Mediator Licensing and Certification in California

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The process of selecting a mediator can be very confusing and frustrating. How does one go about determining who is best qualified, experienced, or successful? Is there a licensing or certification procedure that ensures that a mediator has met at least minimal standards? This article will discuss the licensing and certification standards in California, the range of training programs available, the definition of terms such as “certificate” and “certified”, and how this information may be used in selecting a mediator for your situation. We will also briefly touch on the pros and cons of licensing.

A Brief History of the Practice of Conflict Resolution

Types of Conflict Resolution. Conflict resolution has been a part of human societies for a long time. In modern American culture, the practice of law ("Lawyer," 2010) is an example of how our society has created a formal structure for peaceful conflict resolution. Attorneys are hired as advocates for each side and, in a sense, “do battle” on behalf of their clients. The role and responsibility of an attorney is to get the best outcome for their clients in a courtroom context that is primarily adversarial: one side against the other where typically one party “wins” and the other party “loses.” This practice provides a basis of rules (laws) for determining how to resolve conflict in a peaceful way that serves the good of society.

Non-courtroom-based forms of conflict resolution have been grouped together under the banner of Alternative Dispute Resolution ("Alternative dispute resolution," 2010). ADR methods include arbitration, negotiation, conciliation, and mediation.

1. Arbitration provides a neutral third party who hears both sides and determines how to resolve the conflict outside of a court setting. In binding arbitration, both parties are bound by the arbitrator’s solution. In non-binding arbitration, the arbitrator’s solution is indicative of how a judge/court might rule.

2. Negotiation is used in conflicts ranging from collective bargaining to global peace talks. In negotiation, the disputants may negotiate directly with each other, or may be represented (e.g., by an attorney).

3. Conciliation ("Conciliation," 2009) is a process where the parties to a current or future dispute agree to utilize the services of a conciliator, who then meets with the parties separately in an attempt to resolve their differences. The conciliator resolves the conflict by
“lowering tensions, improving communications, interpreting issues, providing technical assistance, exploring potential solutions and bringing about a negotiated settlement.”

4. Mediation, the focus of this article, is the fourth type of Alternative Dispute Resolution. The practice of mediation has been with us for a long time (Seamone, 2000); tribal elders, wise neighbors, etc. have filled the role we today call mediator. A mediator ("Mediation," 2010) is a third party who helps the disputants reach their own agreement. In mediation the parties in the dispute “determine the conditions of any settlements reached— rather than accepting something imposed by a third party.” Mediation is the only alternative dispute method where a third party promotes dialogue and freedom of choice among the disputants in arriving at a solution that meets their unique needs.

Conflict Resolution as a Field of Study. While mediation is not new, the field of conflict resolution as an area of study and professional practice is a recent addition to the formal options of conflict resolution. Conflict Resolution is commonly offered within the field of Communications and also draws heavily from its social science neighbors – Psychology and Sociology. Antioch University McGregor was one of the first universities to offer a graduate degree in conflict resolution, which started in 1992.

Mediation is in its early stages of development as an area of study and professional practice. Consistent with the evolution of other fields, such as Psychology, the early stages of development of a field can seem chaotic as people from various disciplines and backgrounds jump into the new opportunity. Generally at this early stage there are little or no regulations of the field, many disparate professional groups and associations, no articulated standards or code of ethics, and no standardized training or curriculum requirements.

This description of an early stage of development in a field accurately describes the current state of affairs for mediation as a professional method of conflict resolution. This explains why there is so much conflicting information, confusion of terms, and variety of backgrounds and levels of training currently in the field of mediation. With the growing popularity of mediation, there is now a need for some clarity about what currently exists in this new profession. The intent of this article is to fill this need for clarity in the areas of licensing, certification, and training in mediation, focusing on the state of California as an example.

