

Readopt with amendment 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 screening shall be confidential pursuant to RSA 328-C: 9, I. *Notwithstanding the requirements of this section, during the current declared State of Emergency issued by the Governor of New Hampshire, the Board shall authorize a certified family mediator to utilize web-based video services to satisfy the in-person screening requirement to conclude upon the expiration/termination of the State of Emergency issued through Executive Order 2020-4, March 13, 2020.*
- (1) At the outset of the session, when utilizing web-based video services to satisfy the in-person screening requirement, the mediator must obtain the sworn assurance from all participants that only the party and/or the party's attorney, advocate or other necessary person is the only other person in the room with him/her at the time of the screening. The mediator shall also advise the parties and the parties shall acknowledge that he/she understands that no one shall record the audio and/or video portion of the mediation proceedings at any time.*
- (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.