NAFCM Honors Volunteers

The National Association for Community Mediation (NAFCM) is pleased to announce the first annual Volunteer Mediator of the Year Awards! Today, at least 500 community mediation programs exist in the United States. More than 15,000 mediators volunteer with these programs.

The year 2001 has been declared by the United Nations as the International Year of Volunteers, and in recognition and celebration of volunteer mediators, NAFCM has initiated this award program, with support from the Southways Foundation. There are two award categories: youth (age 18 and under) and adult. The committee was faced with the difficult task of selecting only five award recipients from many excellent nominees. Each nominee displayed a strong commitment to community mediation and the peaceful resolution of conflict.

One award is given for a youth mediator, and four awards are given to adults in different areas of the country. The NAFCM award recipients represent community mediation centers and volunteers all over the country. The awards were presented at the National Conference on Peacemaking and Conflict Resolution in June 2001. Winners received registration for the conference, accommodations, and travel to Fairfax, Virginia.

Morgan Stein, from Las Vegas, NV was chosen as NAFCM’s Youth Volunteer Mediator of the Year! She was nominated by the Clark County Social Service Neighborhood Justice Center (NJC). Morgan is a volunteer peer mediator at her high school. She worked with the NJC to organize a peer mediation conference for secondary school students in the Las Vegas area and presented a

NAFCM Awards Minigrants

The National Association for Community Mediation (NAFCM) is pleased to announce the second and third rounds of grant recipients in the NAFCM Minigrant program. Funds were made possible by a generous grant from the William and Flora Hewlett Foundation.

NAFCM will distribute $250,000 over 4 grant cycles. The first three grant cycles ended September 1, 2000, December 1, 2000, and March 1, 2001. The final application deadline is September 1, 2001. All community mediation programs with NAFCM membership are eligible to apply. Minigrants are awarded under five focus areas: 1) Program Development; 2) Professional Development and Organizational Effectiveness; 3) Quality Assurance; 4) Promotion of Diversity and Social Justice; and 5) Technology. In the first round, 19 centers received a total of $65,164. In the second round, 66 centers applied, requesting a total of $287,173. Grants were awarded to 23 community mediation centers for a total of $63,892. In the third round, 65 centers applied, requesting a total of $271,803. Grants totaling $64,786 were awarded to 25 community mediation centers.

Montgomery County Dispute Resolution Program, Montgomery, AL was awarded a minigrant of $2,700. Under the program development focus area, the center received $1,700 to provide a peer mediation training. They also received $1,000 to purchase case

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*Indicates volunteer affiliation with community mediation center

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### Volunteers Honored

Continued from page 1

Session on chartering peer mediation programs. Morgan's passion is contagious and helps her to be influential in promoting the idea of peer mediation and nonviolent conflict resolution within her school. She has generated interest among young people to join the NJC upon graduation as volunteer mediators.

Florence Beier, San Mateo, CA was nominated by the Peninsula Conflict Resolution Center (PCRC). She has been a volunteer at this center for over 10 years. Although PCRC requires a minimum of only 14 hours of service annually from its cadre of volunteers, Florence always exceeds 100 hours annually. When asked what distinguishes Florence, Jennifer Marshall, Mediation Programs Manager replied, "Her readiness to take on any task, whether the most mundane or the most complex and sometimes at the last minute, has made her a hero to our staff."

Malcolm Carnichael, Montgomery, AL received a nomination from the Montgomery Community Dispute Resolution Program, a center he was instrumental in creating. The year 1993 marked the beginning of an avid interest in mediation for Malcolm. After attending two mediation trainings, Malcolm began the research, fundraising, and program development for what is currently the Montgomery Community Dispute Resolution Program. Today, he serves as a volunteer mediator, trainer, facilitator, and advisor.

Corinne “Cookie” Levitz, Chicago, IL was nominated by the Center for Conflict Resolution (CCR). Cookie has been a volunteer mediator at the center for 20 years. In addition to her role as a mediator, Cookie also trains other volunteer mediators, serves on the CCR Board and CCR Peer Review Committee. Cookie is the mediator called for the "tough to handle" cases. She devotes countless hours, and an ever present enthusiasm and respect for the process that is apparent to all.

William Powell, Geneseo, NY is the nominee from the Center for Dispute Settlement. Bill has been an active mediator at the Center for Dispute Settlement for over 18 years. He consistently goes far above and beyond the call of duty. When threatened with the loss of funding for a valuable program at his center, Bill immediately initiated a letter writing campaign thus mobilizing judges, lawyers, local officials and mediators to action, allowing the program to continue uninterrupted.

For further information on the Volunteer Mediator of the Year Awards, contact Joanne Hartman, at jhartman@nafcm.org.

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Visit the NAFCM Website at [www.nafcm.org](http://www.nafcm.org) for additional information!
The Elements of Apology

by Carl Schneider, Ph.D.

Apology involves the acknowledgment of injury with an acceptance of responsibility, affect (felt regret or shame - the person must mean it), and vulnerability - the risk of an acknowledgement without excuses. It is repair work - work that is often necessary, but difficult.

Apology is a ritual exchange, where what is offered in exchange for the injury done is, in Tavuchis’ phrase, “nothing, except a...speech expressing regret.”

Aaron Lazar has best captured the ritual exchange of apology: “What makes an apology work is the exchange of shame and power between the offender and the offended.”

Apologies in Mediation

Apology is central to mediation. Mediation regularly involves disputes in which one party feels injured by the other. An apology is an act that is neither about problem solving nor negotiation. Rather, it is a form of ritual exchange where words are spoken that may enable closure. In the language of transformational mediation, apology represents an opportunity for acknowledgement that may transform relations. Most of us recognize its role in victim-offender mediation and community conferencing, but it can play an equally critical role in other forms of mediation, including employment and divorce mediation.

Assisting Clients with Apology

People can authentically apologize in mediation, but they often need help in getting past the defensiveness and fear of blame that prevent apology. Apology cannot be imposed. It is a moment of opportunity. Parties often need preparation and help with the words. An apology involves such vulnerability that often the only way it is safe enough is with the mediator’s assistance in putting the apology in words.

Apology involves an exchange of power and shame. Apology is a form of non-coercive power balancing enacted by parties in which the powerful offer their vulnerability and through recognition, the injured/humiliated are empowered.

Apology and the Adversarial System

Apology can be a critical element in the settlement of lawsuits. Many of us have been in mediations in which there is a palpable desire for - sometimes an explicit insistence on - apology from plaintiffs. Many of us have witnessed the enormous cost of missed opportunities for apology. The pairing of the law and the adversarial system, however, makes for a matrix antithetical to apology. The preoccupation of American jurisprudence with defending individual rights and fears of admitting culpability can function to preclude apology with its naked unqualified acknowledgement of responsibility. As Lon Fuller has noted, adjudication involves rational ordering of a complaint according to principle whereas apology is not an appeal to reason. The adversary system breeds defensiveness; apology requires vulnerability.

