



Heartland Mediators Association

Newsletter for Midwest Mediators

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P.O. Box 14971

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2010 Heartland Mediators Association

Awakening the Mediator Within Is Ken Cloke's Major Effort

Ken Cloke is a California native who admits to being 68 and a half, "because my grandchildren like the one-half."

When asked what would be the most important things learned by spending two days with him, he paused, then he said "First of all, we are the source of our own passion for this work and when we find it, we see this beautiful, complex, difficult, intricate, compelling and far reaching work where we have only scratched the surface for what we can do."

What he said he means by that is the center of every problem is inside oneself. "You are simultaneously the scientist and the little mouse watching things go on."

Second, "You can use yourself as an example to discover -- no matter how bland -- what's going on in others."

And third, "every large and grand issue boils down to something tiny that is almost unnoticeable."

Respect is something that can be transformed to how you talk to someone as you regard them as an opponent.

And with these tiny steps, he said we can transform gigantic systems.

Even the smallest gesture -- a tiny shift in tone of voice can change things for the better.

The fourth thing, he said "because we have developed these skills and the world seems to need them we have the responsibility to improve on them and pass them on."

Cloke, a lawyer and law professor as well as mediator, consultant and trainer, came up with the idea of a group to do just that -- pass on skills by helping in the world.

continued on page 2

Spring Conference April 15-16

Heartland Mediators Association will present almost two days with Kenneth Cloke on the KU Edwards Campus, Regnier Auditorium, Overland Park, Kansas.

Cloke, Director of the Center for Dispute Resolution, Santa Monica, Calif., and a mediator, arbitrator, consultant, and trainer, is president of Mediators Beyond Borders. A prolific and widely respected author, Cloke is one of the great creative thinkers in the field.

He will be the speaker for the entire conference and will be available for discussions and networking during the evening break and the luncheon on Friday. Kansas CME hours, Missouri CLE hours and SHRM hours have been applied for.

Cloke is a specialist in resolving complex, multiparty conflicts including community, grievance and workplace disputes, organizational and social conflicts, sexual harassment and discrimination lawsuits. He works to resolve and to educate mediators on public policy disputes and designs conflict resolution systems for organizations.

His published works include journal articles and several books including: *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, *Mediation, Revenge and the Magic of Forgiveness* and *Mediating Dangerously: the Frontiers of Conflict Resolution*. His latest book, *Conflict Revolution: Mediating Evil, War, Injustice and Terrorism*, was recently published by Janus Publications.

continued on page 2

Awakening

continued from page 1

Mediators Beyond Borders was organized in 2007 and had its first congress in 2008. Members of the organization offer their skills as volunteers to do a little bit around the world.

"You can be a member and not be obligated to travel," he said. Members and teams of mediators have been in Haiti, Liberia, Sierra Leon, Zimbabwe the Middle East, Nepal, Ecuador and Columbia.

"We've even had members working in New Orleans."

Many ways support can become a reality, he said, "a hundred mediators went to the Copenhagen climate change conference to see that mediation might be included in the final agreement."

How do you mediate evil? Create a definition of evil to be able to do something, he said. Usually we

magnify the power of a problem so it becomes impossible to contemplate. But when you offer a definition you break it to the smallest possible size.

Inability to find the other in the self, he said is when we fail to see. It must be dismantled at the source.

Often how we look at conflict is "an externalization of my pain" and a reflection of the same.

"If I really understood the other person I wouldn't have to act it out or revisit it on them," he said. There are many difficult forms of evil to grapple with.

Element of evil – functional definition what does it do for you to describe someone as evil. It gives you permission to do evil to them.

Precisely by dismantling your empathy and compassion, you find the tools to deal with it.

"Phase of evil – accusation as

confession – every insult you level points to something inside the one who makes it in the deepest place where the conflict lives," he said.

On the topic of workplace conflict, Cloke said work conspires to keep us from being authentic on multiple levels. Being authentic would mean we would be honest with ourselves. "We wear masks at work. The penalty for wearing a mask is that you have to wear it."

Cloke said most of us develop sophisticated defenses against vulnerability that diminishes ourselves because we have to conform to some one's demands and desires.

During the 1980, collaboration and teamwork flattened hierarchies and similar organizational systems whose consequences allowed us to be more who we are at work, he explained. "Our parents didn't enjoy that privilege."

On one hand there's an end of management and birth of organizational democracy and now the development of situational processes and technologies.

This came out of internet start-up companies that were innovative and creative work places.

On the other hand, as a result of the economic crisis there is a tendency to reduce work to financial bottom line ignoring the fact that there is a creative bottom line, ethical bottom line and humane bottom line. Those bottom lines run through every work place.

With some 20 million in poverty, society develops what he calls compassion fatigue.

"All of us are special. We have two ways to do things – look out for number 1 or we're all in this together."

We can determine which way we want to go by spending almost two days with Ken Cloke on April 15-16 in Overland Park, KS

Linda Laird is Secretary of HMA and edits the newsletter.

Spring Conference

continued from page 1

Cloke is the president of Mediators Beyond Borders and has worked in international conflict resolution in countries ranging from Austria to Zimbabwe. He has taught at University level subjects including law, mediation, political science, conflict, and urban studies at such diverse institutions as Antioch University and Strauss Institute at Pepperdine School of Law, and Harvard College.

The conference at a glance: Registration is Thursday April 15 is from Noon to 1 pm with the first session beginning at 1 p.m. "The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution" ends at 4:30 p.m., A social hour follows.

