

APPENDIX B²⁸

REQUIREMENTS FOR QUALIFICATION AND TRAINING OF NEUTRALS

ESTABLISHED BY THE GEORGIA COMMISSION ON DISPUTE RESOLUTION

I. REQUIREMENTS FOR QUALIFICATION AND TRAINING OF NEUTRALS.

The Georgia Commission on Dispute Resolution is dedicated to the principle that neutrals serving in court programs must be of the highest possible caliber in training and experience. All neutrals serving in Georgia programs must be of good moral character.²⁹

A. Mediation: Although mediators do not necessarily need subject matter expertise, they must have process expertise. Mediators are frequently called upon to operate outside of their area of expertise. For this reason, training of mediators must be more extensive than for other neutrals. Training for mediators who seek registration in the category of general mediation³⁰ shall be no less than twenty-eight³¹ hours of classroom training (including role play and other participatory exercises), plus observation of or co-mediation with a registered³² mediator in at least five general civil³³ mediations. In lieu of five observations and/or co-mediations, prospective mediators may substitute an approved general mediation practicum. Individuals must complete approved twenty-eight hour general mediation training prior to taking an approved practicum or performing their observations.³⁴ New mediators should be observed several times before mediating alone.

Mediators should be drawn from a variety of disciplines and should reflect the racial, ethnic and cultural diversity of our society. Prospective mediators should be screened carefully for qualities such as the ability to listen actively, to isolate issues, and to focus discussion on issues.

Competencies for mediators include: (1) Skill in interacting with others and in helping others with their problems; (2) As guardian of the integrity of the mediation process, capacity to maintain the fairness of the process; (3) Capacity to assist parties in identifying their needs and interests, developing options for resolution, and realistically assessing their options for

²⁸ ADR Rule V was amended by the Georgia Supreme Court September 2, 1993, to provide that the qualifications and training requirements for neutrals be established by the Georgia Commission on Dispute Resolution and published in Appendix B to the ADR Rules.

²⁹ Appendix B was amended by the Commission to include this introductory paragraph effective June 1, 1995.

³⁰ Appendix B was amended by the Commission on January 18, 2005 to clarify that this provision refers to registration as a mediator in the category of general mediation.

³¹ Appendix B was amended by the Commission on August 20, 2002, to require no less than twenty-eight hours of classroom training for registration in general mediation. This requirement became effective July 1, 2003. The change in the number of hours for general mediation training is reflected throughout Appendix B.

³² Appendix B was amended by the Commission on January 18, 2005 to clarify those observations and/or co-mediations must be done with a mediator registered with the Georgia Office of Dispute Resolution.

³³ Appendix B was amended by the Commission on January 18, 2005 to clarify that the observations/co-mediations necessary to support an application for registration in the category of general mediation must be of general, civil mediations.

³⁴ Appendix B was amended by the Commission on January 18, 2005 to provide that an approved general mediation practicum may be substituted for actual observations and/or co-mediations. This amendment also clarifies that that the observation and/or co-mediation/practicum requirement must be met after completing approved general mediation training.

settlement; (4) Protecting the balance of the process by having the capacity to (a) remain neutral in the presence of significant interpersonal conflict between others, (b) understand the points of view of all parties to the dispute, and (c) demonstrate respect for all participants in the mediation conference; (5) Honoring the self-determination of the parties by (a) having the capacity to thoroughly explain the process to the parties, (b) having the capacity to assess the parties' capacity to participate in the mediation conference, (c) having the capacity to assure that the parties have sufficient capacity and information to bargain effectively and to participate in the development of any resolution reached; (d) having the ability to honor the right of parties to develop their own resolution free from any coercion of the mediator, and (e) having the ability to honor the boundaries between the role of mediator and any other professional capacity in which the mediator operates, scrupulously guarding against giving professional advice; and (6) having the capacity to guard the confidentiality of the process.³⁵

