



Conflict Resolution Professionals

Virginia Mediation Network Presents



2017 Annual Fall Training Conference

September 9 - 10, 2017

University of Richmond T.C. Williams School of Law
Richmond, Virginia

VIRGINIA MEDIATION NETWORK FALL CONFERENCE

2017 Virginia Mediation Network Board

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2017 Virginia Mediation Network Conference Committee

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Program Agenda
Saturday, September 9, 2017

Registration & Light Breakfast: 7:30AM - 8:30AM	Atrium
Ethics Session: 8:30AM-10:30AM Applying Ethical Standards of Neutrality & Impartiality Susan Oberman, Mediator	Moot Court Room
Session One: 10:45AM - 12:15PM	
A-1 Mediator Responses to a Culture of Anger Noel Levan, Mediator	Room 101
A-2 When You Speak, Listen Philip Mulford, J.D., Mediator	Room 102
LUNCH: 12:15PM-1:00PM	Atrium
VMN ANNUAL BUSINESS MEETING: 1:00PM - 1:45PM	Moot Court Room
University of Richmond ADR Society Presentation 1:45PM - 2:15PM	Moot Court Room
Session Two: 2:30PM - 4:00PM	
B-1 Perspectives on Effective Professional Divorce Mediation: Organizing and Sharing 37 Years of Mediation Experience Larry Gaughan, J.D., Mediator	Room 101
B-2 Working with the Virginia Division of Child Support Enforcement Part 1 Mitchell Broudy, Senior Assistant Attorney General, DCSE	Room 102
Session Three: 4:15PM - 5:45PM	
C-1 Addressing Culture in Mediation Benjamin Jacewicz, J.D., Mediator	Room 101
C-2 Working with the Virginia Division of Child Support Enforcement Part 2 Family Law Case Study Mitchell Broudy, Senior Assistant Attorney General, DCSE	Room 102
Networking and Cocktail Hour 5:45PM - 6:30PM	Atrium
VMN Board Meeting 6:30PM	Carle E. Davis Room

Program Agenda
Sunday, September 10, 2017

Registration & Light Breakfast: 7:30AM - 9:00AM

Atrium

BookZone Session: 7:45AM - 8:45AM

Room 101

Jeannette Twomey, J.D., Mediator, Trainer

Session Four: 9:00AM - 10:30AM

D-1 The "Gray Divorce": Divorcing Later in Life

Room 101

Brian M. Hirsch, Esquire

D-2 Looking Through the Mediation Practice Prism:

Room 102

Alighting on New Paths and Approaches

Molly Tepper, MA, PhD Candidate

Session Five: 10:45AM - 12:15PM

E-1 Restorative Justice

Room 101

Doron Samuel-Siegel, J.D.

E-2 Managing Emotions in Mediation

Room 102

Renee Kostick Reynolds, J.D., Mediator

Ellice Halpern, J.D., Mediator

Conference Concludes

Workshop Descriptions Fall Conference 2017

Session A-1

Greater than 85% of the custody, parenting and child support cases that I mediate come through court referral. Roughly 80+% of those cases involve an angry parent. These individuals (more often male) accede to a belief in certain terms, that they must be (at all costs) invulnerable; immune and in utter denial of the human need to appropriately express fears, hurts and joys in relationships. We as mediators know that invulnerability doesn't work in relationships, and particularly not where children are involved. How we respond to male (and female) parent anger is (with high frequency) crucial to the success or failure of any parenting plan. So, how do we navigate these all-too-treacherous waters?

This session offers a facilitated conversation among those interested in tools, techniques, general awareness and responses to these situations. We'll discuss how we identify what's behind the anger. We'll fathom the issues and facts that often help to mitigate anger and bring these parents to their senses; to the heart of matters at hand. We'll consider how we may engage best practices, compassion in our validation of parental fears and pains, how we may be of service in influencing how they communicate, process issues, concerns and co-parenting plans, and how their processing and parenting may work better for them, if/when open-hearted.

Session A-2

What's actually happening when we Speak? When we Listen? In this seminar Philip Mulford, a professional mediator for over 27 years, will offer insight into the reasons why communication, despite our best efforts, often fails us and what we can do about it. Whether in our personal lives or our professions, especially as mediators, it is important to understand why the way we communicate – and likewise the way our clients communicate, with each other and with us – often interferes with effective communication. Philip will bring to light normal communication breakdowns and share what's at the root of the problem. But pointing out a problem isn't the reason to attend this seminar. Come discover a better, more effective process of communication to replace that which we've learned so well.

