

CONNECTING THE VIRGINIA MEDIATION COMMUNITY

Inside This Issue:

President's
Message 1

Conference
Winner 2

Spring
Conference 3

Task Force
Meeting 4

Mediation
Month 4

Legislative
Update 5

Book Zone 7

PRESIDENT'S MESSAGE BY JENNIFER PHILLIPS

Dear Members and Friends of VMN,

Membership renewal is off to a great start. Congratulations to Larry Harris for winning the 2014 free conference registration for either the Spring or Fall Conference!

The VMN Spring Conference is offering presentations on several cutting edge issues. Jeannette Twomey starts off our day with a discussion on Ken Cloke's book, *Mediating Dangerously: The Frontiers of Conflict Resolution.*

Then we move to our morning workshop which is devoted to examining the issue of mediator safety and will be led by Stephen Kotev, Chair of the Association for Conflict Resolution (ACR) Task Force on Safety in ADR. Several recent situations across the country involving mediator and participant safety have pushed this issue into the spotlight. I personally believe this is an issue that is always on every mediator's mind, but Stephen's presentation is going to cast an extra lens on this topic.

In our afternoon session, VMN Board member and Best Practices Committee Chair Dave Deal will moderate a panel discussion on Mediation Best Practice. A distinguished group of mediators, attorneys and a retired judge have been assembled to delve into this topic, giving their views as well as seeking yours.

The final cutting edge issue will be facilitated by VMN Board member Karen Richards on the use of social media and other digital tools and how these technologies interface with mediator ethics.

All workshops are approved for Continuing Mediator Education (CME) credits and Continuing Legal Education (CLE) hours. We hope to see you on March 1, 2014 at the beautiful University of Richmond campus. (Read more about the 2014 Spring Conference on page 3.)

Finally, the VMN Board wishes to thank everyone who contacted their legislators about the Virginia Association for Community Conflict Resolution's (VACCR) legislation which sought funding for the community mediation centers and also requested a study of the cost/benefits of mediation.



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Unfortunately the funding request for community mediation centers did not make it out of Committee. The study request was pulled from consideration because no funding was attached to support a study. (Read more about the Legislative Initiatives on page 5.)

What this means is that VACCR and VMN are going to need to collaborate with other organizations to determine how such a study can be done without waiting for the next legislative session.

For anyone interested in serving on the Mediator Compensation Task Force (MCTF), the first meeting of this group will be a phone conference call on Wednesday, March 12, 2014 from 1 p.m. to 2 p.m. (See story on page 4.) If you would like to serve on the task force, please contact Legislative Committee Co-Chairs Lawrie Parker at lawrie.pdc@verizon.net or Karen Richards at karen.richards@cox.net.

There also will be an informal gathering of the taskforce during lunch at the Spring Conference. Prior to lunch, an announcement will be made about where to gather for this meeting. The VMN Board thanks everyone for their continued support.

Jennifer Phillips
VMN President



And the Winner Is.....

Congratulations to VMN Member Larry Harris who won a pass to VMN's 2014 Spring or Fall conference for renewing his membership before January 31, 2014. Thanks to everyone who renewed their membership during this period – an increase over past years! And if you haven't renewed, it's not too late. Click the button below to renew!



Spring Conference Approved for CME/CLE credits: It's Not Too Late to Register !

The Virginia Mediation Network's Spring Conference is just around the corner. It will be held Saturday, March 1, 2014, at the University of Richmond's Alumni Center. A full day is planned with excellent workshops designed to stimulate deep thinking about various elements of the mediation process.

Each conference workshop has been approved for Continuing Mediator Education (CME) credits by Dispute Resolution Services, Office of the Executive Secretary, Supreme Court of Virginia. The conference as a whole has been approved for 8.0 Continuing Legal Education (CLE) credits, including 2.0 for Ethics. To start the day, Jeannette Twomey will host the Book Zone looking at Kenneth Cloke's book "*Mediating Dangerously: the Frontiers of Conflict Resolution*". In this book, the author shows conflict resolution professionals how to advance beyond the traditional steps, procedures, and techniques of mediation to unveil its invisible heart and soul and to reveal the subtle and sensitive engine that drives the process of personal and organizational transformation. *(Approved for 1.0 General/Family CME credit.)*

