Mentorship in Family Mediation

Susan W. Harrell, Richard E. Doelker, Jr.

Mentorship has a strong history in the development of many professions in our society. This article reports the results of a study of the impact of requiring an initial level of mentoring for certification as a family mediator in the state of Florida. Questionnaires were sent to certified family mediators who acted as mentors and to the apprentice mediators who were applying for certification. Comments from both groups indicated strong support to continue the mentorship requirement. The authors also discuss the development of a model of mentorship for family mediation.

Consultation and supervision are often associated with professional disciplines. Historically, most professions emanated from an apprentice model where one worked side-by-side with an experienced "craftsperson" in the profession. Many professions such as clergy, physicians, and attorneys, to name a few, can trace their professional roots to this model.

We assert that the apprenticeship model can be seen as the basis for the use of the consultation and supervision approach used by many professions today. The evolving profession of mediation is no exception. Consultation and supervision should be a normative part of family mediation education and training.

The context of the research project reported here is set within Florida Statutes Section 44.302, which in 1987 gave judges the authority to order mediation in divorce and civil cases. Many of the questions that were raised at the inception of the statute are still being asked, such as "Who should mediate?" "Who should pay for it?" "Who should be trainers?" (Talcott, 1989, p. 84).

Another controversial change in the law occurred effective July 1990, when the Florida Supreme Court amended Florida Rules of Civil Procedure 1.760 to state that those persons seeking to become certified as family law mediators must complete a mentorship composed of two observation sessions

Note: We acknowledge the support of Sharon Press, director of the Dispute Resolution Center, Florida Supreme Court, who made this study possible.

"conducted by a certified mediator" and two comediation sessions "under the supervision and observation of a certified family mediator" in addition to the basic forty-hour family mediation training.

This article discusses the results of a study that was conducted in cooperation with the Dispute Resolution Center of the Florida Supreme Court. The results of a survey that was mailed to certified mediators and apprentices are reported in the context of the process of mentorship and how it is approached in the professions of law and mental health. The survey was designed to address a number of issues related to mentorship in mediation such as the responses of mentors and apprentices to the observation process; the impact of the observations on mentors, apprentices, and the parties involved in mediation; and whether a model of mentorship can be developed for mediation.

Models of Supervision in the Legal Profession

The education of a lawyer in the United States and the role of consultation and supervision in that process have fluctuated greatly over the last two hundred years.

History of Legal Education. There were very few lawyers in Colonial America before 1700 (Harno, 1953, p. 18). Through the 1700s, most lawyers in America had little formal education, because the only formal education available was in England. Since there were no law schools in the United States and lawbooks were extremely scarce, an apprenticeship with an older, experienced lawyer constituted the main form of preparation for the profession (Harno, 1953, p. 19).

The first independent law school in the United States developed from an office-apprenticeship training program, but this "school" did not last very long (Harno, 1953, p. 28; Stevens, 1983, p. 3). The first university law school was not established in the United States until 1817, at Harvard (Harno, 1953, p. 37). Initially, enrollment was low, the course of study was short, and there were no entrance qualifications (Harno, 1953, pp. 40, 51). This was to change rapidly over a short period of time. Academicians believed that their job was to generate scholarship (at the expense of practical training). The method of study developed by Christopher Columbus Langdell in the 1800s (which continues today) was the case method (Harno, 1953, pp. 53–54). Also known as the Socratic method, legal educators felt that since our judicial system was based on judge-made law (that is, case law or common law), the only way to learn the legal doctrines that had developed was to concentrate on selected cases. It was this attitude that caused a break in relations between legal educators and members of the practicing bar (Harno, 1953, p. 100; Stevens, 1983, pp. 56–58, 264).

Role of the American Bar Association. It is surprising that there were very few professional legal associations in the 1800s organized for a purpose other than social functions or to maintain a library (Harno, 1953, p. 71). The Amer-

ican Bar Association (ABA) was founded in 1878 (Harno, 1953, p. 71; D'Alemberte, 1991). The ABA called for and saw the establishment of professional bar associations in every state. The original organization of the ABA included the formation of numerous sections as a service to its members and the public. One of the sections formed during the first year of the ABA's existence was Legal Education and Admissions to the Bar (Harno, 1953, p. 73; D'Alemberte, 1991, p. 27). During the second annual ABA meeting, it was reported by the chair of this section that "mere practical training or apprenticeship" (Harno, 1953, p. 74) is not enough. The association thereupon recommended that students meet certain qualifications before being admitted to a law school and before being admitted to practice law in any jurisdiction, and that additional postgraduate work be made available to all attorneys (Harno, 1953, pp. 74, 78). As often happens in the legal system, it was many many years before the recommendations were all finally acted on by each state bar association.