It is possible, however, to have a legal system more supportive of apology. The legal system in Japan functions quite differently and there apology plays a major role as a social restorative mechanism.

Mediation, Apology and the Law

When attorneys are present in mediation it is generally far more difficult to hold open the space for apology, since attorneys are habituated to their role as “watchdog, guarding against their client’s unwitting forfeiture of legal entitlements” (McEwan). This creates a wariness of apology, which is a moment where a client relinquishes all justifications, excuses, and counter-claims and instead faces the other with moral transparency.

Apology, and the adversarial system resemble David encountering Goliath: the one is loaded down with protective armor, the other comes seemingly defenseless. Many mediations are centrally about a damaged relationship where trust has been broken. When offered with integrity and timing, an apology can be a critically important moment in mediation. An apology, when acknowledged, can restore trust. As Wagatsuma observes, “There are injuries that can only be repaired by an apology.” The past is not erased, but the present is changed.

In divorce mediation an opportunity sometimes occurs for clients to acknowledg...
Mediation Service of Maui, Wailuku, HI received a grant of $2,000. The grant will be used to create a small business mediation program and to partner with the Hawaii Small Business Development Network to reach the underserved business population.

The Dispute Resolution Center for the Wabash Valley, Inc., Terre Haute, IN received a grant of $1,700. The grant will be used to expand the center’s pilot divorce mediation project.

Just Solutions, Louisville, KY was awarded $4,000 under the diversity and social justice focus area. The goal of the project is to plan conflict resolution activities in the African American community through training and establishing links with important community organizations.

Anne Arundel Conflict Resolution Center, Annapolis, MD received a technology grant of $985. The grant will enable the center to complete its web site and strengthen outreach efforts to the community.

Takoma Park Mediation Program, Takoma Park, MD was awarded $1,000. This grant will allow the center to purchase its first computer and thus improve the day-to-day operations of the center.

Community Dispute Settlement Center, Cambridge, MA was awarded $1,475 under the program development focus area. The grant will fund a training on gay/lesbian issues in mediation to enable mediators and the center to better serve the needs of the gay community.

Cape Cod Dispute Resolution Center, Orleans, MA received a grant of $2,000 under the professional development and organizational effectiveness focus area. The grant will enable one staff member and one volunteer to receive grant writing training and to create a grant application package for the center.

Dispute Resolution Center of Washtenaw County, Ann Arbor, MI was awarded $2,500 to provide mediation services to incarcerated mothers and their children. The project focuses on providing a stable placement while the mother is incarcerated.

Oakland Mediation Center, Bloomfield Hills, MI received $2,400 to collaborate with the City of Novi to design a citywide dispute resolution program and awareness campaign. The project will construct a model to integrate mediation and dispute resolution within institutional structures.

Peaceful Solutions, Fergus Falls, MN received a $2,000 mini-grant award. This grant will allow the center to educate police and community members about restorative justice and community mediation and train law enforcement personnel and community members to be volunteer mediators.

Dispute Resolution Center, St. Paul, MN was awarded a technology grant of $1,000. The center will expand its web site and provide an e-mail communication system for volunteers. Staff will attend internet technology classes.

Community Mediation Center, Bozeman, MT received $4,500 to partner with the city of Bozeman to design a land-use facilitation/mediation program. This project will extend the mediation service area and provide valuable education on the principles of mediation to city officials.

Nebraska Mediation Center Association, Beatrice, NE was awarded $3,000 to support the effort to establish a biennial regional mediation conference in America’s heartland. The conference was held in Nebraska City in April 2001.

ACCORD, Binghamton, NY received $801 under the professional development and organizational effectiveness focus area. Funds will be used to provide certain staff members with computer training.

The Ulster Sullivan Mediation, Kingston, NY was awarded a technology grant of $1,000. The funds will be used to purchase a computer and thus improve the operations of the center, especially through mediation case tracking and database software.

Washington Heights Inwood Coalition, New York, NY was awarded $3,000 to promote diversity and social justice by improving police/community
The Power of Program Evaluation

by Carolyne Ashton

As mediation centers have proliferated in recent years, the need for building a case for funding and accountability has also grown. Most centers are funded privately, e.g., foundations, or through state or local government funds. Funders expect the mediation centers to provide quality information on the effectiveness of their work through the use of planned evaluation. They have the right to this information. But the question often arises, how do we measure success where change is often amorphous and hard to define? A signed agreement is surely a measure of some level of success in the mediation process, but is that all there is? Especially in community change efforts, is an agreement the only measure of success? Most mediators would answer a resounding, “no!” If it is not, then what else are we to look for to document the progress of a mediation or of a community problem solving effort and how do we find it?

“Evaluation” is a term that many practitioners find intimidating and shy away from in practice. Those trained in the practice of dealing with human relationships often find it difficult to articulate what is working and what is not working when it comes to the changes seen in clients. Evaluation is research and many practitioners consider themselves “research-challenged.”

Clients often have even greater difficulty describing what it is they want in measurable terms. While there may be clear and discreet outcomes expected of a mediated agreement, e.g., very specific arrangements for child rearing or custody parameters in the case of a divorce and child custody dispute, there are underlying elements that must be addressed that tend to appear more difficult to characterize in measurable terms. When working towards agreement on concrete issues, parties will often say, “I want Jane to treat me with more respect,” or, “I want Joe to pay more attention to the children.” It is common mediation practice to ask clients what they mean by “respect” or “pay more attention.” We attempt to have them describe what these terms would “look” like if “respect” or “paying more attention” were present in the relationship. We attempt to get the client to describe these terms operationally. These are interim outcomes or results the mediation process then works toward. There is an underlying set of assumptions or a theory of change, often not articulated by practitioners, that as these interim outcomes are reached they contribute to the likelihood of a satisfactory final agreement.

Evaluation is especially important for a mediation center that is involved in community change processes because the center is attempting to bring about more than a negotiated agreement. Usually, the processes used are designed to pass on or enhance the problem-solving skills of community members who are participating. Thus, the center not only needs to document success in final outcome, but also the level of skill building, attitude change, or knowledge gain that takes place for stakeholders.

Most mediation programs provide a feedback sheet at the end of a mediated process which asks the clients some variations on questions such as: Were you satisfied with the agreement? Were you satisfied with the processes used to reach agreement? Were you satisfied with the mediator? These questions usually provide clients with an opportunity to further answer the questions, “If, yes, why? If no, why not?” While appropriate questions, they do not necessarily provide information regarding interim results, especially if an acceptable agreement was not reached. Appropriate evaluation methods can broaden the search for data about what happened. When thinking about evaluating a mediation program, the small steps should also be documented and analyzed as part of an evaluation strategy. These interim outcomes are important as part of an evaluation strategy that will provide information valuable for at least three needs a program has.

First, tracking the interim outcomes provides data for reporting change in a positive direction in the nature of the relationship between the disputing parties. This is useful feedback to the parties as they proceed through the process. It validates them for the relationship building they are doing or can show them how their relationship needs are getting in the way of a successful agreement.