Mediators in divorce and custody cases shall have at least a baccalaureate degree from an accredited³⁶ four-year college. An individual whose graduate degree was obtained after waiver of the requirement that the baccalaureate be completed shall be deemed to have completed the baccalaureate degree.³⁷ Mediators in divorce and custody cases must satisfy the requirements for general mediators prior to taking domestic relations mediation training. The required domestic relations training is at least forty-two³⁸ hours of training which substantially meets the standards of the Family Section of the Association for Conflict Resolution.³⁹ Mediators in divorce and custody cases shall receive special training in the subject of domestic violence. Mediators who seek registration in the category of domestic relations must observe at least one mediation of a divorce or custody case and participate in at least two co-mediations of divorce or custody cases. In lieu of one observation and two co-mediations of divorce or custody cases, prospective domestic relations mediators may substitute an approved domestic relations mediation practicum. Individuals must complete approved forty-two-hour⁴⁰ domestic relations mediation training prior to taking an approved domestic relations practicum or doing the observation and co-mediations of divorce or custody cases.⁴¹

Mediators who handle cases involving allegations of domestic violence must be currently registered as domestic relations mediators prior to taking specialized domestic violence training. Specialized domestic violence training shall be no less than fourteen hours of classroom training

³⁵ Appendix B was amended by the Commission on February 28, 2002, to provide a competency requirement for mediators.

³⁶ Appendix B was amended by the Commission on December 1, 1994, to require that the four-year degree required of domestic relations mediators must be from an accredited institution.

³⁷ Appendix B was amended by the Commission, effective October 1, 1995, to include this sentence which applies to those persons who obtained advanced degrees during a time period when an undergraduate degree may not have been a prerequisite to graduate or professional school.

³⁸ Appendix B was amended by the Commission, effective July 1, 2007, to increase the number of required hours for an approved domestic relations mediation training from 40 to 42.

³⁹ Appendix B was amended by the Commission on March 27, 2003, to reflect that The Academy of Family Mediators merged with CREnet and SPIDR in 2001. The new organization is known as the Association for Conflict Resolution (ACR). The Academy of Family Mediators' standards for domestic relations mediation training were assumed by ACR.

⁴⁰ Appendix B was amended by the Commission, effective July 1, 2007, to increase the number of required hours for an approved domestic relations mediation training from 40 to 42.

⁴¹ Appendix B was amended by the Commission on January 18, 2005 to provide that an approved domestic relations practicum may be substituted for actual observation and co-mediations. This amendment also clarifies that the observation and co-mediation/practicum requirement must be met after completing approved domestic relations mediation training.

(including role plays and other participatory exercises) approved by the Georgia Office of Dispute Resolution.⁴²

Specific training requirements for mediators in juvenile court cases shall be developed by the Commission.

B. Arbitration: Arbitration in court-annexed or court-referred non-binding arbitration programs may be conducted by panels of lawyers, panels made up of lawyers and experts, or by individual lawyers. If the arbitration is conducted by a panel, the chief of the panel shall be a lawyer with five years experience. Where the arbitration is conducted by a single arbitrator, that arbitrator shall be a lawyer with five years experience. All arbitrators shall receive at least six hours of training in a program which qualifies for CLE credits or, for judges and persons with acceptable experience as an arbitrator, such other training, experience, or education as approved by the Chair of the Committee on Training and Credentials⁴³ and the Director of the Georgia Office of Dispute Resolution.⁴⁴

C. Case Evaluation or Early Neutral Evaluation: Case evaluators or early neutral evaluators shall be lawyers with extensive subject matter expertise in the area of the litigation in question. Case evaluators or early neutral evaluators shall receive at least six hours training for their role. The Commission recommends, but does not require, twenty-eight hours general mediation training for case evaluators or early neutral evaluators.

