

Dispute Resolution Commission

A G E N D A

February 11, 2005

10:00 a.m.

**Nelson Mullins Riley & Scarborough, LLP
GlenLake One / 2nd Floor
4140 Parklake Avenue
Raleigh, NC**

- I. Welcome and Introduction -- Judge Steelman
- II. Administration of Oaths -- Judge Steelman
- III. Approval of Minutes -- Judge Steelman
- IV. Office Report -- Leslie Ratliff
- V. Committee Reports:
 - A. Executive Committee – Judge Steelman

See enclosed copy of the Commission Rules labeled “Executive Committee Proposed Revisions” and enclosed copy of N.C. Gen. Stat. § 7A-38.2(a).

 - 1) Additional revisions to Commission Rules:
 - (i) Rule IV.B., Quorum;
 - (ii) Rule IV.C., Public Meetings; and
 - (iii) Rule VII, Mediator Conduct.
 - 2) Discussion of referral of revisions to § 7A-38.2(a) adopted at last Commission meeting back to Executive Committee.
 - 3) Authorization to Commission Chair to write letter to AOC Director regarding § 7A-38.2(a) and possible further revisions.
 - B. Program Oversight Committee -- Judge Lee
 - C. Mediator Training and Certification Standards Committee -- Mr. Criner

For additional information and handouts pertaining to each of the following agenda items see the enclosed packet from Sherman Criner.

- 1) Proposed disclaimer language to be inserted as a preface to information supplied to the Commission by mediators for the purpose of dissemination to the public.
- 2) Proposed disclaimer language to be inserted in applications for certification and certification renewal to alert mediators to the possibility of local rules impacting eligibility to receive court appointments.
- 3) Proposed language to be added to the MSC and FFS Trainer Guidelines addressing trainer advertising.
- 4) Proposed removal of the city search field from the Commission's web site at:
<http://www.nccourts.org/Citizens/CPrograms/MSC/Mediators/Default.asp> and at
<http://www.nccourts.org/Citizens/CPrograms/FFS/Mediators/Default.asp>
- 5) Proposed Revisions to the Inactive Status Policy.
- 6) New Lapsed Status Policy.
- 7) Discussion of whether CME should be made mandatory.
- 8) Discussion of whether certification should be a requirement for mediation in the courts whether upon party selection or court appointment.

D. Standards and Discipline Committee -- Ms. Bernholz

For additional information and handouts pertaining to each of the following agenda items see the enclosed packet from Dottie Bernholz.

- 1) Report on complaints and applications pending before this Committee.
- 2) Proposed Advisory Opinion #08-05 and discussion of dispositive issue matter.
- 3) Proposed revision to mediator evaluation form.
- 4) Request for feedback on Draft #2 of a proposed protocol to assist staff and this Committee in processing complaints.
- 5) Recommendation for further revisions to Commission Rules VIII.A.3.d and A.4.a. (page 3 of enclosed Commission Rules).

E. Report of the Commission/Section's Ad Hoc Committee to develop mediation program for Clerks of Superior Court -- Mr. Little.

Please see the attached, proposed statute and rules.

- 1) Consideration of and vote on enabling legislation and plans to seek adoption.
- 2) Overview of proposed rules and opportunity for feedback from Commission.

F. Liaison Reports:

- 1) Dispute Resolution Section and federal court program -- Mr. Laney
- 2) Industrial Commission -- Mr. Schafer
- 3) Dispute Settlement Centers -- Ms. Seigle
- 4) Administrative Office of the Courts -- Mr. Van Der Puy
- 5) Judicial Support Staff -- Ms. Wrenn

G. Scheduling of Future Meeting Dates -- Judge Steelman

H. Other Business -- Judge Steelman

Consideration of Resolution regarding Mr. Little's travel expenses.

I. Adjournment