Second, this information can be analyzed and used to help the mediation center refine and redirect its mediation strategies and provide valuable information on the need for further skill building for volunteers and staff members.

Third, such information provides funders with a clearer picture of the gains a program may be achieving even though every mediation does not end in a successful agreement. It also shows that a program is taking very seriously the need to collect data and reflect on it and apply it to program improvement.

Designing and implementing strategies for collecting qualitative and quantitative interim results and end results is not rocket science. When discussing evaluation of community-based programs, we are not talking about using scientific research models. We are talking about what is referred to as “program” evaluation. Program evaluation is a user-friendly method of gathering data, both qualitative and quantitative, on small and large successes and failures that involves feeding the data back to program decision makers and practitioners in order to refine and improve what a program is achieving. It can be used to change course direction, if the data shows that a program has taken the wrong approach, or it can be used to validate the appropriateness of what a program is doing and support continua.

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COMMUNITY MEDIATION SPOTLIGHT

Victim Offender Mediation

by Mary Ellen Bowen

Mid South Mediation Services helps victims of crime deal with their feelings by offering them an opportunity to tell the offenders how their lives have been impacted by the victimization. Many people who have been hurt experience relief and closure when they can tell the offender how they feel and what they need to make things right again. Mediation is a face to face meeting with a fair witness (the mediator) in a safe setting that can be used to resolve the situation through a negotiated contract signed by all parties. “It’s a good way for the offender to make up for the harm caused,” a recent victim explained. The mediation process can be used to settle the case by either using it as an alternative to court, or as an important part of the disposition of the judge.

Since the passage of the Victim Offender Mediation Center Act in 1993, victims and offenders in Tennessee have been guaranteed the right to have voluntary and confidential mediations. Mid South Mediation Services currently serves citizens in Hickman, Lawrence, Lewis, Perry, Wayne and Williamson counties. There are approximately a dozen other programs throughout the state, and the Tennessee Supreme Court (which oversees the state law and these programs) looks forward to the day when all judicial districts will provide mediation services.

Nearly half of the over 350 referrals so far involve juveniles in cases such as vandalism, assault, theft, unruly behavior, truancy, shoplifting, and forms of harassment. In these situations, parents and children appreciate the opportunity to talk to each other in a neutral setting with trained facilitators. When juvenile cases can be settled without going to court, the young person can be spared from having a record in the justice system so early in life. Also, studies both in Tennessee and nationally report a 35% average decrease in repeat offenses (recidivism) for juveniles who participate in mediation as opposed to those who don’t.

Typical adult cases that may be suitable for mediation are assault, neighbor dispute, theft, vandalism, harassment, burglary, and disorderly conduct.

The use of mediation represents a gradual transformation to restorative justice in this country which redefines crime as an act against a victim and local community as opposed to just viewing the situation as an act against the state. Restorative justice is a new way of thinking that elevates the voices of victims and communities and makes them active in the problem-solving aspect of the case. Criminal justice systems which have been traditionally driven by looking at how to deal with offenders are now choosing more restorative processes that help victims and communities voice their needs and get them met. Through the face to face meetings, offenders are held more accountable for their behavior and victims get better restitution fulfillment. Overall, with mediation, victims report greater satisfaction from their experience in the justice system.

The mediations are provided without charge and the mediators are trained community volunteers. During the training, they learn how to listen, be fair, be patient and non-judgmental, and be understanding in helping people communicate better to reach their restitution/resolution agreements. Referrals can come directly from many facets of the community: schools, organizations, businesses, and churches, as well as the courts. For more information about victim offender mediation or Mid South Mediation Services, contact Mary Ellen Bowen, Executive Director at (931) 796-0487 or by e-mail at vorp6@hotmail.com.

The Power of Program Evaluation

Continued from page 5

tion of a strategy. Current methods of program evaluation also encourage the involvement of stakeholders in the design and implementation of the evaluation strategy. Collaborative/participatory models of evaluation, such as David Fetterman’s Empowerment Evaluation model or Jay Rothman’s Action Evaluation model approach evaluation from the same principals of inclusion and empowerment that most conflict resolution processes encourage. This makes them highly compatible with problem-solving processes as practiced in mediation and community change efforts.

Evaluation does not need to be intimidating, nor should it be. There is a growing body of evaluation literature that is designed to be used by non-evaluators, and a growing number of evaluators are practicing the facilitation skills necessary for collaborative evaluation models. In addition, there are several interactive web sites that assist program staff in developing measurable goals and objectives and identifying appropriate methods for collecting data. A few of these resources are listed below.

Readings

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Volunteers

Ben Carroll  ·  Honolulu, Hawaii  ·  ben.carroll@pixi.com  ·  Summer 2001

Few community mediation centers can function without volunteers -- mediators, board members, and other help. For many centers, most if not all direct service is provided by highly trained volunteers who operate with a considerable amount of independent responsibility.

It is especially appropriate to reflect on the role of volunteers in community mediation centers and programs this year - the United Nations International Year of Volunteers [www.iyv.org]. The 2000 NAFCM Directory indicates that 273 NAFCM member centers have 1,309 staff members and a volunteer base of 15,210 mediators. With these proportions, it is not surprising that one of NAFCM’s expressed organizational goals is to “recognize and celebrate volunteers in community mediation.” In addition, NAFCM considers “the use of trained community volunteers as the primary providers of mediation services” as a defining characteristic of community mediation centers. While centers typically have several types of volunteers, we will focus largely on volunteer mediators.

WHO ARE CENTER VOLUNTEERS

Demographics: A collective portrait of community volunteer mediators nationwide has not been compiled although various centers and states (e.g., New York) track this information. A preliminary description based on several sources indicates that mediators are predominantly female (usually 55-65 percent) and have more formal education than the general population (often, a majority of mediators have a college degree). Consistent with the education finding, certain occupations are more frequent including business people, educators, lawyers, and counselors/social workers; this occurs despite the fact that community mediation centers typically do not require volunteers to have academic or professional credentials. These characteristics are not markedly different than volunteers in general, e.g., voluntarism typically rises with education. At a number of centers, Caucasians (and sometimes African-Americans) are over-represented compared to the population while Hispanics and Asian-American groups are often under-represented. These generalizations, of course, vary according to individual center, urban/rural setting, geographical region, etc.

Diversity/Representativeness: Dan McGillis’ study found that community mediation “programs typically seek to ensure that people recruited for their mediation pool have demographic characteristics representative of the community in which the program is operating.” [Community Mediation Programs: Developments and Challenges, DOI (1997)18]. This is also a NAFCM value – “Mediators, staff and governing/advisory board are representative of the diversity of the community served.” Centers may differ on what characteristics they consider critical in recruiting, including race, age, cultural background, education, occupation, income, family status, etc. This will be balanced with other cross-cutting desirable traits (such as empathy, etc.) as defined by the center. Centers also vary in the degree to which they try to match specific characteristics of mediators and participants and this has implications for the diversity of the mediation pool. All of this requires good data about mediators and the people served as well as potential participants. This “matching” is discussed further below.

