

CONNECTING THE VIRGINIA MEDIATION COMMUNITY

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PRESIDENT'S MESSAGE BY JENNIFER PHILLIPS

Dear VMN Members and Friends,

In reflecting back on this year of service to VMN, I would like to highlight the work the Board has completed. I believe this work is significant as the Board is comprised of volunteers who are busy and dedicated professionals beyond the responsibility of serving on the VMN Board.



The Mediator Compensation Task Force (MCTF) was formed because of the work and initiative of VMN Member Bob Carpenter. Co-chaired by Lawrie Parker and Karen Richards, the MCTF and its 14 members have met a number of times via conference call over the past year. The MCTF is in the process of collating data from a number of Southeastern State ADR Coordinators on how those States handle mediator compensation. This is a major accomplishment for a volunteer committee. The report and recommendation of the MCTF will be presented September 27, 2014, at the Annual Meeting during the Fall conference.

A good deal of effort has been made to review and propose updates to VMN's bylaws. An email was sent on August 22, 2014 to all current VMN members about these changes. You can also read the proposed changes, and the rationale behind those changes, on page 5. If you would like to comment on those changes, email me at JPmediation@gmail.com no later than **September 19, 2014**. A vote on the proposed changes will be held at the Annual Meeting.

The conference committee is the "engine" of our organization. Supplying our membership with two annual opportunities for networking and CME's is by far the largest undertaking of our organization. Chair Mone' Rowan-Ardura and members Karen Richards, Betty Russo and Karen Asaro have been working many hours on the Fall Conference and it will not disappoint, with presentations from folks both in and outside of Virginia. See page 3 for more information about the conference.

Our membership committee, chaired by Theresa Merkel, will have lunch time networking opportunities specifically crafted to welcome our newest VMN members. (See page 7.) Under her leadership our Board members and other members of VMN assisted with our annual membership drive.

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We have had another successful year on the communication front, distributing four newsletters to the membership. Karen Richard's time and dedication to this publication has been tremendous over the past two years. The VMN website has been redesigned with a fresh look. Regarding the membership ListServ, the Board unanimously decided to terminate that program. This was an experimental endeavor and after careful review we did not find this to be a helpful tool for our membership.

Finally, there is the daily maintenance of VMN. It has been a year of transition with much change to the Board. I want to thank Skip Mertz for taking on the responsibility of Treasurer and Galloway Beck for stepping in as Secretary. Brenda Waugh has been helping VMN organize our thoughts around the VMN strategic plan and Paula Young has worked to identify potential Board members for the future as well as possible candidates for the annual Distinguished Mediator Award. I also want to thank David Deal who put a huge effort into the Spring Conference in assembling a panel and format for discussing the issue of Mediator Standards of Practice. In addition, he has served as a support for this President.

We hope to see everyone at the Fall Conference!

Jennifer Phillips

President



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[Don't Delay – Register Now for the Fall Conference](#)

We are all looking forward to an exciting Fall Conference September 27 & 28 at the Wyndham Virginia Crossings Hotel & Conference Center located outside of Richmond. We have a great line-up of speakers including distinguished Professor Robert O'Neil who will be the Keynote speaker, sharing his experiences with alternative dispute resolution (ADR), from his initial encounter with Roger Fisher and Frank Sander as a Harvard Law student to exploring ADR as chair of Virginia's first "Future's Commission," the first state commission on the future of its judicial system.

We also have two special plenaries, "Engaging Conflict for Fun and Profit: Current and Emerging Career Trends in Conflict Resolution" by Robert Rhudy and "Stop Fighting and Start Fixing: Working Towards Problem Solving in our Government" by Margaret Kimbrill of the organization, No Labels. We also have a special presentation by Mediation.com about their services. They will be sponsoring cocktails and hors d'oeuvres on Saturday evening.

Following our lunch, we have some work to do during the Annual Meeting. The membership will be voting on bylaw changes; electing Board members; and learning about the recommendations of the Mediator Compensation Task Force.

