



Heartland Mediators Association

Newsletter for Midwest Mediators

August 2009, Vol X, No. 2
P.O. Box 14971
Lenexa, KS 66285
913-956-7620

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2009 Heartland Mediators Association

President's Message

The "new" HMA Board of Directors conducted their first meeting on May 18 at KIPCOR in Newton. I am impressed with the new Board members, they have much to offer HMA...it was a good meeting.

Our work plan for 2009-2010 involves creating a new website, increasing membership (and membership benefits), increasing HMA advocacy efforts, and expanding HMA educational offerings.

The HMA website has needed updating for some time. While the format of our website is sound, it has been neglected over the past several years and is in need of updating. HMA has hired a web-master to help with the web design.

The goal is to make the web site more interactive which would allow for payment of dues and CME programs on line. We would also like to reactivate the various interest groups which would allow members to discuss cases and gain feedback via our website.

As many of you know, mediation is not utilized in Kansas and Missouri as much as it is in other parts of the country. This is not to say there isn't a need for mediation as much as people are simply not aware of the benefits of mediation and/or the availability of programs.

There are a number of great mediation programs throughout the state which appear to be a well kept secret. HMA would like to collect information on all the mediation programs available in the states and highlight them on the HMA web site.

Once that is established, we will have a better idea of what is available in the state and can begin to promote those programs to policy and decision makers. The Board discussed promoting the use of mediation in foreclosure proceedings, promote the use of mediation prior to a lawsuit being filed, promote/encourage employment mediation prior to the filing of

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Mediation at crossroads with need for mediators to organize and educate

The future of mediation is bright, but it is at a cross roads.

Mediation is quicker, cheaper and more efficient for business, families and other areas but it isn't used as often as it probably ought to be.

And that's due to mediators themselves who aren't as organized to educate the general public about the definition of mediation according to Michael Colatrella Jr., one of three authors of a textbook on mediation.

"Mediation: Skills and Techniques," published by LexisNexis Group in 2008, was written while Colatrella was teaching in the mediation program at Baker University, Overland Park, Kan.

"The gatekeepers know the value of the process but the general public doesn't know or understand," he said. "Mediation means so many things to so many."

He said he didn't have anything against mediator associations or groups but that these groups need to bring about communication with everyone in general.

The book is a graduate text meant to move mediation down the road so students might be better professionals at the process of conflict resolution. It is used as a textbook in 12 universities including Tufts School of Law.

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President's Message

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a complaint, and setting standards for training in the area of employment mediation.

The HMA Board will also begin to track developments in other states regarding the promotion of mediation.

The HMA Board also discussed CME programs. A program on high conflict mediation cases was discussed as well as a program whereby participants would be sent a case prior to the CME and discuss the case in detail at the CME.

The HMA Board is in the process of planning a retreat in

September and a fall program for members. Watch for information on dates, time, and location of the fall program.

Lastly, and most important, the HMA Board welcomes input from the membership. Would you like to participate on a task force?

Do you have an idea for a CME program? Please let us know what you think HMA should be doing to promote mediation opportunities in Kansas. Contact our Executive Director Janet Lhuillier at HMAOrganization@everestkc.net or your president at kansasdo@aol.com.

*Bob Williams, M.S., President
Heartland Mediators Association*

From the ED's Desk

I am still in the process of advancing my skills to be a good Executive Director for HMA. There is a lot to learn and I love the challenge.

The renewal letters have been mailed for the 2009 - 2010 membership year. I am now updating the membership database so we can add it to the new HMA web site.

I believe we have a great relationship with training facilities in Missouri. When they contact me to request that I forward their training to our membership, I advise them to request Kansas continuing mediation education hours from Art Thompson to help fill their workshops plus benefit our members.

I love working with all of you. Contact me any time with ideas on web site changes, how to make the web site better or ideas on how to enhance communication with you. I am in this position to support you in any way I can.

Janet

You can find HMA by telephone at 913 956-7620 or by email at HMAOrganization@everestkc.net or HMA, PO Box 14971, Lenexa, KS 66285

Mediation at Crossroads

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Colatrella, an attorney, said the book is written for both law students as well as social science mediators.

"It's more of an interdisciplinary work," he said. "Our fear was that it would be so broad neither the law or the social science areas would want it, it is sophisticated."

What he said they wanted was a book that would offer the basic skills.

"And mediation is a skill not a talent," he said. "Everyone can benefit from mediation training."

His co-authors are Laurence J. Boule, BA, LLB, LLM, PhD, professor and associate director of the dispute centre and acting dean, School of Law, Bond University and an accredited mediator with the Queensland Supreme Court, practicing in family, franchising, commercial leasing, work place, and organizational education. His books on mediation and other topics have been published in seven countries.

Anthony P. Picchioni, PhD is the Chair of Southern Methodist University's Department of Human Development at the Annette Caldwell Simmons School of Education and Human Development. He practices in the areas of family, commercial, work place, and organizational mediation. Dr. Picchioni is a therapist who has worked in private, group and hospital practice settings.