WHY PEOPLE VOLUNTEER

The motivation of volunteers in general has received considerable attention and research confirms what is already known: volunteers receive a variety of personal benefits and satisfaction – in addition to the benefits to organizations and community. Reasons frequently cited are: compassion, wanting to help; giving back to the community; interest in the activity or work, learning new skills; and the importance of the activity to people that the volunteer respects. Motivational theories and studies abound but perhaps the most useful information comes from asking potential mediators why they are applying, and regularly checking with volunteers about what attracts them to service.

In addition to wanting to help people in conflict and their neighborhoods, community mediators talk about acquiring useful skills: “The volunteers’ major emphasis was on personal development through learning mediation and communication skills” (San Francisco’s Community Boards); “[The] desire to develop the personal empowerment skills and attitudes they believe will be useful in dealing with problems in their personal relationships and would enhance their professional skills” (Honolulu NJC). The desire for mediation training may be strong enough that people volunteer simply to get training with little intention of service. Screening, selective recruitment, service agreements and charges for training (with or without rebates for service) may reduce this factor if desired. However, a number of centers intentionally use public (non-volunteer) training as an important revenue source.
WORKING WITH VOLUNTEERS

Mediators work directly with participants and must exercise independent judgment. Such volunteers tend to have high levels of training, fairly sophisticated apprenticeship and mentoring, observed performance, and regular feedback. Nonetheless, basic volunteer issues remain the same: recruitment, training, supervision and management, evaluation and recognition. Thus, general volunteer sources (noted herein) provide ideas adaptable to mediation centers, such as: (1) volunteer position or job description; (2) volunteer contract (outlining expectations and responsibilities); (3) volunteer handbook (in addition to training manual); (4) individual volunteer learning or development plan; (5) newsletter (or section of a center or employee letter) especially for volunteers. As always, networking with other centers will provide the most relevant strategies.

VALUING VOLUNTEERS

Recognition: There is a great deal of research, and some controversy, on how to best appreciate and recognize volunteers. Most commentators agree on two truisms: appreciation should be expressed sincerely and individually (tailored to temperament and motivation, not rote); and day-to-day relationships are more important than infrequent or annual recognition (of whatever type). Beyond this, there are many approaches (sources on following pages).

Compensation: Being a “volunteer” implies that work is not undertaken primarily for financial gain; however, volunteer mediators frequently receive expenses (mileage, parking, etc.), material benefits (refreshments, etc.) and sometimes even stipends for certain cases. A center which plans to compensate volunteers beyond expenses will need to consider implications and possible pitfalls (e.g., change in organizational culture, perception of favoritism in selection) and may want to check with other centers that have experience with this to minimize problems.

Retention: Several well-established programs have mediators with average service time of 5 to 8 years. Obviously, such volunteers have established a rhythm or pattern with the center that is comfortable and centers that have developed this loyalty typically involve mediators in planning and decisionmaking. In addition, research shows a high correlation of service duration with continued learning by volunteers. [Paul J. Isley, Enhancing the Volunteer Experience. San Francisco: Jossey Bass 1990.] Such longevity gives a center a great experience and organizational learning base and may have clear implications for continuing education and training.

Accounting for Volunteer Time: Many centers track volunteer time and its dollar value (computed various ways). Check with your accountant to see whether this should be on your financial statements as donated services (FASB 116). Even if not required to compute hours or value, you may want to consider this as it can be quite impressive to funders, supporters, and volunteers themselves. Note that some feel attaching a monetary value “cheapens” service.

VOLUNTEER POLITICS

When viewed as a whole, there are few types of cases – whether public policy facilitation or child custody – which are not handled somewhere by volunteer community mediators. Nonetheless, community mediators may be viewed as “barking dog” or “noisy neighbor” people by those unfamiliar with the range of what community centers handle. In addition, there remains an infatuation with licenses and academic degrees among some despite consistent research negating such credentials as predictors or indicators of competency.

Quality and Standards: Most centers expect no less from volunteers than they expect from staff when it comes to competency. Center training, structure and procedures can be designed to assure this. For example, the apprenticeship programs of many centers set the standard in the field (very rarely matched in private practice). Efforts at establishing certification and/or credentialing requirements, whether couched as “consumer protection” or otherwise, should be reviewed to determine whether they actually relate to quality or are designed to protect private interests. NAFCM is developing instruments to assist centers in assessing their operations and performance.

Marginalization: Some research suggests that even using the term “volunteer” may not be advisable and centers may choose to instead state that “community members serve without pay” or “pro bono.” In any case, “volunteer” should be distinguished from “paid,” never contrasted with “professional.” Centers should also be wary when courts or other “gatekeepers” suggest an “exemption” from requirements for community volunteers as this may serve to marginalize community mediation as less worthy or second-class (as in, “they’re just volunteers”).

“Competition”: One occasionally hears arguments that courts and others use unpaid volunteer mediators solely for economic reasons and that the use of volunteers somehow unfairly takes work away from private practitioners. In a number of jurisdictions, mediations performed by volunteers do involve payment but this goes to the mediation center rather than individual mediators. While some of this work conceivably could be performed by paid, private mediators, payment to centers serves to increase access to justice beyond the immediate participants by enabling centers to offer mediation to those who cannot afford private neutrals, i.e., providing “service to clients regardless of their ability to pay” (a NAFCM core value). This extension of service could not occur without volunteers.
SOME THOUGHTS ON VOLUNTEERS

Identifying Volunteers: Although many centers formally track demographic information about participants (often due to funding requirements), not nearly as many have this data about their mediators. Community mediation centers in New York collect this information on close to 2000 mediators; the information is compiled by the Community Dispute Resolution Centers Program (part of the State Office of Alternative Dispute Resolution Programs, NYS Unified Court System). The State ADR Office can pull up information on mediators including gender, ethnicity, education, occupation, and years of service [Tom Buckner, Principal Court Analyst, www.courts.state.ny.us/adr]. This allows comparison of how well centers match communities and participants, who is attracted to service, etc.

Matching Mediators & Participants: Some centers attempt to ensure that mediators closely mirror the ethnic, cultural and/or other personal characteristics of participants. Other centers may consider certain factors only in specific types of cases (e.g., age for parent-child or elder cases). Benefits of matching may be a sense of identification, cultural understanding, and participant comfort and trust. However, the importance of having volunteers resembling participants is more complex than it appears; in some instances, non-demographic traits such as expertise or empathy are more important to service recipients while in other situations, personal similarities are paramount (for example, “when telling one’s problems” -- and, arguably, by extension, mediation). [Shirley Jenkins, The Ethnic Dilemma in Social Services. New York: Free Press 1981]. Some demographic issues may be problematic; for example, income may affect the ability of people to volunteer making it difficult to match income level. All of this adds to the challenge of maintaining a mediator pool with a cross-section similar to the community. Co-mediation increases the opportunity to match characteristics, particularly gender balance in family cases.