The conference's keynote speaker is Stephen Kotev, Chair of the Association for Conflict Resolution's Taskforce on Safety in ADR. Stephen's presentation, "Mediator Safety 101: What Every Mediator Needs to Know to Stay Safe in Our Dangerous Times", will help mediators deal with conversations and situations that are emotionally charged and potentially dangerous. Through a variety of exercises and discussions, mediators will learn how to prepare, what to ask and what to do to care for themselves and their clients. *(Approved for 3.0 General/Family CME credits.)*

The afternoon session will delve into "Mediation Best Practices" through a panel discussion moderated by David Deal, lawyer-mediator. While mediation standards are easy to find, where can practicing mediators find sound, experienced-based tips on how to handle mediation issues effectively yet consistent with core mediator standards? Panel members who will tackle these issues are veteran mediators Karen Asaro and John Settle, counsel and frequent mediation participants Kenneth Gubin and the Honorable Rosemarie Annunziata, ret. *(Approved for 3.0 General/Family CME credits.)*

Closing out the day will be a 2-hour ethics workshop with mediator and trainer Karen Richards entitled "Ethical Dilemmas: Social Media, Advertising & Other Touchy Situations: Hit 'Like' If You Agree". Participants will discuss the difficulties in balancing mediator standards of ethics with the explosion of digital and social media. *(Approved for 2.0 Ethics CME credits.)*

For those who will be in Richmond on Friday, February 28, come and enjoy an evening with your colleagues at a "Meet & Greet" at the Westin Hotel and Resort in the Crossings Restaurant and Lounge from 6:30 to 8:30 p.m. The Westin is located at 6631 West Broad St. in Richmond.

If you haven't registered yet, click on the link below or go to www.vamediation.org and join us for this stimulating day of training.



First Meeting of Mediator Compensation Task Force Set for March 12

VMN's newly formed Mediator Compensation Task Force (MCTF) will have its first full meeting, via conference call, on Wednesday, March 12, 2014, from 1 to 2 p.m. Board Legislative Committee Co-Chairs Lawrie Parker and Karen Richards will present some preliminary research as well as discuss the final outcome of the VACCR legislative efforts during the current legislative session. The Task Force will then discuss its next steps.

Task Force members who are attending the 2014 Spring Conference also will meet informally over lunch.

If you would like to join your colleagues on the Mediator Compensation Task Force, contact Lawrie at lawrie.pdrc@verizon.net or Karen at karen.richards@cox.net.



Celebrating Mediation and Mediators

With massive snow piles dotting the state, what better way to herald in the new beginnings of Spring than to celebrate mediators, mediation and its use in peacemaking throughout the state.

The Virginia Mediation Network, in partnership with partnership with the Restorative Justice Association of Virginia, the Virginia Association for Community Conflict Resolution, the Virginia Collaborative Professionals, and the Joint Alternative Dispute Resolution Committee of the Virginia State Bar and the Virginia State Bar have requested Governor Terence (Terry) R. McAuliffe declare the month of March as Mediation Month in the Commonwealth of Virginia. The Governor's office is putting the final touches on the Proclamation which should be ready soon.

Why not start off Mediation Month by attending VMN's spring conference on March 1 at the University of Richmond. (See page 3 for more information about registering.)

Make sure to get the word out about the benefits of mediation and how it is used in your community. And thank you for the hard work each of you do helping people peacefully resolve conflict.

Budget Amendment to Help Fund Community Mediation Centers Not Approved



The Virginia Association for Community Conflict Resolution (VACCR), budget amendment to provide grant funding for the state's non-profit community mediation centers, which the Virginia Mediation Network (VMN) supported, unfortunately was not included in the state budget.

This ends a frenzied time for both VACCR and VMN members who had to react quickly to support this measure. Thanks go out to VMN members who called, emailed or wrote state delegates and senators in support of this budget amendment as well as those who made the trip to Richmond to personally speak on behalf of this important issue.

When the proposal to research the feasibility of requesting an increase in the fees paid to mediators for court-referred mediation was approved at VMN's 2013 Fall Conference and Annual Membership Meeting, no one knew the course of events that would unfold in a short period of time. Here is an overview of how it all transpired.