The ABA's recommendations were based on the belief that the right to practice law does not arise automatically upon graduation from law school. It was felt that the ABA had a moral duty to protect the public (Harno, 1953, pp. 103–104). This belief prompted the ABA to later recommend that all law school graduates be required to pass an examination designed to determine their fitness to practice law (Harno, 1953, p. 106). The National Conference of Bar Examiners was created in 1931 to create and administer these examinations (Harno, 1953, p. 114). However, the ABA's recommendation of a nationwide program to make postadmission legal education, that is, continuing legal education (CLE), available did not become a reality until after World War II (Harno, 1953, p. 78).

Law School. Law school is usually completed in three years, during which time students are primarily taught analytical skills, substantive law, and the techniques of legal research. In order to practice law upon graduation, the graduate must successfully pass the bar examination of the jurisdiction in which he or she wishes to practice and survive the background investigation.

In the 1960s, it became quite evident that a person could get a license to practice law without ever having any practical skills training. Therefore, law schools began to build practical skills programs and courses into their curricula, including legal clinics, client counseling, interviewing classes, internships, and mentorships. Today, these practical skills programs are becoming the rule rather than the exception (Cole, 1989; Civiletti, 1981; *Florida Bar Journal,* 1991).

Bridging the Gap, Building a Continuum. The practical skills programs are but one small step in helping persons make the transition from law school to the actual practice of law. Many states, through their bar associations and the assistance of the ABA, have established basic skills courses (some states make completion of these courses mandatory) designed to bridge the gap between law school and the realities of practice. Some states require a certain number of CLE hours following graduation from law school (ABA and National Conference of Bar Examiners, 1991, pp. 46–47). Most states have enacted rules

that allow third-year law students to practice law with a certain amount of supervision (ABA and National Conference of Bar Examiners, 1991, pp. 50–52). Yet only two states require any form of apprenticeship after law school as a prerequisite to the practice of law (ABA and National Conference of Bar Examiners, 1991, pp. 12–14).

Apprenticeships have fallen into disfavor in the United States. They are criticized as being too dependent on the attorneys who serve as mentors (including the attorneys' qualifications and willingness to commit time and effort to the apprentice) (Task Force on Law Schools and the Profession: Narrowing the Gap, pp. 289–290).

Apprenticeships in the Legal Profession. It has been said many times that the education of a lawyer is a lifetime undertaking (Harno, 1953, pp. 124, 126). It has also been said that the practice of law is a skilled craft and, in some phases, an art (Harno, 1953, p. 147). Many believe that a craft cannot be taught in a university; rather, it requires learning by doing. Although the informal practice of learning the profession by "carrying the briefcase" of a more experienced lawyer continues today, it has diminished in popularity and availability.

Many practicing professionals are forced to recognize the growing problem of how to properly train a new lawyer. The previous practice of acting as an apprentice has given way to a "sink-or-swim" attitude. Many factors have been blamed for the reluctance of more experienced attorneys to "rear" young lawyers. The most commonly cited factor is economics. The business of practicing law now consumes a large part of an attorney's time, and overhead expenses can, in some circumstances, claim 60 percent of income. Many attorneys are simply not willing or able to invest any additional time or money into training a new attorney (Goodman, 1991).

Many attorneys have begun to notice a decline in the professionalism, trust, and fellowship that once existed among practicing attorneys. The once-common professional courtesies are no longer extended to fellow attorneys as a matter of course. An attorney's word and promise to a fellow attorney can no longer be relied on. This problem is blamed on economics and the competition it breeds as well as the disappearance of apprenticeships. The respect that the legal profession as a whole once earned no longer exists. Many feel that a return to some form of apprenticeship would once again increase the moral character, standards, and respect of practicing lawyers among themselves and as perceived by the public at large (Goodman, 1991).

