

Guide: Family Court ADR Program Best Practices (Maryland Courts 2004)

[This document](#) was developed by Maryland Circuit Court Family Division and Family Services Program family support services coordinators, administrators, and ADR professionals along with members of Maryland's Mediation and Conflict Resolution Office (MACRO). A smaller subset of the larger group, originally convened in January, 2003, met over the next 11 months to discuss key issues and identify best practices which were then submitted to the larger group for comment. Finally, the Committee on Family Law of the Maryland Judicial Conference reviewed the document and made changes.

These best practices are intended to guide Maryland Circuit Court Family Divisions and Family Services Programs in developing and administering court-based family alternative dispute resolution (ADR) programs. Maryland courts offer a broad range of ADR programs to address the needs of families in transition. These range from child access and marital property mediation to volunteer attorney settlement panels, child dependency mediation, parent-teen mediation, and facilitator programs. This document is intended to provide guidance to courts in managing all of these various programs. For this reason, the recommended practices have been left broad enough to permit courts to implement them in a variety of programs.

This document does not offer guidance on how to promote the quality of individual mediator performance or mediator certification. That initiative is being addressed by MACRO's "Mediator Quality Assurance" initiative. This document also does not address how mediation programs should be evaluated. MACRO is currently working on an evaluation protocol for all mediation programs which should enlighten that topic.

This document is intended to assist courts in offering quality programs that are well run, effective, and that meet the goals outlined in the Performance Standards and Measures for Maryland's Family Divisions. In some cases these practices represent the ideal. Some of the solutions recommended may require the courts to employ additional resources. Where those resources are available, these goals will be more achievable. The Department of Family Administration at the Administrative Office of the Courts is available to assist courts in implementing these best practices and will provide technical assistance to any court upon request. The Department of Family Administration will likewise continue to partner with MACRO in planning for and promoting the use of ADR to serve the needs of Maryland families and children.

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