Licensing

In the state of California, licensing of mediators does not exist. There is one special case that deserves to be mentioned and that is Family Court. If a divorcing couple is in disagreement regarding children, the Family Code requires the parties to try to resolve their dispute in mediation provided by the court. Family Court mediators (Judicial Council of California, 2010a) are required to have a master’s degree in counseling, social work, or a related field, have at least two years experience working in mental health, know how the family court system works, and also have
information about community services. In this example, licensing in counseling or social work is implied.

**Certification**

Before discussing certification we need to provide clarity and definitions for the words ‘certify’, ‘certification,’ ‘certificate,’ and ‘certificate of completion.’

**Definition of Terms.** A ‘certificate of completion’ is a piece of paper that indicates that an individual has attended a workshop or course that may be offered by a private individual, company, or school. The paper simply confirms that the individual attended the event with a specific name such as “Mediation Nuts & Bolts Training.” The certificate of completion usually indicates the date and the length of the workshop or course, but does not indicate the depth of the curriculum or the level of success of the participant.

The word ‘certificate’ is used by educational institutions to indicate a broad range of programs of study. These institutions may or may not be accredited. The certificate programs generally include more than one course and are counted in credit hour units. Examples of programs which award certificates after successful completion of specified requirements include: 1) short programs from Extended Education, 2) 18 credit hour programs that are less than a two-year Associate of Arts degree, 3) post Bachelor’s degree programs, and 4) post Master’s degree programs. It should be noted that certificate and degree programs in conflict resolution offered by accredited higher education institutions are not at all standardized. Even degree programs at the same level (BA, MA, or PhD) will vary greatly, as will certificate programs at these various levels. In order to compare one program to the next, one needs to look at the number of hours required in the major and the specific courses taken.

The words ‘certify’ and ‘certification’ refer to a process of verifying that an individual has met specific professional standards. These words imply that there is a regulatory or professional standards agency which has set standards for practice and which serves the public good by conferring certification that an individual has met those standards. These agencies may engage in audits or accreditation of educational programs and as well as setting curriculum and resource requirements for these programs. They may also require that individuals pass a separate examination to ensure that the individual has met the required standards. These agencies may also monitor professional ethics and serve as a monitor of complaints against the individual. There may also be some requirement for on-going training and periodic re-certification.

**Certification of Mediators.** In California, there is no state or professional agency or department that certifies mediators. The absence of a certifying agency along with the variety of training paths taken by mediators presents a dilemma for the consumer. If a mediator claims to be ‘certified,’ let the buyer beware! Having received a ‘certificate of completion’ or been awarded a certificate is not the same as being ‘certified.’ How, then, does one compare the training backgrounds of different
mediators to make an informed selection? The next section describes examples of the different types of training programs that are available and clarifies the variations among these types.

**Conflict Resolution and Mediation Training Programs**

**University Degree Programs.** Some universities offer degrees, from bachelors level to doctoral level, in Conflict Resolution (variously called Conflict Resolution, Dispute Resolution, Peace Studies, Conflict Assessment and Engagement, etc.). We will use the term ‘Conflict Resolution’ to include all of these variations. Course requirements for the major vary by school, but typically include mediation, negotiation, culture (related to conflict), communication (related to conflict), psychology, and sociology – among others. Degree programs may also require practicum hours under supervision. Examples of university degree programs include:

- California State University, Dominguez Hills offers a Bachelor of Arts degree in Negotiation, Conflict Resolution and Peacebuilding. It also offers a 36 semester unit Master of Arts degree (California State University, 2009a, 2009b).

- Antioch University McGregor offers a 48 – 52 quarter credit-hour Master of Arts degree in Conflict Analysis and Engagement (Antioch University McGregor, 2009).

- Straus Institute for Dispute Resolution at Pepperdine University’s School of Law offers a 32 semester unit Master of Dispute Resolution (MDR). It also offers a 28 semester unit Master of Laws in Dispute Resolution (LL.M.) for those already possessing a degree in law (J.D.) (Office of the University Registrar, n.d.; Straus Institute for Dispute Resolution, 2009b).