Inns of Court: An Old Idea Revisited. In the early 1980s, Warren E. Burger, a former U.S. Supreme Court chief justice, prompted the formation of the American Inns of Court System. The original Inns of Court were developed in fourteenth-century England pursuant to a directive of Edward I to provide for apprentices of the law (Harno, 1953, p. 6). Based loosely on the English Inns of Court, the membership of each American Inn is divided into different categories based on years of experience. The membership is limited in numbers so as to be an effective learning tool and allows for "pupilage teams,"

which present programs in some areas of civil litigation each month followed by discussion and critique by all members of the Inn (Pensacola Chapter of the American Inns of Court, 1991).

Future of Apprenticeships in the Legal Profession. The ABA section Legal Education and Admissions to the Bar created the Task Force on Law Schools and the Profession: Narrowing the Gap. In July 1992, this task force released a comprehensive survey of clinical legal education in American law schools (Task Force on Law Schools and the Profession: Narrowing the Gap, 1992). The task force set forth the skills and values that new lawyers should seek to acquire as well as recommendations for improving the process of legal education in the United States so that these skills and values can be attained.

The recommendations address the participation of the ABA, state and local bar associations, law schools, practitioners, undergraduate education institutions, and licensing authorities (among others) "for improving and integrating the process by which lawyers acquire their skills and values and for enhancing lawyers' professional development at all stages of their careers" (Task Force on Law Schools and the Profession: Narrowing the Gap, 1992, p. 327). The task force recommended that apprenticeship programs "ensure that skills and values instruction is provided by practitioners in sufficient numbers and properly guided in their mentoring responsibilities to give adequate feedback to apprentices, holding them to an acceptable level of performance" (1992, p. 335).

While the apprenticeships of Colonial America have not been revived (Goodman, 1991, p. 52), it is clear that the profession recognizes the need for more practice training in order to better serve the public and the profession. Through the use of apprenticeships and other methods, history must repeat itself if the legal profession is to provide quality service and attempt to regain the respect of the public.

Models of Supervision in the Mental Health Professions

The process of supervision has been an integral component of the various mental health professions from their respective inceptions. Psychoanalytic tradition serves as the foundation for the majority of contemporary professions in mental health. As Schwartz suggested, "The triad of learning in psychoanalysis has been personal analysis, taking courses at an institute, and supervision. Freud did not feel that psychoanalysis could be learned didactically, but rather only through a preceptor process" (Lane, 1990, p. 86).

The early literature in the field of social work frequently addressed the supervision process. An excellent example is a 1935 article written by Hutchinson in which she suggested that the "supervisor-worker relationship should be a growing, dynamic one in which each is free. The supervisor is essentially a leader and a teacher of workers and does not impose herself or her ideas on the worker" (Munson, 1979, p. 37).

Virtually all degree-granting programs in the field of mental health require

multiple levels of supervision within the curricula of the programs. This supervision ranges in duration and complexity from observations, to practica, and, finally, to extensive internships. Indeed, the process of supervision is taught at the graduate level in most academic programs. Thus, individuals entering the mental health professions are socialized in the integration of supervision into the practice of their professions.

Advanced Professional Supervision and Licensure. Supervision in the variety of mental health disciplines continues beyond academic preparation. Virtually all mental health professions strongly endorse professional certification that is based on additional years of experience in the professions, beyond the entry degrees, with a strong supervisory component. As an example, the Academy of Certified Social Workers requires a minimum of two years of professional supervision after the master's degree, in addition to successful completion of a written examination. Most professions in mental health also offer diplomate status. This professional designation is awarded to individuals who meet the required professional supervised experience in their respective fields.

In addition to professional certification, many states also have licensure requirements for individuals practicing in the private sector of mental health services. One such example is the state of Florida, which requires intensive supervision for licensure eligibility for individuals practicing as psychologists, clinical social workers, marriage and family counselors, and mental health counselors (FL 490-491).

Developmental Models of Supervision in Mental Health. A predominant theme that emerges throughout the literature on supervision in mental health disciplines is the developmental model. Although numerous such models exist, they all elucidate various stages of supervision through which a supervisee evolves from novice to independent practitioner. Kaslow (1986) provided an excellent overview of a variety of developmental models of supervision. While each model differs somewhat in its approach, each is designed to address the stages of supervision through which apprentices pass on their journey toward independent practice.

