CHAPTER Fam 300 CERTIFICATION REQUIREMENTS

Readopt with amendment Fam 300, effective 10-2-18, (Document #12634), to read as follows:

PART Fam 301 DEFINITIONS

Fam 301.01 "Association for Conflict Resolution (ACR)" means a national professional organization dedicated to enhancing the practice of conflict resolution by setting standards of practice.

Fam 301.02 "Board" means the board of family mediator certification established by RSA 328-C:4.

Fam 301.03 "Case supervision" means a discussion between an intern and a currently certified family mediator or a mediator currently approved by a ***conflict resolution officer (***CRO***)*** as an advanced practitioner or advanced educator member regarding a co-mediation performed or in the process of being performed by them.

Fam 301.04 "Certified family mediator" means "certified family mediator" as defined in RSA 328-C:2, II, namely, "a person certified under the provisions of this chapter to act as a family mediator."

Fam 301.05 "Co-mediation" means mediation performed jointly by an intern or a certified family mediator and either a certified family mediator or a mediator currently approved by a CRO as an advanced practitioner or advanced educator member.

Fam 301.06 "Conflict resolution organization (CRO)" means a professional state, regional, or national non-profit organization dedicated to enhancing the practice of conflict resolution which meets the criteria of the board's training program requirements outlined in Fam 600.

Fam 301.07 "Core mediation training" means a training of at least 40 hours covering the topics described in Fam 303.05 and given by a provider meeting the requirements of Fam 303.03(b).

Fam 301.08 "Family mediator" means "family mediator" as defined in RSA 328-C:2, V***I***, namely "an impartial third person who, with the consent of the parties in a family dispute, assists and enables the parties to work together to reach a mutually satisfactory settlement of the issues in the dispute."

Fam 301.09 "***Qualified*** ~~*l*~~***i***ntern" means "qualified intern" as defined in RSA 328-C:2, VII, namely "a person authorized under the provisions of this chapter to participate in mediation under the direct supervision of a certified family mediator."~~a person who is in the process of meeting the requirements of Fam 303.07.~~

Fam 301.10 "Internship supervisor" means a New Hampshire certified family mediator who has at least 3 years' experience mediating family matters and has mediated at least 25 family cases.

Fam 301.11 "Mediated agreement" means a written agreement reached in mediation.

Fam 301.12 "Model Standards of Practice for Family and Divorce Mediation" means the "Model Standards of Practice for Family and Divorce Mediation" developed by The Symposium on Standards of Practice and finalized ***July 2025*** ~~on August 5, 2000~~, and available as noted in Appendix II.

Fam 301.13 "New Hampshire Coalition Against Domestic and Sexual Violence (NHCADSV)" means an umbrella organization for a statewide network of ***12*** ~~13~~ independent member programs ***who provide services to all victims and survivors of domestic and sexual violence, human trafficking, stalking, and child abuse***. ~~committed to ending domestic and sexual violence~~.

Fam 301.14 "New Hampshire Conflict Resolution Association" means a private non-profit organization with a membership interested in the practice and public understanding of peaceable conflict resolution, formerly known as New Hampshire Mediation Association.

Fam 301.15 "Parenting plan" means a document used to establish or modify an order for parental rights and responsibilities as outlined in RSA 461-A:4, II and RSA 461-A:11.

Fam 301.16 "Training specific to New Hampshire" means training about New Hampshire laws and procedures as described in Fam 303.06.

PART Fam 302 APPLICATION PROCEDURE

Fam 302.01 Application Process.

(a) A person seeking initial certification as a family mediator shall submit to ~~the board or arrange for~~ the ***office of professional licensure and certification (OPLC)*** ~~board to receive~~:

(1) A completed ***"Universal Application for Initial License"*** ~~application form~~ ***required by Plc 304.01(a)*** ~~containing~~ ***and provide*** the information ~~specified by~~ ***required in Plc 304.03 and the additional information and documentation required in Plc 304.04 and that is signed as required by Plc 304.05;*** Fam ~~302.03~~;

(2) The documentation specified by Fam 302.04; ~~and~~

(3) The ~~certification~~ application fee ***required by Plc 1002.15*** ~~required by Fam 304.01(a)~~.

