

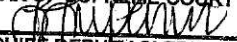
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
AMENDMENT OF FORECLOSURE
MEDIATION RULE 3(4)

ADKT 435

FILED

JAN 24 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

PETITION

COMES NOW, the Honorable Mark Gibbons, Associate Chief Justice of the Nevada Supreme Court, who petitions the Nevada Supreme Court on its Administrative Docket to adopt amendments to Rule 3(4) of the Foreclosure Mediation Rules.

1. On June 30, 2009, this court approved rules in order to implement the Foreclosure Mediation Program (FMP) established by Assembly Bill 149.
2. Rule 3(4), which sets out mediator qualifications, requires amendments to address mediator qualifications and training.
3. FMP Mediators have requested the amendments set forth in the attached Exhibit A.

Wherefore, the undersigned requests that this court consider approving the amendments to Rule 3(4) to incorporate the provisions set forth in the attached Exhibit A and to conduct a public hearing if it is necessary to do so.

Dated this 24th day of January, 2020.


_____, J.
Gibbons

20-03482

EXHIBIT A

PROPOSED CHANGES TO FMP RULE 3(4)

4. Mediator qualifications.

(a) Mediators must meet the following minimum qualifications and provide proof as part of the application process:

(1) Be licensed to practice law in the State of Nevada; ~~or~~ **and**

(2) Be an experienced mediator. For purposes of this subsection, an experienced mediator shall mean an individual who has participated in a mediation training program consisting of at least 40 hours of classroom and role playing and has conducted 10 mediations as a co-mediator or sole mediator.

(b) Additionally, all mediators must participate in ~~an~~ approved bi-annual continuing education of at least 4 hours and consisting of education in the area of real property law, including but not limited to the following: deeds of trust, promissory notes, loan modifications, Nevada foreclosure laws, Nevada Supreme Court updates and rulings on foreclosure mediation, district court mediation process and procedures, use and operation of any Portal operated by Home Means Nevada, Inc. (or its successor), mediation process and procedures and such other related topics, as the court may approve. Proof of this continuing education must be submitted with the application.

(c) The Court, for good cause shown, may waive the minimum requirements set forth herein.