

*Utah Dispute Resolution*  
**Domestic Mediation Practicum**

***Description/Purpose***

The Utah Dispute Resolution (UDR) Domestic Mediation Practicum is designed to give newly trained and/or inexperienced mediators the opportunity to gain experience conducting mediations involving domestic matters. The Practicum is broken into two phases as described below.

UDR will not charge students for the opportunity to gain this experience. Instead, any fees assessed to the parties will be paid to UDR and/or the Practicum student according to the provisions outlined in Phases I and II below. UDR anticipates that the benefit this experiential opportunity gives to the student will serve as adequate compensation for the student's time.

***Prerequisites***

Candidates for UDR's Domestic Mediation Practicum must meet the following requirements:

- Be listed on the current Utah Court Roster of Mediators, having met the Basic and Domestic requirements for court qualification., as follows:
  - Complete a Utah court-approved Basic Mediation Training workshop.
  - Complete 20 hours of basic level mediation experience as required by the Utah court.
  - Pass the ethics exam and criminal background check.
  - Complete a Utah court-approved Domestic Mediation Training workshop.
  - Complete a Utah court-approved Domestic Mediation Mentorship.
- Complete and submit UDR's application for the Domestic Mediation Practicum
- Be willing to be observed mediating a case of the candidate's choosing as part of the selection process.
- Be accepted into the UDR Domestic Mediation Practicum program. (Note: UDR limits the number of practicum students. Preference is given to graduates of UDR training programs.
- Be willing and able to accept a minimum of one case per month.

***UDR Domestic Mediation Practicum Conditions and Terms***

If accepted into UDR's Domestic Mediation Practicum, the practicum student will agree to the following program terms and conditions.

## **Domestic Mediation Practicum—Phase I**

Students in Phase I of the Domestic Mediation Practicum will conduct between fifteen (15) and twenty-five (25) mediations, which will likely total between 50-100 hours of mediation, depending on the length of each session. UDR may assign a Practicum student to co-mediate with another Practicum student or with another UDR Pro Bono mediator.

Any mediation fees assessed during the student's Phase I activities will be paid directly to Utah Dispute Resolution. The practicum student will reap no monetary benefit from this phase of the practicum.

Practicum students must agree to follow UDR's established procedures and best-practice policies, use UDR-approved forms, and conduct all mediations at UDR's facilities unless otherwise arranged.

UDR will provide the following services to the student:

- Conduct an orientation meeting prior to the first mediation to familiarize the practicum student with UDR's best practices, procedures, documentation, forms, and expectations.
- Co-mediate and/or observe the first mediation session(s) to ensure the practicum student is familiar with UDR's standards, procedures, and expectations.
- Observe at least one mediation session and provide feedback at the conclusion of Phase I and prior to the student's acceptance into Phase II of the Practicum.
- Screen, schedule, and assign all cases, provide guidance on process modifications, and provide space to conduct the mediations.
- Provide ongoing counsel, advice, and opportunities to debrief mediations as requested.
- Provide an assessment with final approval prior to advancing to Phase II of the Practicum.

## **Domestic Mediation Practicum—Phase II**

Prior to acceptance into Phase II of the UDR Domestic Mediation Practicum, candidates will be observed by the Domestic Mediation Program Coordinator or a UDR-approved Domestic Mediator who will provide an assessment of the mediator's skills.

Candidates accepted for Phase II of the Practicum will conduct between twenty (20) and thirty (30) mediations, which will likely total between 60-100 hours of mediation, depending on the length of each session. UDR may assign Phase II Practicum students to co-mediate with another Practicum student.

Phase II Practicum students can expect 30-50% of all assigned mediation cases will be pro bono (i.e., neither party will pay any fee for the mediation).

Mediators agree to follow UDR's established procedures and best-practice policies, use UDR-approved forms, and conduct all mediations at UDR's facilities unless otherwise arranged.

### *Phase II Payment Arrangement*

Any mediation fees assessed during the student's Phase II activities will be paid as follows:

- If neither party is assessed a fee, the Practicum student will conduct the mediation and prepare a Memoranda of Understanding on a pro bono basis, receiving no compensation for his/her time.
- If only one party is assessed a fee, the Practicum student will collect the entire fee from that client; the client will pay the student directly.
- If both parties are assessed fees for the mediation, the Practicum student will collect the higher of the two fees, and the other client will pay his/her fee directly to UDR.
- The Practicum student will be responsible to collect any fees directly from the clients in the event of negotiated payment plans or returned checks or rejected credit cards; UDR will not be held responsible for uncollected fees.

UDR will provide the following services to the student during Phase II of the Domestic Mediation Practicum:

- Complete all screening and intake procedures prior to the scheduled mediation.
- Schedule parties and rooms for the mediation.
- Provide guidance to the mediator for conducting specific mediations, based on intake and screening information gathered.
- Provide an observer in at least one mediation session and provide feedback prior to the student's completion of the Domestic Mediation Practicum and/or acceptance onto UDR's Pro Bono Roster of Mediators.