II. REGISTRATION OF NEUTRALS.⁴⁵

All neutrals working in court programs must be registered with the Georgia Office of Dispute Resolution. The application and training guidelines attached to this appendix set forth the specific requirements for registration. Neutrals must have registration in the appropriate categories for the cases in which they serve.⁴⁶

An individual who completed an approved general mediation training prior to July 1, 2003 shall apply for registration by December 31, 2004. Effective July 1, 2003, an applicant for registration as a general mediator shall apply for registration within eighteen (18) months after completing an approved general mediation training.⁴⁷ Likewise, applicants for registration in any category shall apply for registration within eighteen (18) months after completing the appropriate approved training. When a training and practicum (or observations/co-mediations) are taken separately, the 18 months begin at the end of the training. When a training and practicum are

⁴² Appendix B was amended by the Commission on May 11, 2004, to set forth the qualification and training requirements for mediators who handle cases involving allegations of domestic violence.

⁴³ This section was changed by the Commission effective September 20, 2000, after the Committee on Rules, Training and Credentials was split into the Committee on Rules and the Committee on Training and Credentials. The change in committee names is reflected throughout Appendix B.

⁴⁴ The provision for grandfathering of arbitrators was added to Appendix B by the Commission effective April 30, 1998.

⁴⁵ This section, Registration of Neutrals, was originally added to Appendix B by the Commission effective October 1, 1995, in order to clarify the letter(s) of recommendation requirement in the Application for Registration of Neutrals. Effective August 24, 2004, the Commission abolished the letter(s) of recommendation requirement.

⁴⁶ This sentence was added to Appendix B by the Commission on May 11, 2004.

⁴⁷ The establishment of a timeframe for registration following training was added to Appendix B by the Commission on May 20, 2003.

combined (i.e., a 40-hour combination General Civil Mediation Training and Practicum), the 18 months begin at the end of the entire combined training.⁴⁸

Specialized Domestic Violence Mediation: Effective January 1, 2005, mediators who handle cases involving allegations of domestic violence must be registered in the category of specialized domestic violence. To be eligible to register in the category of specialized domestic violence, one must: 1) be registered as a domestic relations mediator; 2) have taken an approved 14-hour specialized domestic violence mediation training after June 1, 2004; and 3) provide a letter of recommendation from a director of a superior court ADR program who is familiar with the mediator's work as a domestic relations mediator.⁴⁹

A mediator who has had specialized domestic violence training prior to June 1, 2004, may apply for registration in the specialized domestic category if the mediator: (1) has had at least six hours of advanced domestic violence training provided by an approved domestic relations trainer in Georgia; and has been mediating domestic violence cases for court-connected programs for at least two years prior to June 1, 2004; and has mediated at least five domestic violence cases; and is recommended by a director of a court-connected program for which he or she has been mediating domestic violence cases; OR (2) has taken an advanced domestic violence training of at least twelve hours provided by an approved Georgia domestic relations mediation training provider and is recommended by the director of a court-connected program for which she or he has mediated domestic relations cases; OR (3) has taken one of the specialized domestic violence trainings sponsored by the Georgia Office of Dispute Resolution in 2003.

Until January 1, 2005, the Director of the Georgia Office of Dispute Resolution, in consultation with the Commission's Training and Credentials Committee, shall have the discretion to permit registration of registered domestic relations mediators who have had domestic violence training provided by a court-connected ADR program and provide certification from a program director that the applicant has the necessary skills level.⁵⁰

Veteran Mediators: Mediators who were actively working in court programs at the time that registration was instituted, January 1, 1994, have had an opportunity to be "grandfathered" into registration as general or domestic mediators even if they did not meet all requirements of Appendix B if, in the judgment of the Director of the Georgia Office of Dispute Resolution, their training substantially met the qualifications set forth above. Registration has been underway since the winter of 1994, and these candidates have had ample opportunity to come forward to seek registration. In the future, applications to be grandfathered into registration as a general mediator will be granted only rarely. Grandfathering of domestic mediators will be granted only in the most unusual circumstances.

Candidates for grandfathering may petition the Office of Dispute Resolution to be accepted for registration. Candidates may demonstrate their competence in the field by (1) describing the training they have received; (2) providing three letters of recommendation from a mediation program, clients, court personnel, registered mediators, or other professionals with whom the applicant has worked; and (3) providing evidence of having completed a minimum of

⁴⁸ The application of the 18-month rule to all registration categories was added by the Commission on November 15, 2007.

