

ABA honors Judge Bell

The Hon. Robert M. Bell, creator of MACRO and its predecessor, the Maryland ADR Commission, received the American Bar Association (ABA) Dispute Resolution Section's highest national honor, the D'Alemberte/Raven award for outstanding leadership in the field of conflict resolution. The award was given at the annual ABA ADR conference in San Antonio, Texas, March 20, 2003. He joins the ranks of such national dispute resolution leaders as Harvard Professor Roger Fisher, co-author of "Getting to Yes," and Janet Reno, the former U.S. Attorney General who integrated ADR into the Department of Justice's Civil Division.

Judge Bell is the first state court judge ever to receive this award, and it is a well-deserved honor. Beginning in 1998, his visionary leadership, commitment and generous support have catapulted Maryland to the forefront among those states accomplishing meaningful social change in the realm of conflict resolution.

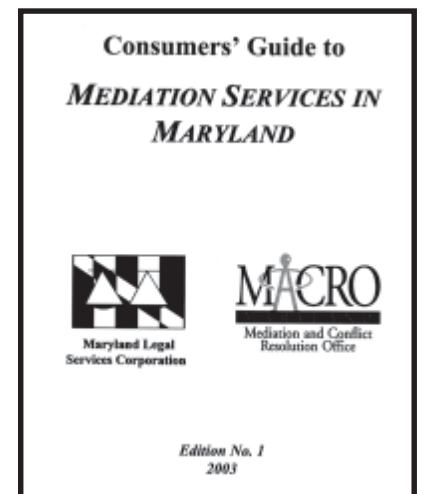


L-R: Judge Bell; Richard Chernick, Chair Elect, Dispute Resolution Section; and Bruce Meyerson, Chair, Dispute Resolution Section

Hot off the press

Valuable mediation information

A useful manual is hot off the press. It's called "Consumers' Guide to Mediation Services in Maryland." A joint project of the Maryland Legal Services Corporation and MACRO, edited by D. (Dan) Kirkbride Miller and designed by Jonathan Rosenthal, it provides an important resource for consumers in search of mediation services. It includes a brief description of mediation and the mediation process; an overall view of different kinds of mediation programs; and a county by county listing of court, community and state's attorney's mediation programs. Call MACRO at 410-321-2398 to request a copy.



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MACROSCOPE

We Are Beaming.....

We are beaming about Chief Judge Bell's ABA award for outstanding service in the field of conflict resolution (see page 1). This award is an honor that befits his extraordinary leadership. Since 1998, with his guidance, conflict resolution programs have mushroomed around the state. Before mentioning some of the ADR achievements accomplished under his leadership, I would like to share a "Zen Judaism" story.

A great Hasidic Rabbi in Eastern Europe in the mid-1700s was said to comprehend the deep mysteries of cosmic unity that are hidden in the Kabbalah [a book of Jewish mysticism]. The Rabbi said to his students, "Meditation [not mediation] is the key. You must sit and meditate, day and night, on the oneness of all things. You must meditate through all the rigors of your lives. To reach enlightenment, you must sit and meditate, even until your flesh withers and falls from your bones . . . but first, a little nosh [snack]!"

At MACRO, we can identify with having a ferocious level of commitment, and still taking lighthearted snack breaks. Over the past five years, we have worked with countless folks around the state, including most of you reading these notes, on important projects to which we have all been deeply committed. Perhaps because the conflict resolution field is fundamentally about human connection, we have also had the good fortune to laugh and eat and enjoy camaraderie with all of you who share in the important work we do together. This is the nosh, the soul's nourishment, that keeps us all going and makes our work together so powerful. Without these connections and a sense of humor, many of our collective accomplishments would not have been possible.

Since 1998, when Judge Bell convened the ADR Commission, we have collaborated with individuals and

Rachel's Notes

Rachel Wohl,
Executive Director



groups across the state to make a significant difference in advancing good conflict management in Maryland. Just looking at the numbers gives some indication of how far we have come (see chart, next page)

Within the past five years, MACRO has tried to increase ADR understanding by co-sponsoring conferences on conflict resolution in Business, District Court, Families, the EEOC, Health Care, Schools and the Workplace, and on the topics of conflict resolution program evaluation and mediator quality assurance. MACRO has made presentations and given workshops at national conferences and events sponsored by organizations like the ABA Dispute Resolution Section, the American Arbitration Association (AAA), the Association for Conflict Resolution (ACR, and its predecessor SPIDR), the Center for Alternative Dispute Resolution, the CPR Institute for Dispute Resolution (CPR), the Council of State Governments (CSG), the National Council on Peacemaking and Conflict Resolution and the Policy Consensus Initiative (PCI).

