

## **Dispute Resolution Providers**

## **Frequently Asked Questions**

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## Section 1: New Provider Application & Approval Questions

New Providers & CDRE Renewal Requirements

- a. If I am a newly approved dispute resolution provider, am I exempt from the six continuing dispute resolution education (CDRE) hour requirement during my first year?
  - No, the <u>Rules Relating to Dispute Resolution</u> do not exempt newly approved dispute resolution providers from the CDRE requirement for renewal approval in their first year.
  - You will need to apply for renewal and submit verification of the required six CDRE hours.
  - Your primary training hours used for your initial approval process cannot be used for the ongoing six-hour CDRE requirement unless the number of primary training hours completed exceeds the number required for initial approval and then the excess hours can be used to count towards your six-hour CDRE requirement.
  - Reference: Rule 911(c)(1)(A) and Rule 916.

#### Reference Letters

- b. If I have reference letters on file for prior applications, can I use those when applying for approval in a new category?
  - Yes, you may, but be sure the existing reference letters fit the requirements for the relevant dispute resolution area.
  - Reference: Rule 911(a)(3) and 912(a)(2)

#### Find a Mentor Mediator

- c. How do I find a mentor mediator to facilitate my practicum?
  - You can find the list of approved mentor mediators under the "<u>Find a mentor mediator</u>" link on the "<u>Become a dispute resolution provider</u>" webpage.

#### **Practicums**

- d. How long do I have to complete my practicum?
  - The practicum must be completed within one year of completing the relevant training.
  - If seeking dual approval under Rule 911(c)(1)(C), the practicum must be completed within one year after the training for the second substantive approval area involved (i.e., the training to become a domestic, parent-adolescent, civil, or juvenile dependency mediator).

#### Mentor Mediator Evaluation Form

- e. What form do I submit with my new provider application to show I completed my practicum?
  - The mentor mediator completes the <u>Mentor Mediator Evaluation Form</u> after your practicum is completed. The form is located on the "<u>Become a dispute resolution provider</u>" webpage. You should submit the completed form alongside your new provider application.

## **Section 2: Renewal Application and CDRE Questions**

CDRE Requirements for Renewal Applications

- a. How many continuing dispute resolution education (CDRE) hours are required for renewal each year?
  - You must earn at least six credit hours of CDRE in each compliance period. Of the six CDRE credit hours, at least one hour must be in the area of domestic violence or ethics.
  - The compliance period runs from January 1 December 31.
  - Reference: Rule 916(b)

#### Renewal Submission Deadline

- b. What is the deadline to submit my renewal application each year?
  - The renewal application and fee must be postmarked by January 30 of each year.
  - If the renewal application is postmarked after January 30, a late fee of \$25.00 must be submitted in addition to the \$50.00 application fee.
  - Reference: Rule 911(e), Rule 912(e), and Rule 913(d)

#### Late Renewal Applications

- c. If I forget to submit my renewal application by January 30, can I submit it late?
  - The director of dispute resolution will accept a late application on a case-by-case basis.
  - In most cases, late renewal applications will be accepted if the application is submitted with the \$25.00 late fee and verification of all required CDRE hours for the relevant period.
  - Reference: Rule 911(e), Rule 912(e), and Rule 913(d)

#### Renewal Fee

- d. Do I have to pay a renewal fee for each dispute resolution process I am seeking renewal for?
  - No, you only pay one fee to renew all dispute resolution processes.

# e. Can I pay one fee if I submit my renewal application and new provider application simultaneously?

 No, applicants cannot combine a new provider application with a renewal application under one fee. The renewal and new provider applications should be submitted as stand-alone applications with separate fees.

# f. Do I have to complete six hours of CDRE for each of the dispute resolution processes for which I am approved?

• No, a total of six hours of CDRE are required annually for the renewal of your application for all dispute resolution processes for which you are approved.