"The Art of Waking People Up: New Approaches to Preventing and Resolving Conflicts at Work" begins at 6 p.m. and ends about 8:30.

Friday's first session begins at 9 a.m. with "Techniques for Managing the Dimensions of Conflict," with sessions on "Conflicting Resolution and the Law, Overcoming Barriers of Communication and Language," "Neurophysiology of Conflict: Bringing Oxytocin into the Room," and "Techniques for Transforming Conflict Stories: the Narrative Structure of Conflict Communication."

At noon a lunch will be served while HMA gives its Annual Awards.

The afternoon sessions begin at 1:30 with more sessions: "Negotiating Relationships: From Settlement and Resolution to Forgiveness and Reconciliation," "Understanding the Limits of Dispute Resolution and Conflict Transformation in Shadow of the Law."

Cloke's final session will be a futuristic look ahead at the field for "Global Challenges in Conflict Resolution: New Approaches, New Horizons."

Contact HMA Executive Director Janet Lhuillier for much more information.

President's Message -- 'Put Your Mediator's Hat on Ken Cloke Is Really Coming to Our Town!'

Put Your Mediator's Hat On...Ken Cloke is Coming to Town.

Thanks to Patrick Nichols and a hard working Board of Directors, Heartland Mediators Association (HMA) has put together a dynamic program for this year's HMA Annual Meeting April 15 and 16, at the KU Edwards Campus in Overland Park, Kansas.

Rather than the usual one-hour workshops, HMA will present an intense, interactive venue with Ken Cloke.

Ken Cloke is considered a leader (if not THE leader) in the field of conflict resolution. He is a published author penning several books and articles on dispute resolution. And, not just in the United States. He is President of Mediators Beyond Borders. From Austria to Zimbabwe he has been spreading the word regarding affective conflict resolution.

Ken will take participants on a journey beginning with the current status of conflict resolution, conflict at work, conflict resolution and the law, and wrapping up on Friday with "New Approaches, New Horizons."

His workshop "Neurophysiology: Bringing Oxytocin Into the Room" is particularly intriguing to me. If you know what oxytocin is, you will understand why the title intrigues me.

Not only are Ken's workshops worth the price of admission, participants will have ample opportunity to meet with Ken and network with other mediators as well. Living on the edge of the prairie, it isn't often we mediators have an opportunity to meet with like minded individuals. So, fill out the registration form, send us your registration fee, and prepare yourself for one heck of a journey.

Bob Williams, president HMA

Consensus Might Be Simple as Straw Poll or Speed Dating?

Coming to consensus could be as simple as taking a straw poll or speed dating. Maybe.

More than 20 HMA members joined the ADR section of the Kansas Bar Association for a day of "Breaking the Gridlock" on November 20, 2009, at the Wichita Hilton Airport. The turnout over all seemed smaller than usual but that didn't stop the attendees from enjoying the effort.

The title seemed a bit misleading because Public Policy and Land Use didn't quite fit the entirety of the program even from Steve Zikman who gave the title presentation from 9 a.m. to noon.

He offered some ideas that might help most mediators through use of collaboration, consensus building and environmental mediation. He taught use of such things as "World Café" "Open Space, open dialogue" and deliberate poll which can affect how people perceive events or actions. He also taught form of dialogue that came from the inspiration of speed dating.

After lunch, Gary Flory, JD, of the Great Plains Consensus Council took the floor to discuss "Structuring Facilitated Dialogue in Public Disputes."

The "roadmap" for multiparty and public disputes was illustrated based on the scope of any problem.

He offered a test for consensus and agreement that might bring more to agreement. One method was a graduated straw poll asking who could live with such an arrangement.

Also on the program that day was Katherine L. Kirk who illustrated her trip into "Comparative Law –ADR in Jordan: A Measure of Peace in the Middle East?" Her slides of the area and her definitions were enlightening.

Larry R Rute, Associates in Dispute Resolution, Topeka offered "Confidential & Good/Bad Faith in Mediation: Statutory Requirement, Case Law & Ethical Rules Important to Mediators."

As most mediators know, confidentiality is the bedrock of successful mediation. Rute went carefully over the statutes as they read. Both good faith and bad faith ideals were discussed.

The final portion of the day was spent with Art Thompson on ethics, baseball and silver bullets.

Linda Laird, Secretary HMA

Heartland Mediators Association

P.O. Box 14971
Lenexa, KS 66285

HMA SPRING CONFERENCE REGISTRATION

Name: _____

Organization: _____

Mailing Address: _____

City: State: ZIP: _____

Phone: _____ **eMail:** _____

I am a member of HMA Yes _ I wish to become a member of HMA now Yes _ No _

I am a member of SHRM Yes _

**I am attending at the early bird rate: Full Conference (\$180) _ Thursday Afternoon Only (\$55) _
.. Thursday Evening Only (\$55) _ Friday Only (\$85) _
(Add \$20 after April 4)**

**I am not a member but I am attending: Full Conference (\$250) _ Thursday Afternoon Only (\$75) _
Thursday Evening Only (\$75) _ Friday Only (\$135) _ (Add \$20 after April 4)**

I am a student and I am attending the full conference for \$90 _

Special Dietary Needs: _____

Payment Method

Check Enclosed Amount: (payable to Heartland Mediators Association)

Visa, Discover or Master Card Amount to Charge: _____ **Expiration Date:** _____

Card #: _____ **Name of Cardholder:** _____

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