



CONNECTING THE VIRGINIA MEDIATION COMMUNITY

PRESIDENT'S MESSAGE BY PAULA YOUNG

President's Message

The terrible shooting at Sandy Hook Elementary School in Connecticut and the polarizing debate about gun violence, has filled my thoughts these past few months. How do we, as an organization dedicated to the peaceful resolution of conflict, respond? What do we do?

These thoughts were with me as I made the long drive home from the Board retreat on January 12 to the Central Appalachian Mountains. I stopped to visit my former research assistant, who now lives in Roanoke. Shortly after the shootings at the Sandy Hook Elementary School, I sent her an email asking how she was doing. You see, she is one of the people who survived the shootings at my own little school, Appalachian School of Law (ASL), which took place on January 16, 2002.

You may remember that tragedy in which our Dean (a new father), a much beloved professor, and a student were murdered by a student who had learned he would be academically dismissed. Later diagnosed as suffering from paranoid schizophrenia, he was spared the death penalty, and will spend all, or most of his life, in a mental health institutional setting.

Three other students, including my former research assistant, survived their grave gunshot wounds. She has suffered for eleven years with severe Post Traumatic Stress Disorder. Upon hearing about this latest shooting, she immediately turned away from all news coverage, found comfort in friends and family, and coped as best she can with her persistent symptoms.

After each deadly incident of school violence, our school community revisits our own tragedy in the many ways we expect a diverse culture to respond. Facebook facilitates that conversation, but knowing how best to respond always requires some soul searching.

My first response, and the one that has proved easiest for me, is how do we care for the "victims." My own experience, coming to ASL six months after the shooting, has shown me that the circle of victims is much broader than one might first recognize. Certainly our Restorative Justice (RJ) colleagues would recognize the scope of that circle. It includes the parents, spouses, and children – of those shot and of the shooter. A recent news story reports that Newtown's first responders and the witnesses of the shooting are dealing with their own psychological trauma.

Most of the faculty and staff employed at that time at my school now work elsewhere. Perhaps it was just too difficult to walk in to that building after that day. Perhaps they asked themselves: Could they have done more? Could I have prevented the attacks? Much of the chatter on Facebook argues about whether armed people could have prevented the loss at the site of these massacres. Eventually, one of our students, a witness that day, busted the myth around our own tragedy, by saying:

[S]everal of us students [w]ere armed that day, and he had completed his terrible acts before anyone could have done everything other than just kill him mercenary style. [He] was out of ammo and voluntarily surrendered. Perhaps [having] armed students thwarts any ideas of running from the scene, but the murders couldn't have been prevented.



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Shop to Benefit VMN!

Go to:
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website and scroll down
on the page.
On the right side you will
see a link to
Amazon.com.
Click on the link and
start shopping!
4% of your sales will go
back to VMN at no addi-
tional
cost to you.
You can even shop at
Target through
Amazon!!

So, how do we as a community, focused on conflict resolution and peace building, respond to these situations?

The Association for Conflict Resolution (ACR) issued a statement on December 20, 2012. It promised that: "We and many of our other colleagues stand ready to lend the full range of our professional expertise and devotion to processes that support healing, as well as those sustained efforts that will be required to facilitate dialogue, build consensus, and take action to address the deep rooted structural issues that contribute to this tragic pattern."

The President of the American Bar Association, Laurel Bellows, issued a three sentence statement, on the same day of the Newtown shooting, expressing the organization's sympathy for the victims and their families. The Section of Dispute Resolution was oddly silent. On January 16, 2013, President Bellows issued a statement about the ABA's support for new measures to prevent gun violence. It also supports efforts to prevent school-based violence and bullying and to enhance access to mental health services for children and adults. It applauded President Obama's announcement that same day and described it as "the catalyst that should spur immediate and far-ranging congressional efforts to address gun violence in our country"

Psychologists for Social Responsibility recommended a ban on assault weapons, as well as a RJ approach. Its spokesperson, in writing to Vice-President Joe Biden's Task Force on Gun Violence, stated:

We see school attacks such as Newtown in the context of a broader culture that endorses force and violence as the way of resolving disputes, including war, urban violence, and a harsh, punitive criminal justice system.

The group then recommended that public schools and youth justice systems integrate RJ principles and practices.