Session B-1

Much has been learned about effective divorce mediation since its beginnings 40 years ago. The workshop is in three 30-minute sections: (1) diagnosing cases and planning strategies; (2) exchanging appropriate information and documents; (3) surfacing the substantive options; (4) determining the composition of a mediation team; (5) exploring the roles of the divorce mediator; and (6) properly drafting the results. There will be a discussion problem for each of the sections designed to focus on issues relating that particular area. The workshop will be interactive so as to involve the sharing of ideas and to take advantage of the experience of the participants.

Session B-2

DCSE Module – provides overview of the following:

- Virginia Division of Child Support Enforcement;
- Statutory requirements for mediated child support orders with an in depth look at the Virginia District Court Form 631;
- Interpreting a child support Fiscal Record; and
- Application of retroactive arrearage calculator for new orders and a principal arrearage calculator for modified orders.
- Question and Answer period

Katherine Morley, President ADR Society University of Richmond

LAW STUDENTS 'LEARN BY DOING' IN NATIONAL MEDIATION COMPETITION: The American Bar Association sponsors a national competition for law school teams representing clients in mock mediations, and UR's law school is an active participant. This is a great program for helping young lawyers learn how to participate effectively in mediation -- something we all value. Join the current head of UR's ADR team for an overview, to include the criteria for 'grading' teams -- and learn how to volunteer to be a mediator or judge!

Session C-1

Culture influences all of our interactions with others. This session examines how culture may influence the behavior of participants during mediation. It then explores the risk of a mediator's mindfulness of culture transgressing into cultural stereotyping. Finally, it offers some suggested strategies for avoiding this risk.

Session C-2

Case Scenario Module provides a review of a recently litigated child support matters regarding the interpretation of a mediated agreement. This case study provides multiple takeaways to improve your mediation practice.

BookZone

"Changing the Conversation – The 17 Principles of Conflict Resolution "

(Penguin Books 2015)

By Dana Caspersen and Joost Elffers

This book will appeal to every beginning mediator who is trying to apply theory to practice. The authors use a radical book design to effectively communicate concepts that are at the core of conflict resolution. They describe in a concise and visually intriguing manner key behaviors to emphasize, impulses to avoid, and specific language to use when trying to resolve conflict. The book is inviting. There are no pages of gray text. It is available through Amazon in paperback (\$14.57) and on Kindle for \$10.99.

Session D-1

Couples over 50 are divorcing at such an increased pace that the phenomenon has a name – "Gray Divorce." Divorce rates among couples 50 and older doubled between 1990 and 2010, and 1 in 4 divorces in 2010 occurred to persons 50 and older. All divorces have certain similarities, however, there are significant differences with the issues raised in a gray divorce. This presentation sensitizes the mediation practitioner to these issues.

Session D -2

In the thirty-six years since Fisher and Ury's book "Getting to Yes", interest-based mediation has become the predominant paradigm of practice. Yet the Field has also pushed back with several critiques and in response, evolved new methodologies; Bush and Folgers' Transformative Mediation, Winslade and Monk's Narrative Mediation, and Picard and Melchin's Insight Mediation. Together with interest-based processes, these more recent modes have established a foundation of mediation research allowing deeper analysis and new opportunities to address the pressing issues of today. Power, intersectionality and equality, "structural and cultural violence", and the need to address identity and basic human needs are now emergent in our trade. How can we as specialists 'go deeper' to address the concerns of conflict management, conflict resolution and conflict transformation? How do we understand our practice in these new contexts? What forms of mediation can we use when? By examining the methodologies utilized by the various forms of mediation practice, we can not only enhance our own effectiveness, but also advance the Field as a whole.

Session E-1

This program will provide an orientation to Restorative Justice, a set of philosophies and methods intended to respond to crime and conflict in a collaborative manner that prioritizes healing, prevention, and community-based reconciliation over retribution and punishment. Practitioners of restorative justice use methodologies such as mediation, group conferences, peacemaking circles, and truth and reconciliation commissions to honor victims' needs, minimize demonization of offenders, decrease reinforcement of existing social hierarchies, and eliminate barriers to reconciliation.

Session E-2

This session will focus on the role that emotions play in all mediations and the effect they have on the outcome. Participants will have the opportunity to practice the newly learned techniques in 2 different role plays. The workshop will address how to detect the emotions, how to validate the emotions, and successful techniques to overcome impasse.

