**Candidate’s Guide**

**PROGRAM OVERVIEW**

Welcome to the EDNY Mediator Incubator. This program is designed to offer practical experience to junior attorneys with a substantiated interest in mediating federal cases, but who have little experience as a mediator. The duration of the program is a one-year period, during which you will have the opportunity to observe and co-mediate cases through the EDNY’s Mediation Program. Mediator Incubator candidates who complete the program will be eligible for, but not guaranteed, admission to the EDNY Mediation Panel.

**ORIENTATION**

Upon admission to the Incubator you will be asked to attend an initial training session and orientation program. At this initial meeting you will meet the other Incubator candidates and we will discuss the EDNY Mediation Program philosophy and our expectations for incubator candidates. You will also receive some mediator skills training.

**OBSERVATIONS**

After the orientation you will begin receiving monthly e-mails with opportunities to observe EDNY Mediations. After the completion of each observation, you must fill out and submit a copy of the enclosed Incubator Observation Form.

You will be connected via e-mail with the mediator you are observing prior to the mediation session. You will also be given access to PACER in order to review the docket and familiarize yourself with the case. Please be sure to check for any potential conflicts of interest prior to observing the mediation session. Please disclose any potential conflicts to the ADR Administrator and to the mediator prior to the mediation session.

It is recommended that you communicate with the mediator in advance of the mediation session to understand their preferences regarding your observation. This communication may happen via telephone or at an in-person meeting prior to the mediation session.

On the day of the mediation session please be sure to arrive at the appointed time, and dress in formal business attire. At the start of the mediation session you will sign a confidentiality form. When observing a mediation session, you must stay with the mediator at all times.

The ADR Administrator will ask mediators to evaluate their experience with you during the observation session, and this feedback will be considered when determining your application for admission to the EDNY Mediation Panel.

All incubator candidates must observe three EDNY mediations within a period of six months from the date of admission to the Incubator. If a candidate does not complete the observations during the six-month period, their admission to the Incubator Program will be terminated.

**MENTORSHIP**

Once you have completed two observations, you will be assigned a mentor. Your mentor will be a member of the EDNY Mediation Panel. Mentors will make themselves available to share their professional knowledge, experience, and expertise and to discuss and reflect upon any cases that you observe and co-mediate. After you receive a mentor, be sure to speak to your mentor after each observation and co-mediation. You may communicate with your mentor by phone or e-mail but we encourage you to meet in person if possible. You may use the courthouse facilities to conduct these meetings.

Upon completion of the Incubator you will be asked to submit a mentor evaluation form regarding your experience working with your mentor. Mentors will also submit a mentee evaluation form upon the completion of your incubation period. Mentor feedback will be considered when determining your application for admission to the EDNY Mediation Panel.

**CO-MEDIATIONS**

Each candidate will be given the opportunity to co-mediate three cases with an EDNY mediator. Co-mediations will be conducted alongside a panel mediator on a pro bono basis. Assignments to co-mediation cases will be made by the ADR Administrator. Candidates will have six months from the date of their last completed observation to conduct three co-mediations. A candidate who does not complete three co-mediations during the six-month period, will not be permitted to remain in the Incubator Program.

Once assigned to a case, candidates should contact their co-mediator immediately. Co-mediators should coordinate all pre-mediation communications with the parties, and should discuss mediation styles and a general plan for working with one another to mediate the case. Please refer to the EDNY Program’s Co-Mediation Guide for more information about co-mediation. After the completion of each co-mediation, you must fill out and submit a copy of the enclosed Incubator Co-Mediation Evaluation Form. Your co-mediator will also submit an evaluation form. This feedback will be considered when determining your application for admission to the EDNY Mediation Panel.

**MEETINGS AND PROGRAMS**

The EDNY ADR Department regularly hosts events and Mediator Practice Groups. Incubator candidates will receive advanced notice of these events and are strongly encouraged to attend possible.

**COMMUNICATION WITH ADR ADMINISTRATOR**

Incubator Candidates should contact the EDNY ADR Administrator with any questions, concerns, or requests throughout their participation in the EDNY Mediator Incubator. In the event there are extenuating circumstances that prevent a candidate from completing the observations and co-mediations in the periods described above, the candidate must notify the ADR Administrator in writing.