Kaslow (1986) discussed a six-stage model of supervision that provides an excellent example of the stages of development in supervision. The stages are as follows: (1) excitement and anticipatory anxiety, (2) dependence and identification (on and with the supervisor), (3) activity and continued dependence, (4) exuberance and taking charge, (5) identity (as a professional) and independence, and (6) calm and collegiality. Given the information above, it follows that a model of supervision and consultation in mediation must incorporate developmental stages if the model is to be effective.

A Study of Mandatory Mentoring

The purpose of this study was threefold: to gather data on the impact of the requirement for observation and comediation for certification as a mediator in

the state of Florida, to obtain suggestions and recommendations from mentors and apprentices concerning possible modifications to the requirement, and to suggest a potential model of mediation mentorship based on the information derived from the study.

A total of 478 surveys were sent out to family mediators in the state of Florida. The surveys contained questions regarding mentorship requirements stipulated by the Florida Supreme Court amended Florida Rules of Civil Procedure 1.760. Overall, 154 surveys were sent to those persons who had served as mentors (certified mediators) over the previous twelve-month period, and 324 surveys were sent to those persons who had been apprentice family mediators over the previous twelve-month period. A total of 101 mentors responded, and a total of 63 apprentices responded.

The respondent demographics were as follows: 44.6 percent of the mentors and 47.6 percent of the apprentices who responded were attorneys, and 40.6 percent of the mentors and 30.2 percent of the apprentices were mental health professionals. The rest of the responses came from CPA's, educators, and "others."

Approximately 33 percent of the apprentices had one year of experience in family mediation, 17.5 percent had less than one year, 12.7 percent had no experience, and 8 percent had more than one year of experience. Overall, 21.8 percent of the mentors practiced family mediation on a full-time basis and 76.2 percent practiced part-time. However, the numbers of family mediation cases handled annually by the respondents were fairly equal (zero to five cases, 22.8 percent; six to twelve cases, 20.8 percent; thirteen to thirty cases, 24.8 percent; and over thirty-one cases per year, 31.7 percent). A very small percentage of the apprentices practiced family mediation on a full-time basis, but 84.1 percent practiced on a part-time basis.

The primary source of family mediation cases for most of the mentors (39.6 percent) and most of the apprentices (31.7 percent) was court-annexed referrals. Only 20.8 percent of the mentors and 22.2 percent of the apprentices indicated that private referrals were the primary source, while 38.6 percent of the mentors and 25.4 percent of the apprentices indicated that their family mediation cases came from a combination of the two referral sources.

Of the mentors who responded, 30 percent had not performed any mediation supervisions over the twelve-month period in question. Another 35 percent had performed between one and four mediation supervisions, and 26 percent had performed between five and twenty mediation supervisions during that period. Only 6 percent indicated that they had performed more than twenty supervisions over the twelve-month period in question, with one respondent performing one hundred to one hundred and fifty supervisions during this same time period. In contrast, 61.9 percent of the apprentices indicated that they had not performed any mediations in the previous twelve months. Only 17.4 percent had performed one or two family mediation cases during that period of time, 8 percent had performed six to ten mediation cases

during that period of time, and only 1.6 percent had performed fifteen to twenty cases during that period.

QUESTION 1. *Should observation and comediation be continued as a requirement for certification?*

A clear majority of the mentors who responded (60.4 percent) felt that some combination of observation and comediation should be continued as a requirement for certification, while 13.9 percent felt that only observations should be continued and 20.8 percent believed that neither should be continued as a requirement. Another 2 percent felt strongly that only retired judges should be mediators.

The concerns reflected in the mentors' responses to this question varied widely. Most felt that the observation and comediation requirement was a difficult transition and initiation, but that it was a necessary part of becoming a qualified and experienced mediator. As indicated in the majority of the comments, respondents viewed the requirement as a learning experience for all participants.