⁴⁹ The requirement of a letter of recommendation from a superior court program in order to register in Specialized Domestic Violence Mediation was eliminated by the Commission on September 18, 2008, and reinstated on March 26, 2009.

⁵⁰ The specialized domestic violence mediation registration category was established by the Commission on May 11, 2004.

five mediations or ten hours of mediation in the twelve months preceding the registration request. Compliance with this procedure does not guarantee registration.

Mediators from Other States: A mediator from another state who (1) has received training which meets that state's qualifications and, at the discretion of the Director, has had substantially similar training to that approved in Georgia,⁵¹ (2) has mediated for one year, (3) has completed a minimum of five mediations or ten hours of mediation during that time,⁵² and (4) meets the educational requirements of Appendix B may ask to be waived in for Georgia registration on the basis of that training. A mediator from another state who is waived in must be observed by a staff member of the court in which he or she intends to serve or submit a letter from the office of dispute resolution or director of the court program for which he or she served in the other state⁵³ before applying for registration by the Georgia Office of Dispute Resolution. A mediator from another state who applies for registration will be required to take and pass a test on Georgia ethics provided by the Georgia Office of Dispute Resolution as a prerequisite to registration.⁵⁴

Continuing Education of Neutrals:⁵⁵ All registered neutrals are required to take three (3)⁵⁶ hours of continuing education in a registration renewal cycle⁵⁷ in order to maintain their registration. This three (3) hour requirement applies regardless of the number of categories for which a neutral is registered. There must be a nexus between the continuing education attended and enhancement of the neutral's skill, substantive knowledge and/or professionalism as a neutral. Live seminars, as well as video and online seminars, are acceptable as continuing education, as long as their agendas, curricula, and speaker qualifications meet the approval of the Georgia Office of Dispute Resolution.⁵⁸ However, the Commission will not accept for CE or for registration any video or online instruction that purports to substitute for the core registration courses or practicums, which must always be taken live.⁵⁹ Any neutral who fails to meet the continuing education requirement is subject to being removed from the registry of the Georgia Office of Dispute Resolution.

⁵¹ The mediators from other states provision was amended by the Commission effective April 1, 1998, to require that mediators from other states receive training substantially similar to that approved in Georgia.

⁵² Appendix B was amended by the Commission effective October 1, 1995, to make the requirement for out of state mediators uniform with the requirement for veteran mediators by requiring that they both have completed a minimum of five mediations or ten hours of mediation during the last year.

⁵³ The mediators from other states provision was amended by the Commission effective April 1, 1998, to allow for a mediator from another state to submit a letter of recommendation from an out of state court program.

⁵⁴ The ethics exam requirement for mediators from another state was established by the Commission on November 15, 2007.

⁵⁵ The continuing education requirement was established by the Commission on August 20, 2002, effective January 1, 2003.

⁵⁶ The continuing education requirement was changed from 6 hours per two-year renewal cycle to 3 hours per annual renewal cycle, and the ability to carry over excess continuing education hours from one renewal cycle to the next was eliminated, for all neutrals, by the Commission on January 14, 2010.

⁵⁷ The registration renewal cycle was changed from once every two years to once a year by the Commission on November 12, 2009. On December 17, 2009, the Commission made the change effective for all registrations or renewals due on or after December 31, 2009.

⁵⁸ The provision allowing video and online seminars to be accepted for continuing education was added by the Commission on November 15, 2007.

⁵⁹ The exception to the video and online seminars provision was added by the Commission on November 15, 2007.