**University Certificate Programs.** Several universities offer certificate programs in Conflict Resolution. These are generally, but not always, housed within the graduate school and may include many of the same courses that could be applied towards a Masters degree. Here are three sample certificate programs offered by respectable universities. The first is below a Bachelor’s degree using a quarter credit hour measure, the second is beyond the Bachelor’s degree, and the third is beyond a Master’s degree both using a semester credit hour measures. These examples demonstrate how one university certificate is not equivalent to a certificate offered by another university.

- University of California, Santa Barbara (UCSB Extension). This is a 16 quarter credit-hour program that does not appear to require having an undergraduate degree (University of California, 2009).

- Straus Institute for Dispute Resolution at Pepperdine University’s School of Law. This is a 14 semester credit-hour program for those already possessing an undergraduate degree (Office of the University Registrar, n.d.; Straus Institute for Dispute Resolution, 2009a).
California State University, Dominguez Hills, offers a 18 semester unit post-Master’s certificate. To be admitted, the prospective student must already possess a Master’s degree in Conflict Resolution (California State University, 2009a, 2009b).

Training Workshops and Certificates of Completion. There are many courses in mediation offered by various groups. One prominent example is mediation training for volunteer citizens to assist in alleviating the case load of California courts. The Dispute Resolution Program Act of 1986 statute is used to provide mediators for Small Claims Court as well as for community mediation centers, typically non-profits.

“The Dispute Resolution Programs Act of 1986 … provides for the local establishment and funding of informal dispute resolution programs. The goal of the DRPA is the creation of a state-wide system of locally-funded programs which will provide dispute resolution services (primarily conciliation and mediation) to county residents. These services assist in resolving problems informally and function as alternatives to more formal court proceedings” (California Department of Consumer Affairs, 2010b).

The DRPA regulations spell out, in detail, the content of the 25 hour training requirements (e.g. 25 hours total; classroom training shall consist of a minimum of 10 hours of lecture and discussion covering specified topics; practical training shall consist of a minimum of 10 hours, which shall include role plays of simulated disputes and observations of actual dispute resolution services, including intake procedures as well as actual dispute resolution proceedings; …) (California Department of Consumer Affairs, 2010a). Various organizations provide training that meets or exceeds the requirements specified in these regulations.

Certification by Organizations. As mentioned above, there is no formal certifying agency for mediators. The most likely existing organization to provide this service would be the Association for Conflict Resolution, but they do not certify mediators. Another likely source of certification would be the court systems that use mediators. The California courts specifically state that they do not certify mediators that support the courts. A for-profit business has stepped into the vacuum and provides what they call “certification” through the mediate.com website. This “certification” is based on self-reported information entered into the website database. Certification from mediate.com does not meet our criteria for a certifying agency as discussed above.

Here is more information about each of these three.

- mediate.com – Mediate.com’s business structure “is a dba [doing business as] of Resourceful Internet Solutions, Inc” (Mediate.com, n.d.-c). Mediate.com’s mission is to offer “membership, web site development, featured placement, newsletter services and professional education products for dispute resolution professionals and the public” (Mediate.com, n.d.-b). “Certification” from Mediate.com requires that a mediator declare 100 hours of training and 500 hours of experience. The fee for the certification review the first year is $149 and the annual certification renewal is $99 (Mediate.com, n.d.-a).
• Association for Conflict Resolution – ACR is the primary national and international association supporting mediation and conflict resolution. ACR does not certify mediators nor does it provide the functions of a certifying agency as described above. ACR does provide an online referral service and there is an opportunity for designation as an ACR Family and Divorce Mediator Advanced Practitioner. Note – this section was originally the Academy of Family Mediators (AFM), organized as a non-profit in 1981 – and merged into ACR in 2001. The qualifications for this designation include a minimum of 60 hours of family mediation training and 250 hours of face-to-face family mediation (Association for Conflict Resolution, 2003).

• California Courts. California Rules of Court (CRC) Division 8: Alternative Dispute Resolution: Rule 3.858 (b) says “A mediator may indicate in his or her marketing materials that he or she is a member of a particular court’s panel or list but, unless specifically permitted by the court, must not indicate that he or she is approved, endorsed, certified, or licensed by the court” [italics added]” (Judicial Council of California, 2010b).