We are trying something new this year. VMN is going green! The conference materials will be available in electronic format for those who register for the conference. After registering you will receive notification and instructions when the conference materials are available for download. We expect conference materials will be available for download by September 23, 2014. For those of you who are not ready to go green, a hard copy of the conference manual can be purchased at an additional cost.

[Click here to make your Hotel reservations by September 5](#)
[to receive the best price!](#)

The following Conference Sessions/Workshops have been approved for Continuing Mediator Education (CME) credit:

- “Engaging Conflict for Fun and Profit: Current and Emerging Career Trends in Conflict Resolution” – Robert Rhudy – 2 Hrs. General CME
- “Mediating Employment Law Cases in Virginia” – Eric Patell – 1.5 Hrs. General CME
- “This is INTERESTing: The Potential and Limitations of Interest-Based Mediation in Court-Referred Cases” – Brenda Waugh – 1.5 Hrs. General/Family CME
- “Senior Mediation in a Nutshell” – Robert Rhudy – 1.5 Hrs. General CME
- “Child Support Statute Review” – Mandy Sarkissian & Sally Campbell – 1.5 Hrs. Family CME
- “Enneagram – Part 1” – Paula Young – 1.5 Hrs. General/Family CME
- “Enneagram – Part 2” – Paula Young – 1.5 Hrs. General/Family CME
- “Creative Divorce Settlements Inside and Outside of the Legal Framework” – Lawrence Gaughan – 1.5 Hrs. Family CME
- “VMN BookZone: A Discussion of *Humble Inquiry: the Gentle Act of Asking Instead of Telling* by Edgar H. Schein” – Jeannette Twomey – 1 Hr. of General/Family CME
- “Powerful Listening/Powerful Questions” – Andrea Young – 1.5 Hrs. General/Family CME
- “Ethical Dilemmas: When Mediator Ethics and the Customer’s Needs Clash” – Karen Richards – 2 Hrs. Ethics CME



VMN Board Proposes Changes to Organization's Bylaws

Every three years, the VMN Board is required to review the organization's bylaws to determine if any changes/modifications are needed. The Board is presenting the following bylaws changes to the VMN membership for review and comment. A vote on these proposed changes will be taken at the annual membership meeting on Saturday, September 27, 2014, at the 2014 Fall Conference.

The proposed changes/revisions are highlighted below along with the rationale for those changes.

Any comments or suggestions should be submitted to VMN President Jennifer Phillips no later than September 19, 2014. You may email her at: JPmediation@gmail.com

The organization's current bylaws are available at the VMN website: www.vamediation.org. Click on the "Resources" tab. You also can click on this link which will take you directly to the bylaws.

<http://www.vamediation.org/images/stories/vmn%20restated%20bylaws%20v11.pdf>

Here are the proposed changes:

Article 6, Section 4

Currently states:

Term of Office. The term for each Officer of the Corporation shall be one year. Neither the President nor the President-Elect may hold these offices for more than one consecutive term.

Proposed change:

Term of Office. The term for each Officer of the Corporation shall be one year. Neither the President nor the President-Elect may hold these offices for more than two consecutive terms.

Article 6, Section 5

Currently States:

Vacancies. If the President shall for any reason not complete his or her term of office, the President-Elect shall fill the unexpired term and then shall be eligible to serve a full one-year term as President upon election as provided in Article VI, Section 3 ("Election Procedure"). Any vacancy in office for any reason such as death, resignation or inability to serve shall be filled by a vote of the Board of Directors. Pending such vote or in the case of absence or disability of any Officer, the Board of Directors may delegate that Officer's powers and duties to any other Officer or Director.

Proposed Change:

Vacancies. If the President shall for any reason not complete his or her term of office, the President-Elect shall fill the unexpired term and then shall be eligible to serve a full one-year term as President upon election as provided in Article VI, Section 3 ("Election Procedure"). Any vacancy in any other office for any reason such as death, resignation or inability to serve shall be filled by the appointment of an interim officer by majority vote of the Board of Directors. Such interim officer shall serve for the remainder of the term of the vacated officer position. Pending such vote or in the case of absence or disability of any Officer, the Board of Directors may delegate that Officer's powers and duties to any other Officer or Director.

