



Heartland Mediators Association

Newsletter for Midwest Mediators

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President's Message

by Ronnie Beach

Dear Mediators:

As June began to heat up, your Board of Directors met for the first time on June 30 in Topeka. You will find their names and contact information in this newsletter. Help us by providing any board member your thoughts and ideas on ways we may make HMA a stronger and more viable organization. *How can we better serve you?*

Our annual fall training is scheduled to take place in the **Wichita area on October 19**. So please mark your calendar and reserve that date. More details will follow about the exact location and line-up of speakers. As always, we will provide lunch starting at 12:15. Lunch is included as part of your modest registration fee and the training will begin at 1 pm. and conclude at 4 pm. Please plan to attend to help build your skills, network with mediators from across Kansas and Missouri and earn your three hours of approved CME credit.

Many of you were able to attend our annual conference this spring. It was in conjunction with the 5th Biennial Four-State Regional Mediation Conference in Overland Park on April 19-20. We enjoyed a record attendance of 165 registrants. One of the greatest challenges was picking which session to attend, as we had four different presenters running concurrently. Dr. Chris Guthrie, our keynote speaker was well received. We received the generous support from 10 corporate partners. We want to give a special thank you to Baker University for their role as our major conference sponsor. Again, I want to thank the conference planning committee, which had representatives from each state, for their excellent work and significant time commitment for creating such a successful conference.



Outgoing president Janet Lhuillier and Incoming President Ronnie Beach

Finally, I want to let you know that the Board is considering expanding our role and membership. Many members provide services well beyond mediation. Some provide case management or often referred to in the literature as parent coordination services, some do supervised visitation (facilitated access) or some child custody evaluation, etc.

Many professionals like social workers and other mental health professionals have mediation as a part of their practice. We are exploring inviting these professionals and others into our organization. Share your thoughts with any member of the Board and let them know how you feel about expanding the organization.

What about a name change? Please let us know what YOU want to happen with YOUR organization.

Enjoy the newsletter! ❖

**Watch your
emails for
further details on
the October 19th
Training to be
held in Wichita.**

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They Came, They Learned to Think Through "Mind Games"

The Four-state regional conference had nearly 170 participants from Kansas, Nebraska, Iowa and Missouri together for *Mind Games: The Psychology of Negotiation*, April 19-20 at the KU Regents Center, Overland Park, Kansas.

Chris Guthrie, Associate Dean of Vanderbilt University Law School, was one of more than 20 professionals offering strategies in mediation from domestic to civil to self-care.

The 2007 regional conference also implemented the Heartland College of Mediators, where presentations qualified for entry and recognition as a member of the College.

The Four State Regional Mediation Conference is very pleased and grateful to Baker University for undertaking this significant role in ensuring the success of the conference. This is just another example of their commitment to the profession and support of dispute resolution training and education. HMA also wishes to thank all others who added their sponsorship to the conference.



Thank you to the following conference sponsors:

Diamond Level

Baker University

Silver Level

KIPCOR

Manson & Karbank

Bronze Level

Payne-Jones Law Firm

**Cooperative Parenting Center
Associates in Dispute Resolution**

**Roxanne Emmert-Davis, LMSW
Community Mediation Center**

Contributor

**Johnson County Community College
Ann Zimmerman**



President's Award Recipients from Kansas and Missouri

Ken Grotewiel, Deputy Director of the Kansas Water Office, and the **Center for Women in Transition and Restorative Justice Initiative** in Missouri were awarded Heartland Mediators Association 2007 President's Award.

The President's Award is given to individuals and organizations that have increased the public awareness of mediation in their state. The HMA Board chose an individual for Kansas and an organization for Missouri. The awards were presented at the Heartland Regional Conference at the annual HMA award ceremony April 20 at the KU Regent Center, during the two-day regional conference sponsored by mediation organizations from Kansas, Missouri, Iowa, and Nebraska.