The next section will discuss the reasons why most comparisons of mediator training programs are like apples-to-oranges. Following this discussion, we present a chart that summarizes these variations and provides a basis for apples-to-apples comparisons.

**Evaluating Different Training Programs**

Given the absence of a certifying agency, mediators will commonly advertise the number of hours and kind of training in conflict resolution or mediation that they have taken and/or any specific certificates or degrees they have received from an accredited institution of higher education.

One complexity in comparing courses, programs, and degrees taken by a mediator is the unit of measurement used by each of these different types of training. For example, workshops and seminars for which certificates of completion may be provided are typically measured in clock hours (e.g., 40 hours means 40 clock hours of instruction with no homework assignments, assigned reading, or external practice activities). On the other hand, courses and degree programs from higher education institutions are typically measured by credit hours which include instruction time, homework, and other assigned external preparation time.

To begin to build a common unit of measurement, student credit hours can be converted to total clock hours using the standard “two hours of study outside of class for each hour in class.” One student credit hour in a 15-week semester once-a-week 50 minute class would therefore be equivalent to 42.5 clock hours of instructional and study time.

However, student credit hours can occur within quarters or semesters and semesters have varying lengths, usually from 15 to 18 weeks. Typically, a quarter is 10 weeks while a semester averages 15 weeks. Therefore, Pepperdine University uses a factor of 1.5 (i.e., 15 weeks in a semester divided by 10 weeks in a quarter) to adjust quarter units to semester units: “Courses transferred in
‘quarter units’ will be converted to semester units by dividing quarter units by 1.5. Thus, a course with 4 quarter units will count as 2.66 semester units (Office of the University Registrar, n.d.). From this example, we can see that, in order to calculate a common measure of the number of clock hours for each program, the specific length of the term must be taken into account.

The following chart and data table attempt to convert a sampling of different programs and measures to a common “apples-to-apples” comparison. The student credit hours specified by each program (both quarter and semester) have been converted to the number of clock hours devoted to the study of Conflict Resolution by program type. From this comparison, one can more clearly perceive the real differences among these types of programs in terms of the amount of time that a mediator has invested in training.

Chart 1: Comparison of Conflict Resolution Program Training

<table>
<thead>
<tr>
<th>Program</th>
<th>Program Type</th>
<th>Total Program Hours: Class, Assignments, Study, etc</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of California, Santa Barbara</td>
<td>Mediation &amp; Dispute Resolution Certificate</td>
<td>480</td>
</tr>
<tr>
<td>Pepperdine: Straus Institute for Dispute Resolution</td>
<td>Certificate in Dispute Resolution</td>
<td>630</td>
</tr>
<tr>
<td>California State University, Dominguez Hills</td>
<td>Post M.A. in Conflict Analysis &amp; Resolution</td>
<td>810</td>
</tr>
</tbody>
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Graduate Degrees 1,260 - 1620

<table>
<thead>
<tr>
<th>Program</th>
<th>Program Type</th>
<th>Total Program Hours: Class, Assignments, Study, etc</th>
</tr>
</thead>
<tbody>
<tr>
<td>California State University, Dominguez Hills</td>
<td>M.A. in Negotiation, CR and Peacebuilding</td>
<td>1,620</td>
</tr>
<tr>
<td>Antioch University McGregor</td>
<td>M.A. in Conflict Analysis and Engagement</td>
<td>1,500</td>
</tr>
<tr>
<td>Pepperdine: Straus Institute for Dispute Resolution</td>
<td>Master of Dispute Resolution</td>
<td>1,440</td>
</tr>
<tr>
<td>Pepperdine: Straus Institute for Dispute Resolution</td>
<td>LL.M. in Dispute Resolution (Post J.D.)</td>
<td>1,260</td>
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</tbody>
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Graduate Degrees 1,260 - 1620

