



# Columbia County Circuit Court

## Court-Connected Small Claims Mediator Application

(Please note that your application will be on file and available for public inspection)

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### Applicant Information

1. Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

2. Mailing/ Office Address: \_\_\_\_\_

3. Phone: \_\_\_\_\_ Email: \_\_\_\_\_

4. Application for **Small Claims Mediator**.

5. Please include a copy of your resume with your application.

A copy of my resume is attached

6. List all languages you speak proficiently and are qualified to mediate in:

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# Training Requirements

[Oregon Uniform Trial Rules \(UTCR\) Chapter 12](#) requires all small claims mediators complete training in each of the following areas, unless a waiver or substitution is granted.

**Complete the two following sections:**

## 1. Basic Mediation Training – UTCR 12.100

My basic mediation training:

- Was at least 30 hours
- Includes training techniques that closely simulate the interactions that occur in mediation and at least 6 hours of role play with trainer feedback and a trainee self-assessment
- Included instructions to help me:
  - Gain an understanding of conflict resolution and mediation theory
  - Effectively prepare for mediation
  - Create a safe and comfortable environment for mediation
  - Facilitate effective communication between the parties and mediator
  - Use techniques that help the parties solve problems and seek agreement
  - Conduct mediation in a fair and impartial manner
  - Understand mediator confidentiality and ethical standards for mediator conduct
  - Conclude mediation and memorialize understandings and agreements
- Was conducted by a lead trainer who has:
  - The qualifications of a general civil mediator as defined in UTCR 12.060 (except the requirement in UTCR 12.060(1)(a))
  - Mediated at least 35 cases to conclusion or completed at least 350 hours of mediation experience beyond the required general civil mediator.
  - Served as a trainer or an assistant trainer for the basic mediation curriculum outline in this section at least three times *or*;
  - Has experience in adult education and mediation and has
    - Served as a teacher for at least 1000 hours of accredited education or training for adults; and
    - Completed the basic mediation curriculum outlined under this section.

I have attached a copy of my training certificate(s) with my application, if not, explain why:

## 2. Court-System Training – UTCR 12.130

My court-system training included:

At least 6 hours in the following subject areas:

- Instruction on the court system including, but not limited to:
  - Basic legal vocabulary
  - How to read a court file
  - Confidentiality and disclosure
  - Availability of jury trials
  - Burdens of proof
  - Basic trial procedure
  - The effect of a mediated agreement on the case including, but not limited to, finality, appeal rights, remedies and enforceability.
  - Agreement writing
  - Working with interpreters
  - Obligations under the Americans with Disabilities Act
- Information on the range of available administrative and other dispute resolution processes.
- Information on the process that will be used to resolve the dispute if no agreement is reached, such as judicial or administrative adjudication or arbitration, including entitlement to jury trial and appeal
- How the legal information described in this subsection is appropriately used by a mediator in mediation, including avoidance of the unauthorized practice of law.

I have attached a copy of my training certificate(s) with my application, if not, explain why:

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# Mediation Experience

[Oregon Uniform Trial Rules \(UTCR\) Chapter 12](#) requires that all small claims mediators have completed the following types of experience.

**Complete the following two sections:**

## 1. Observations

I observed three actual mediations.

Please include the place where mediations occurred and the approximate dates of mediations:

	Place Mediation Occurred	Approximate Date
1.	_____	_____
2.	_____	_____
3.	_____	_____

## 2. Participation in Mediation

I have participated as a mediator or co-mediator in at least three cases that have been or will be filed in court, observed by a person qualified as a general civil mediation supervisor and performed to the supervisor's satisfaction.

Please include the place where the mediations occurred and the approximate dates of mediations:

	Place Mediation Occurred	Approximate Date
1.	_____	_____
2.	_____	_____
3.	_____	_____

# Substitution or Waiver of Qualifications

The court's determining authority may allow a substitution or waiver for any of the minimum qualifications for an approved mediator.

1. Do you meet all the requirements for the area of practice(s) for which you are applying?

Yes  No (if no, answer questions 2 & 3)

2. If you do not meet the specific criteria outlined in UTCR 12 do you have other training, experience or education that qualifies you to mediate. Please explain:

3. What is your plan, including a timeline, to meet the minimum requirements?

# Mediator Ethics

When mediating under ORS 36.185 to 36.210, I understand I must:

- Disclose to the determining authority and the participants at least one of the relevant codes of mediator ethics, standards, principles, and disciplinary rules of the mediator’s relevant memberships, licenses, or certifications. It is not the court’s responsibility to enforce any relevant codes of mediator ethics, standards, principles, and/ or rules
- Comply with relevant laws relating to confidentiality, inadmissibility, and non-discoverability of mediation communications including, but not limited to ORS 36.220, 36.222
- Inform the participants prior to, or at the commencement of, the mediation of each of the following:
  - The nature of mediation, the role and style of the mediator, and the process that will be used
  - The extent to which participation in mediation is voluntary and the ability of the participants and the mediator to suspend or terminate the mediation
  - The commitment of the participants to participate fully and to negotiate in good faith
  - The extent to which disclosures in mediation are confidential, including during private caucuses
  - Any potential conflicts of interest that the mediator may have, i.e., any circumstances or relationships that may raise a question as to the mediator’s impartiality and fairness
  - The need for the informed consent of the participants to any decisions
  - The right of the parties to seek independent legal advice including review of the proposed mediation agreement before execution
  - In appropriate cases, the advisability of proceeding with mediation under the circumstances of the particular dispute
  - The availability of public information about the mediator pursuant to UTCR 12.050
  - If applicable, the nature and extent to which the mediator is being supervised

## References

You may list up to three references who can attest to your ability to mediate small claims cases.

Name of Reference	Relationship	Phone Number	Email Address

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By signing this mediator application, I acknowledge that the information provided may be subject to verification and that references and programs may be contacted. I consent to the release of any necessary information for this purpose.

I also certify I have read, understand, and will comply with the Oregon Revised Statutes, the Supplemental Local Court Rules for Columbia County relating to court connected mediation, and the Oregon Uniform Trial Court Rule 12.

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Signature

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Date

**Return your application to:**

Trial Court Administrator's Office  
230 Strand Street  
St. Helens, OR 97051  
Torja.A.Fraser@ojd.state.or.us