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Rationale for Proposed Changes in Article 6

1. The current bylaws do not allow for flexibility if it would be in the best interest of the organization for a President to serve a second term. The proposed change in language does NOT mandate that the President will serve two years as President, but allows the Board of Directors the flexibility to vote in this direction if it would be to the benefit of the organization. The language of the bylaws in its current form, does not allow for the option of continuity in leadership, if it were deemed healthy for the organization to seek out this continuity.

2. The proposed change in wording in Section 5 is to further clarify language.

Article 7, Section 2 b and c**Currently States:**

Section 2. President Elect. The President Elect shall:

- a). Perform the duties of the President in the absence or inability of the President to act.
- b). Chair of the Conference Planning Committee.
- c). Accept other appropriate duties as assigned by the President and/or the Board of Directors.

Proposed change:

Section 2. President Elect. The President Elect shall:

- a). Perform the duties of the President in the absence or inability of the President to act.
- b). Accept appropriate duties as assigned by the President and/or the Board of Directors

Article 8, Section 1, a.**Currently States:**

Conference Planning Committee. The Conference Planning Committee shall be chaired by the President-Elect who shall be responsible for selecting its members in consultation with the Board.

Proposed new language:

The Conference Planning Committee shall be chaired by a member of the Board of Directors that is elected by the Board of Directors to serve as Chair of the Conference Planning Committee. The Chair of the Conference Committee shall be responsible for selecting its members in consultation with the Board.

Rationale for Proposed Changes in Articles 7 and 8:

1. The responsibility of serving as the conference chair is a huge undertaking for a volunteer position. To then move directly into the position of President after fulfilling the responsibilities of conference chair is a great deal to ask one person to fulfill for two consecutive years.

2. There may be other quality candidates for President that serve on the Board of Directors that do not wish to be the conference chair. The current language of the Bylaws limits the pool of qualified candidates for President.



Calling All New VMN Members!!!

Membership Committee Chair Theresa Merkel is inviting all new VMN members to join her at lunch on Saturday, September 27, during the VMN Fall Conference. This is a time to connect with colleagues and learn about VMN. Theresa is looking forward to meeting you!



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VMN Board News – Thank You Bob

The VMN Board would like to thank Bob Carpenter, who took over as Board Treasurer late last year, for his great work in analyzing and updating VMN's finances. Unfortunately, Bob has had to step down from the Board. Thank you, Bob, for your service to the VMN community.

Welcome New VMN Board Member



The VMN Board would like to welcome Walter "Skip" Mertz who was recently elected to the VMN Board as Treasurer to fill the unexpired term of Board Member Bob Carpenter. Skip also serves on the VMN Mediator Compensation Task Force.

Skip has been mediating civil, family, and workplace cases for over 20 years following a career in Human Resources, technology, manufacturing and financial corporations. He is also a certified mentor and mediation instructor.

Although retired from the corporate world and having co-owned a mediation center for seven years, Skip continues to mediate for the courts in four northwestern counties. Skip has a BS in Economics and Business Administration from Park University in Missouri.

Check Out the 2014 BOOKZONE Selection

2014 Fall Conference – BOOKZONE Selection!

Humble Inquiry - The Gentle Art of Asking Instead of Telling

By Edgar H. Schein (2013) 144 pgs.

The author defines “humble Inquiry” as “the fine art of drawing someone out, of asking questions to which you do not already know the answer, of basing a relationship on curiosity and interest in the other person.”

Need we say more? This skill is a must for professionals in the fields of conflict management and resolution. Schein, an organizational consultant, points out that “talking and listening have received enormous attention via hundreds of books on communication. But the social art of asking a question has been strangely neglected.”

Join a lively book discussion at the VMN 2014 Fall Conference as we share insights about asking effective questions and discover the art of *Humble Inquiry*. BookZone has been approved for 1.0 General/Family Continuing Mediator Education (CME) credits.

The book is readable, affordable, and only 144 pages long. It is available through Amazon. Just click on the link below. VMN receives a percentage of the sale when you order from Amazon through the VMN website.

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