Quite a few of the mentors indicated that mentorship was not necessary for properly trained persons who practice mediation as an extension of their profession upon completion of the forty-hour training course. Many difficulties were cited by the mentors: "Clients won't agree to presence of another person," "Attorneys don't want to be forced to use a mediator with whom they are not familiar," "Attorneys are reluctant to have attorney-mediators observe," "Comediation is too confusing, difficult, burdensome—no way for a comediator to read my mind or know the direction I am going in," "Availability of family mediations in the area do not make this practical," "Inexperienced comediator decreases chance of settlements and increases the amount of time for the conference," "Private mediators are not sharing the responsibility (of mentoring)," "Inhibits mediation process." But there were a few suggestions from the mentors as to how the difficulties could be addressed: "Audio/video-taped supervision," "Make observation and comediation optional activities or leave it up to the lead mediator as to whether comediation will be used," "Comediation should be limited and be assigned to nonprofit agencies," "Continue both but with observers other than fellow mediators," "I would not like to mentor more than two applicants per year."

Among the 74.5 percent of the mentors who believed that some observation or comediation requirement should be continued, approximately 13 percent indicated that the requirement should remain the same. The remaining responses ranged widely, with recommendations of one to eight observation sessions and zero to six comediation sessions. (Most of the respondents preferred four of each type of session.) The majority seemed to agree that observations were much easier and more practical. Even though most indicated that the comediations were more effective as a learning tool, it was clear that come-

diations are much more difficult to arrange, and therefore this approach was not preferred by the mentors.

Some of the mentors suggested different methods of approaching the requirement: "A requirement based upon a number of hours of observations and a number of hours of comediation would be a more effective training requirement," "The mediator apprentice should be observed and conduct comediation with different mediators-mentors," "Need to designate certain mediators as mediators-trainers."

A stronger majority of the apprentices (87.3 percent) felt that observation and comediation should be continued as a requirement for certification. Smaller percentages of the apprentices believed that only observations should be continued (9.5 percent) or that only comediation should be continued (3.2 percent).

Most of the comments by the apprentices reflected the opinion that the experience was a necessary and valuable component of the certification requirements. Overall, 44.4 percent of the apprentices felt that the observation and comediation requirement were satisfactory. The remaining apprentices differed widely in the required numbers of sessions of each that they recommended. The apprentices' recommendations ranged from two to ten observation sessions and from zero to ten comediation sessions.

The apprentices made additional suggestions: "The observations should precede the training," "The comediation should include document preparation," "Both types of sessions should be more structured and only with 'approved' mediators," "The certified mediator must let the court know if the comediator is incompetent."

QUESTION 2. *Should there be specific qualifications required, beyond certification as a family mediator, for those who observe prospective family mediators for certification?*

Over one-half of the mentors and apprentices who responded felt that no additional qualifications should be required, beyond certification as a family mediator, for those who observe prospective family mediators for certification. However, most of the comments indicated that additional experience was needed, whether in terms of a minimum number of mediation cases, a minimum number of mediation agreements, a minimum number of years of practice in their profession, a minimum number of years as a family mediator, or additional training or continuing mediation education. A few respondents expressed a need for additional education on the legal aspects of dissolution of marriage.

QUESTION 3. *Did the person who observed you and with whom you comediated provide you with feedback after the sessions?*

Well over 93 percent of the apprentices received some form of feedback from the mentors after the sessions. A combination of written and verbal

feedback was given to 11.1 percent of the apprentices, while 85.7 percent of the apprentices received verbal feedback from their mentors.

QUESTION 4. *What type of feedback would you find most helpful following observation/comediation sessions?*

Notwithstanding the type of feedback they actually received, 22.2 percent of the apprentices felt that a combination of written and verbal feedback would be most helpful, while 76.2 percent reported that they would be satisfied with verbal feedback alone. Most of the mentors preferred verbal feedback (48.5 percent). The second largest group of responses to this question (30.7 percent) favored a combination of verbal and written feedback following observation and comediation sessions. Less than 10 percent of the respondents felt that written feedback would be most helpful. Based on the comments, it appears that feedback was considered by the mentors to be very valuable to the learning process, but there was concern that written feedback would be a burden on the mentor.