#### Extra CDRE Hours

## g. If I complete more than six hours of CDRE annually, can I use the extra hours in the next year?

- No, CDRE credit hours may not be carried forward to the next compliance period.
- Reference: Rule 916(c)

#### CDRE Not Completed in a Calendar Year

# h. If I don't complete six hours of CDRE hours annually, can I make them up in the next calendar year?

- You can propose a plan for making up missed CDRE hours to the director of dispute resolution. Submitted plans will be approved on a case-by-case basis.
- The plan should be emailed to <u>adr@kscourts.org</u> and should identify the training courses they will take to make up missed CDRE and a deadline for completing the delinquent hours.

#### CDRE Credit for Role Play

### i. Can I get CDRE credit for coaching role plays?

- Yes, you may submit the application for <u>Approval for CDRE Activity: Teaching Credit</u> to apply for CDRE credit for coaching role plays. The Rules Relating to Dispute Resolution allow up to five hours of CDRE credit for time spent preparing for and teaching an approved CDRE presentation or approved training course.
- Reference: Rule 916(d)(3)

## **Section 3: Fee Waiver Requirements**

- a. Who qualifies for a fee waiver on new and renewal applications?
  - If you are a judicial branch employee who will provide dispute resolution for the judicial branch or other state agencies or if you will not receive compensation for providing services.
  - Reference: Rule 911(a)(7), Rule 911(e)(1)(D), Rule 912(a)(4), and Rule 912(e)(1)(D)

### **Section 4: Dispute Resolution Provider Certificates**

- a. Can I request a printed copy of my dispute resolution approval certificate?
  - No, the Office of Judicial Administration no longer mails out paper certificates due to the expenses involved. Suggested options:
    - o Print your certificate at home on the paper or cardstock of your choice.
    - Submit the PDF version of your certificate to a printing service of your choice; they
      will typically print and mail you the certificate.

### **Section 5: Dispute Resolution Provider Number**

a. What is my Dispute Resolution Provider (DRP) number?

You can email <u>adr@kscourts.org</u> to request your DRP number or find it on the bottom left of your dispute resolution provider certificate.

## **Section 6: Dispute Resolution Training**

Calendar of Approved Training

- a. How do I find out about Kansas Supreme Court-approved training opportunities?
  - The Kansas Judicial Branch posts a <u>Calendar of Approved Training</u> on its website that is continually updated and lists both primary and continuing dispute resolution opportunities. The training calendar is located on the "<u>Become a dispute resolution provider</u>" webpage.

#### Apply for CDRE

- b. Can I apply for CDRE credit for a dispute resolution training that I attended that has not yet been approved for CDRE credit?
  - Yes, you can apply for <u>Approval of Primary Training and Live CDRE Activity</u>. Follow the instructions on the application and attach the required attachments.
  - Reference: Rule 916(d)(2)

## Section 7: Attorneys Who Provide Dispute Resolution Services

- a. Do I have to obtain approval to provide court-appointed dispute resolution services if I am an attorney?
  - No, as an attorney you do not have to obtain approval to serve as a court-appointed dispute resolution provider. Attorneys can be appointed under <u>K.S.A. 5-509</u>, and in domestic cases under <u>K.S.A. 23-3502</u>.
  - However, to be an "approved" neutral person (dispute resolution provider) under Supreme Court rules, you must meet the requirements of <u>Rule 911</u>. If you are not an approved dispute resolution provider you will not be listed on our approved provider list that is published on the Kansas Judicial Branch Dispute Resolution <u>Find a Dispute Resolution Provider</u> webpage.

## Section 8: Rules Relating to Dispute Resolution and Dispute Resolution Act

- a. How can I learn more about the rules and statutes that govern dispute resolution?
  - You can review the <u>Rules Relating to Dispute Resolution</u> (Kansas Supreme Court Rules 905-922). The latest rules went into effect January 1, 2020.
  - You can review The Dispute Resolution Act, K.S.A. 5-501 5-516.

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