KEN GROTEWIEL is the deputy director of the Kansas Water Office and an advocate for the use of dispute resolution in government related disputes. Prior to taking the Water Office job he was head of the consumer affairs division of the Kansas Insurance Department. While at the Insurance Department, he initiated a mediation project to handle consumer complaints against insurance companies.

When he took the Water Office position, he organized a planning

process to discover the potential of dispute resolution to natural resource related disputes. A committee was formed, a report developed (Alternative Ways of Resolving Natural Resource Conflicts) and a presentation made to the Governor's Natural Resources Sub-cabinet. In 2005, that group endorsed the concept of using dispute resolution to help resolve natural resources disputes.

Grotewiel then obtained a grant to fund a series of training seminars for select staff of the natural resources related state agencies. Training sessions began four years ago and continue to offer a variety of dispute resolution seminars in a variety of topics. The Kansas Water Office obtained an increase in their budget to fund the use of dispute resolution services for natural resource related disputes.

Another grant to fund training of local water related agencies was located and a series of five seminars using different trainers was facilitated. While all of this training was being provided, Ken was also using dispute resolution with disputes across the state. Since 2006, the office provided facilitators for the five area Kansas Association of Conservation Districts (KACD) to discuss the implications of budget-required changes.

He also helped with obtaining a facilitator to assist the Kansas environmental education community to develop and implement a statewide Environmental Education (EE) Plan. This plan provided direction for teachers, education and natural resource agen-

cies, informal educators, business and industry stakeholders, and Kansas citizens in guiding delivery of environmental education.

Grotewiel has also served on the Supreme Court's Advisory Council on Dispute Resolution and is an important example of how one person can make a major difference in encouraging the use of dispute resolution within their profession.

THE CENTER FOR WOMEN IN TRANSITION (CWIT), founded in 1997 in St. Louis, first served incarcerated non-violent women offenders as they were re-entering society through a mentoring program and provision of resources and referrals for a year after release. Because of the program's success, some courts are now diverting women non-violent offenders to CWIT's program as part of probation. CWIT recently opened a satellite office in Franklin Co. The recidivism rate for the women in CWIT's program last year was 1 percent.

CWIT has been committed to Restorative Justice since its founding and, in 2002, a Task Force of CWIT's Board began developing a Restorative Justice Initiative under the leadership of CWIT founder and current Board member, Sister Sharon Schmitz. In November of 2005, Nina Balsam was hired to implement the three-year Initiative. The goals of the Initiative are to promote awareness of, buy-in for, and programming involving Restorative Justice in the state of Missouri. A Coalition of stakeholders was convened to assist with this effort.

Highlights of the outreach work of the Initiative in the last two and a half years are a Restorative Justice

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Janet Lhuillier and Ken Grotewiel

Barry Carroll Receives Acorn Award

2007 HMA's Acorn Award winner was Barry Carroll. The Acorn Award recognizes an HMA member for their work in the association and in the field of mediation. He was member of the HMA board for so long that while he was a member he could not be nominated for the award.

In 1989, when HMA was founded the members traded off being president but Barry agreed to be treasurer and he did such a great job, that HMA almost gave him the Treasurer title for life. He was treasurer for at least 10 years and we want to recognize him for his long standing service as treasurer for HMA. HMA knew that Barry's solid money management was keeping the association on track .

Barry is one of the founding group of HMA that actually created the Acorn Award in the first place. The history of the Acorn Award is that the early group was searching for a way to pay homage to the late Judge Herbert Walton, without whom the mediation movement in Kansas might never have happened.

Here are several comments about Barry, . .

"I first met Barry in 1989 at the Heartland meeting in Emporia. He was totally sold on mediation and was busy using his mediation skills because he worked for the city of Wichita and was involved with citizen complaints. His mediation skills were getting a work-out while doing lots of neighborhood work."

"Barry was always open to fostering new mediators and supporting his colleagues in the Wichita area. He helped in starting the First Friday mediator peer group in Wichita."