Volunteer Web Sites: There are many web sites devoted to volunteer management; the following have been around a while and are currently up and running (but things can change): www.energizeinc.com (bibliography, articles, extensive book store, recognition ideas); www.cyberpvm.com (basic info including job descriptions); www.avaintl.org (Association for Volunteer Administrators); www.iciclesoftware.com/vlh/ (Volunteer Legal Handbook); www.volunteertoday.com (newsletter); www.serviceleader.org (virtual volunteering, links); www.pointsoflight.org (book store); www.merrillassoc.com (many links, a few don’t work).

Board and Office Volunteers: Mediation center board members are similar in many ways to other non-profits. There is a wealth of resources on effective boards, e.g., books by Fisher Howe, the National Center for Nonprofit Boards (www.ncnb.org), etc. NAFCM is working on an assessment instrument for centers which may assist in appraising board management. Centers also make use of a variety of volunteers other than board members and mediators. Some senior organizations place volunteers with non-profits, sometimes in teams with specific capabilities such as handling newsletters or other mailing. “Cyber” volunteers can help develop and maintain center web sites, do on-line research or marketing and provide technical assistance with center computers. Even intake and case management are handled by volunteers in some centers.


Volunteer Coordinators: Once a mediator pool reaches a certain size, it may be advisable to consider a separate coordinator for volunteers; this is often combined with the training position (if done in-house). A coordinator is responsible for policies and procedures, interfacing between staff and volunteers, and ensuring volunteers have what they need to perform. Even if the volunteer development function is not an independent position, self-assessment instruments for volunteer managers may be useful in identifying critical elements in using volunteers. An adaptation of a Volunteer Leadership Self Assessment Inventory by Trudy Seita can be found at vmcp.wsu.edu. For another assessment, see Lee & Catagnus (page 4). See also: James C. Fisher & Kathleen M. Cole, Leadership and Management of Volunteer Programs. San Francisco: Jossey Bass 1993.


Note: research appears to show that volunteering reduces stress and promotes health and longer life. Is this a possible recruiting tool or bumper sticker? – “Volunteer Mediating Adds Years to Your Life.”
WHAT OTHERS SAY ABOUT VOLUNTEERS


“The training of citizens as mediators is considered a major key to success for many community mediation programs because the bulk of their dispute resolution services are delivered by volunteers instead of by a paid professional staff. Using these citizen volunteers keeps program costs much lower than they would be if all the mediators were paid for their services. Using citizen volunteers also generates vital public relations and community support for the program because the volunteers usually become strong advocates for the benefits of mediation.


“Rare indeed is the individual for whom the helping act does not arise in part out of some personal motive. To the extent it does, however, what we are looking for is a role that meets a need... our need. We’re looking to be helpers not simply to be helpful. A personal agenda leads us to invest in the position, not simply the function. And we invest in others’ reactions to it as well. ... It is clear, for example, that as helpers we don’t simply go about dispensing service with nothing in return. We all know how much we get back from caring for others. Nor is it simply material reward, praise, or the feeling of having been useful. Something far more essential can be tapped. ... And so at a certain point ‘helper’ and ‘helped’ simply begin to dissolve. What’s real is the helping – the process in which we’re all blessed, according to our needs and our place at the moment. How much can we get back in giving! How much can we offer in the way we receive! But even ‘giving’ and ‘receiving’ now seem artificial. Where does one begin, the other end? They seem to be happening simultaneously. That’s how it feels anyway. Isn’t that why everyone is so pleased?”


“If you think of a job description as a word picture of good performance, then giving one to each volunteer is essential. Without a clear job description volunteers cannot know what their responsibilities are. Some organizations prefer to use the term position description or service assignment when describing volunteer responsibilities. Whatever term your organization uses, it is important to give careful thought to the development of a volunteer’s job description, and even more careful thought to the design of the job itself. [T]he work your organization creates for volunteers should give volunteers something to be responsible for, the authority to think, responsibility for results, and ways to measure whether the results are being achieved. ... When discussing your expectations with volunteers, don’t forget to ask about their expectations too. If some expectations are unrealistic, say so. But remember that volunteers have a right to expect a clearly defined job, adequate training, tools to do the job, adequate work space, cordial relations with paid staff and other volunteers, feedback (positive and negative) on their work.”


“While formal recognition systems are a useful tool, they cannot substitute for on-going processes which meet the motivational needs of the volunteer. They are helpful mainly in satisfying the needs of the volunteer who has a need for community approval, but have little impact (and occasionally negative impact) on volunteers whose primary focus is helping the clientele. Those volunteers may very well feel more motivated and recognized by a system which recognizes the achievements of “their” clients, and also recognizes the contribution which the volunteer has made in aiding in that achievement. The most effective recognition system occurs in the day-to-day interchange between the volunteer and agency through the sincere appreciation and thanks of the staff for the work being done by the volunteer. ... Day-to-day recognition may include such items as: saying ‘thank you,’ involving the volunteers in decisions that affect them, asking about the volunteer’s family and showing an interest, making sure that volunteers receive equal treatment to that of staff, sending a note of appreciation to a volunteer’s family, allowing the volunteer to attend community training events, recommending the volunteer for promotion, remembering the volunteer’s birthday, celebrating the volunteer’s anniversary date with the agency.


If you have comments, questions or suggestions concerning volunteering or related topics, please contact Ben Carroll or the National Association for Community Mediation, 1527 New Hampshire Avenue, NW, 4th Floor, Washington, D.C. 20036, Tel: (202) 667-9700, Fax: (202) 667-8629, E-mail: nafcm@nafcm.org.
NAFCM Minigrant Recipients

Continued from page 4

relations in Manhattan north of 155th Street. The project will include joint police/community meetings and a public celebration of positive police/community relations.

Mediation Services, Inc., Oneonta, NY was awarded $1,000 for assistance with professional development and organizational effectiveness. The center’s service coordinators will develop, document, and upgrade best practices in case management and service coordination, producing a service coordinator manual.

The Mediation Center, Asheville, NC received $2,450 under the program development and diversity and social justice focus areas. The center will outreach to the low wealth community by providing training and on-site mediation services at the NAACP Empowerment Center.

The Conflict Resolution Center, Morgantown, NC was awarded $4,400 to support their Peace Pipeline Initiative. The Peace Pipeline was created to expand the center’s community mediation services “through youth to youth.” The grant will support training and the salary for the Director of Youth Services.

Chatham County Dispute Settlement Center (CCDSC), Pittsboro, NC received $3,820 under the program development and diversity and social justice focus areas. CCDSC will train bilingual, bicultural volunteers to serve the increasing Latino Community.

Piedmont Mediation Center, Statesville, NC was awarded $3,000 to support its Partners in Parenting Program. The program includes a four-hour seminar that teaches divorcing parents how to remain a stable force in their children’s lives during the transition of divorce or custody battles.

Athens Area Mediation Service, Athens, OH was awarded $4,580 to expand the awareness of mediation concepts and the use of mediation beyond the city of Athens into the small communities and rural areas of Athens County, which has a high poverty rate.

