

Readopt with amendments Fam 404.01, effective 10-2-18 (Document #12635), to read as follows:

Fam 404.01 Required Continuing Education.

- (a) The continuing education required for renewal of certification shall:
- (1) Total at least 24 hours of board-approved courses for each separate 3-year renewal cycle;
 - (2) Include, in the required 24 hours, at least 3 hours on each of the following topics:
 - a. Recent changes in law and procedure in matters related to divorce and parental rights and responsibilities, also known as “legal updates”, as further specified in Fam 404.03;
 - b. Ethics for mediators, as further specified in Fam 404.04;
 - c. Domestic violence, as further specified in Fam 404.05;
 - d. Mediation skills, as further specific in Fam 404.06; and
 - e. ~~Family relationships~~ ***Dynamics, as further specified in Fam 404.07; child development, impact of divorce and separation on families, substance misuse, and mental health factors in divorce and separation, also known as “mental health issues and family dynamics”;***
 - (3) Include, for the balance of the required 24 hours, one or more courses on:
 - a. Any of the topics listed in (a)(2) above if the courses have not already been taken for credit during the same renewal cycle; and
 - b. Any board-approved courses on the other additional continuing education topics listed in (b) below when given by a presenter qualified in accordance with Fam 404.07; and
 - (4) Include, in the required hours, at least 16 hours of attendance at, or participation in, a live course presentation.
- (b) Other additional continuing education topics shall be:
- (1) Current research on conflict and conflict resolution as applicable to family mediation;
 - (2) Mediation theory and history;
 - (3) The impact of differences in culture, gender, ethnicity, religion, and race on mediation;
 - (4) How to determine whether other professional services might be helpful and identification of such services;
 - (5) Professional resources for mediators, such as professional associations and publications; and
 - (6) Any other course topic or educational opportunity that would increase the relevant knowledge and professional competency of the mediator.

(c) The board shall credit a presenter of a board- approved course with continuing education credit in the form of:

- (1) Two hours of credit for each hour spent presenting the course, to a maximum of 12 hours;
- (2) Credit for attendance at a live presentation; and
- (3) Credit given only once during the renewal cycle, no matter how often the presenter presents the course.

(d) The board shall credit an applicant who has served as an internship supervisor during the renewal cycle with up to 3 hours of continuing education in mediation skills per intern supervised:

- (1) To a maximum of 12 hours; and
- (2) Providing that the board has received:
 - a. The evaluation further described in Fam 302.04(1) for each case co-mediated and supervised; and
 - b. A letter addressing the intern's adherence to 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, and competence as further described in Fam 302.05 for each intern supervised.

Adopt Fam 404.07, and renumber existing Fam 404.07 – Fam 404.08 as Fam 404.08 – Fam 404.09, to read as follows:

Fam 404.07 Family Dynamics. Courses on Family Dynamics shall cover one or more of the following topics:

- (a) Child development;
- (b) Impact of divorce and separation on families;
- (c) Substance misuse;
- (d) Mental health issues;
- (e) Family relationships; and
- (f) Any other topic that satisfies the intent of this requirement.

Readopt with amendments Fam 404.09, effective 10-2-18 (Document #12635), and renumber as Fam 404.10, to read as follows:

Fam 404.09 *10* Application for Board Approval of Continuing Education Courses. The individual or entity seeking approval of a course shall provide the following information on the “Request for Continuing Education Course Approval” form issued by the board or on separate attachments:

- (a) The name, address, email, and phone number of the person making the request;
- (b) An indication as to whether the requester is a provider or student, and whether the request is for pre-approval or approval of a course;
- (c) The name of the sponsor of the program;
- (d) The date, time, and location of the course;
- (e) A summary of the professional qualifications of the person or persons presenting the course, including specifics required under Fam 404.07;
- (f) The required topic or additional topic for which approval is sought;
- (g) The duration of the course, excluding meals and breaks. *If the request is for the total number of credits to be allocated in multiple continuing education topics not including a hybrid course, then an agenda or other verification of time spent on each topic for which credit is being requested shall be attached;*
- (h) A brief description of any experiential component included in the program, including the length of such components;
- (i) A description of how the course will:
 - (1) Update or enhance certified family mediators’ knowledge of families and family law;
 - (2) Improve the professional competence of the mediators; or
 - (3) Equip mediators to work effectively within ethical boundaries; and
- (j) Any written handouts provided at the course, if available.

Readopt with amendments Fam 804.01, effective 12-5-18 (Document 12687), to read as follows:

Fam 804.01 Requirement.

- (a) In every case, a certified family mediator shall engage in routine in-person screening for domestic violence prior to starting substantive mediation. The screening shall be part of mediation proceeding and ~~the family~~ shall be confidential pursuant to RSA 328-C:9, I.
- (b) The screening shall be conducted by meeting separately and privately with each party.

(c) Certified family mediators shall either develop their own screening tool that complies with Fam 804.02 or adopt and use one or more published screening tools that comply with Fam 804.02.

Appendix

Rule	Statute
Fam 404.01	RSA 328-C:4-a, IV; RSA 328-C:6
Fam 404.07	RSA 328-C:4-a, IV; RSA 328-C:6
Fam 404.10 (formerly Fam 404.09)	RSA 328-C:4-a, IV; RSA 328-C:6; RSA 328-C:8, I(b); RSA 541-A:16, I(b) intro
Fam 804.01	RSA 328-C:8, I(e)