

Rule 912

INDIVIDUAL APPROVAL AND RENEWAL—MENTOR MEDIATOR

- (a) **Application for Approval.** An individual seeking approval as a mentor mediator must submit an application to the director. The application must include:
 - (1) documentation that the applicant has satisfied the requirements under subsection (c);
 - (2) written letters of recommendations from at least two people who will attest to the applicant's character and capacity to serve as a mentor mediator based on temperament, experience, and the requisite mental and emotional fitness to engage in the active and continuous practice of mentoring mediators;
 - (3) a verified statement that the applicant agrees to comply with these rules;
 - (4) the application fee in an amount determined by the Supreme Court unless:
 - (A) the applicant is a judicial branch employee who will act as a mentor mediator for the judicial branch or other state agencies; or
 - (B) the application fee has been waived on written request for an applicant who will not receive compensation for acting as a mentor mediator; and
 - (5) any other information the director deems necessary.
- (b) **Waiver of Requirements.** If an applicant does not meet a requirement listed in subsection (a), the applicant may request in writing that the director waive the requirement. On receipt of the written request, the director must:
 - (1) grant the written request and waive the requirement;
 - (2) request more information from the applicant; or
 - (3) deny the written request.
- (c) **Application Prerequisites.** An applicant for a certificate of approval as a mentor mediator must:
 - (1) be an approved mediator;
 - (2) have served as lead mediator for 10 mediation cases in the area in which the mediator is seeking approval as a mentor mediator;
 - (3) have completed a minimum of 40 hours of CDRE after becoming a mediator; and
 - (4) have either:
 - (A) completed six hours of approved mentor mediation training; or

- (B) completed a mentor mediator course presented prior to the effective date of this rule and served as a mentor mediator on or before the effective date of this rule. The applicant must provide to the director a copy of the course agenda, hours completed, and proof of attendance.
- (d) **Application Review Process.**
 - (1) **Director's Decision.**
 - (A) On receipt of an application for approval, the director must review the application within the time period provided in K.S.A. 5-507(b).
 - (B) At the completion of the review, the director will either approve the application and issue a certificate of approval or deny the application.
 - (C) Before the approval or denial of an application, the director may require the applicant to obtain additional training or to submit more information, including any information relevant to the applicant's character, fitness, and general qualifications.
 - (2) **Written Request for Reconsideration.** If the director has denied an application, the applicant may submit to the director a written request for reconsideration. The director will present the request to the Council for review and decision.
- (e) **Renewal of Approval.** An approved mentor mediator must annually apply for approval renewal. The renewal application and fee must be postmarked by January 30. Failure to submit the renewal application and fee under this subsection may result in nonrenewal of approval status.
 - (1) **Renewal Application.** The application for renewal must include:
 - (A) proof of compliance with the CDRE credit requirements under Rule 916;
 - (B) the number of prospective mediators mentored in the prior year;
 - (C) a verified statement that the applicant agrees to comply with these rules;
 - (D) a renewal application fee in an amount determined by the Supreme Court unless:
 - (i) the applicant is a judicial branch employee who acts as an approved mentor mediator for the judicial branch or other state agencies; or
 - (ii) the renewal fee has been waived for an applicant who will not receive compensation for acting as an approved mentor mediator; and

- (E) any other information the director requests.
- (2) **Waiver of Requirements.** If an applicant has specialized experience or training but does not meet a requirement under paragraph (1), the applicant may submit a written request that the director waive the requirement. On receipt of the written request, the director may:
 - (A) grant the written request and waive the requirement;
 - (B) request more information from the applicant; or
 - (C) deny the written request.
- (3) **Application Review Process.** The renewal of approval will be reviewed in the same manner as an application for approval under subsection (a).
- (f) **Nonrenewal.** An individual who does not meet the renewal requirements of subsection (e) must apply for approval under subsection (a).
- (g) **Confidentiality of Records.** Except as provided in Rule 920, any record obtained or provided during the approval or renewal process is confidential and not subject to disclosure under the Kansas Open Records Act, K.S.A. 45-215 et seq.
- (h) **List of Approved Mentor Mediators.** The director must keep a public listing of approved mentor mediators that includes information for each approved individual, such as types of practicums and fees. An approved mentor mediator may opt out of the public listing.

[History: New rule adopted effective January 1, 2020.]