Speaker Biographies

Mitchell Broudy, Senior Assistant Attorney General DCSE

Mitch Broudy has been practicing law since 1985 in various capacities – private practitioner, assistant commonwealth's attorney, assistant public defender, GAL, and a Senior Assistant Attorney General representing Virginia Division of Child Support Enforcement in Virginia Beach and the Eastern Shore. He has been with the Virginia's Office of the Attorney General's office full-time for the past sixteen years. He was former Chairman of the Virginia State Bar Family Law Section.

Contact Info: 757-408-9773 Cell Phone. Email: mitchell.broudy@dss.virginia.gov.

Larry Gaughan, J.D., Mediator

Larry Gaughan is the Professional Director, Family Mediation of Greater Washington, Reston, Virginia (founded in 1980). Former law professor at Virginia, Washington & Lee, and George Mason Law Schools. Member, Professional Mediation Board of Standards, Academy of Professional Family Mediators. Martindale-Hubbell rated as "AV® Preeminent™." Certified family mediator by Virginia Supreme Court since certification commenced in 1993. Member since 2009, International Academy of Collaborative Practice. Scholar in residence, Georgetown Family Center, 1979-1980. Member, VMN. Founder, www.CreativeDivorce.net, a public interest website.

Ellice Halpern, J.D., Mediator

Ellice Halpern is a graduate of Cornell University and Georgetown University Law Center and is licensed to practice law in the state of Maryland. She completed her general mediator training with Northern Virginia Mediation Service and was certified by the Supreme Court of Virginia as a mediator in 2010. She is a member of the Maryland State Bar Association, the Academy of Professional Family Mediators and the Arlington Women Entrepreneurs.

Brian M. Hirsch, Esquire

Brian has practiced Family Law in Northern Virginia since 1989, and is a partner in Hirsch & Ehlenberger, P.C. in Reston. He is a graduate of The American University, Washington College of Law, a fellow of the American Academy of Matrimonial Lawyers, a member of the VBA Family Law Coalition, editor of the *Virginia Family Law Quarterly*, and a past Chair of the Board of Governors of the Family Law Section of the Virginia State Bar. Brian is also a certified family mediator, a substitute judge for the Juvenile and Domestic Relations District Court, and a frequent speaker on family law.

Benjamin R. Jacewicz, J.D., Mediator

Benjamin R. Jacewicz is an attorney and mediator. He has mediated cases in Northern Virginia for the past nine years. Mr. Jacewicz currently serves as an Assistant County Attorney for Fairfax County, Virginia, and an adjunct professor at the American University Washington College of Law and the Antonin Scalia Law School at George Mason University, where he teaches negotiation and mediation. Following graduation from the University of Virginia School of Law, he was a law clerk for Judge Thad Heartfield of the U.S. District Court for the Eastern District of Texas and Judge Emilio M. Garza of the U.S. Court of Appeals for the Fifth Circuit.

Noel Levan, Mediator

Noel Levan is a family mediator with the Fairfield Center in Harrisonburg Virginia. Over eleven years he has mediated over one-thousand cases. His mediation role evolved as a second career, following nearly forty years as an occupational therapist; sixteen of those years holding positions as an educator of therapists at two colleges and as a clinician. He and his spouse Laura enjoy travel, each other's company and playing Boggle.

Philip Mulford, J.D., Mediator

Formerly a practicing attorney in Texas, Philip founded Mulford Mediation in 1990 and has mediated professionally full-time for over 27 years. With offices in Fairfax, Manassas, and Warrenton, VA, Philip specializes in marriage, family, divorce, and family business mediation and communication.

From 2006 through 2009 Philip produced and hosted the first internet radio talk show on divorce mediation called *Divorce Mediation: Myths & Facts*. The weekly one-hour broadcasts educated the public about the benefits of mediation by presenting a "myth" and setting out the "facts." For example, Myth: "I already have a lawyer, so it's too late to mediate." Fact: "It's never too late to mediate." The radio show received the endorsement of the National Association of Attorney-Mediators.

From 2008 through 2011 Philip produced and co-hosted of a weekly radio talk show with his wife, Lisa, called *Communication360* where the topic was relationship communication. The show, with over 170,000 listeners per month, was available on the air at WWPR 1490 AM in Sarasota-Bradenton-Tampa and on the internet at www.webtalkradio.net.

Philip has written articles on mediation and communication for numerous publications including *Warrenton Lifestyle Magazine*, *UVALawyer*, *The Fairfax Bar Journal*, *Piedmont Bridal Guide*, *Virginia Episcopalian*, *Duke Magazine*, and *Mediate.com*. Philip has presented CLE programs to local bar associations on mediation and given presentations and conducted seminars for businesses, schools, and civic organizations on communication.