The Greater New York chapter of ACR plans, for the first week in February, a program entitled, *Bringing the NYC Dispute Resolution Community Together in the Aftermath of the Newtown Tragedy: An Open Space Forum*. Using an "open space" format, the chapter members will discuss aspects of the tragedy that may include "the children, families, educators, the Newtown community, schools, gun concerns, violence, citizen responsibility, household accountability, justice, police, prevention, protection, laws, policies, and other issues and a way forward for our nation to imagine and work on safer futures for our children."

One of my ADR colleagues, who teaches at another law school, sent out the following message on our ADR listserv shortly after the Newtown murders:

ADR can be transformative in moving people away from violence and war—how can ADR scholars/practitioners participate in the current and upcoming debate on guns?
After last week, I find myself (again) ready to enter the political fight with an uncompromising anti-gun view. I am worried, though, that as usual the debate will get completely muddled and unworkable with multiple conflicting rights and values. This worry makes me wonder (again) whether ADR people can help clarify this discussion and these kinds of discussions, especially if the ADR person has strong views on the topic. Can we be leaders here? . . . I just feel so frustrated and powerless.

So, how do we, as an organization respond to these situations which call into question our devotion to peaceful ways of resolving conflict? What should we do? As your President, I would like to know how to respond on your behalf, because right now, I also feel very disempowered.

If you have a suggestion, please contact me at pyoung@asl.edu.

I look forward to seeing many of you at the Spring Conference.

Paula

Exciting VMN Spring Conference Planned!

REGISTER TODAY: March 2, 2013

University of Richmond, Jepson Alumni Center
The Virginia Mediation Network &
The Joint Alternative Dispute
Resolution Committee

Present:

Sharon Strand Ellison, MS

**“Powerful Non-defensive Communication for
Mediators and Attorneys”**



Sharon Strand Ellison, Sharon Strand Ellison, M.S., Director of the Institute for Powerful Non-Defensive Communication, is an internationally recognized communication consultant, an award-winning speaker and the author of *Taking the War Out of Our Words*.

In this training program mediators and attorneys will gain a deeper understanding about how traditional methods of communication – built on the “rules of war” – serve as the basis for how we talk to each other in professional relationships. The physiology and dynamics of defensiveness will be examined as related to the mediation process. In addition, participants will learn to identify pitfalls in currently accepted communication practices, such as active listening and “I messages.” Beyond learning certain “techniques,” participants will walk away with skills they can use immediately to enhance their ability to facilitate genuine, heartfelt conversations.

Here is what others have had to say about Sharon Strand Ellison’s trainings:

“After seeing you in action and learning more about the non-defensive communication process you teach, I believe it is the most powerful and effective communication technique I have seen. I wonder what would have happened if you had been at . . . the Middle East peace talks. ”

– Maureen A. Tighe, Attorney, U.S. Department of Justice

“I have experienced Sharon Ellison’s PNDC presentations both in a brief workshop at a national conference and at a full-day seminar she presented to our group in Chicago a few months later. Her presentations were riveting, powerful, and effective. Her voice, her manner, her inclusiveness and her approach helped each participant to understand the importance and the effect of PNDC on personal communication experiences as well as professional ones. I try to utilize Sharon’s methods whenever possible and have found it has made a profound difference in how I approach problem conversations professionally and personally. As an adjunct professor teaching a law school seminar on Alternative Dispute Resolution, I require my students to first read and then discuss “Taking the War out of our Words,” so that they will be receptive to the paradigm shift necessary to fully understand ADR. Sharon Ellison has my utmost respect and admiration. I would unhesitatingly recommend any program she offers to any group who may have the privilege of attending it.”

– Sandra M. Rosenbloom, Attorney at Law, Northfield, IL



Continued next page

Participants will learn *Powerful Non-Defensive Communication* skills, which alter four aspects of communication, (a) intention, (b) voice tone, (c) body language, and (d) actual formatting for questions, statements, and predictions. These changes enhance a mediator's ability to be genuinely open and inspire trust while maintaining neutral with regard to directing the outcome of the process.

Participants will learn four skills sets. The training will focus on how to:

1. Ask questions that can, in many cases, prompt clients to instantly move out of defensive posture and respond with a willingness to simultaneously (a) show vulnerability and (b) be honest.
2. Give direct feedback about patterns that are disrupting the process of resolution, and to do so in a series of steps that increase the likelihood that clients will feel respected and want to listen.
3. State opinions, when appropriate, in ways that enhance understanding rather than alienating one or more parties.
4. Make predictions that clarify boundaries needed for the process to be workable, and those that give clients the ability to foresee the consequences of certain choices they might make.