~~(b) The application form shall be:~~

~~(1) Completed by typing or printing legibly in ink;~~

~~(2) Have all sections completed or designated as not applicable to the applicant; and~~

~~(3)~~ ~~S~~igned by the applicant.

(***b*** ~~c~~) The application shall be ***reviewed pursuant to Plc 304.06 and Plc 304.08.*** ~~accepted on the first date that the board's office has received:~~

~~(1) The materials described in (a) above; and~~

~~(2) Any information or materials requested by the board pursuant to (d) below.~~

~~(d) If the application is incomplete, or the board for the purpose of determining the applicant's qualification for certification should require any additional information or materials, the board shall, within 60 days of receipt of the application:~~

~~(1) So notify the applicant in writing; and~~

~~(2) Specify the information or materials which the applicant is requested to submit.~~

~~(e) The application shall be denied if the applicant does not, in the absence of a waiver pursuant to Fam 302.02, respond to the board's request for additional information or materials within 90 days of the request.~~

~~(f) The application shall be denied if any documentation required to complete the application is still missing 52 weeks after the board's office has received the completed application form.~~

~~(g) The board shall approve or deny a complete application in writing within 120 days of the acceptance date described in (c) above.~~

~~(h) If the application is denied, the board shall provide the applicant with the reason(s) for the denial and an opportunity for a hearing to challenge it. A request for such a hear~~ing shall be submitted ~~to the board~~ within 30 days from the date of the ~~board's~~ notification of denial.

Fam 302.02 Waiver. ***Applicants who are unable to complete the application by the specified deadline due to circumstances beyond their control may request additional time to complete the application by submitting a request pursuant to Plc 304.06(f).*** ~~The 90-day deadline in Fam 302.01(e) shall be waived by the board for up to 52 weeks from the date the initial application was received by the board, on the basis of a letter identifying at least one of the following reasons for the inability to comply with the deadline:~~

~~(a) Personal illness sufficiently serious to prevent the person requesting the waiver from engaging in his or her usual work for at least 2 consecutive weeks;~~

~~(b) Active military duty;~~

~~(c) Death in the household or of a member of the family;~~

~~(d) Illness in the household or of a member of the family which is sufficiently serious to prevent the person requesting the waiver from engaging in his or her usual work for at least 2 consecutive weeks; or~~

~~(e) The destruction of records by fire, flood, or other accidental or natural disaster.~~

Fam 302.03 ***Addendum to the Universal*** Application ~~Form~~.

~~(a) The "Mediator Initial Application" form shall be provided by the board and consist of 2 parts, the confidential personal data part of the form and the public information part of the form.~~

~~(b) On the confidential personal data part of the form the applicant shall supply the following:~~

~~(1) The applicant's legal name;~~

~~(2) Any other names used by the applicant within the past 5 years, the time period in which such other names were used and the reason for using such other names;~~

~~(3) The applicant's home address;~~

~~(4) The applicant's home telephone number;~~

~~(5) The applicant's home e-mail address, if the applicant has one and wishes to provide it;~~

~~(6) The date and place of the applicant's birth;~~

~~(7) The name or place of business of the applicant's current employer and the address of the applicant's current employer, if the applicant has a current employer;~~

~~(8) A list of the applicant's employers or places of business during the 5 years preceding the date of the application, if the applicant was employed or in business during that period;~~

~~(9) Pursuant to RSA 161-B:11, the applicant's Social Security number;~~

~~(10) A list of the names and addresses of the individuals who will send letters of recommendation directly to the ***OPLC*** board, to include the names and addresses of all individuals who supervised the internship hours whether or not the individual provides a reference; and~~

~~(11) The applicant's signature and the date of the signature~~.

