Interested In Becoming A Mediator?
What Can I Do to Prepare Myself for a Career as a Mediator?

There are several things you can do as a young attorney and even as a law student that will help prepare you to become a mediator.

1. **Take a course.** The best way to begin a career in mediation is to take a thirty to forty-hour basic mediation course. Mediation courses are offered on a regular basis by private trainers, community mediation programs, and institutions, including local and state bar associations. After the basic mediation course, there are additional mediation training courses you may choose, such as a course in custody/visitation mediation or marital property mediation. Some trainers also offer workshops on such topics as dealing with impasse in mediation, advanced mediation, and mediator techniques.

2. **Find a mentor.** Becoming a skilled mediator requires more than training; it requires experience and feedback. After you have taken a training course, the next best step is observation and co-mediation with experienced mediators. Some private mediators charge for this service and some provide it without charge, while community mediation centers include co-mediation and mentoring as part of their program.

3. **Network, network, network.** Because there are so many mediators, networking is crucial to finding work.

4. **Volunteer.** Volunteering is a great way for new mediators to gain experience and credibility.

5. **Pursue the practice of law.** Most mediators are practicing attorneys who mediate on a part-time basis. It is difficult to find enough work as a mediator to sustain a full-time practice.

6. **Join a mediation association.** If you want to practice in New England, join the New England Chapter of the Association for Conflict Resolution (NE-ACR). Visit their website at [http://www.neacr.org/](http://www.neacr.org/). Students can join for free for the first year and pay only $20 a year after that. This is a great way for students to begin to learn about mediation and to make contacts. NE-ACR offers various courses and lectures on mediation and also provides great networking opportunities. Go to the Association for Conflict Resolution’s website, [http://www.acrnet.org/](http://www.acrnet.org/), to find chapters in other parts of the country.

7. **Think long-term.** Mediation is both an art and a science. The process is deceptively simple and straightforward; however, good mediators are highly trained, experienced and skilled. Have patience and take a long-term approach to developing your career as a mediator.
Mediation FAQs

1. Is there a typical or recommended career path for a mediator?
   - No, there is no typical or recommended career path for a mediator. Most mediators practice law for at least several years before they begin mediating. It is very difficult to go straight from law school into mediation.
   - There is no specific type of law that you should pursue or area in which you should concentrate if you want to be a mediator. A broad range of experience is the best background for a mediator; however, for cases involving divorce, employment, and personal injury it is beneficial for a mediator to have a working knowledge of the specific area of law at issue.

2. What can I do as a law student to help prepare me for a career in mediation?
   - Take a survey course in alternative dispute resolution to introduce you to the concepts and theories of mediation.
   - Join a mediation association like NE-ACR.
   - Seek out a local mediator for advice and guidance; inquire about observing a mediation.

3. What do states require to become a mediator?
   - Although many states recommend qualifications for mediators, no state has enacted laws regulating the private practice of mediation or establishing state-wide requirements for mediators as they do for other professions. In any state, a mediator can practice in private settings without being licensed or certified.

4. Do I need to be certified by the court in which I’m seeking to become a mediator?
   - While states do not regulate the practice of mediation, most state courts have established rules governing mediators in court-connected mediation programs. Several state courts certify mediators, although the vast majority, including Massachusetts state courts, does not.

5. Are all mediators attorneys?
   - No, you do not have to be an attorney to be a mediator; however, many court-connected mediation programs require the mediator to be an attorney. Only in the District of Columbia is a mediator required to be an attorney to mediate civil court cases other than family disputes.

6. What is the typical salary of a mediator?
   - Salaries vary depending on the part of the country in which you live, but generally range between $150 – $300/hour.
State-Specific Information

No state has requirements for the practice of mediation, although many states recommend qualifications for mediators. In any state, a mediator can practice in private settings without being licensed, certified, or listed. Rather than regulate the practice of mediation, states have chosen to create lists of mediators meeting criteria for certain areas of practice. Statewide lists of mediators are usually maintained by the judicial branch as an extension of its responsibility for settling civil disputes.

In all states, parties can seek mediation and choose any mediator before a case is filed in court. In most states, parties retain this freedom of choice after filing. Two jurisdictions, the State of Georgia and the District of Columbia, require mediators to be listed or a part of a program in order to practice in the courts. Only in the District of Columbia is a mediator required to be an attorney to mediate civil court cases other than family disputes.

