

GUIDELINES FOR ACDR MEDIATORS SELECTION

A very important incentive for a successful mediation practice, meant to gain the trust of the business community, is the actual quality of the mediation services that are being provided. Therefore, an organizational standard of quality for mediators may be fundamental for the ACDR's long term development.

The Guidelines for the ACDR mediators' selection, hereafter the "Guidelines", provide quality standard information on the entry level criteria, the selection process and the activity performance review of ACDR mediators. These Guidelines are designed to set a quality marker of "*knowledge and skills*" for mediators that are accepted on ACDR's panel from foundation training programs and another quality marker of "*experience*" for ACDR mediators with successful performance. Each marker will be assessed within two simple and transparent stages that will be detailed further.

Overall, these Guidelines will ensure that all ACDR mediators share a minimum high standard of mediation knowledge, skills and experience in order to be accepted and maintained on ACDR's roster of mediators.

This document can be updated to reflect any changes in the methodology and the quality standard for mediators, especially once ACDR mediators reach a certain level. For transparency reasons, the benchmarks and criteria applied should be published and accessible on ACDR's website.

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STAGE 1: Criteria and methodology for selecting ACDR mediators

Below are the criteria set for the mediators. All mediators are bound by the list below.

1. *Credibility*

The assessment process should include a methodology for ensuring that Applicants have a substantial level of credibility. High moral or professional status, seniority or leadership can be a means for building and maintaining this precious commodity.

2. *Education background*

The selection committee for ACDR mediators will give priority to candidates with more prominent educational background, including their academic credentials. Applicants with bachelor degree are the point of interest. However, higher education must be preferred. A bachelor's degree is equivalent to 10 years of related experience. An applicant without bachelor but with 10 years of experience must meet the criteria of a bachelor. English language applicants are preferred. Bachelor degree in Law, Sharia and Economics is also preferred.

3. *Work experience*

Good work experience is an excellent base for a good mediator. A mediator can benefit from prior work experiences by developing knowledge, skills and even dispute resolution experience. Therefore, ACDR must also select mediators based on their work experience. Candidates with solid work experience will be favored.

Consideration may be given to Applicants with mediation experience in counseling, social work, law, work with or within agencies, boards, commissions or tribunals and workplaces where dispute resolution or conflict management has been part of Applicant's responsibilities.

4. *Mediation Knowledge*

The applicants must demonstrate a strong understanding of mediation theory or close practical experience or related experience. This understanding may be developed through formal training programs or practical experience that may include general conflict studies, mediation process, negotiation theory and communication theory. The Applicants should have the skills to negotiate effectively, mediate the process, and write assignments and the final reached agreement.

5. *Familiarity with the civil justice system*

The Applicant is required to know and understand the fundamentals of the civil justice system of Afghanistan. The Committee should assess the Applicant's knowledge of the civil



procedure, mediation law, and the rule of mediation in the civil justice system.

Applicants must demonstrate an understanding of how mediation supports the civil justice system.

6. Informal mediation experience

The selection process will give preference to candidates with informal mediation experiences. The Committee may recognize direct and indirect experience in dispute resolution.

7. Age Requirement

The Applicant should be at least 25 years old or should complete his/her 24th year by the announcement of the final selection results.

8. Having no previous convictions; and

Not to be convicted of any crime or intentional misdemeanor by absolute and final decision of an authorized court. Not be deprived of civil rights by an authorized court at the time of Application.

9. Responsibility to profession

The Applicant must uphold the dignity, principle and integrity of the office, abide by all the related laws, regulations, bylaws, code of ethics and code of conduct of ACDR mediators, and Mediator Standards and Registration Procedure of ACDR, mediation law and other related laws of Afghanistan, and endeavor to provide effective service to the parties and the ACDR.

Assessment committee

The assessment process should be conducted by a minimum of 3-person committee designated by the ACDR Director. For integrity purposes, at least one member of the committee should not be directly or indirectly connected to ACDR.

Methodology for Stage 1:

1. Step 1: Selection of CVs

Candidates submit their CVs to the Afghanistan Center for Commercial Dispute Resolution. The assessment committee will review the CVs and will give scores for each candidate. The candidates can score maximum of 5 points for each criterion from each assessor. The total score will be the sum of scores for each criterion. The final score for each candidate will be the average of scores from each assessor. The candidates with a total of at least 15 points will progress to the second step.

This step can be skipped if the applicant went through an evaluation at the end of their formal training program.

2. Step 2: Written multiple choice test

The test consists of various questions designed to effectively assess the candidates' knowledge of general mediation theory. There are fifteen questions in total and the candidates must select an answer from among a number of choices. Candidates scoring over 70% of correct answers to the multiple choice test are likely to be accepted to the third step.

This step can be skipped if the applicant went through an evaluation at the end of their formal training program.

3. Step 3: Interview

The assessment committee will organize interviews at the ACDR offices with candidates that passed the second step of this process. The interviews should accomplish the goal of selecting the best candidates for the position of ACDR mediators. To be most effective, each selection criterion will be seen as an interview phase and the members should develop questions for each phase. The candidates will score a maximum 5 points for each criterion. The evaluation within the assessment committee will be similar to the first step one. Candidates who demonstrate leadership abilities and enthusiasm will be preferred between candidates with similar evaluations.

This step can be skipped if the applicant receives endorsement from ADR Center.

Methodology for Stage 2:

This assessment applies to ACDR mediators with 6 months of experience. Therefore, in addition to the criteria set by this standard for selecting ACDR mediators, this methodology includes assessments against one more criteria – **experience**.

In short, this process should filter mediators with knowledge, skills, experience and commitment to ACDR’s mission and to providing quality mediation services.

1. Step 1: Performance review

The assessment committee reviews the feedback received by ACDR on mediator’s performance from clients, peers and others in order to assess the quality of the mediation services provided. Also, statistics (e.g. number of cases, settlement rate) provided by ACDR may offer additional information. Each assessor will provide an evaluation from feedback from clients, one feedback from peers and another one from ACDR statistics. The scoring will be similar, from 1, the lowest to 5, the highest for each of the three criteria.

2. Step 2: Interview

An interview of the mediator with the ACDR’s assessment committee will conclude the assessment for second stage.