Beyond learning certain "techniques," participants will walk away with skills they can use immediately to enhance their ability to facilitate genuine, heartfelt conversations. Using these skills, mediators can enhance their ability to create the kind of transformational resolution that goes beyond compromise, with the power to foster healing.

[CLICK HERE TO REGISTER ONLINE](#)

Biographical Information

Sharon Strand Ellison, Sharon Strand Ellison, M.S., Director of the Institute for Powerful Non-Defensive Communication, is an internationally recognized communication consultant, an award-winning speaker, and the author of *Taking the War Out of Our Words*. Her Parenting CDs, *Taking Power Struggle Out of Parenting*, won a 2006 Benjamin Franklin Award. Sharon is a pioneer in developing methods for eliminating defensiveness so people can communicate with constructive power. She was a nominee for the *Leadership for a Changing World Award*, sponsored by the Ford Foundation and the Advocacy Institute. Sharon has been doing training for mediators, social workers, lawyers, educators, business, and governments for over 30 years.

For more information about Ms. Ellison, visit her website at www.pndc.com.



Celebrating Mediation

Did you know that 2013 marks the 20th anniversary of the passage of the dispute resolution proceedings statute here in Virginia which helped to institutionalize the use of mediation in courts and supported the growth of mediation throughout the state?

To celebrate mediation and its use in peacemaking throughout the state, VMN, 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 are putting the final touches on a Proclamation for Governor Robert F. McDonnell to sign that will recognize March as Mediation Month in the Commonwealth of Virginia.



What better way to launch this celebration than to attend VMN's spring conference on March 2 at the University of Richmond. Nationally known speaker Sharon Strand Ellison will be presenting the program "Powerful Non-Defensive Communication for Mediators and Attorneys". (See page 3 for more information).

Another way to observe this special month is to get the word out about the benefits of mediation and how its use can peacefully resolve conflict.

- Work in collaboration with other ADR groups in your community, such as the community mediation centers.
- Get in touch with your local media outlets.
- Make presentations to your local service organizations, non-profits, and schools.
- Read a book on conflict resolution or anti-bullying to children at your local library.
- Post on Facebook or "tweet" about it on Twitter.
- Be ready to talk about the benefits of mediation the next time someone asks you "So what do you do?"

We'd like to know what you are planning to celebrate this special month. Email Karen Richards at karen.h.richards@gmail.com.

Board Begins Strategic Planning Process

The VMN Board of Directors met on January 12, 2013 in Charlottesville to begin an intensive strategic planning process. To prepare for the future, the Board is looking at the organization's Mission, process and its outcomes; Vision; short-term and long-term Goals; and the current committee structure. You will hear much more about this during the coming year when we ask for your opinion. Stay tuned!

Time to Renew Your Dues for 2013!

Your 2013 Membership Application was mailed in December.

If you prefer—you can renew today online by [clicking here](#).

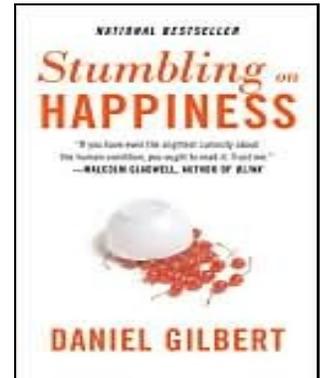
We have many exciting things planned for 2013—be sure to tell a friend or colleague about the value in becoming a member!

Fall 2013 Bookzone

VMN BOOKZONE - NEXT SELECTION

Stumbling on Happiness by Daniel Gilbert, Vintage Books, New York (2006)

You think you know what makes you happy, but you are probably wrong! Dan Gilbert, a Harvard professor, draws on the fields of psychology, neuroscience, philosophy and economics to explore how well humans can predict future affective states. It turns out that by any objective standard, we're pretty bad at it. Insights from this witty, engaging book are immediately transferable to the practice of mediation, where people in conflict are making choices they believe will make them happier. Deepen your understanding of how the brain works to hamper the ability to choose what brings true satisfaction.



Available at Amazon: <http://www.amazon.com/Stumbling-Happiness-Daniel-Gilbert/dp/1400077427>
Please use the link to Amazon.com on the VMN home page at www.vamediation.org and send some money back to VMN!

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