Course Title: Family Law Mediation 40 Hour

Course Description:
Understand the expertise for the advanced use of mediation in a variety of family law related matters. Explore varying elements of family law mediation that include dissolution of marriage, suits affecting the parent child relationship, conservatorship, child support, parental rights and division of assets. Discuss case law surrounding such practices, and approaches to mediate in this context. This program complies with both the Texas statutory requirement for mediation training (Tex. Civ. Prac. & Rem. Code Ann.), as well as the Texas Mediation Trainers Roundtable Standards for Family Mediation Training.

Course Prerequisite(s):
Business Mediation Certificate Series

Course Objectives:
1. Understand the expertise for the advanced use of mediation in a variety of family law related matters. 2. Explore varying elements of family law mediation that include dissolution of marriage, suits affecting the parent child relationship, conservatorship, child support, parental rights and division of assets. 3. Discuss case law surrounding such practices, and approaches to mediate in this context.

TMTR Standards for Family Mediation Training
The following six main topics should be covered. Also included are recommended time allocations and the various issues which might be included under each topic:
1. Family Law (minimum of 4 hours)
   1. Overview of legal system and terms relating to family law
      1. History and evolution of legal rights of parents
      2. Parentage (never married parents)
      3. Suits affecting the parent-child relationship (SAPCR)
      4. Dissolution of marriage
      5. Adult guardianship
   2. Allocation of resources
      1. Itemization, characterization, valuation and division of assets and liabilities
      2. Finances
      3. Taxes
   3. Parenting Plans
      1. Conservatorship
      2. Parental rights and duties
      3. Parental access
      4. Child support
      5. Non-parental access (grandparents, etc.)
      6. Special issues of children with disabilities
2. Family Dynamics (minimum of 3 hours)
   1. Family Systems
   2. Blended Families
3. Psychological aspects of divorce and parenting
   1. Stages of development
   2. Impact and response to divorce
4. Family Violence (minimum of 4 hours)
   1. Screening
   2. Impact of statutory requirements
   3. Dynamics of family violence patterns, including power imbalances
   4. Effect of family violence on children
   5. Child abuse
   6. Substance abuse
   7. Stalking
   8. Protective orders
   9. Reporting laws and procedures
   10. Anger management
   11. Mediation safety plans, including caucus models
   12. Violent children
5. Practice Considerations
   1. Ethics (minimum of 2 hours)
   2. Agreement memorialization
   3. Unauthorized practice of law (UPL)
   4. Pro se cases
   5. Enforcement
   6. Styles-of-mediation
   7. Self-awareness
   8. Impact of cultural differences
6. Skills
   1. Communication
   2. Relationship-building
   3. Information gathering
   4. Problem solving
   5. Conflict resolution theory
6. Referrals to professional support services (such as, social study/psychological evaluation, therapy, parenting education program, anger management counseling, family violence shelter, certified financial planning, certified public accounting, etc.)

Role Play: 6 hours minimum (including demonstrations, simulations, debriefing)