Barry was president of HMA during the 1998-1999 term which was the first year for the Heartland Regional Conference.

Barry is a wonderful individual, whose tireless effort have supported the growth of mediation in Kansas This is a long over due recognition and we are proud to have extended the award to him this year.

Bill Ryan Is Volunteer of the Year

Bill Ryan received the HMA 2007 'Margaret "Peg" Nichols Volunteer of the Year Award' for distinguished service and commitment in the practice of conflict resolution.

Bill's areas of mediation include: community, Small Claims, campus/ higher education, victim/offender, church/congregation and police/citizen complaints. He has been involved in conflict resolution, multi-party facilitation, and mediation in various cross cultural settings, in rural, small-town, inner-city/urban core, and suburban settings as part of his professional work since 1966.

Bill is a long time mediator in the metro area and volunteers at the KCMO Human Relations Department, the Community Mediation Center in Independence, MO, and at the Small Claims Court in Johnson County Kansas, and co-coordinates the Kansas City Metro First Friday Group.

He pursued advanced continuing education in conflict resolution since 1979. From 1985 to January 2007 Bill has more than 440 continuing education hours in mediation, conflict resolution and related areas plus more

hours in certificate programs and advanced programs.

Bill Ryan was always ready to volunteer in both states and all volunteer agencies relied on him to help their mediation center be a success. Bill is so respected in the area of mediation and so highly thought of in the mediation field, it was like this award was created for him.

President's Award

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Conference, co-sponsored by the Community of Christ, with five internationally known keynote speakers, 32 workshops by experts in the field, and 450 registrants, and a Juvenile Justice Conference, co-sponsored by the Missouri Department of Public Safety, that attracted personnel from more than half of the Judicial Circuits in the state.

Various other outreach efforts included forums in various parts of the state, articles in professional magazines, and interviews, editorials, articles and letters in a variety of media. In addition, a variety of new restorative justice programs have been started during the term of the Initiative, including new Victim/Offender Dialogue programs in Juvenile Courts and one in an adult court, a Community Justice Center in St. Louis, and a Victim Impact Panel for domestic violence cases. Research conducted in conjunction with the Initiative shows that knowledge of and buy-in for Restorative Justice has increased over the last two years in a number of the stakeholder groups.

Remember The President's Award will be given again in the spring of 2008. Any member of HMA may nominate a person or organization – for this award.

Heartland Mediators Association Peer Mediation Awards in Both States

Student mediators and their instructors from Santa Fe Accelerated Elementary School, Kansas City, MO, and Shawnee Heights Middle School, Techumseh, KS, received the 2007 Peer Mediation Awards given by HMA to schools that have increased school awareness of mediation and have a successful peer mediation program in their school.

The awards were presented at the Heartland Regional Conference of Mediators at the annual HMA award ceremony April 20 at the KU Regent Center, Overland Park, Kansas.

The Santa Fe Accelerated Elementary School's Conflict Mediation team began in the school year 2005-2006. A cadre of 24 students (4th and 5th graders), were recommended for a day of training with Dr. Russ Thompson, our school counselor and the Conflict Mediation sponsors Tonya Bass and Kathy Reese. The students were chosen based on their citizenship and school community relationship. They spent the day establishing the ground rules, defining the role of a mediator and role-playing the process of peer mediation. Each child signed a contract to establish their commitment to the process.

Year two of the program was created through the leadership of our now fifth grade students who trained our incoming fourth graders. Our new fourth grade nominees spent a day with our fifth grade Conflict Mediators practicing the art of Conflict Mediation. Our Art teacher, Mrs. Adrienne Edwards spearheaded the second year of the initiative along with our Counselor Mrs. Gina Kemp.

Santa Fe is honored to have 17 peer mediators working with assigned grade levels. These students have worked intensely to solve over 18 problems this year never having to revisit any conflict. Out of the eighteen conflicts resolved with mediators, students requested eleven. Because our mediators guarantee confidentiality, their peers feel safe relying on their leadership.