QUESTION 5. *Do you believe that the observer should be able to make evaluative judgments regarding the applicant for certification?*

Overall, 56.4 percent of the mentors and 65.1 percent of the apprentices answered that the mentors should not be able to make evaluative judgments regarding the applicant for certification, while 30.7 percent of the mentors and 31.7 percent of the apprentices felt that the mentors should make such judgments. The respondents expressed concerns that this would place too much importance on the initial learning experience, that the initial contact with the applicant is much too short to make such judgments, that making such judgments public would inhibit honest evaluations, and that there is no means of ensuring mentors' objectivity in regard to the applicants' skills.

The apprentices who commented expressed many different concerns: "The observations and comediation are for teaching purposes, not evaluative purposes," "The mentors would be given the power to knock out future competition," "You would need a special review board," "The mentors must be seasoned, experienced practitioners," "Danger that the mentor may then have too much influence over the apprentice and the process," "If the mentor sees a serious problem which would render the applicant inappropriate for family mediation, then I think DRC [Dispute Resolution Center] should be informed somehow."

QUESTION 6. *How do you typically handle the comediation?*

While 18.8 percent of the certified mediators-mentors handled the comediation with the apprentice's assistance, 23.8 percent allowed the apprentice

to handle the comediation completely with only assistance from the certified mediator, and 25 percent of the respondents used a true comediation approach to this component of the mentorship. In many of the comments offered by the respondents, it was noted that the method of comediation depends on the "willingness and ability" of the apprentice to handle the mediation process.

QUESTION 7. *Did you encounter any problems with regard to clients related to the observation/comediation process?*

A majority of the mentors (52.5 percent) had not encountered any problems from clients in the mentorship process. Only 25.7 percent indicated that they had experienced difficulties with clients in participating in the mentorship process. Most of the comments detailed complaints from parties and lawyers who were reluctant to have another person present in the mediation sessions or did not want an inexperienced mediator involved who might cause an impasse. Many of the mentors commented that such problems can be easily avoided by securing the permission of the parties and the attorneys in advance of the sessions and respecting the wishes of the clients if they are not comfortable with the arrangement.

QUESTION 8. *During comediation sessions, did you find it necessary to take an active part in the sessions due to the prospective mediators' inability to handle certain situations or clients?*

Almost one-half of the mentors (45.5 percent) indicated that they had to take an active part in the sessions due to the trainees' inability to handle certain situations or clients. There were only a few situations mentioned that required such intervention, and most of them were due to inexperience or poor training rather than inability: "Apprentice loses control, hits a 'roadblock' . . . doesn't keep the session moving along and away from 'nonissues' " and "Apprentice shows bias, lack of sufficient knowledge and experience of legal issues . . . how to calculate child support, types and forms of alimony, et cetera."

Conclusion and Recommendations

Supervision and consultation are not new concepts to the practice of mediation. John Haynes (1986, p. 31), one of the pioneers in mediation, suggested that "good supervision mirrors the mediation process." The practice of supervision and consultation has also been strongly endorsed by various professional mediation groups such as the Academy of Family Mediators (Grebe, 1988).

Given the results of this study, it is evident that both experienced mediators who have acted as mentors and apprentices believe that there is a need for supervision and consultation in the practice of mediation. Although there are

problems associated with requiring supervision in mediation, such as the potentially negative impact on clients, the appropriate manner in which to handle feedback from mentor to apprentice, and the impact of the additional supervision responsibilities on the mentor's practice, it is clear that those who practice mediation see supervision as a positive process. Certainly, an additional area of study is assessment of the impact of the mentor-apprentice process on actual mediation clients. The current study did identify comments made, particularly by mediators in private practice settings, that mentorship would be problematic with private clients.

The results of this study indicate that there are several elements that should be included in a model of mediation mentorship:

Initial training. Most mediators in the study agreed that the forty-hour basic mediation training should continue as the minimum training requirement. Although most training incorporates role-play exercises, few training programs include any mentorship. It is suggested that this additional stage in the traditional mediation training program could be added. Most training programs have networks of experienced graduates, who could be used as mentor associates to work with graduates of the forty-hour basic training in a mentorship role. The minimum of two observations and two comediations required for certification as a mediator in Florida appears to be a reasonable threshold.

Professional preparation. In Florida, in order to be certified it is also necessary for the applicant to hold a master's degree in a field of mental health and a J.D., and to be a CPA or a retired judge. In addition to the education requirements, the applicant must also have a minimum of five years of experience in his or her professional field. As mediation becomes more institutionalized, we will no doubt see an increase in the number of master's and doctoral degree-granting programs in mediation.

