

MADRP Bulletin

May 2006

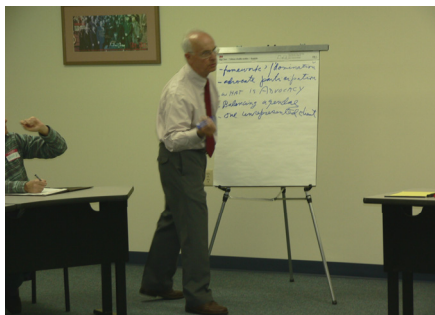


Maine Association of Dispute Resolution Professionals

Volume XI, Issue IV

May 2006

NORTHERN REGION WORKSHOP A SUCCESS



Paul makes a point

Paul Charbonneau at the Penquis CAP offices. Paul donated his time to prepare the program which was attended by attorneys, non attorney advocates, and mediators, many of whom were being introduced to MADRP as non-members. The program, intended to bring a better understanding of the different roles of mediators and advocates, focused on engaging advocates as allies, responding to positional bargaining, dealing with controlling behaviors, and engaging lawyers' clients in active participation in mediation.

According to Bambi Magaw, Northern Region coordinator, the April 25th workshop sponsored by MADRP called **Working With Attorneys and Advocates in Mediation**, was a big success. Twenty four people attended the five and a half hour pro-

Message from MADRP President John Alfano

On May 8 the Executive Board will interview the first group of applicants for the Executive Director position. Since all the applicants appear to be well qualified for the job, our decision will be difficult. With the hiring of the Executive Director, MADRP will begin its new direction as a more professional representative of its members. I am proud to be president while this transition, initiated during Susanna Liller's presidency, comes alive. We will keep you updated as the interviews progress.

It appears that the implementation of the restructuring into the three regions has been completed. Kim Vogel with the assistance of Lisa Levinson will head up the Central Region. Keep an eye out for interesting and informative programs from the Central Region.

The Task Force on Confidentiality and Alternative Dispute Resolution created by the Chief Justice of the Maine Supreme Judicial Court has received the completed questionnaires. It appears that we have had a large response from mediators. We will be tallying the results that will help guide the committee to a meaningful conclusion.

See you at the Spring Conference on the May 17th.



DON'T MISS THE MADRP SPRING CONFERENCE

WEDNESDAY, MAY 17TH,
8:30 TO 3:00
MAPLE HILL FARM IN
HALLOWELL

ATTY. GEN. STEVE ROWE! MARKETING IDEAS! TOOLS! & MORE

Walk-ins welcome; call John at 282-3992 first if you can





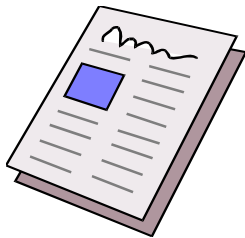
SCREENING FOR DOMESTIC VIOLENCE IN FAMILY MEDIATIONS

by Doris Luther

Don't miss a single issue of the

**MADRP
Bulletin**

Renew online @
madrp.org



Maine Family Law for Mediators

A 10-hour, two day course, will be offered in the Bangor area on June 22 - 23. The presenter is **June D. Zellers, Esquire**, of Common Ground Mediation Services.

This course will present the basics of the law and court procedures to enable mediators to handle family law cases successfully. It will meet the required 10 hours of family law training to qualify for listing on the CADRES domestic relations roster, and for CADRES CEUs.

For more information and registration form, contact: Common Ground Mediation Services P. O. Box 822, Gardiner, ME 04345, 207-582-5862 or jjzellers@adelphia.net.

In my capacity as a CADRES Regional Coordinator, I observe mediators doing domestic screenings.

Let me say clearly here that it is NOT enough to ask:

- ~Has there ever been a protection order?
- ~What is the temperature of your relationship right now?
- ~Are you ok about being in the same room?

None of these, by themselves, comes close to giving the mediator enough information with which to make a reasoned decision about the parties' capacity or safety to participate.

Bernard Mayer in his book ***Beyond Neutrality*** (Jossey-Bass, '04) outlines some of the accepted principles that have come from this discussion:

In cases of domestic violence, mediation should always be voluntary.

-Effective screening mechanisms should be used to determine whether there has been a history of domestic violence.

-If mediation is used, victims (indeed all parties) need advocates, and the mediators should consider keeping the parties separate throughout mediation.

-Mediation should not be used if the victim is not immediately protected - that is, if the victim and perpetrator are still living together or if the victim will have to participate in an unprotected interaction before or after mediation.

-When the abuse has been serious and ongoing and substance abuse is involved, mediation is not advisable even with protections.

I would add a few more tips:

#1 If you are mediating a case in which domestic violence has been present, and the parties have agreed to be in the same room, (and there is no Protection Order prohibiting contact), position the victim closest to the door, and let them know they can step out if they feel threatened or frightened. If that occurs, I would either end the mediation or keep them in separate rooms.

2 Always let the victim leave first, while you keep the offender occupied - allowing enough time for the victim to leave the building so that there is no chance they will interact while leaving the mediation.

I would even go so far as to suggest that mediations of cases where DV has occurred should be conducted more like a victim-offender conference. For example:

-Take precautions about the victim's safety.

-Make sure s/he knows s/he can still opt out of the mediation.

-Find out what the victim needs in order to feel safe.