Registration Period and Renewal of Registration:⁶⁰ A neutral is registered for a period not to exceed one year except as noted below or⁶¹ unless the neutral relinquishes or loses registration as part of an adverse action taken by the Commission on Dispute Resolution's Committee on Ethics. Neutrals who wish to continue their registration with the Georgia Office of Dispute Resolution shall file an application for registration renewal by December 31st every year. The first annual renewal cycle for a neutral shall begin on the date the neutral is approved for registration and shall end at midnight, December 31st of the same year, *provided that* neutrals whose initial registration is approved in October, November or December⁶² of any year shall have their initial registration period extend until midnight, December 31st the following year. Each subsequent renewal cycle shall begin January 1st and continue through midnight on December 31st twelve (12) months later. Neutrals seeking continued registration shall file a renewal application in the form provided by the Georgia Office of Dispute Resolution and pay the nonrefundable fee of \$125,⁶³ except for neutrals registered in domestic relations mediation, who will pay a nonrefundable fee of \$150.⁶⁴

Renewal applications shall be postmarked or submitted online no later than midnight, December 31st each year,⁶⁵ unless extenuating circumstances require the Commission to change the renewal deadline in a given year.⁶⁶

Volunteer Status:⁶⁷ Neutrals who volunteer their services may submit a sworn affidavit each registration season requesting that their registration fees be waived. The affidavit also must be sworn and signed by the director of a court program for which the neutral volunteers. An affidavit form will be made available by the Georgia Office of Dispute Resolution. For purposes of determining neutral registration fees, a "volunteer" is defined as a neutral who receives no compensation – no matter how little – for providing ADR services, whether within or outside a court ADR program. Volunteer neutrals do not include neutrals who perform work within their local court ADR program and are paid for their services by the court or their local ADR board. A volunteer neutral who is granted a fee waiver and who afterward receives any

⁶⁰ The section on Registration and Renewal of Registration was added to Appendix B by the Commission on January 15, 2004.

⁶¹ The renewal cycle was changed from once every two years to once a year by the Commission on November 12, 2009. On December 17, 2009, the Commission made the change effective for all registrations or renewals due on or after December 31, 2009. Textual changes were made throughout this paragraph to reflect the change.

⁶² The extended registration period for original registrations was changed to include October and November by the Commission on December 17, 2009.

⁶³ The registration and renewal fees were changed to \$125 for all applicants by the Commission on November 20, 2008.

⁶⁴ The registration and renewal fee for registered domestic relations mediators was changed to \$150 by the Commission on November 12, 2009. On December 17, 2009, the Commission made the change effective for all registrations or renewals due on or after December 31, 2009.

⁶⁵ In transitioning to an annual renewal cycle, the end of the 2009 renewal season was extended to midnight, February 28, 2010. The end of the 2010 renewal season will properly coincide with the end of the calendar year, midnight, December 31, 2010.

⁶⁶ The provision to allow the Commission to alter the registration renewal cycle was added by the Commission on December 17, 2009.

⁶⁷ This paragraph on volunteer neutrals was added by the Commission on November 12, 2009. On December 17, 2009, the Commission made the change effective for all registrations or renewals due on or after December 31, 2009.

compensation for providing ADR services must notify the Georgia Office of Dispute Resolution immediately and pay the required non-volunteer registration fee.

Lapsed Status: Neutrals who file a renewal application after midnight, December 31st of the year they must renew, or who fail to file a renewal application shall be placed in a lapsed status. A lapsed neutral may file a renewal application between 12:01 a.m. January 1st the year after the renewal application is due through midnight, April 30th of that year upon payment of an additional nonrefundable late fee equal to the applicable neutral renewal fee. So neutrals must pay a renewal fee of \$250 to renew registration between January 1st and April 30th, except neutrals registered in domestic relations mediation, who must pay a renewal fee of \$300. Neutrals may continue to serve in court-connected programs while in a lapsed status.

Inactive Status: After April 30th, all lapsed neutrals shall be placed in inactive status and may not provide services in court-connected cases. Neutrals in inactive status shall be required to take eight hours of appropriate CE in order to renew their registration status, and shall also be required to pay a late fee equal to their renewal fee in addition to their regular renewal fee. A neutral who is in an inactive status may remain in that status for up to two years from the date registration should have been renewed. Inactive neutrals who apply for renewal of registration after day 730 shall be required to meet the initial requirements for registration, including completion of an approved training course in each category for which they desire to renew their registration, observations or practicums that may be required for each category of registration for which they are seeking renewal, and requisite recommendation letter(s).