~~(c)~~ ~~On~~ ***The applicant shall provide the following information by completing and submitting an "Addendum to the Universal Application for Initial License for Family Mediators":*** ~~the public information part of~~ the form the applicant shall supply the following:

~~(1) The applicant's legal name;~~

(***a***~~2~~) The applicant's mediation business name, if any;

(***b***~~3~~) The applicant's mediation business address, telephone, and e-mail address;

(***c***4) A description of any setting in which the applicant provides mediation services, whether:

(1)~~a.~~ A non-profit organization;

(2)~~b.~~ A solo private practice;

(3)~~c.~~ A co-mediation team;

(4) ~~d.~~ A 2-person private practice;

(5) ~~e.~~ A group private practice;

(6) ~~f.~~ A court setting; or

(7) ~~g.~~ Another setting described by the applicant;

~~(5) The name and address of any mediation programs or organizations with which the applicant is currently affiliated or has been affiliated during the 5 years preceding the date of the application;~~

~~(6) The name and address of the educational institution(s) at which the applicant received the education required by Fam 303.02 and the dates of the applicant's attendance there;~~

(***d*** ~~7~~) The name and address of the provider of the core mediation training required by Fam 303.03(a) and the applicant's dates of attendance at such training;

(***e*** ~~8~~) The name and address of the provider of the mediation training specific to New Hampshire required by Fam 303.03(a)(1)b. and the applicant's dates of attendance at such training;

(***f*** ~~9~~) The name and address of the provider of the domestic violence training required by Fam 303.03(a)(1)c. and the applicant's dates of attendance at such training;

(***g*** ~~10~~) Whether the applicant has completed the applicable internship requirements of Fam 303.07;

(***h*** ~~11~~) If the applicant seeks to qualify as a family law practitioner or mental health practitioner as described in Fam 303.08:

(1) ~~a.~~ A description of ~~his or her~~ ***their*** practice in the last 3 years; ***and***

~~b. A list of the jurisdictions in which the applicant has, in the last 10 years, either practiced family law or practiced as a psychologist, pastoral psychotherapist, clinical social worker, clinical mental health counselor, or marriage and family therapist; and~~

(2) ~~c.~~ A statement that at least one third of the time of the applicant's practice involved divorce matters or matters of parental rights and responsibilities;

(***i*** ~~12~~) Whether the applicant agrees to abide by both Fam 800 and the "Model Standards of Practice for Family and Divorce Mediation" developed by The Symposium on Standards of Practice and finalized on ***July 2025*** ~~August 5, 2000~~, and available as noted in Appendix II;

(***j*** ~~13~~) A description of the applicant's professional experience as a mediator other than internship, if any;

~~(14) Whether the applicant holds or has ever held a mediator's certificate or other authorization to practice mediation issued by any domestic or foreign government;~~

~~(15) Whether the applicant holds or has ever held a license, certificate, or other authorization to practice a profession other than mediation issued by any domestic or foreign government;~~

~~(16) If the answer to (14) or (15) above is affirmative:~~

~~a. The type of professional practice authorized;~~

~~b. The name and address of the licensing, certifying, or authorizing authority;~~

~~c. The beginning and ending dates of validity of the license, certificate, or authorization; and~~

~~d. Whether the applicant's license, certification, or approval to practice has ever been subject to disciplinary sanctions;~~

~~(17) Whether there are any disciplinary charges pending against a license, certification or authorization to practice a profession issued to the applicant;~~

~~(18) Whether the applicant has:~~

~~a. Engaged in conduct resulting in a finding of abuse as further described in Fam 303.09(d) or been a party to any court case in which the applicant has been found in contempt;~~

~~b. Had a professional license or certification revoked under the circumstances described in Fam 303.09(e);~~

~~c. Been convicted as an adult of a crime as described in Fam 303.09(f); or~~

~~d. Been convicted as an adult and within the past 10 years of a misdemeanor as described in Fam 303.09(g);~~

~~(19) Whether the applicant has enclosed a check, payable to the State of New Hampshire, in the amount of the fee specified in Fam 304.01(a); and~~

~~(20) The applicant's signature and the date of the signature below a preprinted statement as follows:~~

~~"I certify that the information provided on the 2 parts of the application form and the documentation provided to support the application is true, accurate, complete, and unaltered, to the best of my knowledge a belief; and I acknowledge that, pursuant to RSA 641:3, knowingly making a false statement on the application form is punishable as a misdemeanor and grounds for the denial of the application, or grounds for revocation,~~

~~after notice and the opportunity for a hearing, of certification already issued by the board."~~

~~(d) The applicant's signature on the form shall constitute:~~

~~(1) The applicant's certification that the information provided on the 2 parts of the application form and in the documentation provided to support the application is true, accurate, complete, and unaltered, to the best of the applicant's knowledge and belief; and~~