Philip is a graduate of Duke University and the University of Virginia School of Law. For more information about Mulford Mediation, please visit www.mulfordmediation.com.

Susan Oberman, Mediator

Susan Oberman, is the director of Common Ground Negotiation Services, a solo private practice founded in Charlottesville, VA in 1999. She was certified as a mediator in New York State in 1987 and in Virginia in 1995. She has developed the Sustainable Knowledge Model of Norm-Educating Mediation, based on the analytical framework of Ellen Waldman. She brings thirty years of mediation experience and scholarship to her work with couples, families, and community groups.

Ms. Oberman has published three scholarly articles on mediation, *Mediation Theory vs. Practice: What Are We Really Doing? Re-Solving A Professional Conundrum*, 20 OHIO ST. J. DISP. RESOL., 2005, *Style vs. Model: Why Quibble?* 9, PEPPERDINE DISP. RESOL. L. J. 2009, and *Confidentiality in Mediation: An Application of the Right to Privacy*, 27 OHIO ST. J. ON DISP.RESOL., 2012. She offers workshops on a range of critical issues in mediation and conflict resolution. These workshops combine current scholarship and research on mediation with experiential learning. Through a variety of exercises, small group dialogue, discussion, written materials, and role plays, the workshops address ongoing issues such as self-determination, confidentiality, and reality testing with the goal of clarifying the relationship of mediation and law.

Renee Kostick Reynolds, J.D., Mediator

As a licensed attorney in DC since 1993, Renee has specialized in family law cases. She is a graduate of Villanova University and Catholic University, The Columbus School of Law. She served as an attorney for the National District Attorney's Association in Alexandria, Virginia and The Counsel for Child Abuse and Neglect in Washington, DC. In 1997, she founded Dinner at 8, a dinner dating service in DC and Baltimore metropolitan areas and was the owner-operator for 10 years. In 2011, Renee served as the Family Intake Specialist at Northern Virginia Mediation Service and was certified by the Supreme Court of Virginia as a mediator in family, workplace, small claims and elder care cases. She is a mediator for the Colin Family Mediation Group and accepts court-referred cases in Fairfax, Arlington, Alexandria, and Manassas. She also is a mediator in the Family Division at the MultiDoor Dispute Resolution Office in Washington, DC. She is married with four children.

Speaker Biographies

Doron Samuel-Siegel, J.D.

Doron Samuel-Siegel, an Associate Professor in the University of Richmond School of Law, teaches in the areas of restorative justice as well as legal writing and analysis. Prior to joining the faculty in 2013, she practiced law in a general practice firm in Charlottesville, Va., specializing in litigation and real estate law, and later directed charitable food distribution programs at the Blue Ridge Area Food Bank in Verona, Va. Her service to the university and community includes the law faculty Committee on Diversity and Inclusion, the law faculty Committee on Student Services, the University's Strategic Plan Working Group on Thriving and Inclusive Community, and the Albemarle Housing Improvement Program.

Molly Tepper, MA, PhD Candidate

In addition to over 18 years as a conflict resolution practitioner, trainer and conflict coach, Molly Tepper has been teaching at the University of Ottawa, and more recently for the School for Conflict Analysis and Resolution Undergraduate Program as Adjunct Faculty and as a Graduate TA. Both her work and studies have concentrated on community-based cross-cultural conflict analysis and resolution. In particular, she is interested in 'identity insecurity' and inter-group conflicts.

Born in Canada, Molly Tepper has long been interested in the field of conflict resolution. She created her own interdisciplinary studies degree in conflict analysis and resolution at the University of Rochester, where she also became a licensed court-annex mediator and trainer for the State of New York. Returning to Canada, she added negotiation, facilitation, restorative justice processes, Insight Mediation, and conflict coaching skill sets. Her Master's in Public Policy and Public Administration at Concordia University in Montreal, focused on conflict resolution and governance. Her thesis on "Fractal and Chaos Theory and Canada's Labour Code", examined integrative conflict management systems (ICMSs) and conflict resolution theories. Before returning to S-CAR for her PhD studies, Molly Tepper was Founder and President of Tepper Consulting Services, providing ADR training and services for Government departments, NGOs, and the private sector. In parallel to her practice, Ms. Tepper also presented at over 20 national and international conferences and has multiple papers published in conference proceedings.