<table>
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<tr>
<th>Program</th>
<th>Program Type</th>
<th>Total Program Hours: Class, Assignments, Study, etc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loyola Law School Los Angeles</td>
<td>Mediation Nuts &amp; Bolts Training (DRPA)</td>
<td>40</td>
</tr>
<tr>
<td>Mosten Mediation Training</td>
<td>Basic Divorce Mediation (DRPA approved)</td>
<td>40</td>
</tr>
<tr>
<td>Mosten Mediation Training</td>
<td>Advanced Family Mediation</td>
<td>16</td>
</tr>
<tr>
<td>Ventura Center for Dispute Settlement</td>
<td>Mediator Training (DRPA)</td>
<td>32</td>
</tr>
<tr>
<td>Dispute Resolution Services (L.A. County Bar)</td>
<td>Basic Mediation Training</td>
<td>30</td>
</tr>
<tr>
<td>Dispute Resolution Services (L.A. County Bar)</td>
<td>Business &amp; Commercial Mediation Training</td>
<td>5</td>
</tr>
<tr>
<td>Dispute Resolution Services (L.A. County Bar)</td>
<td>Adv’d Skills Practicum &amp; Certification Prep</td>
<td>20</td>
</tr>
</tbody>
</table>

Certificates of Completion 5 - 40
What is an Attorney-Mediator?

A recently new designation is that of Attorney-mediator. What is this? Generally, this designation refers to attorneys who choose to expand their law practice to provide mediation services as an alternative to litigation. In our opinion, this is a positive direction which provides more choice for the consumer. However, the same as for mediators in general, there is no official certification or licensing process, beyond that of becoming an attorney, that applies to an Attorney-mediator. There is no assurance that an Attorney-mediator has had any training as a mediator. The consumer remains responsible for inquiring about the mediation training and experience of the attorney.

How might an Attorney-Mediator be different from a non-attorney Mediator? To address this question, we need to look at three approaches to resolving conflict: power, rights, and interests (Ury, Brett, & Goldberg, 1988).

- Power-based resolution uses hierarchical rank or group pressure to force a solution. Examples of the use of power include the use of military, trade restrictions, and labor strikes. Somewhat less obvious, power can be a hidden factor in all approaches to conflict resolution (e.g., a wealthy defendant in a lawsuit has the power to retain the best attorney in town; or providing or withholding specific knowledge that is relevant to a dispute may impact the power balance of the parties in a dispute).

- Rights-based resolution is typified by our governmental courts. An Attorney’s primary training is in a right-based approach to resolving conflict – advocating for the rules of law.

- Interest-based negotiation, notably described in Getting to Yes (Fisher, Ury, & Patton, 1991) is considered a primary tenet of the practice of mediation. Interest-based negotiation identifies the interests of each party and looks for common ground for creating a resolution to the conflict. The role of the facilitator in the interest-based approach is that of a neutral third-party. Mediation training programs often address a mediator’s responsibility for fairness, neutrality, and awareness of the potential to impact the power balance of the parties by the mediator’s words and actions.

An attorney who has been trained in a rights-based approach to conflict resolution may or may not be trained in an interest-based approach. The consumer might want to ask an Attorney-mediator about their mediation training related to interest-based approaches to conflict resolution as well as how the Attorney-mediator creates a neutral, non-adversarial environment for mediation.

An attorney also faces the challenge of shifting from an advocate role to a neutral mediator, which is often not an easy shift to make. Kenneth Cloke offers a five hour course subtitled, Making the Transition from Advocate to Mediator with the description “This course is specifically designed for individuals who are making the not-always-easy shift from advocate to omni-partial mediator. This
program will instruct participants on how to become more open-minded and open-hearted and find wisdom, clarity, balance and inner peace under difficult conditions” (Dispute Resolution Services, 2010).