~~(2) The applicant's acknowledgement that:~~

~~a. Pursuant to RSA 641:3, knowingly making a false statement on the application form is punishable as a misdemeanor; and~~

~~b. Knowingly making a false statement on the application form is grounds for the denial of the application, or grounds for revocation, after notice and the opportunity for a hearing, of certification already issued by the board.~~

Fam 302.04 Required Documentation. In addition to the completed application form the applicant shall submit or otherwise arrange for the ***OPLC*** ~~board~~ to receive:

~~(a) As an attachment to the application form, an authenticated transcript or similar authenticated document showing that the applicant received the education required by Fam 303.02;~~

(***a***~~b~~) As an attachment to the application form, documentation issued by the training provider showing receipt of the core mediation training required by Fam 303.03(a), including:

(1) The name of the certified New Hampshire family mediator training program or the name of the advanced practitioner or advanced educator member of the Association for Conflict Resolution or CRO who presented the training, as applicable;

(2) The topic(s) of the training;

(3) The total number of training hours;

(4) The number of hours the applicant attended which were devoted to:

a. Role play as further described in Fam 604.06; and

b. Ethics as described in Fam 303.05(g); and

(5) The beginning and ending dates of the training;

(***b***~~c~~) As an attachment to the application form, documentation issued by the training provider showing receipt of the mediation training specific to New Hampshire required by Fam 303.03(a)(1)b., including:

(1) The name of the provider;

(2) The topic(s) of the training;

(3) The number of training hours; and

(4) The date of completion of the training;

(***c***~~d~~) As an attachment to the application form, documentation issued by the training provider(s) showing receipt of the domestic violence training required by Fam 303.03(a)(1)c., including:

(1) The name of the provider;

(2) The number of training hours; and

(3) The date of completion of the training;

(***d***~~e~~) If applicable, as an attachment to the application form, documentation issued by the provider(s) showing receipt of the 12 hours of continuing education specified in Fam 303.03(a)(2)b., including:

(1) The name of the provider;

(2) The topic(s) of the training;

(3) The number of training hours; and

(4) The date of completion of the training;

(***e***f) As an attachment to the application form, documentation of completion of the applicable internship requirements of Fam 303.07, including:

(1) A list of the cases co-mediated, indicating for each case on the list the number of hours spent on the case and the name of the supervisor;

(2) Copies of the case summary forms required by Fam 303.07(g); and

(3) Copies of the mediated agreements specified in Fam 303.07(c)(2) or Fam 303.07(e)(2), as applicable, with information identifying the parties redacted, but no more than 5 such mediated agreements;

~~(g) If applicable, as an attachment to the application form, the following documentation of qualification as a family law practitioner as described in Fam 303.08:~~

~~(1) A photocopy of a transcript or diploma showing graduation from law school; and~~

~~(2) A letter of good standing as an active member of the bar issued by the New Hampshire Supreme Court dated within 3 months of the date the application is submitted to the board;~~

~~(h) If applicable, as an attachment to the application form, the following documentation of qualification as a mental health practitioner as described in Fam 303.08.:~~

~~(1) A photocopy of a transcript or diploma showing receipt of a master's degree or a higher academic degree; and~~

~~(2) A letter of good standing from the board of mental health practice dated within 3 months of the date the application is submitted to the board;~~

~~(i) If applicable, as an attachment to the application form, photocopies of any licenses, certifications, or other documents authorizing the practice of mediation or other profession issued to the applicant by any domestic or foreign governments;~~

~~(j) If the answer to either Fam 302.03(c)(17) or Fam 302.03(c)(18) is affirmative, as an attachment to the application form a statement disclosing and describing the facts in detail;~~

~~(k) If the answer to any part of Fam 302.03(c)(19) is affirmative, as an attachment to the application form, a statement disclosing and describing the facts in detail, including:~~

~~(1) For a finding of abuse as described in the question:~~

~~a. The jurisdiction and court;~~

~~b. The finding of the court; and~~

~~c. The date of the finding;~~

~~(2) For the revocation of a professional license or certification as described in the question:~~

