



# Metropolitan Mediation Services

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<http://metromediation.org>

## CAREER / CERTIFICATION FAQ

Many people who gain mediation skills through MMS' or other similar trainings find those skills to be enriching in their work, family, or social lives. Those who are considering using the new skills to develop a professional mediation practice should consider the following:

### **HOW CAN I BECOME QUALIFIED OR CERTIFIED TO BE A MEDIATOR?**

- The question of how to become qualified as a mediator is complex. It is the view of MMS that there is no such thing in Massachusetts as a "certified mediator." There are many programs (including MMS) that provide trainings and other programs that produce a certificate. These certificates certify completion of the activity, but they do not certify qualification to practice by a common, objective standard.
- There is no standard, uniformly defined qualification to function as a mediator (in Massachusetts.)
- Many programs and many mediation panels have their own sets of qualification standards.
- Aspiring mediators often must put together a "package" of qualifications.
- A training program (such as that offered by MMS) is generally a necessary part of any such package, but it is not, by itself, sufficient by most standards.
- Almost any set of qualification standards also requires that a candidate have some quantity of experience in practice, sometimes in a mentored or supervised setting. At MMS, we also offer a program where mediators who have completed training can receive such supervised/mentored experience.
- Beyond the training and mentored practice described above, established panels of mediators often require various other experience, training, credentials, or continuing education for a candidate to be qualified.
- For someone intending to establish a new mediation practice, it also helps to have access to a community with whom one has connections and credibility to act as a source of self-referrals or third party referrals. Keep in mind that relationships with self-referred parties can sometimes create problems of real or perceived bias or partiality.

### **WHAT ARE SOME EXAMPLES OF MEDIATOR QUALIFICATION STANDARDS?**

- Massachusetts Supreme Judicial Court Uniform Rules on Dispute Resolution – Rule 8 (Qualifications) and associated guidelines. These standards are only obligatory in cases referred by Massachusetts courts. Excerpts of the mediator related portions of the rule and guideline are at: <http://metromediation.org/Rule8&Guidelines.pdf>
- Massachusetts Council on Family Mediation, Inc. certification standards for family mediators: <http://www.mcfm.org/sites/default/files/pdfs/CertRequirements112107.pdf>
- The Massachusetts statute (MGL Ch. 233 s. 23C) protecting confidentiality of communications in mediation also defines a mediator *only for the purposes of that statute*, creating a very minimal kind of "qualification standard." The definition of a mediator is somewhat convoluted and difficult to interpret. This definition includes minimum training, experience, and/or affiliation. Though these statutory requirements do not expressly prohibit practice by those not fulfilling the requirements, the statutory protection of confidentiality is considered by most to be very important to a mediation practice: <http://www.mass.gov/legis/laws/mgl/233-23c.htm>

### **SO, HOW DO I START A MEDIATION CAREER?**

- Get trained (Consider MMS' training.)
- Build your skill and credibility with experience, such as through participation with a community program and/or supervised/mentored practice.
- Network, network, network. Join professional associations, such as ACR and NEACR.
- Build on your other professional experience and networks (Attorney? Social Worker? Real Estate?...)
- Gain admittance to existing panels of mediators and/or have a business plan with a defined target client population and referral path.
- Expect it to take time and require patience and persistence. Some do it fast. Others never make it.
- And don't forget... Keep volunteering with MMS!

Also see a good 2006 blog by Diane Levin:

<http://mediationblog.blogspot.com/2006/01/getting-it-straight-understanding.html>

More questions? Interested in mediator training or mentoring programs? <http://metromediation.org> or 617-241-0300