In recognition of the powerful process lead by Chief Judge Bell, MACRO received a \$300,000 grant from the William and Flora Hewlett Foundation to create a "how to" manual about collaboratively developing and implementing statewide action plans. Under this grant, MACRO has shared its model of advancement with groups in New Jersey, Pennsylvania, Vermont,

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Ramona Buck, Editor; photographs by Jonathan Rosenthal, unless otherwise designated.

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A sampling of ADR program growth in Maryland

	1998	2002
DISTRICT COURT		
Jurisdictions with Small Claims Volunteer Mediation and/or Volunteer Settlement Facilitation Programs	2	16
CIRCUIT COURT		
Child Custody and Visitation Mediation Programs	5	23
Child Custody and Visitation and/or Marital Property Divorce Facilitation Programs	0	6
Marital Property Divorce Mediation Programs	0	8
CINA and TPR Mediation Programs	0	5
Civil Non-Domestic Volunteer Settlement Facilitation Programs	4	8
Civil Non-Domestic Mediation Programs	2	8
COMMUNITY MEDIATION CENTERS	9	15
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OTHER CRIMINAL and JUVENILE JUSTICE ADR PROGRAMS	1	8

Rachel's Notes, cont. from prev. page

Wisconsin, Scotland and Mexico who are interested in conducting similar processes. MACRO won CPR's Significant Practical Achievement Award in 2001, and I received ACR's Mary Parker Follett award for innovation in conflict resolution, in recognition of MACRO's work.

We expect most of these numbers in the chart above to increase in 2003. In addition, MACRO will continue to advance the exciting conflict resolution work it has begun with seven state government agencies, seven local government agencies, and 20 schools. Certainly, much more remains to be done to make ADR a household word. Still, it's clear that we

have greatly increased the emphasis on dispute resolution in Maryland, which is beginning to bring about some cultural change.

It is easy to see how richly Judge Bell deserves the ABA's award. We all have a lot to beam about in Maryland, and of course, a lot of challenging and stimulating work ahead of us. Together, we have laid much of the groundwork for our vision of a more civil and peaceful society. We can make our vision a reality by staying connected and committed, and by noshing and working together collaboratively. Call us to get involved or drop by to nosh, and if you see Judge Bell, please beam at him!

ADR is thriving in the Circuit Court for Worcester County

In 1999, MACRO selected the Circuit Court for Worcester County as a rural ADR “pilot project” site. This was an exciting idea, but it also seemed like a big challenge to plan an ADR program in a rural jurisdiction. Initially, we struggled with many questions, such as, “How much will it cost? Where will we get the money? Who will do it? Will it create more work for existing employees?”

These questions can seem overwhelming. However, we discovered that you don’t need a lot of money or many paid staff to run a good comprehensive ADR program. You also don’t have to “reinvent the wheel.”

Worcester County began the new project by looking at the many excellent model ADR programs around the state, and then modified those that we liked in order to meet the needs of our smaller jurisdiction. We decided to use a collaborative approach in our planning. Included were a judge, a master, an assignment clerk, a family services coordinator, a pro se project representative, two mediators and four members of the Bar Association. This “team” became known as the “Worcester County ADR Advisory Committee.” The committee met often during the planning phase. Now, it continues to meet quarterly in order to assess the quality of the programs, work to solve problems that are occurring, and make any recommendations to the Administrative Judge regarding the court’s continuing use of ADR.

Goal: equal access

One of our primary goals for the design was to ensure equal access to all ADR services by all litigants. We developed a trained and experienced pool of local mediators who agreed to conduct mediations for the court at a reduced fee, and we also found a pool of volunteer attorneys to conduct settlement conference facilitation. Currently, Worcester County Court orders mediation for custody/visitation cases. The Court also offers mediation and settlement conferencing services for marital property issues and for non-domestic civil cases. There

are now 17 people on the ADR panel providing mediation and settlement conference facilitation for the Circuit Court for Worcester County.