Cleveland Mediation Center, Cleveland, OH was awarded $5,000 to support its Employed Youth Initiative. The initiative is a conflict resolution training program for young employees ages 15 to 22.

Yamhill County Mediators, McMinnville, OR was awarded a technology minigrant of $700 to purchase new computer hardware and train staff in new software programs.

Bay Area Mediation Service, North Bend, OR received $2,922 to increase awareness of the center’s services in the community. Outreach activities include mailings, meetings with law enforcement agencies, Public Service Announcements, presentations to schools and other agencies, and displays at fairs and other events.

Good Shepherd Mediation Program, Philadelphia, PA received $2,500 to develop a victim offender conferencing program for juvenile offenders and their victims. The project is a collaboration with the Philadelphia Family Court Balanced Approach to Restorative Justice Task Force and the Youth Study Center.

Pittsburgh Mediation Center, Pittsburgh, PA was awarded $2,500 to expand its Mediation Partners Project in collaboration with a local law school and the District Attorney’s Office. The project will integrate mediation services into traditional court processes at the district justice level.

The Rose Center, Scranton, PA was awarded a minigrant of $5,000. “Talk It Out, Don’t Duke It Out” provides mediation training and services to youth in the Boys and Girls Club after-school program.

Community Mediation Center, Columbia, SC received $4,000 to provide quality family and divorce mediation services to low-income and indigent families. The grant will also help to increase the pool of qualified family and divorce volunteer mediators and to promote the use of mediation by educating appropriate agencies and the public about the center’s services.

Mid South Mediation Services, Hohenwald, TN was awarded a minigrant of $5,000 to support the expansion of its services in two additional counties, train additional mediators, provide conflict resolution training to the community, and to develop diversified local funding sources.

Mediation and Reconciliation/Restitution Services (MARRS), Memphis, TN received a technology grant of $897. The funds will enable the center to obtain internet and e-mail services.

Just Solutions, Brattleboro, VT was awarded $4,356. The grant will be used to develop a project in conjunction with the courts, state’s attorney’s office and Social and Rehabilitative Services. The project will establish mediation services for cases involving the abuse and neglect of children and in Termination of Parental Rights cases.

Community Mediation Center, Harrisonburg, VA received $3,000 to support the development and delivery of training to the legal community concerning the center’s restorative justice program. The minigrant will also be used to develop criteria and protocol for making appropriate referrals to the restorative justice program.

Dispute Settlement Center, Norfolk, VA received a minigrant of $3,444 to create a public policy dispute resolution model and to initiate an intensive public education campaign to inform the community about the benefits of using dispute resolution in the public policy arena.

Conflict Resolution Center, Roanoke, VA received a technology minigrant of $220 to purchase QuickBooks accounting software which will contribute to the efficiency of center operations.

King County Dispute Resolution Services, Seattle, WA was awarded $3,640 for program development. Funds will be used to hire a Court Program Coordinator to coordinate the services offered at the nine divisions of the King County District Court.

Pierce County Center for Dispute Resolution, Tacoma, WA received a technology minigrant of $963 to purchase a networkable modem, DSL line, and internet service provider.

Dispute Resolution Center of Yakima & Kittitas Counties, Yakima, WA received a minigrant of $5,000. Funds will be used to develop and offer a series of workshops for low-income residents on conflict resolution, communication skills, community/police

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YOUTH M-POWER! Update

by Winnehl Tubman

2001 has indeed been a full and busy year for YOUTH M-POWER! (YMP!). January brought the completion and launch of the revamped YMP! web site. The new site includes the following new features: 1) Directory of youth related conflict resolution programs, organizations and publications; 2) YMP! Voice, the on-line newsletter for YMP!; 3) Youth Speak, the YMP! WebBoard/on-line discussion forum; 4) Profiles of activities and success stories of youth peacemakers around the world; 5) Calendar of upcoming youth conferences, trainings and other events around the United States and globally.

In addition to sharing this wonderful resource with the NAFCM, ACR and YMP! network, Ms. Winnehl Tubman, YOUTH M-POWER!’s Program Manager, has also promoted and showcased the site at a number of conferences including the National Youth Service Learning Conference in Denver, Colorado in April, and more recently at the Peacemaker’s Summit in Amherst, Massachusetts. At both events, the responses of youth and adults to the site were very positive. The number of visits to the site and calls for information about the site continue to grow.

If you have not yet had an opportunity to see the new site, please visit us at: www.youthm-power.org and spread the word! We are especially in need of articles from young mediators and leaders to post in our newsletter. Alternatively, if you would like to highlight the work of a young person that you are working with, we invite you to write a brief profile of the work they are doing in their community, also to be posted on the site.

Youth and adult members of the YMP! network are working equally hard at promoting our mission, and promoting youth-adult partnerships in their communities and around the country. In February, a team of Canadian and American youth conflict resolvers participated in the planning meeting for the ACR annual conference in Toronto, Ontario. Along with YMP! staff and youth representatives, our Canadian partners assisted with the selection of workshops and the design of the youth track for this year’s conference. We are expecting a strong youth presence and a meaningful experience for all. But we will need your help in getting youth to the conference. Currently, we are preparing a conference brochure specifically for youth, outlining the youth program and activities. Please contact the YMP! office to request copies of the brochures to hand out to youth, or adults working with youth. In the meantime, continue to check the YMP! web site for updates and details related to youth participation at the conference. A reduced conference registration fee of only $125 is reserved for young people under 21 years of age. Youth chaperones can also receive a reduced rate.

For more information about YOUTH M-POWER!, or to share your own ideas and news, visit our web site at: http://www.youthm-power.org. You may also contact Winnehl Tubman, Program Manager, by e-mail at: wtubman@youthm-power.org or by telephone at (202) 667-9700 x204.

Community Mediation Calendar

August 22-25 Tenth Annual Conference: Florida Dispute Resolution Center. Orlando, FL. Dawn Burlison, (850) 921-2910; e-mail: burlisoa@flcourts.org http://www.flcourts.org

September 16-21 Fifth European Conference on Peacemaking and Conflict Resolution. Katowice, Poland. ECPCR, 48 32 587 536; http://www.ecpcr5isbf.katowice.pl

October 10-13 Association for Conflict Resolution: Coming Together - Community, Connection & Conflict. Toronto, ON, Canada. ACR, (202) 667-9700; e-mail: spidr@spidr.org; http://www.acr.org

October 22-26 Eighteenth Annual International Training Institute and Conference. Portland, OR. Victim Offender Mediation Association, (612) 874-0570; e-mail: voma@voma.org; http://www.voma.org

November 1-3 International Academy of Mediators Conference. Hilton Head, SC. IAM, (416) 250-5050; http://www.aimed.org

NAFCM Members Meet at NCPCR

by Craig Coletta

On June 10, at the National Conference on Peacemaking and Conflict Resolution (NCPCR), NAFCM held its annual membership meeting. Members representing 10 centers gathered to hear about new and continuing projects, offer suggestions, and meet community mediation colleagues.