The question must be asked how any individual would be able to keep these roles separate while attempting to play them both. In their Model Standards of Conduct for Mediators (American Arbitration Association, American Bar Association, & Association for Conflict Resolution, 1995), ACR, et al., does not expressly advise against the dual role of attorney-mediator, but they do advise caution in any dual role (e.g., therapist-mediator, attorney-mediator). There is good reason for caution when one considers the different role played by a mediator from the role of an attorney. A mediator is a neutral third party who works on behalf of all parties in the conflict. The goal of mediation is to work collaboratively to arrive at a mutual solution. In the case of an attorney-mediator, there are at least two conflicting roles to juggle.

- The role of attorney is to work as an advocate for one party in the dispute. This role may entail and even require the attorney to be adversarial towards the opposing party in the dispute. The attorney’s role as an advocate is neither neutral nor collaborative.

- Another role of the attorney is counselor. While this role may sound neutral, providing legal opinions (by the dual-role attorney-mediator) can subtly or overtly impact the power balance of the disputants and destroy neutrality and trust.

- A third role of an attorney is that of expert and authority about the law. Within the context of mediation, an attorney is permitted to provide information on the law, but in order to maintain neutrality, should not make recommendations. This last role is arguably the only role an attorney should play in a mediation to be consistent with the mediator role of neutral third party.

Does an Attorney-Mediator have any special advantage because of being trained as an attorney? In specialized and complex legal cases, the mediator’s knowledge of the law in that area may be helpful but not necessary. An attorney-mediator may not be familiar with the legal issues of a specific case. Further, a non-attorney mediator may have extensive experience and legal knowledge of a specific area of mediation. In any case, according to the common understanding of the role of mediator provided in mediation training, providing legal advice is not within the boundaries of the role of a mediator, even when the mediator is also an attorney.

Fortunately, the mediator and clients have at least two other options which do not compromise the neutrality of the mediator. First, legal advice can readily be obtained, whenever needed, outside of the mediation process. Or another strategy is to bring outside attorneys into the mediation process that is being conducted by a neutral mediator. Attorneys who are familiar with and supportive of mediation are generally happy to participate as consultants to the mediation process. Either of these strategies avoids the potential conflict of a dual-role mediator.
Some Considerations on Licensing: The Other Side of the Story:

With so much difficulty in determining the qualifications of a mediator, why not have governmental licensing? Good question. This is a question that has been under discussion for at least twenty years! And the answer is, there is another side to the story.

Conflict resolution is not the first discipline to face this question and it would be wise for us to learn from the past experience of others. A note of caution was delivered by Carl Rogers regarding the field of psychology. Rogers was prominent in the field from the 1940’s until his death in 1987. He remains the 5th most frequently cited psychologist and the 6th most eminent psychologist of the 20th century (Haggblom et al., 2002, p. 142). In both the 1982 and 2006 survey of readers of psychotherapy journals, Rogers was voted the single most influential psychotherapist by a landslide (Psychotherapy Networker, 2007). Let’s take note of what Rogers says about the impact of certification within the profession of psychology.

I have slowly come to the conclusion that if we did away with "the expert," "the certified professional," "the licensed psychologist," we might open our profession to a breeze of fresh air, to a surge of creativity, such as it has not known for years.

In every area, medicine, nursing, teaching, bricklaying, or carpentry, certification has tended to freeze and narrow the profession, has tied it to the past, and has discouraged innovation. If we ask ourselves how the American physician acquired the image of being a dollar-seeking reactionary, a member of the tightest union in the country, opposed to all progress and change, and especially opposed to giving health care where it is most needed, there is little doubt that the American Medical Association has slowly, even though unintentionally, built that image in the public mind. Yet the primary initial purpose of the AMA was to certify and license qualified physicians and to protect the public against the quack. It hurts me to see psychology beginning to follow that same path….

…I wish to raise … the radical possibility of sweeping away our procedures for professionalization. I know what heresy that is., what terror it strikes in the heart of the person who has struggled to become a "professional." But I have seen the moves toward certification, licensure, attempts to exclude charlatans, from a vantage point of many years, and it is my considered judgment that they fail in their aims. I helped the APA [American Psychological Association] to form ABEPP [American Board of Examiners in Professional Psychology] (as it was then known) in 1947 when I was president of the APA. I was ambivalent about the move then. I wish now I had taken a stand against it.