-Help him/her prepare in caucus for the joint meeting, and do this for as long as it takes until s/he is ready.



SUGGESTIONS FOR MARKETING YOUR PRACTICE

By Lucy Weiss

In the fall of 2004 I took the mediation course through USM's Continuing Education program. Having built a successful career in media advertising I wanted to take the elements of what I enjoyed at what I did and expand upon them. It was my intention to launch a successful career as a full-time mediator. Too quickly the economic reality of being a single Mom and the lack of work in the ADR field necessitated my returning to media sales. I hope to take another run at building a career in mediation when the timing is better for me.

Here are some inexpensive ways to approach marketing with the goal of building a profitable ADR practice without much of a marketing budget to work with...

Firstly, recognize and embrace the idea you need to market both the general idea of ADR as well as and your practice in particular. We know there is an alternative to the traditional avenues of dispute resolution, but most still don't appreciate that ours is a viable and effective alternative. We need to always be marketing ADR as a real and meaningful difference to dispute conflict resolution.

Making personal connections and building professional relationships can go a long way to building success for your practice. Think about it - by the very nature of the service we provide people that recommend and use our services need to feel good about us personally as well as professionally. Join an industry organization, i.e. an educational association appealing to guidance counselors if you focus on family mediation; host an event that heightens your profile among your target market, i.e. host an open house for the Maine Bar Association; circulate a monthly email newsletter to those key professional targets, human resource professionals if your focus is building a business mediation practice; offer your services pro-bono to non-profits to heighten your profile. If you make a few strategic connections, the referrals can continue to flow for a long time.

The importance and power of building professional contacts and relationships can't be overstated. It is way less expensive than advertising and can be extremely effective in it's own right. People do business with people they know, like and trust. So get out there and start making those all important connections!

Cultivating the power of
AUTHENTIC COMMUNICATION
A workshop with Peggy Smith

a training in Marshall Rosenberg's
NONVIOLENT COMMUNICATION

June 23 - 24, 2006

Unitarian Universalist Community
Church
69 Winthrop St.
Augusta, Maine

Learn to:

- * Break patterns of thinking that lead to guilt, shame, anger & depression
- * Offer and receive empathy
- * Set healthy boundaries and say "No" with strength and compassion
- * Translate criticism, judgment, blame and other hard-to-hear messages into feelings and needs
- * Identify, connect to and understand needs in yourself and others
- * Distinguish feelings from thoughts and opinions
- * Prevent & resolve conflicts to increase mutual understanding and trust

Peggy Smith Is an elementary teacher by day and works to bring Nonviolent Communication to Maine by night. Peggy has led workshops around the state for over two decades in areas of elementary education and conflict resolution. She has been an active member of Thich Nhat Hanh's Order of Interbeing since 1994. She has taken over 35 days of NVC training with teachers that include Marshall Rosenberg and the Nonviolent Communications Trainers Institute.

Cost: \$100. Scholarships available.

**For more info:
207-789-5299
Or
207-685-3804**

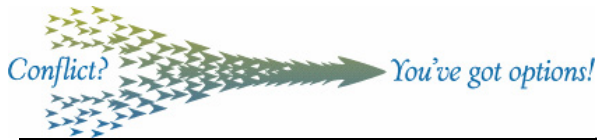


MAINE ASSOCIATION OF DISPUTE RESOLUTION PROFESSIONALS (MADRP)

P.O. Box 8187
Portland, ME 04104

Phone: (877) 265-9712
Website: www.madrp.org

MADRP Bulletin
May 2006 Issue



MAINE ASSOCIATION OF DISPUTE RESOLUTION PROFESSIONALS

2006 MADRP Officers

John Alfano, President
Tracy Quadro, Vice President
Carol Corwin, Treasurer
Wendy Whiting, Secretary
Susanna Liller, Immediate Past President

2006 Committee Chairs

Events - Conference and Annual Meeting: Bill Van Twisk
Practice Quality: Paul Charbonneau
Public Policy: Doug Lotane
Public Information: TBD
Membership Meetings and Professional Development
Portland: Marion Killian
Augusta: Kim Vogel
Bangor: Bambi Magaw
Membership: Lisa Levinson
Advertising: John Alfano

Facilitator Section: Pam Plumb and Tobey Williamson
ME Residential Real Estate Mediation Program (MRREMP): John Alfano
Bulletin: Anita Jones
Nominating Committee Chair: To be appointed by President
At-large Board members: Jane Clayton
Program Liaisons: Diane Kenty (CADRES), Community Mediation Center
TBD

MADRP MISSION

MADRP is a non-profit organization of diverse professional interests seeking to broaden public understanding and acceptance of alternative forms of dispute resolution. MADRP strives to enhance professional skills and qualifications of mediators, arbitrators, and other neutrals through training, educational development and promotion of standards of professional conduct.

MADRP Calendar of Events

- May 17** MADRP Spring Conference
- June 7** BOG meeting
- July 12** Networking and Continuing Education* - Speaker and topic TBA
- August 2** BOG meeting
- September 6** Networking and Continuing Education O- Speaker and Topic TBA
- October 4** BOG meeting
- November** MADRP Fall Conference - details TBA
- December** BOG Planning Retreat

* Networking and Continuing Education Meetings (aka Membership Meetings)

