

MEDIATION ADVOCATE ACCREDITATION SYSTEM & QUALIFYING ASSESSMENT PROGRAM

IIAM ACCREDITATION FOR MEDIATION ADVOCATE

Mediation is most successful when the parties' advocates are knowledgeable and skilled in the principles of the mediation process and negotiation theories. Mediations can fail when party representatives behave as if they were in a courtroom rather than in a negotiation.

Mediation presents unique problem-solving opportunities in which advocates can assist their clients to reach faster, less expensive and better outcomes with the assistance of a mediator. They can help their clients achieve outcomes that may be unattainable in a courtroom or arbitration tribunal. The lawyer can play an active and useful role, by assisting the client throughout the process, by a problem-solving approach, usually in a collaborative and constructive manner. The focus needs be towards consensus-building and obtaining a favourable and value-added outcome. But to do that, they need to be equipped with a different skillset and knowledge.

As per the IIAM Mediation Advocate Accreditation System, a trained mediation advocate, after completing 3 mediations / 10 hours of mediation is eligible to be accredited as "IIAM ACCREDITED MEDIATION ADVOCATE" on further completion of the relevant MA QAP. On successful accreditation, the candidate is eligible to be enlisted in the PeaceGate App as "IIAM Accredited Mediation Advocate", so that disputing parties can identify the appropriate advocate to advise and represent them in mediations.

IIAM QUALIFYING ASSESSMENT PROGRAMS

MA QAP-1 (Accreditation for IIAM ACCREDITED MEDIATION ADVOCATE)

Individuals that wish to be accredited as “IIAM Accredited Mediation Advocate” through the MA QAP-1 must possess the following credentials.

- IIAM Certificate in International Mediation Advocacy & Dispute Management program, which consists of a minimum of 3-days, and
- Completing a minimum of 10 hours spread over at least 3 mediations.

Assessment will be based on the following:

Knowledge of Mediation Advocacy: As per MA QAP-1, the applicant shall produce the copy of the IIAM Mediation Advocacy certificate and will have to demonstrate mediation knowledge by submitting an assignment given to him/her which would cover topics on mediation advocacy theory, mediation rules, mediation process. On evaluation of the assignment, the applicant should get a minimum of 55% score. On failure to get the minimum score, the applicant will be able to apply again, only after a period of 3 months.

Practical Skills of Mediation Advocacy: The evaluation of Mediation Advocacy skill will be based on assessment of role-play or live action, or may include videotaped and online assessments such as web dramas, self-assessments, interviews, peer reviews, user feedback and other in-practice skill evaluations. The applicant should get a minimum of 60% score. On failure to get the minimum score, the applicant will be able to apply again, only after a period of 3 months.

Assessor & Fee: The Assessor for MA QAP-1 would be a selected IIAM Certified Commercial Mediator or above. Fee for MA QAP-1: Rs. 5000/- + 18% GST.

MA QAP-2 (Accreditation for IIAM ACCREDITED MEDIATION ADVOCATE)

Individuals that wish to be accredited as “IIAM Accredited Mediation Advocate” through the MA QAP-2 must possess the following credentials.

- Successfully completing a recognised mediation advocacy training program from any recognized institutions or organizations accepted by IIAM; and
- Completing a minimum of 10 hours spread over at least 3 mediations.

Assessment will be based on the following:

Knowledge of Mediation Advocacy: As per MA QAP-2, the applicant shall provide proof of having completed at least 3-days or 24-hours of training in mediation advocacy and will have to demonstrate mediation knowledge by submitting an assignment given to him/her which would cover topics on mediation advocacy theory, mediation rules, mediation process. On evaluation of the assignment, the applicant should get a minimum of 55% score. On failure to get the minimum score, the applicant will be able to apply again, only after a period of 3 months.

Practical Skills of Mediation Advocacy: The evaluation of Mediation Advocacy skill will be based on assessment of role-play or live action, or may include videotaped and online assessments such as web dramas, self-assessments, interviews, peer reviews, user feedback and other in-practice skill evaluations. The applicant should get a minimum of 60% score. On failure to get the minimum score, the applicant will be able to apply again, only after a period of 3 months.

Assessor & Fee: The Assessor for MA QAP-2 would be a selected IIAM Certified Commercial Mediator or above. Fee for MA QAP-1: Rs. 10,000/- + 18% GST.

GENERAL NORMS

COMMITMENT TO DIVERSITY

The IIAM Accreditation and Qualifying Assessment Program will be accessible on equal basis regardless of their professions, gender, race, ethnicity, age, religion, caste, sexual orientation or other personal characterization. The Mediation Advocate accreditation will be purely based on evaluation under the relevant MA QAPs.

RECORDS FOR ACCREDITATION

The credit for hours of mediation done by the applicant will be recorded in accordance with the Mediation Record Form maintained by IIAM or any other authentic record revealing the hours of mediation advocacy done by the applicant.

PROCEDURE FOR CONSISTENT QAP EVALUATION

For evaluating the mediation advocates under QAP, the Assessors will be given guidelines to ensure that the QAP Assessors evaluate the applicants in a consistent manner and the high-quality standards set by IIAM for evaluation is not compromised.

These guidelines shall be used for evaluating mediation knowledge and mediation skills. The adherence to the guidelines also ensures that the standard of evaluation and outcome is the same for all Assessors in identical situations, thereby ensuring the consistency of appraisal ratings. Assessors will assess applicants based on the written documentation or role play as per the Guidelines given to them. IIAM will monitor that the Assessors evaluate the applicants based on the guidelines. IIAM shall also monitor the performance and practice of the Assessors based on their (i) responsiveness, (ii) timeliness, (iii) meticulousness, and (iv) impartiality. Assessors will be invited to assist IIAM to improve the QAP and to develop the high standards.

The Assessors who are empanelled as Neutrals with IIAM, are independent of the Institution and have no administrative or policy connection with the Institution. Those Assessors who are members of the Institution or members of the Governing Council of the Institution will be put in as Assessors along with another Assessor who is independent of the Institution, for Mediation Advocates who are connected with the administration of the Institution, to ensure fairness in the assessment.

GUIDELINES TO ASSESSORS FOR QAP EVALUATION

Mediation Knowledge Evaluation:

√ Knowledge of negotiation / mediation advocacy theory:	25%
√ Knowledge of mediation rules:	20%
√ Knowledge of mediation ethics & code:	20%
√ Fairly & accurately presenting the matter & assessment of the issue:	25%
√ Confirming with time schedule and number of words:	10%

Mediation Skill Evaluation:

√ Ingenuity and ability to communicate and facilitate dialogues:	10%
√ Style, Poise, Courtesy & Demeanor:	10%
√ Understanding of mediation advocacy theory & practice:	20%
√ Covering the topics pertaining to the dispute:	20%
√ Reflection of experience as a Mediation Advocate	10%
√ Time Management & Organization:	10%
√ Structuring the mediation process (including plenary & caucus sessions) in a logical manner:	20%