If there is no licensing for mediators, how can a developing profession create an assurance of quality and protect clients from unqualified mediators? Rogers goes on to recommend that energy that would have been directed towards licensing and certification, be directed instead to support top quality training to create effective practitioners. A consumer protective service could be established to receive complaints and make public those mediators with a pattern of complaints about unethical or unprofessional behavior. Consumers would be responsible for checking consumer service data for the effectiveness of a mediator. Rogers acknowledges the validity of the desire to distinguish the qualified practitioner from the unqualified one and notes the difficulty of letting go of the idea that licensure is the way to make this distinction. But he goes on to say,
As soon as we set up criteria for certification... the first and greatest effect is to freeze the profession in a past image. This is an inevitable result. What can you use for examinations? Obviously, the questions and tests that have been used in the past decade or two. Who is wise enough to be an examiner? Obviously, the person who has 10 or 20 years of experience and who therefore started his training 15-25 years previously. I know how hard such groups try to update their criteria, but they are always several laps behind. So the certification procedure is always rooted in the rather distant past and defines the profession in those terms.

The second drawback I state sorrowfully. There are as many certified charlatans and exploiters of people as there are uncertified. If you had a good friend badly in need of therapeutic help and I gave you the name of a therapist who [had a diploma] in Clinical Psychology, with no other information, would you send your friend to him? Of course not. You would want to know what he is like as a person and as a therapist, recognizing that there are many with diplomas on their walls who are not fit to do therapy, lead a group, or help a marriage. So, certification is not equivalent to competence. (Rogers, 1973, p. 382)

And just for fun, let’s consider what might have been lost if mediator licensing had been required when President Jimmy Carter orchestrated the negotiations (neutral third party) between Egyptian President Anwar El Sadat and Israeli Prime Minister Menachem Begin. Sadat and Begin shared the 1978 Nobel Peace Prize as a result of the peace agreement that was mediated by then President Carter. Carter was the recipient of the 2002 Nobel Peace Prize for his work "to find peaceful solutions to international conflicts, to advance democracy and human rights, and to promote economic and social development. During his presidency (1977-1981), Carter's mediation [italics added] was a vital contribution to the Camp David Accords between Israel and Egypt, in itself a great enough achievement to qualify for the Nobel Peace Prize" (The Norwegian Nobel Committee, 2002). Perhaps President Carter might not have been considered “qualified” to mediate because he was not a licensed mediator!

**Conclusion**

As mediators and practitioners in conflict resolution, we are happy to see the field of mediation and conflict resolution growing and the use of alternative dispute resolution methods increasing. In our view, this pattern bodes well for world peace. Practitioners of peaceful communication are needed at all levels from families, schools, businesses, government sectors, judicial systems, and countries. Adults and children would benefit by training in conflict resolution. The field of mediation has room for trained mediators at all levels of training and experience. When seeking a mediator, the consumer needs to be educated about what to look for and how to evaluate these differences for their specific situation and criteria. The mediation field can benefit by clarifying and standardizing training to accommodate this wide spectrum of practice. We encourage both more information and some standardization appropriate for each level of mediation, without developing restrictive licensing and certification practices that limit the range of practice in the field. We agree with Rogers that “certification is not equivalent to competence” (1973, p. 382).

**About The Authors**

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References


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1 A common measure for credit hours is the Carnegie Unit ("Carnegie unit and student hour," 2009) which provides a standard formula for calculating credit hours. Some higher education institutions may not use the Carnegie Unit to calculate their credit hours and therefore will not be equivalent to those who do. Another common unit of measurement for Colleges and Universities is the student credit hour. One student credit hour is defined as “equivalent of one hour (50 minutes) of lecture time for a single student per week over the course of a semester, usually 14 to 16 weeks” ("Carnegie unit and student hour," 2009).