



NABFAM

BASIC MEDIATOR TRAINING ACCREDITATION APPLICATION (MIN 40 HOURS)

1. This application is:

First time application

Re-accreditation application

2. Name of applicant

3. CONTACT NUMBERS AND EMAIL OF APPLICANT

(cell) _____ (w) _____

(email) _____

4. Name of training

No. of hours

5. Name/s and qualifications/experience of trainers

(please note that trainer accreditation applications must be submitted and approved before trainings can be run)

a) _____

b) _____

c) _____

I acknowledge that the training is to be conducted by a team of at least 2 accredited trainers per every 18 trainees.

6. COURSE CONTENT

By ticking a box, I am confirming that the following process/or subject matter is covered in the basic mediator training program:

1. INTRODUCTION – introducing trainees, trainers and the course

2. UNDERSTANDING DIVORCE

- a) The needs of the couple during marital breakdown, separation, divorce & post-divorce family disputes (combining the perspectives & skills of counsellors and lawyers)
- b) The emotional process of divorce



3. CONCEPTS

- a) Mediation
- b) Arbitration
- c) Negotiation
- d) Litigation
- e) Parenting co-ordination



- 4. THE MEDIATOR'S ROLE – how does the role of the Mediator differ from other professional roles, such as attorneys, therapists, psychologists, social workers & religious leaders?



5. UNDERSTANDING THE MEDIATION PROCESS

- a) Mediation models
- b) Principles of mediation
- c) Stages of the mediation process
- d) Skills in engaging with couples: identifying issues, conflict management, agreeing an agenda
- e) Options – extending the range of options, exploring proposals
- f) Narrowing gaps – negotiating towards settlement
- g) Communication and related skills
- h) Power imbalances affecting parties coming to mediation
- i) Impasse strategies
- j) Screening for domestic violence
- k) Understanding the dynamics of high-conflict relationships



6. LEGISLATION (relevant sections only)

- a) Children's Act No. 38 of 2005
- b) Divorce Act No. 70 of 1979
- c) Domestic Violence Act No. 116 of 1998
- d) Financial Advisory & Intermediary Services Act No. 37 of 2002
- e) Mediation in Certain Divorce Matters Act no. 24 of 1987
- f) Maintenance Act No. 99 of 1998
- g) Maintenance of Surviving Spouses Act No. 27 of 1990
- h) Marriage Act No. 25 of 1961
- i) Matrimonial Affairs Act No. 37 of 1953
- j) Matrimonial Property Act No. 88 of 1984
- k) Protection from Harassment, Act No. 17 of 2011
- l) Protection of Personal Information Act No. 4 of 2013
- m) Reciprocal Enforcement of Maintenance Orders Act No. 18 of 1963

n) The South African Constitution, Act No. 108 of 1996



7. CHILDREN

- a) The Best Interests of the Child Standard – the duty of the mediator to uphold this standard. Understanding the practical implementation of the standard in reaching agreements regarding children.
- b) The needs of children in separation and divorce – helping them to adjust
- c) Obligations of the mediator to inform the outcome of the mediation
- d) Obligations of the mediator regarding child participation in mediation – child inclusive vs child focused mediation



8. PARENTS' DECISIONS

- a) Parental responsibilities and rights
- b) Content of parenting plans
- c) Contact and residency plans
- d) Parents and children – identifying mutual and conflicting needs
- e) Role of the State in relation to parents' decisions



9. MEDIATION OF FINANCE AND PROPERTY ISSUES

- a) Introducing legal, financial, tax and other information
- b) Gathering financial information
- c) Issues concerning financial disclosure
- d) Financial mediation



10. MEDIATION OUTCOMES

- a) Format of summary
- b) Mediation Agreements, including the binding nature thereof



11. ETHICAL ISSUES – Code of Ethics



12. PRACTICAL ISSUES

- a) Getting started: facilities & equipment needed; receiving referrals; gaining both parties' acceptance of mediation
- b) Agreement to Mediate
- c) Accreditation; fees; maintaining records; networking; marketing

7. ROLE PLAYS

I certify that each trainee will be involved in at least **nine** simulated mediation sessions and act as a mediator in at least **three** thereof.

8. ASSESSMENT

Each trainee will be assessed by:

- a) A written assignment that tests understanding of mediation theory
- b) An assessment of each trainee's competence as a mediator (in a role play/actual mediation)

9. DOCUMENTS AND MATERIALS TO BE SUBMITTED WITH APPLICATION

1. DAILY TRAINING SCHEDULE

2. WRITTEN ASSIGNMENT

3. PROOF OF PAYMENT FOR APPLICATION (as set by the relevant member organisation)

I understand and agree that the NABFAM member organisation that this application is submitted to, may request additional information and is permitted to ask that other materials be presented, notably course notes, power point presentations, role plays, etc. The member organisation also reserves the right to do an audit of your training at any point without prior notification.

In order to protect your intellectual property, only board members of the member organisation who do not, themselves run their own mediation training, will assess the course for accreditation.

I, _____, certify that the above information is correct.

Signed at _____, this ___ day of _____

Signature