These students are role models for the entire building, leading with behavior and academics. Some Santa Fe students feel that conflict mediation is valuable because, "a lot of people cannot control themselves and it's good to have someone to help solve problems". Other students look up to the mediators often changing their behavior for a chance to participate the following year.

For contact information to learn about how to start school mediation programs in your area call Dr. Diana Swezy, Principal or Adrienne Edwards at Santa Fe Accelerated Elementary School at 816-316-7950.



The Shawnee Heights Middle School Conflict Management program was implemented over 10 years ago and has been a very successful tool for students and staff. Each year,

20-30 students are trained to work as facilitators in the program. Conflict Managers work in pairs and assist disputing students in the peaceful expression and resolution of their conflicts by using a prescribed problem-solving process.

Administrative support is a critical piece for any program and our administration and staff have been very supportive of the process over the years. It is a win-win situation for everyone when we empower students to take responsibility for themselves and their actions.

This year a Bully Prevention Program was introduced along with a comprehensive policy that responds developmentally and educationally to middle school students who are involved in bullying, harassment, and intolerance issues. Through interactive classroom presentations, small group discussions and one-on-one support, students can learn to recognize the differences between conflict, bullying, harassment and intolerance.

Students involved in any of these types of conflict are required to attend a Respect Circle. It is in this setting that students are taught to problem-solve other ways to handle conflict, address the consequences of their actions, brainstorm positive alternative solutions, and discuss/address harm caused to self and/or others.

For contact information to learn about how to start school mediation programs in your area call Nancy Taylor, a counselor at Shawnee Heights Middle School at 785.379.5830.

Peace Center Offers Victim/Offender Resolution

Following a recent victim-offender mediation involving a 12-year-old female who was charged with breaking into a neighbor's recreation vehicle and trashing it, the juvenile's "victim" made the comment "I am no longer angry now that I have all of the information."

Comments like that are not unusual following our Victim Offender Mediation Project (VOMP) mediations. The mediation process is all about healing and repairing the harm caused by a juvenile offense.

The Topeka Center for Peace and Justice (TCPJ) provides a unique, cutting edge alternative method for dispute resolution via victim offender mediation.

Victim offender mediation is based on "restorative practices," a theory of justice that emphasizes repairing the harm caused or revealed by criminal behavior. The fundamental unifying hypothesis of restorative practices is based on the fact that human beings are happier, more cooperative and productive and more likely to make positive changes in their behavior when those in positions of authority do things "with" them, rather than "to" them or "for" them.

The goal is to provide an environment in which everyone involved can come together, repair the harm, and meet their own needs.

In victim offender mediation, under the guidance of a trained mediator, juvenile offenders meet face to face with their victim(s). Juvenile offenders are held directly accountable for their actions and often feel empathy for their victims for the first time when they realize how their thoughtless acts hurt others.

Summary of Victim Offender Mediation Referrals for 2006

143 juveniles referred
 198 victims
 \$14,433 in restitution to victims
 1642 hours of community service
 697 hours donated by volunteer mediators
 (based on average of 1½ hours per session)

Demographics of Referred Juvenile Offenders

10-14 years of age	43	Male	117
15-18 years of age	100	Female	27

White	92
Black	29
Hispanic	14
Native American	2
Asian American	2
Unknown	5

NOTE: VOMP does not track income levels, age/race of parents or victims.

Juvenile Offenses January 1, 2006-December 30, 2006

Agg. Burglary	2
Agg. Robbery	2
Arson	5
Assault	2
Assault/Battery on LEO	9
Att. Burglary	7
Battery	20
Burglary	21
Burglary (felony)	1
Burglary (MV)	14
Cons. To commit theft	2
Criminal Damage	110
Criminal Trespassing	10
Criminal use of weapon	3
Disorderly Conduct	3
Endangering Child	1
Falsely Reporting Crime	2
Giving false alarm	1
Obstruction	8
Theft	32
Theft (felony)	4
Theft (mail)	1
Theft by deception	2
Theft of Services	4
Total	266

Some JOs are charged with multiple offenses.

