April 2021.

10.4. Mediator of any country is eligible to apply to the executive council of the association, with the request for membership for particular time, when:

(a) term for membership shall not exceed 2 years;

(b) the fact of selection for the person interested in participation in private mediation shall be proved.

(c) application for membership shall be accompanied by the receipt proving the payment of membership fee for every requested month, compiling 300 GEL.

10.5. For purposes provided by the article 10.4, one and the same person can additionally apply to the association in case of prolongation of the mediation process, however shall prove the facts established by the articles 10.4 and 10.5.

10.6 Since 2021, for the initial establishment of the court mediation centers and provision of the courts with mediators, mediation / mediator training will be provided by a private institution having program / institutional accreditation or, in the absence of appropriate resources, the association. In the case of a private institution, this right shall be granted to the person who, the first applies to the Association for the authorization to conduct such training and to obtain program / institutional accreditation. For the purposes of the primary establishment of court mediation centers, the mediation / mediator's program should be administered in coordination with the association and the High Council of Justice of Georgia, which includes selecting candidates for the mediator certification program through interviews and so on.

10.7. During 2020, prior to the enactment of the present rule, the association will conduct mediation / mediator's training for the purposes of the court mediation centers, in cooperation with international donor organization.

10.8. In case of refusal to the membership of the person wishing to become a mediator, the decision of association is subject to appeal in accordance with general rule.

Annex:

Mediator's / mediation training module.