

Instructions for Completing the Rule 11 Alternative Dispute Resolution Ethics Board Complaint Form

LIMITATIONS OF THE ADR ETHICS BOARD

- The Alternative Dispute Resolution (“ADR”) Ethics Board reviews complaints at their quarterly meetings against Neutrals (“ADR” providers) who are on the Rule 114 roster and/or whose services have been ordered by the MN District Courts. The ADR Ethics Board does not have authority to investigate services provided by child custody evaluators.
- The ADR Ethics Board does not have the authority to remove a Neutral who has been ordered by the Court from a case (only the Court can remove a court-ordered Neutral) or to order the return of any fees paid to a Neutral.
- The ADR Ethics Board cannot change the decision of a Neutral. (For example, you would appeal decisions of a Parenting Consultant or Parenting Time Expediter to the Court which ordered the Neutral in your case).

INSTRUCTIONS

1. Complete the information on page one of the complaint form, including contact information for yourself and the Neutral, parties involved, whether the Neutral was court appointed, and identify the ethical rules you believe were violated.
2. Submit the entire complaint, including attachments, at the same time. **Later submissions will not be accepted.**
3. Required attachments:
 - Attach a written description of the facts that support each ethical rule you have checked on the first page.
 - Attach relevant documentation to support the facts.
 - If the Neutral is court-ordered, attach the complete court order appointing the Neutral
 - Attach all signed agreements for services and/or fee agreements you have with the Neutral, OR indicate that you do not have the agreement(s), or never signed agreement(s).
 - If the Neutral issued decisions, please attach all written decisions that are relevant to the complaint.
4. Instructions for attachments:
 - Do not submit the same information more than once.
 - If you are attaching long documents, mark the relevant sections.
 - If you are submitting emails as attachments, do not submit multiple copies of the same message, and mark the specific exchange you believe may have violated the Rule 114 code of ethics.

- If you are attaching more than five (5) documents, provide a numbered list of the attachments, including title, date, and a very brief description of the relevance of this attachment to your ethics complaint.
- 5. If your written description and attachments totals more than ten pages, please summarize your concerns on the Complaint Form (if not, leave it blank).
- 6. Be sure to sign and date the Complaint Form.
- 7. Submit your complaint to the address or email address at the bottom of the form. If you are submitting by email, please put all documents into one (1) file.

Rule 114 Alternative Dispute Resolution Ethics Complaint Form

Complainant Contact Information

Name: _____ Phone: _____
First Middle Last

Address: _____
City State Zip Code

Email: _____

Neutral Contact Information

Name: _____ Phone: _____
First Middle Last

Address: _____
City State Zip Code

Email: _____

Basis for Complaint

Parties Involved: _____

Date of Incident(s): _____

Was the Neutral court appointed? Yes No

Please check the rules that you believe have been violated:

<input type="checkbox"/> Rule I. Impartiality: The Neutral did not conduct the ADR process in an impartial manner.
<input type="checkbox"/> Rule II. Conflicts of Interest: The Neutral failed to disclose conflicts of interest (e.g., the Neutral had a direct or indirect financial or personal interest in the ADR process or the Neutral had a current or past professional and/or personal relationship with either of the parties). OR The Neutral did not withdraw from the process after failing to receive consent from both parties.
<input type="checkbox"/> Rule III. Competence: The Neutral did not have the necessary qualifications to satisfy the reasonable expectations of the parties.
<input type="checkbox"/> Rule IV. Confidentiality: The Neutral did not maintain confidentiality to the extent provided by Rule 114.08 and 114.10 and any other agreements made with the parties.
<input type="checkbox"/> Rule V. Quality of the Process: The Neutral knowingly made false statements of law or fact. AND/OR The Neutral did not exert every reasonable effort to expedite the ADR process. AND/OR The Neutral was late with written reports, awards, or agreements.

<input type="checkbox"/> Rule VI. Advertising and Solicitation: The Neutral was not truthful in advertising and solicitation for ADR services. AND/OR The Neutral advertised as a “qualified” Neutral when s/he was not on the roster. AND/OR The Neutral advertised as a “certified” Neutral in Minnesota.
<input type="checkbox"/> Rule VII. Fees: The Neutral failed to fully disclose and explain the basis of fees to the parties. AND/OR The Neutral entered into a fee agreement that was contingent upon the outcome of the process. AND/OR The Neutral violated the fee agreement.
<input type="checkbox"/> (This rule only applies to cases where mediation was the ADR process). Mediation Rule I. Self-Determination: The parties were coerced into an involuntary mediation agreement by the Neutral. AND/OR The Neutral required the parties to stay in mediation against the parties’ will.

Attach copies of only relevant documents that support the allegations above, including:

- Court order appointing Neutral
- Relevant written decisions by Neutral that relate to the issues in this complaint
- Fee agreements and/or agreement for services
- Relevant communication between you and the Neutral that relate to the issues in this complaint

If the Neutral was court appointed, be sure to include the following documents with your complaint:

- Complete court order appointing Neutral
- Fee agreement and/or agreement for services
- Written decisions by Neutral that relate to the issues in this complaint

Please describe the facts that support each provision you have checked on the first page. If your statement and attachments extend past 10 pages, please summarize your complaint below.

Certification of Accuracy

I hereby certify that everything contained in this complaint is correct to the best of my knowledge and belief.

Signature of Complainant Date

Return Form to:
ADR Ethics Board
25 Rev. Dr. Martin Luther King Jr. Blvd.
Suite 135
St. Paul, MN 55155
adr@courts.state.mn.us

Questions? Please call 651-297-7590