Victims have a chance to “tell their story” and ask the offender questions about the crime, which often gives them closure and peace of mind. The victim, offender, and mediator work together to develop a personally meaningful restitution plan. Juvenile offenders have the opportunity to repair the harm they caused the victim and the community, reaffirming them as part of the larger society and decreasing the likelihood they will re-offend. The recidivism rate for juvenile offenders is less than 1 percent.

Victim offender mediation is open to all juveniles and their families in Shawnee County at no cost. Referrals are received from Court Services, Community Corrections, churches, schools, and social service agencies throughout Shawnee County.

Following each victim offender mediation a post mediation survey is completed by the victim, juvenile offender, and the juvenile offender’s parents. Survey results for 2006 indicate that 90 percent of the juvenile offenders wanted to meet their victims and 93 percent indicated that following the meeting they now understand how their actions affected the victim. Once a year the coordinator receives a listing of juvenile offenders which are cross-referenced with the victim offender mediation case log to determine if juveniles who have been in the program have committed an additional offense.

VOMP relies on a pool of 25 volunteer mediators. All of the volunteer mediators are Kansas Supreme Court

approved mediators. In exchange for their many volunteer hours, TCPJ offers several 3-hour CMEs free to volunteers throughout the year.

VOMP is strictly grant supported and is grateful for support from The United Way of Greater Topeka, Juvenile Justice Authority, Capital Federal Savings, Kansas Bar Foundation.

For more information contact Topeka Offender Mediation Project, Bob Williams, Project Coordinator, 1248 SW Buchanan, Topeka, Kansas, 66604, 785-232-4144, vomptcpj@yahoo.com

Bob Williams is an at-large member of the HMA Board of Directors and a court approved mediator and mentor mediator.

Role Play Option for OJA Approval for Domestic Mediators

Kansas’s Tenth Judicial District’s Domestic Court Services (DCS) has received the endorsement of the Kansas Office of Judicial Administration (OJA) to conduct a one year experiment providing structured role plays in lieu of real life cases for new mediators seeking OJA approval for domestic mediation. This project is in response to the frustration of new mediators throughout the state in finding sources for co-mediation opportunities to meet the approval requirements.

DCS has more than 20 years experience in providing domestic mediation services to the families of Johnson County. More than 9,000 court ordered mediation cases in addition to 2,500 follow-up mediations have been conducted by DCS staff. As a result of this experience, its staff has

provided significant leadership, training, and continuing education to the field. Since 1996 DCS formal clinical mediation programs have expanded from the original 6-case internship to include a 3-case co-mediation option and an advanced format for experienced mediators.

Potential students for the role play option will need to live more than 50 miles away from Olathe (students living less than 50 miles from Olathe will need to take other clinical options offered by DCS), and have completed OJA approved classroom training (questions about classroom training need to be referred to Art Thompson, OJA Dispute Resolution coordinator).

The student’s orientation and three role plays will take place in a

two-day period, typically a Friday and Saturday. A fee of \$800 is required to meet some of the costs of the project. The student will be responsible for their own travel, lodging, and meal expenses.

Role players will be recruited from OJA approved mediators in the Johnson County area. They will receive a stipend for their services. They will be expected to attend an initial orientation to their function on the project.

Questions and more information about the role play project can be directed to Evan Ash at evan.ash@jocogov.org.

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**Thank You to to the following members of Regional Conference Planning Committee
for their hard work and dedication. It was a Great Conference!**

Ronnie Beach, chair

Kelly Riley (Nebraska) • **Steve Schodde** (Iowa) • **Kathleen Bird** (Missouri)

and from Heartland Mediators Association –

Bob Williams • **Deborah Medlock** • **Janet Lhuillier** • **ElGene Ver Dught**