NOTICE TO THE BAR

COVID-19 – VIRTUAL (VIDEO) TRAINING FOR COMPLEMENTARY DISPUTE RESOLUTION – TEMPORARY RELAXATION OF RULE 1:40-12(b) ("MEDIATOR TRAINING REQUIREMENTS")

The Supreme Court by Order dated June 30, 2020 has relaxed Rule 1:40-12(b) ("Mediator Training Requirements") to temporarily allow mediator training to be conducted virtually (by video) rather than only in an in-person classroom format. The Court's June 30, 2020 Order is attached.

Rule 1:40-12(b) establishes mediator training requirements, including the 18-hour basic mediation training and an additional 22 hours (for a total of 40 hours) for mediators on the family roster and the civil, general equity, and probate roster. The rule requires "classroom" courses for the basic and specialized mediation and complementary dispute resolution (CDR) trainings, which courses historically have been conducted in person.

In-person trainings have been suspended during the COVID-19 crisis based on public health requirements. Over the past several months, the Judiciary has converted classroom-based curricula to support virtual mediation and CDR courses, including by using virtual breakout rooms to enable small groups to engage in interactive exercises and role plays. The Court's June 30, 2020 Order will enable mediator trainings to resume in a virtual format during the COVID-19 crisis while social distancing requirements restrict in-person gatherings.

Questions on this notice should be directed to Kathleen Gaskill, Manager of CDR and Volunteer Programs, at Kathleen.Gaskill@njcourts.gov.

Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: July 7, 2020

SUPREME COURT OF NEW JERSEY

In response to the ongoing COVID-19 public health emergency, the Supreme Court has authorized various interim adjustments to court trainings, including permitting certain classroom courses to be provided through virtual formats.

New Jersey Court Rule 1:40-12(b) ("Mediator Training Requirements") provides that mediation and complementary dispute resolution training shall be provided through classroom instruction, which remains impracticable at the present time due to the social distancing precautions that are necessary to reduce the risk of spreading the COVID-19 virus.

To support the continuing operations of the courts, the Judiciary must be able to provide both basic and specialized mediation and complementary dispute resolution training even while in-person classroom courses cannot be conducted.

Accordingly, it is ORDERED, pursuant to N.J. Const., Art. VI, sec. 2, par. 3, that Rule 1:40-12(b) of the Rules Governing the Courts of the State of New Jersey is relaxed on a temporary basis so as to permit mediation and complementary dispute resolution trainings to be provided in virtual formats.

This order is effective immediately and until further order.

For the Court,

Chief Justice

Dated: June 30, 2020