Also attending the meeting was Tricia McGillis, daughter of the late Dan McGillis in whose honor NAFCM has instituted the Dan McGillis Award to recognize outstanding contributions to community mediation. We would like to extend special thanks to Tricia for attending and being so supportive of our efforts.

Members were briefed on NAFCM’s progress towards completion of the 2000-2001 Hewlett initiatives. They were then asked to brainstorm and note on surveys possible projects for our next grant proposal to the Hewlett Foundation. As always, NAFCM is working to ensure that our initiatives meet the needs and goals of our centers, so member input is invaluable.

A series of questions about potential new projects was recently mailed to members and will also be posted on the listserve. Please take a moment to share your thoughts.
First Training Institute Exceeds Expectations

The National Association for Community Mediation is pleased to announce the successful completion of the first of three Regional Training Institutes. The Institute, which was a pre-conference event of the National Conference on Peacemaking and Conflict Resolution (NCPCR), was held on June 5 and 6 at George Mason University in Fairfax, Virginia. NCPCR, the Just PEACE Training Institute and Summit brought together several hundred mediators and peacemakers from around the world, so it was the perfect location for the Institute.

Funded by a grant from the William and Flora Hewlett Foundation, these Institutes were designed to help community mediation center directors and staff expand their skills, develop new programs, and find ways to increase their centers’ positive effects in their communities. The subject areas for the Institutes, chosen by NAFCM members via survey, included: Evaluation, Center Administration, Program Development, Fund Development, Case Management and Volunteer Partnerships.

Participants were excited to return home and implement their action plans. Additional NAFCM Institutes will be held this year in Chicago, IL on September 14-15, and in Portland, OR on December 7-8 to provide opportunities for center staff in other regions of the country.

Registration information will be posted on the listserv and mailed to all NAFCM members. If you require additional information, please contact Linda Baron, Executive Director, at 202-667-9700 x212 or lbaron@nafcm.org.

Membership Corner

Words About the Web

by Craig Coletta

I’m heartened and flattered that so many members tell me they find NAFCM’s website a valuable resource. I’m also a little embarrassed, because I know it could be so much better.

I taught myself just enough HTML to construct the site. NAFCM’s web intern, Laura Mayer-Somer, can do much more, but even between the two of us, there are too many changes and modifications for us to keep up and make the website the tool it should be.

To help us, NAFCM is changing web hosts. We’re in the process of moving the site to mediate.com, a company that has provided hosting services to the field for the past several years. Sites hosted on mediate.com can use a dynamic web page tool that is, in a word, fantastic. Without getting into too much detail, let me say that this tool will allow Laura and me to make substantial changes very quickly and without worrying about how a change in one area will affect (read: mess up) all the others. We’ll also have more page space.

Since our listserv and web page have been such effective tools for our members, we’re inviting you to make suggestions about how best to use the new space. We’ll be keeping our news pages, updating and correcting our online directory (and adding e-mail links to any centers that want them), and continuing to post job announcements. But we’ll still have lots of room left over. Call or e-mail me with suggestions. I hope that within the next few weeks, NAFCM’s presence on the web will astound us all. Craig Coletta, Coordinator, can be reached at (202) 667-9700 x213 or ccoletta@nafcm.org.

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NAFCM Members Receive Conference Discount

On October 10-13 the Association for Conflict Resolution (ACR) in cooperation with the National Association for Community Mediation will host its First International Conference: Coming Together in Toronto, Ontario, Canada.

Volunteer mediators and staff at NAFCM-member community mediation centers will receive a 30% reduction in the regular conference fee. Note: This offer is only available for the first 100 volunteer mediators or staff, and will be offered on a first-come, first-served basis at the time of registration. Proper verification of volunteer or staff status must be provided. Proper verification includes providing a letter of certification that establishes your status as a volunteer or community center staff member and confirms that this discount will make your attendance possible. This letter should accompany your registration form in order to qualify for the discount.

Full-time students with proper documentation will receive a reduced rate. ACR will also be providing registration discounts to youths wishing to attend the conference. Persons wishing to register as a youth must be under 21 years of age.

For additional information, or to register for the conference, visit the ACR website at www.acr.org. Questions may be directed to Paco Martinez at (703) 685-4130.
Putting Community Mediation to Work

by Steven Dinkins

The Center for Dispute Settlement in Washington, D.C., in collaboration with the George Washington University Law School, has recently re-established the former District of Columbia Mediation Service (DCMS) in the form of a new Community Dispute Resolution Center (CDRC) focused on providing greater access to justice through alternative means of dispute resolution as well as crime and violence prevention in the District.

CDRC's first program is a pilot project established in partnership with the Community Prosecution and Misdemeanor Sections of the Office of the United States Attorney for the District of Columbia (USAO) to divert certain pre-arrest matters and selected post-arrest misdemeanor cases to CDRC for mediation. In pre-arrest cases, the common goal of the USAO's Community Prosecution Section and CDRC is to prevent misdemeanor and potentially more serious cases from entering into the formal justice system by getting the parties to resolve their differences peacefully. If an arrest has already been made, the goal is resolution between disputants without lengthy trials.

The Community Prosecution and Misdemeanor Sections have established a screening and case referral system with CDRC that helps to ensure that only appropriate cases enter into the mediation system. Appropriate cases for mediation include simple assaults, threats, unlawful entry, destruction of property, and certain kinds of second-degree theft as well as similar cases that do not rise to the level of a misdemeanor offense. Inappropriate cases for mediation include felony charges, domestic violence, sexual abuse, child abuse, major violence or threat of major violence and any conflict in which a power imbalance renders an individual incapable of representing him/herself at the mediation. Other factors which USAO and CDRC staff consider when screening cases are as follows: other concurrent or related cases involving the parties; relevant criminal history including prior convictions; and prior record of abiding to mediation agreements reached through the USAO mediation program.

When a case is designated for mediation, a copy of the case file is transferred to CDRC for a mediation session that involves the disputants. A CDRC staff person makes initial contact with the complaining witness and the defendant or defendant's attorney to describe the program, the mediation process, and to schedule a session. If the parties do not agree to mediation, a notice is returned to USAO. If the parties agree to mediation, a date is set, a mediator is selected, and the mediation takes place.

The mediation session is a confidential process. All disputants as well as the mediator sign a confidentiality agreement that ensures that statements made during the course of the mediation cannot be used by either party, attorney or USAO in any later legal proceeding related to the dispute. The mediator also agrees that he or she will not voluntarily reveal any information disclosed during the mediation without all parties' written consent except for information relating to domestic violence, child abuse or a credible threat of violence. The parties also agree not to call the mediator as a witness in any court proceeding and agree not to subpoena documents or information that may be retained in any files of the mediator.

If the mediation results in an agreement in a pre-arrest case, the CDRC Director recommends to USAO to discontinue the case by not pursuing or resuscitating a warrant. If the mediation results in an agreement in a post-arrest case, the CDRC Director recommends to USAO whether to remove the case from USAO's docket or place the case into inactive status. Removal from the docket is recommended in situations where the parties to the conflict have reached an agreement that is sustainable and does not provide for restitution or other requirements such as community service which need to be proactively monitored.