~~a. The type and the number of the professional license; and~~

~~b. The jurisdiction and name of the revoking authority; and~~

~~(3) For a conviction described in the question:~~

~~a. The jurisdiction and court;~~

~~b. The date of the conviction; and~~

~~c. The charge(s) of which the applicant was convicted;~~

~~(l) For each case co-mediated with an internship supervisor, an evaluation written and sent directly to the ***OPLC*** board by the internship supervisor which addresses the applicant's knowledge and skills in each of the topics listed in Fam 303.05 and Fam 303.06~~; and

(***g***~~m~~) A total of 3 signed letters of recommendation as further described in Fam 302.05, sent directly to the ***OPLC*** ~~board~~ by the individuals writing them.

Fam 302.05 Letters of Recommendation.

(a) The 3 letters of recommendation shall consist of:

(1) A letter addressing the applicant's competence as a family mediator, written by each one of the applicant's internship supervisors; and

(2) Additional letters, if additional letters should be required to reach the 3-letter total, written by individuals who:

a. Are not related to the applicant; and

b. Are chosen from among the following:

1. The applicant's core mediation training provider;

2. The applicant's co-mediators; and

3. Lawyers who advised one of the parties to a case and were present during a mediation which was co-mediated by the applicant.

(b) The ~~contents of the~~ 3 letters of recommendation shall ~~include:~~

~~(1) An assessment of the applicant's honesty and competence as a family mediator, made on the basis of familiarity with the applicant's mediation work; and~~

~~(2) A~~ recommend~~ation as to whether~~ the ***applicant*** ~~board should certify the applicant as~~ ***for certification as*** a family mediator.

PART Fam 303 ELIGIBILITY REQUIREMENTS FOR CERTIFICATION

Fam 303.01 Eligibility Requirements. To be eligible for certification as a family mediator, an applicant shall:

(a) Meet the academic eligibility requirements set forth in Fam 303.02; and

(b) Meet the following additional requirements:

(1) Mediation training as required by Fam 303.03;

(2) Internship as required by Fam 303.07; and

(3) Character qualifications as set forth in Fam 303.09.

Fam 303.02 Academic Eligibility Requirements. Applicants shall have earned at least a bachelor's degree in any field.

Fam 303.03 Mediation Training Requirements.

(a) To be eligible for certification as a family mediator, an applicant shall:

(1) Have completed, within the 3 years preceding the date of application, at least 48 hours of mediation training, including:

a. At least 24 hours of core mediation training described in Fam 303.05 given by a provider described in (b) below;

b. At least 16 hours of mediation training specific to New Hampshire described in Fam 303.06 given by a currently certified New Hampshire family mediator training program; and

c. At least 8 hours of domestic violence training described in Fam 303.04 given by a currently certified New Hampshire family mediator training program; or

(2) If more than 3 years have passed between the date the applicant completed the training described in (a)(1) above and the time of the application, have completed an additional 3 hours of continuing education per year, covering any of the following topics:

a. Recent changes in law and procedure in matters related to divorce and parental rights and responsibilities as specified in Fam 404.03;

b. Ethics for mediators as specified in Fam 404.04;

c. Domestic violence as specified in Fam 404.05; and

d. Mediation skills as specified in Fam 404.06.

(b) Providers of the core mediation training described in (a)(1)a. above shall be:

(1) Currently certified New Hampshire family mediator training programs; or

(2) Family mediator training programs in other states, provided the trainers are mediators approved by the Association of Conflict Resolution or a CRO as advanced practitioner or advanced educator members or are approved by the Academy of Professional Family Mediators as family and divorce trainers.

Fam 303.04 Domestic Violence Training Requirements.

(a) To be eligible for certification as a family mediator, an applicant shall have completed at least 8 hours of domestic violence training:

(1) Meeting the requirements of (b) below; and

(2) Provided by currently certified New Hampshire family mediator training programs.