Michael Colatrella, JD, LLM, is now assistant professor of law at the George School of Law at University of the Pacific, Sacramento, Calif. He was director and senior lecturer nine years at Southern Methodist University's Center for Dispute Resolution and Conflict Management in Plano, Tex. He has been a court approved mediator practicing in work place, commercial, consumer fraud, personal injury and commercial lease mediation.

Have you renewed your membership for the coming year? Be sure to respond to the recent letter so you may be able to continue receiving the newsletters, notices, and HMA website access.

A dues form may be found on the back page or on the webpage at www.heartlandmediators.com

The 'How' Much Easier Than the Why for This Member

How I became a mediator is a lot easier to answer than why I became a mediator.

After retiring for the second time I suspect I was getting on my wife's nerves as I looked for something to do other than messing around the house. When I consider the trouble men can get into when they have time on their hands it doesn't surprise me that my lady pointed me towards an advertisement for mediation training and "suggested" it might be something for me to occupy my time.

My previous work experience had been in information management and data security; jobs not known for interpersonal awareness or relationship development. But I had also managed a small business and had taught first and third year students at a large medical school and was aware that if you want to enjoy being with people you have to know how to relate with them.

Core mediation training introduced me to (for want of a better word) the fun of being able to help others resolve their conflict. Additional training improved my skill at recognizing, understanding and guiding solutions in a variety of

settings and still I was having fun while helping to resolve issues. Issues that I might walk away from wondering how individuals could get themselves into such situations but knowing that I had been able to lead the parties to a mutually acceptable resolution. They might not be fully happy with the final decision, but they had made the decision for themselves. While I often wrestle with the process of resolution I have not lost the satisfaction and the feeling of fun I get when an agreement is reached.

During my short career in mediation I have met some wonderful mediators, encountered interesting issues and come to realize that mediation never stops learning and relationships are the glue of our society. Mediation is hard work leavened by an ever widening awareness and I'm grateful that I listened to my wife when she "suggested" I needed something to keep me out of mischief.

Wayne Olsen of Dispute Mediation Services Emergency Management & Business Continuity Programs may be reached at 913-660-4090.

Giving Back during School Continues Long Afterwards

I first became involved in mediation as an undergraduate at Washburn University in 2002. As an Americorps volunteer, I was placed with the Topeka Victim-Offender Mediation Project. I completed core mediation training and volunteered several hours a week, participating in mediations, collecting data, and working on various projects.

Much has changed since then! I graduated from Washburn with a degree in political science then received my law degree from the University of Kansas School of Law. Recently I completed a 2-year clerkship with the Kansas Supreme Court.

Now I volunteer as a parent-adolescent mediator. These mediations last at least an hour per session and consist of at least four sessions over several weeks. Adolescents are often ordered to participate for a variety of reasons, including truancy or battery on a family member.

The Parent Adolescent Mediation Project has recently moved back to its roots as a part of the prevention programs of Kansas Childrens Service League where it was first developed more than two decades ago.

Parent-adolescent mediation is defined as "an opportunity for a family who is having problems to come together with a neutral third party (a mediator) and work as a unit to find solutions to those problems." Parent-adolescent mediation is a win-win situation for the mediators and for the families participating in mediation.

Opportunity: Parent-adolescent mediation is an opportunity for teenagers to complete diversion and avoid a

criminal record. It is often a final opportunity for families to stay intact as the adolescents may face removal from the home. At the same time, it is a great volunteer opportunity—it's a way to stay connected and be involved in your community.

Together: Mediation may be the first time a family has sat down together and really communicated. At the same time, because parent-adolescent mediation requires multiple sessions, mediators become invested in the family. I often find myself wondering about families who have completed mediation—I hope they continue the process by taking time to get together and resolve conflicts.

Solution: The process gives families skills to figure out how to solve conflicts—it essentially gives them a toolbox to draw from indefinitely. A collateral benefit is that through the process mediators also learn skills to resolve conflicts at work, at home, and in other relationships. Because parent-adolescent mediations are always conducted by two mediators, there is always feedback and an opportunity for growth for both mediators.

Are you interested in becoming a parent adolescent mediator? Are you a mediator interested in learning more about parent-adolescent mediation? Contact Linda Laird at KCSL at 785-215-6439 or llaird@kcsll.org

Liz Rogers is a volunteer parent adolescent mediator who lives in Lawrence and now works for a law firm in Overland Park, KS

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HMA MEMBESHIP RENEWAL FORM

Name: _____

Organization: _____

Mailing Address: _____

City: State: ZIP: _____

Phone: _____ **eMail:** _____

Individual dues- \$65 Retired/Volunteer Mediator - \$50 Corporate (3 people) - \$160
Web listing - \$10 per person

HMA will send a renewal notice to all paid members in June of 2010

Amount to be paid: \$ _____

Payment Method

___ **Check Enclosed Amount: (payable to Heartland Mediators Association)**

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

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

Mail to Heartland Mediators Association, P.O. Box 14971 Lenexa, KS 66285