In the weeks after the fall conference, VMN President Jennifer Phillips reached out to the membership for those interested in serving on the VMN Mediator Compensation Task Force (MCTF). Meanwhile, the Board's legislative committee began to assess and organize the issues that the MCTF would need to address. It became evident that the committee needed help on the steps required to pursue this issue and contacted Mark Rubin, Executive Director of Government Relations for Virginia Commonwealth University and the VCU Health System, who has extensive experience working in state government as well as in the field of mediation.

As discussions progressed, the committee realized VMN's efforts were paralleling VACCR's legislative agenda. In the spring of 2013, VACCR began working to secure state funding to help struggling non-profit community mediation centers. In the process of approaching state delegates and senators, VACCR learned, as the VMN Legislative Committee did at the Mark Rubin meeting, that a study would be needed to assess the benefits (cost and effectiveness) of court-referred mediation.

Working with state legislators, VACCR had two Budget Amendments submitted for the 2014 legislative session:

- Budget Amendment Item 37 #6h, sponsored by Delegates Dave Albo and Chris Peace, requested the Supreme Court of Virginia study the cost and efficiency of the court-referred mediation program

- Budget Amendment Item 37 #1h, sponsored by Senator Tommy Norment and Delegates Scott Surovell and Chris Peace, that would fund a Community Dispute Resolution Grant program that would support Virginia's community-based dispute resolution centers that are members of VACCR.

In early January, after a meeting with Virginia Supreme Court's Dispute Resolution Services about how court-referred mediations are funded, VACCR and VMN began talking directly about a united effort, particularly around the issue of a legislative study that would research the cost/benefit of mediation services.

Also at this time, VACCR learned that Del. Albo's budget amendment for the cost benefit study of mediation was being submitted as "unfunded". This would mean the amendment would likely "die" in committee as the Supreme Court of Virginia would not have the financial resources to do the study. With that knowledge, VACCR later requested that Del. Albo withdraw this budget amendment.

Prior to this action, VACCR asked VMN to support the budget amendments. Recognizing the importance of these issues as well as showing a united mediation community, the VMN Board voted at its January meeting to support both Budget Amendments and to provide the VMN membership VACCR's legislative information/talking points so members could provide their individual backing to these measures.

While the VACCR amendments did not make it into the state budget, much has been learned about the time and effort it takes, and the patience it requires, to work through the legislative process as well as the importance of working together with other state mediation organizations.

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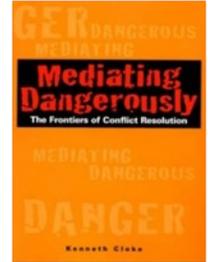
Check Out the 2014 BOOKZONE Selections

2014 Spring Conference BOOKZONE

Mediating Dangerously - The Frontiers of Conflict Resolution

by Kenneth Cloke (2001), 237 pages

In this book, the author shows conflict resolution professionals how to advance beyond the traditional steps, procedures, and techniques of mediation to unveil its invisible heart and soul and to reveal the subtle and sensitive engine that drives the process of personal and organizational transformation.



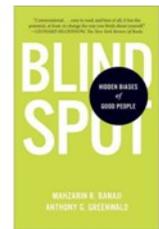
Mediating Dangerously – The Frontiers of Conflict Resolution is a major contribution to the literature of the conflict resolution field and it will inspire and educate professionals in the field for years to come.

2014 Fall Conference BOOKZONE

Blindspot: The Hidden Biases of Good People

by Mahzarin R. Banaji and Anthony G. Greenwald (2013), 169 pages

In *Blindspot*, the authors reveal hidden biases based on their experience with the Implicit Association Test, a method that has revolutionized the way scientists learn about the human mind. It gives us a glimpse into what lies within the metaphoric blindspot.



The title's "good people" are those of us who strive to align our behavior with our intentions. The aim of *Blindspot* is to explain the science in plain enough language to help well-intentioned people achieve that alignment. By gaining awareness, we can adapt beliefs and behavior and "outsmart the machine" in our heads so we can be fairer to those around us. Venturing into this book is an invitation to understand our own minds.

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