

used for the Parenting Act, will be approved under the state mediation center rules. We identified what those were last time. We had special qualifications and it was from that source or a conciliation court, rather, that you would draw the appropriate mediator. An additional thing this amendment does is to indicate special training that family mediators ought to have. The original bill just says 30 hours. This identifies particular knowledge that a family mediator ought to have, including knowledge of the court system, knowledge of family law, knowledge of resources that the state might have to which the children could be referred to or the parents, and a general knowledge of child development, clinical issues, and the effect of marriage dissolution on children. In other words, it's not just general training in mediation. It needs to be a mediator trained in family and children issues that's going to do the work. We identify this as part of the special training they'll receive. It also clarifies the rules with respect to the conflict of interest. There may be a limited number of mediators out there and available. It's possible that they will have done work for one or the other of the two marriage partners. The bill clearly says that's a conflict of interest. Those can't serve as mediators. It is also the case that it's possible to have a mediator who has been the lawyer for both sides. That also needs to be explained and gone over with the parties and this identifies the obligation of the mediator to explain the conflict of interest, or the potential conflict of interest that might exist and to put all those elements on the table. Another thing this amendment does is to allow the intake interview with one of the parties to be done by telephone. We have a very sparsely populated state in certain sections. It will be a difficult thing to implement to have, first, a personal interview with one side, followed by a personal interview with the other side, followed by a joint meeting with both. In areas of the state, that may be difficult to do. People that I know who've experienced mediation and trying to run a rural center of mediation say it's difficult enough to get them there one time. To get them there three times would be very hard. Allow the intake interviews to be done by telephone if possible, that's the way rural centers are now running, and this allows for that telephone intake interview. Lastly, it indicates that the center should develop screening guidelines and I'll tell you why. There's a very subtle, difficult issue running throughout family mediation and that is the presence of violence. In the event you have a situation in which violence has been a part of the family, parties may not want to mediate.