

Family Mediator Certification Board  
Minutes  
April 2, 2014

Present: K. Borgstrom, E. Dinerstein, C. Dochstader, M. Garner, C. Sadler, B. Sturke, T. Sturke,  
M. Rousseau, E. Christensen, K. McCall

Excused: D. Phillips

K. Borgstrom called the meeting to order at 4:13 PM.

**Announcements**

K. Borgstrom told the Board that she has changed jobs and will not be regularly working in Concord. She said she was planning to resign from the Board and offered to serve in an investigator role in the future, if needed. Members discussed ramifications of a resignation and possible replacements should she resign. Members suggested that K. Borgstrom consider waiting a few months to see how, or if, remaining on the Board would impact her new job before resigning.

**Approval of Prior Minutes**

M. Garner made a MOTION to approve the Public Minutes from February 10, 2014. Second: K. Borgstrom. MOTION PASSED with K. Borgstrom, M. Rousseau, E. Dinerstein, K. McCall and B. Sturke abstaining.

M. Garner made a MOTION to approve the Non-Public Minutes from February 10, 2014. Second: K. Borgstrom. MOTION PASSED with K. Borgstrom, M. Rousseau, E. Dinerstein, K. McCall and B. Sturke abstaining.

**Continuing Education Approval Requests**

C. Dochstader made a MOTION to approve “Advanced Family Mediation Training,” sponsored by ABA: Family Law Section on March 4-6, 2011 for 3.5 hours of Mediator Ethics continuing education credit and 16.25 hours of Mediation Skills continuing education credit. Second: K. Borgstrom. MOTION PASSED.

C. Dochstader made a MOTION to approve “Advanced Mediation and Advocacy Skills,” sponsored by ABA: Dispute Resolution Section on November 15-16, 2012 for 1.25 hours of Mediator Ethics continuing education credit and 12.25 hours of Mediation Skills continuing education credit. Second: K. Borgstrom. MOTION PASSED.

E. Christensen made a MOTION to ask Michael Alfano for more information about “Advanced Family Law” sponsored by MBI on March 31, 2014. Second: C. Dochstader. MOTION PASSED.

T. Sturke made a MOTION to deny continuing education credit to “Helping Children & Parents Cope with Divorce,” an on-line course presented by J & K Seminars and to “ElderLaw 2013: Legal, Financial, Medicaid Today” sponsored by Health Education Network, LLC on April 18,

2013 because neither course met the requirements of Fam 404.01. Second: K. Borgstrom.  
MOTION PASSED.

**Administrative Assistant's Report**

After reviewing an email from Mary Mason about the Domestic Violence Registry in Massachusetts, K. McCall offered to do some research on the DV Registry before the Board composes a response.

K. Borgstrom will contact Judge Kelly to request M. Garner be re-appointed to the Board.

Members discussed the possibility of an off-site meeting in Lyme, possibly on a Friday during the summer.

By consensus, members confirmed that, by rule, Linda Ashford's application for certification would remain open for one year from the date of the Board's order relative to its hearing on her application.

**Non-Public Session: RSA 91-A:3 II c.**

K. Borgstrom made a MOTION to go into Non-Public Session under RSA 91-A:3, IIc: Personal. Second: C. Dochstader. A roll call vote was held. MOTION PASSED.

The Board began Non-Public Session at 5:05 PM.

The Board resumed Public Session at 5:10 PM. T. Sturke made a MOTION to SEAL the Non-Public minutes. Second: K. Borgstrom. A roll call vote was held. MOTION PASSED.

**Administrative Rules & Board Statute**

Discussion on Board Statute and Administrative Rules included:

- In any case, the Board statute has some areas that need correction or clarification.
- In any case, the Board Administrative Rules have some areas that need correction or clarification.
- The Board statute would need to be changed if the Board wanted to expand its role into other areas of mediation. Possible areas included adoption, eldercare, probate/estate, guardianship and parent-child "crisis" mediation.
- Adding new areas of mediation would require changing the current basic training rules and/or requiring additional training for the new areas for current mediators.
- Other areas that the Board statute as currently written might cover: high-conflict (non-DV) case mediation, neutral case evaluation, pre-petition and post-petition mediation. If so, more training would be appropriate which means changes to the training rules.
- The court program not accepting new mediators may have affected the number of applications, both initial and re-certification that the Board is receiving. However, members noted that the Board and certification began before the Court program.
- The court program and money should not be the driving force behind any actions the Board may consider regarding the statute and rules.
- The purpose of the Board should be to ensure that mediators are well trained in family issues.

Minutes, 4-2-14, continued

- Some members felt that the Board role should include oversight and mentorship beyond certification.
- Should there be an alternative way to allow some people to be certified who “should” be certified? (Example: prior marital masters)
- Some Board members are working on developing some “new” guidelines for use when mediating in cases that involve DV, based on some guidelines from Michigan, for recommendation and/or implementation here in New Hampshire. Implementation would require a rules change.

By consensus, members agreed to start “the process” by having teams of Board members review different sections of the current rules and the current statute. K. Borgstrom agreed to lead the division and assignment process.

T. Sturke made a MOTION to adjourn. Second: C. Sadler. MOTION PASSED.

K. Borgstrom adjourned the meeting at 5:59 PM.

Respectfully submitted,

Pat Heinrich

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