Jeannette Twomey, J.D., Mediator

Jeannette Twomey is a Virginia-certified mediator who practices in Vienna, Virginia. She specializes in difficult family and workplace conversations. For more than twenty years, she has worked as a neutral third party, helping individuals work together to clarify issues, plan for the future, and resolve conflict.

Jeannette regularly teaches courses and workshops about collaboration and problem-solving processes. She taught negotiation and mediation at American University's Washington College of Law for ten years (2005-2015) and has been a conflict resolution trainer for Northern Virginia Mediation Service since 1994.

An active participant in the development of mediation in Virginia, Jeannette received the 2014 Distinguished Mediator Award from the Virginia Mediation Network, the 1994 Mediator of the Year Award, and the 2009 Trainer of the Year Award from Northern Virginia Mediation Service. She led in creating a Mediator Peer Consultation Program in Virginia (2003) to encourage reflective practice and professional development. She served on the Advisory Council for the Virginia Department of Dispute Resolution Services (2005-2014) and on the DRS Mediator Ethics Review Committee (2007-2010).

Jeannette is a member of the Virginia State Bar, the Association for Conflict Resolution, the Virginia Mediation Network, and the National Eldercare Mediator Network. Her undergraduate degree is from Hollins University and her law degree, from The American University's Washington College of Law.

VMN 2017 Fall Training Conference Registration

First Name: _____ Last Name: _____

Name for Badge: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Vegetarian lunch on Saturday? ____ Yes ____ No

If attending One Day only, please choose one: ____ Saturday ____ Sunday

VMN has gone "Green" for the 2017 Fall Conference. You will receive information about downloading the conference materials once you have registered. Printed conference materials will be available for an extra fee included in the registration price listed below. Printed Materials will be given out the day of the Conference.

Registration fee includes: Continental breakfasts (Sat. & Sun.); Lunch (Saturday only); Breaks.

	VMN Member Rates	Non-VMN Member Rates*	
Conference Registration:			
Full Conference (Without Printed Materials):	\$245	\$370*	\$ _____
Full Conference (With Printed Materials):	\$275	\$400*	\$ _____
One Day Only (Without Printed Materials):	\$150	\$250*	\$ _____
One Day Only (With Printed Materials):	\$180	\$280*	\$ _____
Student Rate (Without Printed Materials):	\$100	\$120*	\$ _____
Student Rate (With Printed Materials):	\$130	\$150*	\$ _____
Late Registration Fee: (Required After August 25, 2017)		\$25	\$ _____
		TOTAL \$	_____

Check Payable to VMN VISA MASTER CARD

NAME ON CARD: _____

ACCOUNT# _____ EXP DATE: _____

SIGNATURE: _____ 3 Digit Security Code _____

Mail completed form to:
Virginia Mediation Network
P.O. Box 29007
Henrico, Virginia 23242

OR Save Time and Register Online at www.vamediation.org.

Click on Conference Tab for link to online registration!

Conference Location:

[University of Richmond School of Law](#)

28 Westhampton Way

Richmond, Virginia 23173



Hotels near University of Richmond:

The Westin

6631 West Broad Street

Richmond, Virginia 23230

800-937-8461

Courtyard Marriot

6400 West Broad Street

Richmond, Virginia 23230

804-282-1881

Hampton Inn & Suites

5406 Glenside Drive

Richmond, Virginia 23228

804-756-1777

Embassy Suites

2925 Emerywood Pkwy.

Richmond, Virginia 23294

804-672-8585

All CME credit approvals pending. All CLE credit approvals pending.

Cancellations and Refunds:

All requests for refunds of conference registration must be made in writing and must be received before August 25, 2017 for a full refund less a \$50 administrative fee. Because financial arrangements with the vendors will be completed by this time, no refunds will be made for cancellations received after August 25, 2017. However, substitutions may be accepted upon written request subject to availability.



2017 Membership Application

Membership Expires

December 31, 2017

Conflict Resolution Professionals

Last Name: _____

First Name: _____ Nickname: _____

Email: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Website for Enhanced Membership: _____

MEMBERSHIP RATES

2017 Membership Options (January 1, 2017 - December 31, 2017)

Basic Membership \$125 _____

Enhanced Membership \$175 _____

Student Membership \$50 _____

TOTAL ENCLOSED: \$ _____

Payments: Check Payable to VMN VISA MASTERCARD

CREDIT CARD NUMBER _____

EXPIRATION DATE _____ 3 DIGIT CODE (on back of card) _____

SIGNATURE _____

Mail To:

Virginia Mediation Network

P.O. Box 29007

Henrico, Virginia 23242

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Click on Membership Tab, the Become A Member.