



Mediation Program **Information for Mediator Applicants**

Thank you for your interest in volunteering for the Mediation Panel of the U.S. District Court for the Southern District of New York. The Mediation Program is run under Local Civil Rules 83.9 and 83.10, and the Procedures of the Mediation Program, all of which are available at: www.nysd.uscourts.gov/mediation.

The U.S. District Court for the Southern District of New York serves a wide variety of litigants, including persons of varying age, race, ethnicity, national origin, gender, sexual orientation, physical or mental ability, religion, socioeconomic and family status. The Court's Mediation Program recognizes that mediators with a wide variety of cultural and life experiences enrich the mediation process by bringing diverse perspectives to resolving disputes. To accomplish these goals, it is important that the Court's Mediation Program attract and retain *pro bono* mediators who represent a range of personal and professional backgrounds who can, thereby, better serve, and instill confidence in, mediation participants. To that end, applicants of all diverse backgrounds and experiences are encouraged to apply for admission to the Mediation Panel.

Mediation Panel Application Criteria (Including Training Requirements)

An individual may apply to serve as a mediator if he or she satisfies the following criteria:

- a. Is a member in good standing of the bar of any United States District Court;
- b. Has substantial exposure to mediation in federal court or has mediated cases in other settings;
- c. Has successfully completed an initial mediation training of at least 30 hours within the last three years or, if the initial mediation training was completed more than three years ago the applicant has:
 - i. served as a mediator in more than 5 disputes during the last three years, or
 - ii. successfully completed during the last three years at least one other mediation skills training, apprenticeship program, or practicum;
- d. Provides a letter of reference from a party, mediation training provider, colleague, judge, court administrator, or appropriate staff person with a public or private dispute resolution organization, that specifically addresses the applicant's mediation process skills including the ability to listen well, facilitate communication, and assist with settlement discussions; and
- e. Is willing to participate in training, mentoring programs, and ongoing assessment as detailed in section (17)(d).

Mediation Panel Application Process

- a. Approximately once a year the Mediation Program will review all pending applications. Applicants will be notified whether or not they have been selected for an interview. Consistent with Standard IV of the Model Standards of Conduct for Mediators, all mediators asked to continue on past the

interview are required to observe at least three cases and participate in a mentor mediation before undertaking to mediate cases on his or her own.

- b. The purpose of the mentor mediation is for the incoming mediator to take the lead with a mentor mediator there to provide support and step in (as needed) to maintain the quality of the process. The mentor mediator will also provide a recommendation as to the incoming mediator's readiness to join the panel.
- c. The process of observation and acceptance of a matter for mentor mediation should take no longer than six months.



Mediation Panel Application

A complete application includes:

1. This application form.
2. A certificate of good standing from a United States District Court.
3. A current resume.
4. A letter of reference from a party, mediation training provider, colleague, judge, court administrator, or appropriate staff person with a public or private dispute resolution organization, that specifically addresses the applicant's mediation process skills including the ability to listen well, facilitate communication, and assist with settlement discussions.

Incomplete applications will not be considered.

GENERAL INFORMATION

Name:

Work Phone:

E-mail Address:

Office Name and Address:

Website:

MEDIATION EXPERIENCE

1. Have you ever served as a mediator in federal court?
 Yes (Please list approximate number of cases and case types) No

2. Have you served as a mediator in other settings? Yes No

3. If the answer to #2 was Yes, please list the other organizations where or under which you serve(d) as a mediator, as well as the approximate number and type(s) of cases mediated for each organization.

| <u>Organization(s)</u> | <u>Dates of Service</u> | <u># of Cases</u> | <u>Type(s) of Cases</u> |
|------------------------|-------------------------|-------------------|-------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

4. Please describe any other mediation experience, including as a participant or party representative:

MEDIATION TRAINING

To be considered for the SDNY mediation panel you must have a) successfully completed an initial mediation training of at least 30 hours within the last three years or, b) if the initial mediation training was completed more than three years ago, have served as a mediator in more than 5 disputes during the last three years, or successfully completed during the last three years at least one other mediation skills training, apprenticeship program, or practicum.

5. If not already included in your resume, please provide information about a) your training in basic mediation and/or b) any other mediation trainings/apprenticeships.

| <u>Dates</u> | <u>Total # of Hours</u> | <u>Topic(s)</u> | <u>Trainers' Names</u> | <u># of Role Plays</u> |
|--------------|-------------------------|-----------------|------------------------|------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

SERVING AS A MEDIATOR

6. Are you willing to participate in an apprenticeship during your first year on the panel including observing mediations, co-mediating with other panel members, and undergoing supervision and assessment before mediating independently?

Yes No

7. How many cases per year for the Southern District of New York would you be willing to do as a volunteer mediator (the minimum is 2 cases per year):

8. Please "X" the case types in which you have subject matter expertise:

| | | | | | | |
|--------------------------------------|---------------|---------------------------|------------------|---------------|-----------------------|------------------------|
| 1983 (Police Misconduct Claims Only) | accounting | admiralty | antitrust | aviation | banking | bankruptcy |
| civil rights | class actions | commercial | construction | contracts | copyright | corporate |
| disability act | education | employment discrimination | energy | entertainment | environment | ERISA |
| family | finance | foreclosure | general business | health care | intellectual property | international |
| labor law/FLSA | civil RICO | legal malpractice | libel/slander | maritime | media | medical malpractice |
| mergers and acquisitions | municipal | patent | personal injury | probate | product liability | professional liability |
| real estate | securities | shareholder disputes | taxation | torts | trademark | trusts and estates |
| veterans' claims | Pro se | consumer credit | | | | |

Other areas of expertise:

9. In what locations are you available to conduct mediation sessions:

Manhattan White Plains Both

10. Have you ever:

- a. been part of any civil, criminal or administrative proceeding charging you with conduct involving dishonesty, unethical conduct or commission of a crime?
Yes No

- b. been disciplined or cited for a breach of ethics or unprofessional conduct by any court?
Yes No

- c. been denied pro hac vice admission to this Court?
Yes No

If Yes, explain:

Date:

Name:

Signature:

Please return the complete application to:

Mediation Office: Mediator Application
United States District Court
Southern District of New York
40 Foley Square, Suite 120
New York, New York 10007
Email: mediationoffice@nysd.uscourts.gov

The submit button below will automatically attach this application to an outgoing e-mail if your computer is configured to do so through Adobe reader. Alternatively, please save the application to your computer and manually attach the document. Please send all of the required components of the application in one e-mail or via snail mail.