



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

[www.IMImediation.org](http://www.IMImediation.org)

## American Arbitration Association

### IMI QUALIFYING ASSESSMENT PROGRAM

### Introduction & Background

The American Arbitration Association (AAA), with its long history and experience in the field of alternative dispute resolution, provides services to those who wish to resolve disputes out of court. The AAA provides administrative services in the U.S., as well as abroad through its International Centre for Dispute Resolution (ICDR). The AAA's and ICDR's administrative services include assisting in the appointment of mediators and arbitrators, setting hearings, and providing users with information on dispute resolution options, including settlement through mediation. Ultimately, the AAA aims to move cases through mediation and arbitration in a fair and impartial manner until completion.

Additional AAA services include the design and development of alternative dispute resolution (ADR) systems for corporations, unions, government agencies, law firms, and the courts. The Association also provides elections services as well as education, training, and publications for those seeking a broader or deeper understanding of alternative dispute resolution.

AAA/ICDR maintains a Panel of Mediators currently comprising over 1,000 individuals who are selected on the basis of their competency as mediators. The Panel of Mediators is one of the largest and most successful in the United States.

AAA/ICDR has created a Qualifying Assessment Program (QAP) for mediators seeking IMI Certification.

### 1. Mediator Experience

*The Qualifying Assessment Program (QAP) must include a methodology for ensuring that Applicants have demonstrated to the satisfaction of the Program's Assessors a substantial*

*level of experience as a mediator. The QAP must include clearly identified criteria on this requirement.*

To be considered for the AAA/ICDR QAP, Applicants shall demonstrate a substantial level of experience as a mediator by having mediated a minimum of 25 disputes encompassing no less than 200 contact hours with parties. Applicants must have received payment for at least fifteen of the mediations conducted.

## **2. Mediation Knowledge**

*The QAP must include a methodology for determining that Applicants have demonstrated a strong understanding of general mediation theory and practice which may be based on written tests, essays, reports, theses interviews and/or other testing platforms.*

Applicants shall provide proof of having completed at least 40 hours of training in mediation theory and skills in one or more training programs approved by AAA/ICDR, plus a minimum of 100 additional hours of study or training in dispute resolution generally, including, but not limited to, topics such as conflict and dispute theory, ADR ethics, negotiation, conflict management, arbitration, conciliation, fact-finding and early neutral evaluation. Additionally, applicants shall be required to take and successfully pass a written exam consisting of 25 questions designed to assess general knowledge of mediation theory and practice. To ensure the integrity of the exam, the 25 questions for any particular applicant's exam will be randomly selected from a bank of 100 questions. Question types will include single-select, multiple-select, true/false, and rank order with the answer choices for the questions on each exam appearing in random order on any particular exam thus further ensuring the exam's integrity and guaranteeing that each applicant receives an exam that is unique. The exams will be administered via the AAA's web-based educational software technology. A score of 80% correct will be required to pass the exam. If an applicant fails to achieve the minimum 80% correct he or she must wait a minimum of three months before retaking the exam.

## **3. Mediator Skills**

*The QAP must include a methodology for the evaluation of candidates' performance in terms of the occurrence and effectiveness of mediation process and mediation techniques, against high competency benchmarks. The Evaluations/Assessments may be based on roleplay or live action assessments, and may include videotaped and online assessments such as web*

*dramas, self-assessments, interviews, peer reviews, user feedback and other in-practice skill evaluations.*

Applicants' mediation skills, performance, and general competence shall be assessed via evaluation of the applicant conducting a real mediation by an experienced mediator from the AAA/ICDR's Panel of Mediators using the AAA/ICDR Mediator Skills Evaluation instrument ([see Attachment A](#)).

## 4. Program Transparency

*The benchmarks and criteria applied by the QAP must be published and be openly accessible on the organization's website. Details of all approved programs will be listed on the IMI web portal [www.IMImediation.org](http://www.IMImediation.org) and will include a direct link to the credentialing organizations' websites.*

Upon approval by the ISC, these criteria will be posted on the AAA/ICDR's mediation website at: [www.adr.org](http://www.adr.org).

## 5. Program Integrity

*Each Assessor must have substantial experience of assessing the performance of mediators. At least one of the Assessors on each Program must be independent of the QAP.*

AAA/ICDR will engage independent Assessors possessing a high level of sophistication in the mediation field. Invitations to prospective Assessors will be sent subsequent to the ISC's approval of the AAA/ICDR's application. Assessors will assess Applicants based on the written documentation required in Criteria #1 through #3 above against the Guidelines in [Attachment B](#) . Such documentation shall constitute the entire Applicant Record for the purposes of this QAP for IMI Certification.

## 6. Ongoing Monitoring of Program

*The QAP must include a process for the ongoing monitoring of the performance and practice of the Assessors. IMI will liaise closely with all recognised program organizers to maintain a sustainable quality control system.*

The assessments will be monitored by the AAA's Vice President – U.S. & International Mediation Services to ensure strict interpretation and competent application of the Guidelines. AAA/ICDR will monitor the performance and practice of the Assessors using the

following criteria: (i) responsiveness, (ii) timeliness, (iii) thoroughness, and (iv) objectivity. Assessors will be invited to assist AAA/ICDR over time to improve the QAP and to develop the high standards.

## 7. Commitment to Diversity

*The QAP must be accessible on an equal basis to experienced mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation or other personal characterization.*

The AAA/ICDR QAP is accessible on an equal basis to experienced mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation or other personal characterization.