



**Exams cancelled and postponed
because of pandemic
coronavirus situation.**

QAP Key Criteria:

- 1. Mediator Experience – A minimum level of experience as a mediator is more than 200 hours or 20 mediations. Styles: facilitative or evaluative. Each applicant must deliver his/her affidavit confirming the number of hours (or cases) of mediation handled. N.B.: The Czech Bar may not inspect mediation files of its members other than for disciplinary reasons.**
- 2. Mediation Knowledge – All applicants:**
 - must be registered on the list of lawyers-advocates at the Czech Bar Association and be registered on the list of Certified Mediators of the Ministry of Justice of the Czech Republic. This registration declares the applicant has already achieved the appropriate legal level of theoretical and practical knowledge in mediation as applies in the Czech Republic (difficult written test about the mediation process - theory, psychology, sociology, law etc. + successful oral role play showing the practical skills to manage a mediation process). These exams are**

conducted before a jury (3 examiners, one of them an advocate-mediator, one non lawyer professional mediator and one representative of Ministry of Justice who supervises the fairness of the process) – Evaluation Sheet - Criteria.

- must deliver a certificate showing they followed at least 60 hours training in mediation (theory and practice based on written tests and roleplays) organised by the relevant authority in the Czech Republic or abroad.
- must deliver up-grade certificate (certificates of higher education in mediation) such as:
 1. Business Mediation certificates issued by the Czech Bar Association or other relevant Czech authority or abroad, or
 2. Certificates in negotiation issued by the Czech Bar or other relevant authority in the Czech Republic or abroad or
 3. Brussel´s Diplomas in Mediation from 2011 - 2012 as the result of the European Grant Programme in Mediation between the Czech Bar Assotiation and the Brussels Bar or
 4. Certificates of participation at conferences, seminars (domestic or international) with mediation topic.

All showing that the applicant upgrades his mediation knowledge at least once in every 2 or 3 years.

3. Mediator Skills – The Evaluation/Assessments will be based on roleplay performed in English or Czech and evaluated by a jury

of three experienced and respectful Mediators, chaired either by a member of the IAM (International Academy of Mediators) Mr. Patrick Van Leynseele, partner of the Belgian Law Firm Daldewolf based in Brussels www.daldewolf.com, or Dr. Dana Potočková, Professor of Anglo-American University in Prague and external lecturer for Hamline University in the U.S.A. (non-lawyer) www.conflict-management.org or Dr. Martina Doležalová, PhD., Head of ADR Commission of the Czech Bar Association www.advokaska-mediator.eu, mediators of high standing in the Czech Republic and/or abroad.

The other two members of the jury will always be the examiners of the State exams of the Ministry of Justice - experienced examiners -mediators and members of the Bar or be already IMI certified mediators or experienced Mediators of high standing, member of other respected organisations (IAM etc.). At least one of the members of the jury must be independent of the QAP.

There will be used self-assessment and feedback skill evaluation techniques by all members of the jury. Evaluated competences:

Ability to handle emotions

Active Listening ability

Inspiring trust

Communication skills

Empathy

Understanding the case

Moving onwards and solving impasses through various techniques

Candidates will have to demonstrate, through mock mediation exercises and in cooperation with the examiners (chairman = Reviewer, both examiners = parties, actors) competences see

above. The failure threshold for role play is 75% or above to pass. The role plays last max. 2 hours. The type of case is commercial only. Applicants will draw lots from three cases (chosen by the examiners).

Duties for the candidates:

1. IMI Certification must be renewed every 2 years, giving affidavit confirming the number of mediations handled: 10 mediations carried out.
2. Candidates must submit at least 3 feedbacks from the parties or attorneys involved, enclosing their specific authorization.
3. Renewal of certification is issued after a 20 minute interview with the member of the ADR Section of the CBA.
4. Program Integrity – Each member of the jury ad 3 above must have substantial experience of assessing the performance of mediators, i.e. must be either an examiner of the Czech Ministry of Justice's State Exams in mediation or be already an IMI certified mediator or an experienced Mediator of high standing, member of other respected organisations (IAM etc.). At least one of the members of the jury must be independent of the QAP. This means this independent Assessor will not be in close contact with the Bar, is not working for, and is not a member of the Czech Bar Association.

Organizational, technical, and financial management of the project:

- The certification process of candidates consists of the following steps: All applicants must fulfil all requirements above, especially ad 3), i.e. successful demonstration of competencies of a mediator before a jury of three professional mediators. The applicant for IMI certification will select one from the three chairmen mentioned above (Mr. Van Leynseele or Dr.

Potočková or Dr. Doležalová, PhD.) as the Reviewer for the applicant's mock mediation exercise described ad 3 above. Receiving IMI certification will be subject to successful demonstration of evaluated competencies.

- If the applicant is successful, the Czech Bar Association will ask IMI for editing his/her profile on IMI's website.**
- The applicant will put together his/her profile by himself/herself based on the guidelines and regulations on IMI's website (location of mediation services, area of specialization, knowledge of languages in which he/she can conduct mediation etc.); the Czech Bar Association may provide assistance but is not expected to do so.**
- The Reviewer (the chairman of the jury) will prepare evaluation of the applicant in English – called Feedback Digest and will upload it in the IMI portal (website).**
- The applicant becomes publicly visible on the IMI website and can use IMI logo (provided by the Czech Bar Association) upon filling in his/her profile and having his/her Feedback Digest uploaded by the Reviewer.**

Each applicant covers the costs related to the requirements placed on the applicants on his/her own, particularly the Mock mediation exercise costs (mock case) as follows:

Applicants are charged CZK 17,000 (advance payment) for the examination, which covers all necessary and basic expenses of the Czech Bar and the examiners. Successful applicants will pay extra 4,000 CZK (the total amount paid by a successful applicant is then CZK 21,000; the extra fee covers the examiners' activities carried out in relation to IMI, particularly the preparation and uploading of the Feedback Digest on IMI's website and Czech Bar's administration costs related to IMI and the applicants.

The annual renewal fee, which IMI licence holders pay directly to IMI, is currently cca € 175 (please always check the amount on the imimmediation.org website).

Please note that the Czech Bar is a “mere” holder of the Qualification Assessment Program, QAP, (including the presentation of this program on its website under the “Mediation” tab), individual certified mediators communicate directly with IMI or with their Reviewers.

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