(b) Domestic violence training shall include:

(1) The nature, scope, and dynamics of domestic violence;

(2) What constitutes domestic violence and legal remedies for victims under New Hampshire law;

(3) A review of standard X of the "Model Standards of Practice for Family and Divorce Mediation" developed by The Symposium on Standards of Practice and finalized ***July 2025*** ~~on August 5, 2000~~, and available as noted in Appendix II;

(4) Universal screening for domestic violence;

(5) Role-plays of scenarios involving possible domestic violence, including use of caucus to avoid contact between parties;

(6) How to determine suitability of a domestic violence case for mediation;

(7) Precautions to protect the safety of mediators and mediation parties during the mediation process;

(8) How to formulate parenting plans that protect the physical safety and psychological well-being of children and adult victims;

(9) Batterer tactics in the mediation process; and

(10) Community resources to which mediation parties might be referred.

(c) Time spent on domestic violence during core mediation training shall count toward the required 8 hours.

Fam 303.05 Core Mediation Training. Core mediation training shall include the following components of mediation knowledge and skill:

(a) Procedures to be used by mediators for gathering information from mediation parties, from the parties' records and from outside sources such as attorneys, appraisers, accountants, and therapists;

(b) Relationship skills, including, but not limited to:

(1) Contracting to supply mediation services;

(2) Expressing impartiality;

(3) Maintaining neutrality as to the mediation parties; and

(4) Adhering to principles of confidentiality;

(c) Communication skills which facilitate negotiation and cooperation between the mediation parties;

(d) Facilitation of problem-solving between the mediation parties relative to parental rights and responsibilities, parenting plans, child and spousal support, division of assets and liabilities, tax filings, and other topics of potential dispute in the context of divorce;

(e) Theories of, and current research on, conflict and conflict resolution, and their applicability to family mediation;

(f) The impact of differences in culture, gender, ethnicity, religion, and race on mediation;

(g) Training of at least 3 hours in the ethical practice of mediation, including the use of the "Model Standards of Practice for Family and Divorce Mediation" developed by The Symposium on Standards of Practice and finalized on ***July 2025*** ~~August 5, 2000~~, and available as noted in Appendix II;

(h) Mediation theory and history;

(i) Mediation skills taught in-part through participation in at least 10 hours of role playing;

(j) Family relationships, including family interactions in the divorce and post-divorce family structures;

(k) Budgeting and financial planning relative to separation and divorce;

(l) Stages of child development and the effects of divorce on children;

(m) Recognition of incapacitation or unwillingness of a party to engage or proceed in mediation, such as those which arise from alcohol and other substance abuse, personality disorders, depression, fear, anxiety, intimidation, and the inability to comprehend the issues to be discussed in mediation;

(n) Knowledge of domestic violence taught through training of at least 4 hours;

(o) Federal laws affecting divorce, including tax consequences of divorce and the division of retirement benefits; and

(p) Professional resources for mediators, such as professional associations and publications.

Fam 303.06 Mediation Training Specific to New Hampshire. Mediation training specific to New Hampshire shall consist of training in:

(a) New Hampshire laws and procedures regarding divorce, including but not limited to:

(1) The grounds for divorce;

(2) Parental rights and responsibilities;

(3) Child support;

(4) Health and life insurance;

(5) The allocation of debts;

(6) The division of property, including the division of personal property, real property, and retirement benefits; and

(7) Alimony;

(b) Issues required by court rule to be addressed in any temporary, permanent, and modification agreements;

(c) The preparation of mediated agreements dealing with the issues in (a) above; and

(d) New Hampshire statutes and rules relating to mediation, including those regarding the certification of family mediators and confidentiality.

Fam 303.07 Internship Requirements.

(a) To be eligible for certification as a family mediator, an applicant shall have completed an internship performed after the completion of the mediation training required by Fam 303.03 within the 3 years preceding the date of application.

(b) Internship requirements shall be:

(1) Those set forth in (c) and (d) below for applicants not qualifying under Fam 303.08 as family law practitioners or mental health practitioners; and

(2) Those set forth in (e) below for applicants qualifying under Fam 303.08 as family law practitioners or mental health practitioners.

