

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTIC RELATIONS

§ 1936. Duty of Mediator to Screen for Domestic Violence During Mediation Referred or Ordered By the Court.

(a) A mediator who, in a proceeding brought outside of this Chapter, receives a referral or order from the court to conduct mediation shall screen for the occurrence of domestic or family violence between the parties.

(b) A mediator shall not engage in mediation when it appears to the mediator or when either party asserts that domestic or family violence has occurred unless:

(1) Both parties consent to mediation;

(2) Mediation is provided in a specialized manner that protects the safety of the victim by a certified mediator who is trained in dealing with domestic or family violence or by a member of the community who is traditionally acknowledged to be qualified to perform such a role; and

(3) The victim is permitted to have in attendance at mediation a supporting person of his or her choice, including but not limited to an attorney or advocate.

Source: PL 12-19, § 2 (306).