Fees

The program, as it is designed, is financially self-sufficient. The facilitation of settlement conferences is a free service offered by the court and provided, pro bono, by the panel members. Civil and Family Mediation requires fees which the participants pay directly to the court. The panel mediators are then paid a reduced fee by the court. A recent client survey was completed by the Center for Social Program Development and Evaluation at Salisbury University for the Worcester County mediation program. 94.6% of the respondents thought that their mediator was fair; 100% felt listened to; and 98.9% felt they had been treated respectfully.

The most significant factor in the success of our program may be the team approach that we used. Designing a program that includes stakeholders who are committed to the project and who believe in the long-term benefits of alternative dispute resolution processes for litigants is essential.



Listserv

Are you an ADR practitioner? If so, you might be interested in MACRO's bulletin board-style listserv which includes announcements about trainings, conferences, job openings, ADR events, etc.

To add your name, contact Alecia Parker at alecia.parker@courts.state.md.us.

Child Dependency Mediation in Maryland

The best interests of the child

by Jonathan Rosenthal, Court ADR Resources Director, MACRO

Imagine you are the parent of a 14-year-old child. When you arrive home from work one day, a Department of Social Services (DSS) employee is waiting to tell you that your daughter has been removed from your home until further notice because of allegations of child abuse. The case worker explains that your case will be sent to mediation. You feel very upset about this situation and don't know what to expect. At the appointed time, you report for the mediation and find a room full of people. When you are first asked to speak, you say that raising your child is no one's business but your own. However, in the course of the mediation, you learn that the other people at the table are concerned about you as well as your child. You soon find yourself talking with the others to determine what is best for your daughter. By the end of the process, you have reached an agreement that includes both a way to get treatment for your anger issues, and a plan for you to be reunited with your child.

Trend in two types of cases

This sample case illustrates a recent trend in circuit courts to use mediation for child dependency cases, which are in two categories: Child in Need of Assistance (CINA) and Termination of Parental Rights (TPR). These are cases in which children have been removed from their homes by the child welfare program for their safety. Dealing appropriately with TPR and CINA cases is also an important issue for all the circuit courts around the state. Recently, Pam Ortiz, Executive Director, the Department of Family Administration for the Administrative Office of the Courts, hired Beverly Schulerbrandt to coordinate these programs for the circuit courts, statewide, including the use of mediation for such cases.

Child dependency mediation programs are now operating in Baltimore City and Montgomery, Prince George's, and Baltimore Counties. Anne Arundel, Harford, and St. Mary's Counties are also considering using the model. Mediating child dependency cases requires skill because of the complexity of the issues and large num-

ber of participants. Usually, the birth parent(s) are present and may have a public defender. The child may be present, as well as an attorney advocate, and possibly a CASA (Court Appointed Special Advocate) representative. The jurisdiction's DSS will be represented by a Social Worker or Case Manager, and the County Law Office will send an attorney to represent the interests of DSS. Prospective adoptive parents, or the foster parents are usually present and they may have legal representation as well.

The mediators in these programs have to be specially trained in multi-party mediation skills, including strategies for dealing with intense conflict issues, cultural differences, and the workings of the child welfare system.

In both CINA and TPR cases, usually the children are placed temporarily in foster care. The goal of the mediation process is to design a plan to protect and care for the children and the plan may include eventual reunification with the parent. The programs vary from jurisdiction to jurisdiction. In CINA cases, mediation occurs at the adjudication stage, very shortly after the child has been removed from the home. In TPR cases, mediation determines what, if any, ongoing relationship will exist between the child(ren) and the birth parent(s). Agreements may include such things as the foster parents sending pictures and letters to the birth parents, or agreed upon conditions for children's visits.



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Union initiates County Government Workplace ADR Program; grows membership by 250%

An interview with Gino Renne, President, UFCW/MCGEO Local 1994

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Gino Renne is an ADR pioneer in Maryland. As the president of his union, UFCW/MCGEO Local 1994, he led the effort to include a dispute resolution panel process in the contract for all employee grievances in Montgomery County. Historically, it is often management who want alternative dispute resolution (ADR) processes, and unions may initially resist. But in Gino's case, he was the one who pushed for an ADR component to resolve disputes, while some managers resisted. Now, the idea of "going to ADR" is often mentioned by workers and managers alike, and the program is very successful. In a recent interview, I asked Gino some questions about the program.