Professional mentorship. In addition to a minimum requirement for mentorship in mediation that would be added to the basic training, there should also be an option that allows practicing mediators to receive credit toward continuing education unit requirements through the use of mediation consultation (mentorship). This would encourage the continued use of mentorship in mediation practice.

In order for professional mentorship to become a normative component of mediation practice, the following elements need to be present:

Trained mentors. A cadre of trained mentors must be developed in order for mediators and mediator apprentices to have ready access to high-quality mentorship. The responsibility for developing this group of trained mentors has already been taken up, in part, by the Academy of Family Mediators. This professional group has developed a network of trained consultants over the past several years by offering basic and advanced training in mediation consultation.

Feedback mechanisms. One of the most critical components of effective mentorship is feedback. Both mentors and apprentices in the study reported

here commented on the importance of having feedback mechanisms in place. We would do well to continue to encourage the development of client-based questionnaires, such as developed by Tran (1988), and other devices that can be used by mentors to provide useful feedback during the mentoring process.

References

American Bar Association and National Conference of Bar Examiners. *Comprehensive Guide to Bar Admission Requirements, 1991–1992.* Chicago. American Bar Association, 1991.

Civiletti, B. R. "Clinical Education in the Law School and Beyond." *American Bar Association Journal,* 1981, 67, 576–577.

Cole, L. R. "Training the Mentor: Improving the Ability of Legal Experts to Teach Students and New Lawyers." *New Mexico Law Review,* 1989, *19,* 163–170.

D'Alemberte, T. "The Bar and Legal Education." *Florida Bar Journal,* 1991, *65* (7), 27.

Florida Bar Journal. Special issue on current use of skills programs in law schools, 1991, *65* (entire issue 7).

Goodman, R. M. "Clinical Education and Professionalism: A Glimpse of the Practice of Law in the Twenty-First Century." *Florida Bar Journal,* 1991, *65* (7), 52.

Grebe, S. C. "Family Mediation Training Programs: Establishing Standards." In J. A. Lemmon (ed.), *Establishing Standards for Performance and Evaluation.* Mediation Quarterly, no. 19. San Francisco: Jossey-Bass, 1988.

Harno, A. J. *Legal Education in the United States.* Westport, Conn.: Greenwood Press, 1953.

Haynes, J. M. "Supervision Issues in Mediation." In J. A. Lemmon (ed.), *Key Issues in Family Mediation Training and Practice.* Mediation Quarterly, no. 13. San Francisco: Jossey-Bass, 1986.

Kaslow, F. W. *Supervision and Training: Models, Dilemmas, and Challenges.* New York: Haworth Press, 1986.

Lane, R. C. *Psychoanalytic Approaches to Supervision.* New York: Brunner/Mazel, 1990.

Munson, C. E. *Social Work Supervision.* New York. Free Press, 1979.

Pensacola Chapter of the American Inns of Court. "The Summation." *Escambia-Santa Rosa County Bar Association Newsletter,* 1991, *17* (11), 3, 19.

Stevens, R. B. *Law School: Legal Education in America from the 1850s to the 1980s.* Chapel Hill: University of North Carolina Press, 1983.

Talcott, B. W. "Court-Ordered Mediation in Florida." In S. K. Erickson (ed.), *Legal Issues Affecting the Practice of Mediation.* Mediation Quarterly, no. 23. San Francisco: Jossey-Bass, 1989.

Task Force on Law Schools and the Profession: Narrowing the Gap. *Legal Education and Professional Development: An Educational Continuum.* Chicago: American Bar Association, 1992.

Tran, N. T. "Development and Testing a Family Mediation Assessment Instrument." In J. A. Lemmon (ed.), *Establishing Standards for Performance and Evaluation.* Mediation Quarterly, no. 19. San Francisco: Jossey-Bass, 1988.

Susan W. Harrell is assistant professor and coordinator of the Legal Administration Program at the University of West Florida, Pensacola. She is a certified family mediator and a member of the Florida Association of Family Mediators.

Richard E. Doelker, Jr., is dean of the College of Arts and Social Sciences and professor of social work at the University of West Florida. He is a certified family mediator and a member of the Florida Association of Family Mediators.