Failure to Meet CE Requirements: In the event a neutral has not met the continuing education requirement for a renewal cycle and postmarks or submits the renewal application online on or before midnight, December 31st of the year of renewal, the neutral shall be in a "lapsed" status until the deficiency in CE hours is cured or until April 30th, whichever comes first. If the renewal application is timely filed, the neutral shall have until midnight, April 30th to provide information that substantiates that this deficiency has been cured, at no additional cost. The neutral shall be placed in an inactive status if the deficiency is not cured by April 30th.

Hardship Exception: In cases of extraordinary hardship (e.g. military deployment or extreme illness or injury), a neutral may request an extension of time for renewal, and/or a waiver of the continuing education requirement, and/or any penalties by submitting such a request in writing to the Director of the Georgia Office of Dispute Resolution. The Director shall issue a written response. If such request is denied, an appeal may be taken to the Training and Credentials Committee of the Commission on Dispute Resolution within thirty (30) days of receipt of the Director's denial of the request for waiver. A decision of the Training and Credentials Committee shall be final.

Delayed Payment: A neutral who submits a renewal application online by midnight, December 31st of the year that renewal is due, but who chooses to submit the renewal fee through regular mail rather than online, shall mail the appropriate renewal fee so that it is received by GODR within ten (10) days of the submission of the application. If GODR does not receive payment within ten (10) days of submission, the neutral shall be placed in a lapsed status.

III. APPEAL FROM ADVERSE DECISIONS OF THE OFFICE OF DISPUTE RESOLUTION.⁶⁸

A. Registration decisions are made by the Georgia Office of Dispute Resolution. Applicants who are denied registration for any reason other than that described in § IV may appeal within thirty days of that denial to the Georgia Commission on Dispute Resolution's Committee on Training and Credentials, which may grant a hearing to the applicant. The Committee on Training and Credentials will make a determination as to whether the applicant should be registered.

B. An adverse decision of the Committee on Training and Credentials may be appealed to the full Commission within thirty days of the date of such decision. The Commission may grant a hearing to the applicant.

IV. PROCEDURE FOR APPLICANTS FOR REGISTRATION OR RENEWAL OF REGISTRATION WHO HAVE BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE⁶⁹ TO A VIOLATION OF THE LAW, WHO HAVE BEEN DISCIPLINED BY A PROFESSIONAL ORGANIZATION,⁷⁰ WHO HAVE HAD PROFESSIONAL PRIVILEGES CURTAILED,⁷¹ AND/OR WHO HAVE RELINQUISHED ANY PROFESSIONAL PRIVILEGE OR LICENSE WHILE UNDER INVESTIGATION⁷² AND/OR WHO DO NOT MEET COMPETENCY STANDARDS.⁷³

A. Applicants for registration with the Georgia Office of Dispute Resolution must acknowledge the following information: (1) convictions of, guilty pleas to, or nolo contendere pleas to violations of the law, including traffic violations resulting in suspension or revocation of a driver's license and DUI offenses; (2) discipline by a professional organization; (3) curtailment of professional privileges, (4) relinquishment of any professional privilege or license while under investigation. An applicant against whom any of the above actions are pending shall likewise acknowledge this fact.

B. Upon request of the Georgia Office of Dispute Resolution, the applicant must amend his/her application to provide (1) information concerning the background of the offense which led to conviction, plea, discipline, curtailment of professional privileges and/or relinquishment of professional privilege or license; (2) information concerning the length of time which has elapsed since the conviction, plea, discipline, curtailment and/or relinquishment; (3) the age of the applicant at the time of the conviction, plea, discipline, curtailment and/or relinquishment; and (4) evidence of rehabilitation since the conviction, plea, discipline, curtailment and/or relinquishment.