If, however, the agreement contains provisions which need to be closely monitored such as restitution payments, the case is placed on the stet docket (inactive status). If the case remains on the stet docket, the defendant will be required to appear before a Superior Court Judge approximately three (3) months after the initial mediation agreement is signed. At the appearance, USAO will inform the Judge whether or not the defendant has met the terms of the agreement. If the defendant has failed to meet the terms of the agreement, USAO pursues whatever action it deems appropriate, including prosecution. If the defendant has met the terms of the agreement, the case is discontinued.

Upon conclusion of the mediation session, the parties complete a mediation evaluation form and statistical survey. CDRC maintains a copy of the mediation agreement in its files and forwards a copy to USAO. Two months after an agreement has been signed, CDRC sends an evaluation form to the complaining witness of the dispute to determine whether or not the defendant is complying with the terms of the agreement. The CDRC Director informs USAO of any failure to comply and USAO has the discretion to pursue prosecution or re-file the charges.

The USAO and CDRC began its six-month pilot project on July 17, 2000. In the first five months, USAO has referred over 110 cases to CDRC. To date, 43 cases have been mediated with a resolution success rate of nearly 80 percent. Of the cases mediated, approximately 40 percent of the disputants stated that they would maintain contact or a relationship with the other party. Nearly 90 percent of the participants thought the mediation session was satisfactory or very satisfactory and over 95 percent thought that the settlement agreement reached at the end of the mediation session was fair or very fair. Over 40 percent of the participants actually felt more positive towards the other party following the mediation process.

CDRC mediates a wide range of post-arrest and pre-arrest cases diverted from USAO's misdemeanor and community prosecution sections. Below are seven examples of the types of cases diverted to CDRC and the resolutions resulting from the mediation sessions:

Case #1: Workplace dispute between two middle-aged female waitresses resulting in an assault.
Resolution: The defendant agreed to pay...
In the District of Columbia

for medical expenses incurred by the Complaining Witnesses (CW) as a result of the assault. They agreed upon a reasonable reimbursement schedule that was suitable to both parties. The CW agreed to not discuss the initial assault with customers or employees of the restaurant. Both individuals agreed to conduct themselves in a professional manner at the workplace. The CW agreed not to pursue either criminal or civil charges.

Case #2: Intra-family dispute between two members of a family. One member of the family had the other arrested for theft of her vehicle. She had the family member arrested as a means of dealing with the individual’s drug addiction. Resolution: The Defendant agreed to do everything in her power to get into a residential drug rehabilitation program. The CW agreed to take care of the defendant’s children for the duration of the drug rehabilitation program. CW agreed to not pursue criminal charges pertaining to this matter.

Case #3: School-related dispute. Two parents assaulted a school principal because a student was not allowed to go on a field trip. The principal had held the child back from the trip for disciplinary reasons. Resolution: Defendants agreed that they would stay away from the school - that they would not enter the school sounds or school building. Defendant agreed to transfer her child to a new school. CW arranged to reimburse defendant for child’s physical exam so that child could enter new school at beginning of school year. (Apparently the school had misplaced the student’s medical records.) Defendant agreed not to pursue charges.

Case #4: School-related workplace dispute. One employee of the school threatened another employee with bodily harm. The nature of the dispute was over compensation, attendance at work and philosophical differences in dealing with children. Resolution: Defendant admitted wrong and apologized for issuing threats. Defendant also agreed to take court approved drug test. CW agreed to not pursue charges in either criminal or civil court.

Case #5: Workplace dispute. The manager and employee worked for a federal agency. The employee became angry over a disagreement about the number of hours he had worked over the course of a pay period. He threatened to attack the manager before throwing various papers belonging to the manager to the floor as he left the room. Resolution: The defendant agreed to avoid any future physical and/or verbal interaction with the employer. Before finalizing the agreement, the defendant also agreed to meet with a therapist to set up a therapy program. As a result of the meeting, the defendant scheduled a minimum of 12 sessions of anger management and cognitive therapy per the direction of the Therapeutic Intervention Services Center and agreed to pursue any additional treatment as suggested by the professionals at the Center.

Case #6: Neighborhood dispute between two extended families. Two families grew up side by side. The mothers of each family helped raise each other’s children. Over time tensions grew for no apparent reason between two of the girls, one from each family, culminating in a physical altercation. Soon other family members and extended family members came to each girl’s defense until all members of the families were threatening one another. Tires were slashed and threatening remarks were written on the windshield of the car of one of the girls. Resolution: Eleven family members attended the neighborhood mediation. In the end, all the parties agreed to work for peaceful co-existence and agreed to take responsibility for their actions. The two girls agreed that if they had additional issues between them that they would discuss them with their respective mothers before acting irrationally. The parties agreed to request mediation if future problems arose among them in the future.

Case #7: Dispute between university students at a restaurant/bar. One student was standing near the bar at a local restaurant and was apparently struck on the side of the head with a bar glass following a verbal altercation. Resolution: During the course of the mediation, the victim learned that the student arrested for the incident was not responsible for the incident. The defendant explained that another student had reached over the defendant’s shoulder to strike the victim. The victim realized that it was not worth pursuing the matter further with the defendant but asked, if the matter went to court with another individual, that the defendant would agree to provide a written statement describing what he witnessed during the incident at the bar.

With over 30 cases already resolved during the initial five-month period of the pilot project, the benefits of the partnership between community mediation and USAO’s Community Prosecution and Misdemeanor Sections are becoming apparent.

A wide range of disputes and cases diverted through the mediation program are already being more effectively resolved through mediation than through prosecution. In the words of Wilma Lewis, former United States Attorney for the District of Columbia, “(P)arties benefit because the agreed-upon solution results in a more long-lasting resolution of the matter. The criminal justice system benefits as well as it frees up judges, lawyers, and court personnel to spend their limited time on other matters that require their attention. And the community at large benefits when the parties come away satisfied and can put their disputes to rest.”

Minigrants

Continued from page 7

interaction, and landlord/tenant issues.

Community Justice Initiatives, Kitchener, Ontario, Canada was awarded $3,225. The grant will support the Sport Mediation and Reconciliation Team (SMART), which addresses conflicts that erupt in sports.

The next deadline for minigrant applications is September 1, 2001. Applications will be available on the NAFCM website, http://www.nafcm.org and mailed to all program members. For further information, contact Joanne Hartman, Associate Director, at (202) 667-9700 ext. 219; jhartman@nafcm.org.
Evaluation

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Websites
The Innovation Network’s web site provides an interactive evaluation design tool and will review people’s plans for free and provide them with feedback and recommendations: www.immonet.org.


Project STAR Aguirre International has good information for people who want to do a simple “logic model” type evaluation plan. Users can also download files including helpful (easy to read) newsletter-type articles on basic steps of evaluation, an evaluation toolkit, and basic instruments in electronic form. This site was designed for Corporation for National Service grantees: www.projectstar.org.