(c) Internship for applicants not qualifying as family law practitioners or mental health practitioners shall consist of the following activities:

(1) Co-mediation and case supervision:

a. Together with a certified family mediator who qualifies as an internship supervisor or with a mediator approved by the Association for Conflict Resolution or a CRO as an advanced practitioner or advanced educator member; and

b. For the time periods specified in (d) below;

(2) The intern's drafting of at least 4 mediated agreements, written by the intern, for cases co-mediated as specified by (1) above which:

a. Are written in paragraph format and are not the form documents available from the judicial branch;

b. Cover the topics required by the courts to be addressed in temporary, permanent, and modification agreements; and

c. Include, for a case co-mediated during the 24-month period prior to the intern's submission of the application for certification, at least 2 parenting plan and at least 2 final decrees of divorce, legal separation, or civil union dissolution covering financial issues; and

(3) The intern’s demonstration of successful domestic violence screening.

(d) Internship for applicants not qualifying as family law practitioners or mental health practitioners shall be at least 20 hours in duration, provided that:

(1) The applicant completes at least 16 hours of co-mediation sessions involving at least 4 different family mediation cases, including one case requiring both a parenting plan and a final decree covering financial issues; and

(2) The applicant completes a total of at least 4 hours, with at least one hour per mediated case of case supervision, including review of mediated agreements written by the intern.

(e) Internship for applicants qualifying as family law practitioners or mental health practitioners shall consist of the following activities:

(1) Co-mediation and case supervision:

a. Together with a certified family mediator who qualifies as an internship supervisor or with a mediator approved by the Association for Conflict Resolution as an advanced practitioner or advanced educator member; and

b. For a period of at least 10 hours, including at least 8 hours of co-mediation and at least 2 hours of case supervision; and

(2) The intern's drafting of at least 2 mediated agreements for cases co-mediated as specified by (1) above which:

a. Are written in paragraph format and are not the form documents available from the judicial branch;

b. Cover the topics required by the courts to be addressed in temporary, permanent, and modification agreements; and

c. Include, for a case co-mediated during the 12-month period prior to the intern's submission of the application for certification, both a parenting plan and a final decree covering financial issues.

(f) The time spent by an intern in drafting mediated agreements shall not be included in the calculation of hours required to be spent in co-mediation and case supervision.

(g) After an intern completes co-mediation of a case, the intern***ship supervisor*** shall complete an "Intern's Case Summary Form" issued by the ***OPLC*** ~~board~~ by providing the following information on the form, ~~redacting personally identifying information about the parties as necessary~~:

(1) The intern's legal name;

(2) The internship supervisor's legal name;

(3) The internship supervisor's New Hampshire family mediator license number;

(4) The internship supervisor's certification that the intern successfully completed the internship to the internship supervisor's satisfaction;

(5) The number of hours of the internship.

~~(2) A number or letter assigned by the intern to the case summarized on the form;~~

~~(3) The month and year in which the mediation session was held;~~

~~(4) The number of years the parties had been married, if applicable;~~

~~(5) The ages of the children of the parties, if any;~~

~~(6) The issues in the case;~~

~~(7) The mediation format used;~~

~~(8) The techniques used to screen for domestic violence;~~

~~(9) The name(s) of the internship supervisor and co-mediator, if any; and~~

~~(10) A written synopsis of the case, in 50 words or fewer.~~

Fam 303.08 Family Law and Mental Health Practitioners.

(a) An applicant for certification shall qualify as a family law practitioner if the applicant:

(1) Has a law degree;

(2) Is currently an active member of the New Hampshire bar;

(3) Has practiced law for at least 10 years; and

(4) Has, within the last 5 years, devoted at least one third of the time spent in the practice of law to divorce or parental rights and responsibilities matters.

(b) An applicant for certification shall qualify as a mental health practitioner if the applicant:

(1) Has a master's or higher academic degree;

(2) Is currently licensed pursuant to RSA 330-A as a psychologist, pastoral psychotherapist, clinical social worker, clinical mental health counselor, or marriage and family therapist;

(3) Has practiced in the field of licensure for at least 10 years; and

(4) Has, within the last 5 years, devoted at least one third of the time spent in practice to individuals or families involved in divorce or parental rights and responsibilities matters.