⁶⁸ Section III. Appeal from Adverse Decisions of the Office of Dispute Resolution was added to Appendix B by the Commission effective June 1, 1995.

⁶⁹ The language for this provision was amended by the Commission effective April 1, 1998, to include guilty and nolo contendere pleas excluding traffic violations unless they resulted in suspension or revocation of a driver's license. This language was changed throughout the remainder of Appendix B.

⁷⁰ Section IV, Procedure for Candidates Who Have Been Convicted of a Violation of the Law or Who Have Been Disciplined by a Professional Organization was added to Appendix B by the Commission effective June 1, 1995. Section IV was amended effective December 3, 1998, to remove references to a separate petition for registration.

⁷¹ Appendix B was amended by the Commission effective October 1, 1995, to include curtailment of professional privileges as a possible reason for denial of registration or removal from registration.

⁷² The language of this provision was amended by the Commission effective September 30, 1999, to clarify the language and to include DUI offenses and the relinquishment of any professional privilege or license while under investigation. This language was changed throughout the remainder of Appendix B.

⁷³ Appendix B was amended by the Commission on February 28, 2002, to add the competency requirement.

C. The applicant may be asked to appear before the Committee on Ethics of the Georgia Commission on Dispute Resolution to discuss the information contained within the application. The Committee on Ethics will make a determination as to whether the applicant should be registered or have registration renewed.

D. If an applicant for registration or renewal of registration fails to acknowledge (1) that he/she has been convicted of or pled guilty or nolo contendere to a violation of the law, including traffic violations resulting in suspension or revocation of a driver's license and DUI offenses; (2) that he/she has been disciplined by a professional organization; (3) that he/she has had his/her professional privileges curtailed; (4) that he/she has relinquished any professional privilege or license while under investigation; or (5) that any such actions are pending, the Georgia Office of Dispute Resolution will immediately notify the applicant for registration or renewal of registration that he/she will be denied registration or renewal of registration or, if currently registered, removed from registration by the Georgia Office of Dispute Resolution.⁷⁴

E. An adverse decision of the Committee on Ethics may be appealed to the full Commission within thirty days of the date of such decision. The Commission may grant a hearing to the applicant.

V. REMOVAL FROM REGISTRATION.⁷⁵

A. A neutral who (1) has been convicted of or pled guilty or nolo contendere to a violation of the law, including traffic violations resulting in suspension or revocation of a driver's license and DUI offenses; (2) has been disciplined by a professional organization; (3) has had his/her professional privileges curtailed; and/or (4) has relinquished any professional privilege or license while under investigation, may be removed from the registry of approved neutrals maintained by the Georgia Office of Dispute Resolution. A grievance concerning the ethical behavior of a neutral may result in that neutral being removed from the registry of approved neutrals maintained by the Georgia Office of Dispute Resolution.

B. Upon receiving information that a neutral has been convicted of or pled guilty or nolo contendere to a violation of the law as described above, been disciplined by a professional organization, had his/her professional privileges curtailed, or has relinquished any professional privilege or license while under investigation, or upon receiving a grievance concerning the behavior of a neutral, the Georgia Office of Dispute Resolution or the Georgia Commission on Dispute Resolution will refer the matter to the Committee on Ethics of the Georgia Commission on Dispute Resolution.

C. Both the neutral and the complainant may be asked to appear before the Committee on Ethics of the Georgia Commission on Dispute Resolution to discuss the complaint. The Committee on Ethics will make a determination as to whether the neutral should be removed from the registry. The Committee on Ethics will make written findings which will inform the neutral and the Commission of the basis of its decision.

D. An adverse decision of the Committee on Ethics may be appealed to the full Commission within thirty days of the date of such decision. The Commission may grant a hearing to the applicant.

⁷⁴ Section IV (D) was amended by the Commission effective December 3, 1998, to allow for removal from registration of a registered neutral who fails to comply with the reporting requirements of this section.

⁷⁵ Section V. Removal from Registration was added to Appendix B by the Commission effective June 1, 1995.