

**Family Mediator Certification Board
Public Minutes
April 4, 2017 at 4:15
121 South Fruit Street, Concord, NH 03301**

A meeting of the Family Mediator Certification Board was held on April 4, 2017. The meeting was called to order at 4:25 by Chairperson M. Rousseau. Also in attendance were: P. Goldsmith, C. Sadler, C. Dochstader, M. Garner, E. Jasina, R. Cram, L. Aaby, T. Sturke and A. Matrumalo. Not present was S. Towle. Also in attendance were C. Horne and Heather Kulp, Coordinator for the ADR.

1. Heather Kulp-

Heather introduced herself, giving a brief overview of her background and informed the Board that she is traveling to the Courts in order to meet with Mediators and to listen to their concerns. She also discussed the steps that are being considered for improving the level of their safety within the mediation setting. She is working on establishing a consistent protocol in the courts for mediator safety and on improving the pre-mediation screening program. Some thoughts might be to provide mediators with a walkie –talkie or a safety button to push if necessary should a crisis arise in a mediation session.

The Board assured Heather that she can reach out to them for assistance, and that they would share the Board’s thoughts on the DV protocols they have worked on so far. Staff will send out Heather’s contact information.

2. Reading and Approval of December 6, 2016 and March 7, 2017 Minutes-

a. Public Minutes-

L. Aaby made a motion to accept the December 6, 2016 minutes as written, P.

Goldsmith seconded, A. Matrumalo abstained, all others voted to approve the minutes.

P. Goldsmith made a motion to approve the March 7, 2017 minutes with a few corrections, T. Sturke seconded, E. Jasina abstained, all others voted to approve the minutes.

b. Non-Public Minutes-

P. Goldsmith made a motion to approve the March 7, 2017 minutes with a few changes,

T. Sturke seconded, E. Jasina abstained, all others voted to approve the minutes.

3. Continuing Education Approval Requests-

a. Drafting Comprehensive Agreements in Complex Cases- The approval request for this course is denied. The synopsis and agenda are not supported by the materials and the presentation. A few Board members went to this class and spoke to the fact that there was no “hands on” or experiential component to the course as required by FAM Rule 404.06 (b) and therefore the Course could not be certified for Mediator Skills Credits as requested. Staff will send an email to the Organization (NHCRA) who requested credit and return the course approval application so the application can be resubmitted for a different credit allocation. The Board members felt it was a very good course but that the course did not meet the criteria required for the credit type for which it was submitted-

b. Advanced Family Law- The approval request for this course is denied. The application for course approval requires that handouts are sent in with the application. Staff will send a letter to have course materials submitted with the application.

c. Divorce Litigation from Start to Finish- The approval request for this course is denied as the course is about divorce litigation not mediation.

d. Board had a discussion about courses that have been approved at one time and that are then viewed again at a later date through a video re-play or webinar. The issues of concern are: how will the Board know if the information is current, and for how long should a course approval be valid. See Fam. 404.07(b)(2) regarding additional presentations of the same course during the 12 months following the Boards approval.

4. Work Session on Rules-

a. Continuation of 200’s- this discussion is postponed to the May 2, 2017 meeting.

5. Board Communication-

a. Email from Denise Terwilliger regarding becoming a Family Mediator- The rules state you must have a college degree as stated in Fam. 303.01(a). There is no flexibility here. Staff will send a letter to Ms. Terwilliger.

b. Mark J. Ciocca’s update- Staff let the Board know that she spoke with Meagan Rose who does the Board appointments at the Governor’s office. The next G & C meeting is April 5. Mark Ciocca is expected to be nominated.

c. Mary Sargent request for an additional extension- this discussion moved to non-public

d. Meredith Richardson request- this discussion moved to non-public

6 New Business

a. Certified Mediators compliance issues- A Mediator has three years to get their CEUs completed. That should be an adequate amount of time to comply in most instances. This has been an ongoing issue. The majority of the Board feels this does not reflect well on the Mediator if they can't get paperwork in correctly. Professionals should be able to comply with the rules. There was a discussion about whether there should be consequences for not complying with the rules.

There are three Mediators that will be notified by the staff through formal correspondence-informing them that their certification has lapsed because they are still missing CEU's after having been granted extensions, and they need to notify the courts. Those three will need to reapply according to Fam. 405.

7. Non-Public Session-

a. Upon the motion of P. Goldsmith and the second of T. Sturke, the Board, by roll call vote, voted to conduct a non-public session at 6:25. Such a non-public session is authorized by RSA 91-A:3, II(j), RSA 91-A:5, IV, Lodge v. Knowlton, 118 N.H. 574(1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by unanimous vote of all members present.

b. Upon return vote to seal the minutes- T. Sturke made a motion to seal the non-public minutes, P. Goldsmith seconded, all in favor, unanimous.

8. Adjournment- C. Dochstader made a motion to adjourn at 6:45, P. Goldsmith seconded, all in favor, unanimous.

a. Next Meeting- May 2, 2017 at 4:15