Fam 303.09 Character Qualifications. To be eligible for certification as a family mediator, an applicant shall:

(a) Be honest and competent as a family mediator;

(b) Have agreed to abide by the "Model Standards of Practice for Family and Divorce Mediation" developed by The Symposium on Standards of Practice and finalized on ~~August 5, 2000~~, and available as noted in Appendix II;

(c) Have committed no act and received no sanctions that would be considered misconduct under Fam 403.01 indicating that the applicant cannot be relied upon to adhere to the responsibilities of certified mediators;

(d) Have not engaged in conduct resulting in a finding of abuse under RSA 173-B:5 or a comparable judicial finding in another jurisdiction;

(e) Have not had a professional license or certification revoked by any regulatory authority or court in any jurisdiction for one or more of the following reasons:

(1) Physical or emotional abuse of a client, patient, student, or child;

(2) Non-consensual bodily contact with a client, patient, student, or child; or

(3) Breach of a fiduciary duty to a person or with respect to financial matters;

(f) Have no adult conviction that was not annulled or overturned or reversed on appeal of any of the following crimes:

(1) The commission of, the solicitation to commit, or the conspiracy to commit a felony under New Hampshire law;

(2) In another jurisdiction, a crime with the same required elements of proof as the crimes in (1) above;

(3) In New Hampshire, the commission of, the solicitation to commit, or the conspiracy to commit a crime involving in its commission domestic violence as that term is defined in RSA 173-B:1, IX;

(4) In another jurisdiction, a crime with the same required elements of proof as the crimes in (3) above;

(5) In New Hampshire or in another jurisdiction, the commission of a crime involving one of the following as a victim:

a. A minor;

b. An incapacitated adult; or

c. An elderly adult, as defined in RSA 631:8, I(d);

(6) In New Hampshire or in another jurisdiction, solicitation to commit or conspiracy to commit a crime described in (5) above; or

(7) Conviction in New Hampshire or in another jurisdiction of a violation of any controlled drug law; and

(g) Have no adult conviction within the last 10 years that was not annulled or overturned or reversed on appeal of any of the following misdemeanors:

(1) The commission, conspiracy to commit, or solicitation to commit a New Hampshire Class A misdemeanor; or

(2) In another jurisdiction, a crime with the same required elements of proof as the crimes in (1) above.

PART Fam 304 FEES

Fam 304.01 Fees. ***Application processing and licensing fees are the fees required by Plc 1002.15***

~~(a) The application fee for certification as a family mediator shall be $300.~~

~~(b) The application fee for renewal of a family mediator certification shall be $300.~~

~~(c) The application fee for certification as a family mediator training program shall be $900.~~

~~(d) The application fee for renewal of a family mediator training program certification shall be $900.~~

~~(e) The application fee for reinstatement of certification as a family mediator shall be $400.~~

APPENDIX I

Rule	Specific State Statute the Rule Implements
Fam 301.01	RSA 328-C:2
Fam 301.02	RSA 328-C:4
Fam 301.03	RSA 328-C:2; RSA 328-C:8, I(a)
Fam 301.04	RSA 328-C:2, II
Fam 301.05	RSA 328-C:2; RSA 328-C:8, I(a)
Fam 301.06 and Fam 301.07	RSA 328-C:8, I(a)
Fam 301.08	RSA 328-C:2, VI
Fam 301.09	RSA 328-C:2, VII; RSA 328-C:8, I(a)
Fam 301.10 and Fam 301.11	RSA 328-C:8, I(a)
Fam 301.12	RSA 328-C:5, I; RSA 328-C:8, I(a)
Fam 301.13 and Fam 301.14	RSA 328-C:8, I(a)
Fam 301.15	RSA 461-A:4, II; RSA 461-A:11
Fam 301.16	RSA 328-C:8, I(a)
Fam 302.01	RSA 328-C:8, I(a); RSA 328-C:8, I(b)
Fam 302.02	RSA 328-C:8, I(a)
Fam 302.03	RSA 328-C:8, I(b)
Fam 302.04	RSA 328-C:8, I(a)
Fam 302.05	RSA 328-C:5, II(d)
Fam 303.01 and Fam 303.02	RSA 328-C:4-a
Fam 303.03	RSA 328-C:4-a; RSA 328-C:8, I(a)
Fam 303.04– Fam 303.07	RSA 328-C:4-a
Fam 303.08	RSA 328-C:5
Fam 303.09	RSA 328-C:5; RSA 328-C:9
Fam 304.01	RSA 328-C:8, I(a); RSA 310:5; RSA 310:6