The following is a summary of some statewide mediator lists and minimum qualifications. For information on all states, see http://www.mediationworks.com/medcert3/staterequirements.htm

Connecticut
- No state requirements or guidelines for the practice of mediation.
- Each civil clerk’s office and court information desk maintains a public listing of private ADR providers but does not make referrals.
- Court-annexed mediation uses primarily retired judges as mediators. Mediation training is not required; however, the Superior Court publishes a list of Superior Court Senior Judges and Judge Trial Referees who have attended mediation training sessions.
- See http://www.jud.state.ct.us/external/super/altdisp.htm for more information.

District of Columbia
- No state requirements or guidelines for mediation in a private setting. Mediators in the Superior Court must be staff or volunteers of the Superior Court Multi-Door Dispute Resolution Division’s Mediation Program. Qualifications for small claims mediators: 1) successfully undergo a selection orientation to assess each candidate’s communication style; 2) complete 40 hours of approved training; 3) co-mediate with several mentors until approved as a probationary mediator; 4) perform agreed number of hours of mediation through the program; and 5) undergo performance evaluations.
- Qualifications for family mediators: 1) successfully undergo a selection orientation to assess each candidate’s communication style; 2) complete 55 hours of approved training; 3) co-mediate with several mentors until approved as a probationary mediator; 4) perform agreed number of hours of mediation through the program; and 5) undergo performance evaluations.
- Qualifications for civil court mediators: 1) licensed attorney; 2) active or inactive member of the bar of any U.S. jurisdiction; 3) 27 hours of approved training; 4)
hours of pro bono mediation; 5) mediate approximately 17 cases during a 12 month period; 6) participate as required by the program in performance assessment and inservice training.

- To serve on the U.S. District Court’s panel of mediators, you must (1) be a member of the Bar of the U.S. District Court for the District of Columbia; (2) complete court-mandated training; (3) be admitted to the practice of law for at least ten years and shall be knowledgeable about civil litigation.
- See http://www.dccourts.gov/dccourts/superior/multi/index.jsp and LCvR 84.1, Administration of Mediation Program, for more information.

Illinois
- No state requirements or guidelines for the practice of mediation.
- The use of ADR in the Illinois court system is decided on a circuit-by-circuit basis. Most circuits have mediation programs which may include civil litigation, probate, domestic relations, and community programs. The qualifications for mediators vary among circuits.
- See http://www.caadrs.org/ for more information.

Massachusetts
- No state requirements for the practice of mediation.
- The Chief Justice of each trial court department approves programs to receive court referrals. The Chief Justice for Administration and Management combines and distributes these lists.
- Basic qualifications for mediators: 1) 30 hours basic mediation training; 2) court orientation; 3) specialized training if required for a trial court department; 4) evaluation in a role-play situation; 5) under the supervision of a qualified mediator, observe a minimum of one mediation and discuss the mediation with the mentor, and be observed mediating a minimum of one case and discuss the mediation with a mentor; and 6) engage in continuing education. Alternative training, evaluation, and mentoring may be accepted if qualifications are substantially met.
- See http://www.state.ma.us/modr for more information.

New York
- No state requirements for the practice of mediation.
- The NY State Unified Court System has developed a number of ADR programs including mediation programs, which vary from county to county. The Unified Court System also maintains the statewide Office of Alternative Dispute Resolution Programs, which has established Standards for Training and Continuing Education for Mediators and Trainers for Community Dispute Resolution and Judicial District Funded Programs administered through local community mediation programs.
- Qualifications for community mediators are: 1) 25 hours of training and role-play conducted by a certified trainer; 2) completing 1 observation and 2 mediations under the supervision of the Program Director; 3) 6 hours per year of continuing
education; and 4) conducting 3 mediations per year to remain active in the Program.

- Additional qualifications for family mediation are 12 hours of training in visitation/custody and/or adult/child area of specialty.

### Mediation Resources

The following are additional resources on the practice of mediation.

- [Mediate.com](http://www.mediate.com) is a great resource for general information about mediation.
- The New England Chapter of the Association for Conflict Resolution (NE-ACR), [http://www.neacr.org](http://www.neacr.org), is an excellent resource for those who want to practice mediation in New England. To find information about other chapters, visit the Association for Conflict Resolution’s website at [http://www.acrnet.org](http://www.acrnet.org).
- The following books are available in the Career Services Resource Library: *Becoming a Mediator*, by Peter Lovenheim; and *Mediation Career Guide: A Strategic Approach to Building a Successful Practice*, by Forest Mosten.

Being a mediator can be extremely rewarding. If you think you want to pursue a career in mediation, get involved now. Take courses on alternative dispute resolution in law school and through local community groups. Network with mediators in your area and observe mediations to familiarize yourself with different mediation styles. But don’t quit your day job – as discussed above, it’s very difficult to find full-time work as a mediator. Good luck!