



## **Advertising Guidelines**

(Adopted by the Dispute Resolution Commission on May 16, 2003;  
Revised and adopted on September 10, 2011.)

### **1. REPRESENTATION OF MEDIATOR CERTIFICATION(S)**

When advertising that s/he is certified by this Commission, a mediator shall specify certification by the NC Dispute Resolution Commission, Dispute Resolution Commission, NCDRC or DRC. A mediator should not identify him/herself as certified by the Administrative Office of the Courts or the Courts. Because of the number of mediation programs now operating in the North Carolina courts, it could be misleading to the public and the bar for a mediator simply to offer him/herself as “certified” without specifying the program or the type of mediation to which the certification pertains. Thus, a mediator shall also identify that s/he is certified to conduct superior court mediations, family financial mediations, district criminal court mediations and/or mediations of estate and guardianship cases. A family financial mediator certified by the Dispute Resolution Commission shall not hold him or herself out as certified to mediate custody or visitation matters.

Although both the Superior Court and Family Financial Settlement Program Rules provide a menu of dispute resolution processes, certification pertains only to the mediated settlement conference option. Because the DRC does not certify neutral evaluators, arbitrators, or presiding officers, a mediator shall not hold him/herself out as certified by the Commission to serve in these capacities.

If a mediator allows his/her certification to lapse, *i.e.*, the mediator does not renew prior to June 30<sup>th</sup> of any given fiscal year, the mediator shall immediately remove any certification designation from his/her letterhead, business cards, web site and/or other advertising. If a mediator voluntarily relinquishes his/her certification and notifies this Commission or if this Commission revokes a mediator’s certification, the mediator shall immediately remove the certification designation from his/her letterhead, stationery and/or other advertising.

#### **APPROVED EXAMPLES:**

NCDRC Certified Mediator – Superior Court & Family Financial, Clerk of Court, Special Proceedings, Estates & Guardianship, District Criminal Court

NCDRC Certified Superior Court Mediator, Clerk of Court, Special Proceedings, Estates & Guardianship, District Criminal Court

DRC Certified Mediator – Superior Court, Clerk of Court, Special Proceedings, Estates & Guardianship, District Criminal Court

DRC – Certified Family Financial Mediator, Clerk of Court, Special Proceedings, Estates & Guardianship, District Criminal Court

## **2. REPRESENTATION OF OTHER QUALIFICATIONS, INCLUDING DEGREES HELD**

When advertising or marketing his/her mediation practice to the public, a mediator shall avoid making any false or potentially misleading representations regarding his/her education, work experience, training or other qualifications to serve as a mediator.

The Commission is particularly concerned about the number of unaccredited or self-accredited institutions now awarding undergraduate and advanced degrees, including J.D. degrees and Ph.D. degrees. In evaluating degrees submitted for purposes of certification, the Commission insists those degrees be awarded by institutions which have been accredited by accrediting authorities recognized by either the Council for Higher Education (CHEA) or the U.S. Department of Education.

The Commission affords mediators an opportunity to market their practices to attorneys and the public by posting biographical information on the Commission's website at [www.ncdrc.org](http://www.ncdrc.org). The Commission has determined that mediators shall not identify themselves in their postings as holding degrees when those degrees were awarded by institutions that have not been accredited by authorities recognized by either CHEA or the Department of Education. Moreover, mediators shall not indicate on the Commission's website that they have studied at or completed course work at such institutions. If a mediator has questions about whether an institution s/he attended is recognized by either CHEA or the Department of Education, she or he may contact the Commission's office.

In addition, the Commission discourages mediators and mediation trainers working with Commission certified programs from coupling notice of DRC mediator or training program certification with representations that the mediator/trainer holds certain, specified degrees when those degrees were awarded by unaccredited or self-accredited institutions, including coupling such information on mediator/trainer letterhead, business cards, websites, or other marketing/registration materials intended for consumers of mediation or mediator training services.