How was the ADR program developed in Montgomery County?

I attended a conference planned by the Federal Mediation and Conciliation Service in 1998. I heard a panel in which union reps and management from Harley Davidson were talking. They said that since they had instituted ADR procedures, they could now work together to focus on the health of the company rather than spending so much time fighting each other. I also got ideas from union and management reps from the airlines who were talking about their ADR process. I was very interested, and after the conference, I began talking to management about ADR. Union and management agreed to work together to determine the language on ADR for the union contract, and we have used the panels actively ever since.



Gino Renne

As a result of the ADR process we put in place, the union now has more resources for recruiting new members. At a time when some unions are losing members, Local 1994 has grown from 3,200 members to 8,000 members which is a 250% increase.

How does the ADR panel work in Montgomery County?

An employee receives notice of a perceived violation, with a statement of the charges, and a copy goes to the union. The union automatically challenges the charges and the matter is referred to an ADR hearing panel of three people. The three panelists are a union rep (not associated with the case), a management rep (not associated with the case), and someone from the Office of Human Resources, who acts as chair.

The employee comes to the panel hearing with a union representative, and the supervisor may also bring someone, such as a higher level manager. Each side has about 15 minutes to state their views of the case. The panel members may ask questions and seek further clarification. Then, the parties leave and the panel members deliberate. Finally, the panel brings in the parties and gives a recommendation.

Each party can accept the recommendation or reject it; or they can use the recommendation as a beginning for further settlement talks between the parties that same day. If both parties sign the recommendation, it goes forward and is enacted. If the recommendation is not accepted, then the proposed discipline is issued and becomes subject to the union grievance procedure.

In how many cases were the recommendations of the ADR panel not accepted?

In the hundreds of cases which have gone before the ADR panel since the process began three years ago, only a couple have progressed to the union grievance procedure.

cont. on next page

An interview with Gino Renne, cont. from previous page

Does the panel have to agree unanimously on the recommendation?

No. The panel tries to reach consensus with all three of its members, and usually does. But, on occasion, they can't agree, and so the majority rules: 2 to 1.

What kinds of recommendations does the panel make?

The panel might recommend sustaining the terms of the charging document. Or, the panel might recommend a lower level of discipline, or recommend a different action/response. For example, a five day suspension might be reduced to a one- or two-day forfeiture of leave.

How does this process compare with the way disciplinary issues were handled before you put the dispute resolution panel process in place? Are people satisfied with it?

Before this process was developed, both union and management had been spending a lot of money adjudicating these issues in the formal grievance procedure, often ending in arbitration. Money was spent to pay the arbitrator, to pay the stenographer, and to pay the attorneys on both sides. For a two- or three-day

hearing, the costs tend to be from \$6,000 to \$8,000. One particular arbitration went on for 20 days. The dispute resolution panels have made a positive difference in both time and money.

They have also improved the situation with regard to party satisfaction. Before the panels were used, workers perceived that some supervisors were using the disciplinary process as a convenient way to retaliate against employees they didn't like. However, the panel process sheds a bright light on each contested case. Some workers perceive supervisors as being more consistent now in their approach to disciplinary issues.

People on both sides (union and management) have stated that they think the process is fair and both HR and management enthusiastically endorse the process.

What is one reason for your program's success?

There is an absolute commitment to the ADR process, both from the union and from management, and that is the key element that has led to our success.

Southern MD Anti-Discrimination Forum Brings Groups Together

Julie Vallario from Prince George's County (left) and Nina Voehl from Charles County (right), co-chaired a MACRO-supported Anti-Discrimination event in La Plata, Maryland, on October 19, 2002. They stand with Chief Judge Bell, who welcomed participants to the event, and Lobna "Luby" Ismael, panelist.



photo courtesy of Julie Vallario

Theory and practice converge at UB



photo courtesy of UB

by Don Mulcahey, Director,
Center for Negotiations and Conflict
Management, UB; Member, MACRO Business
Initiative and MACRO Advisory Board

At about the same time that Chief Judge Bell was creating the Maryland ADR Commission, the University of Baltimore was developing a new master's program in conflict management, which began in 1998. The remarkable growth of both is a testimonial to Maryland's widespread need for alternative methods of conflict resolution.

The Center for Negotiations and Conflict Management (CNCM) program is particularly designed for students who wish to become professionals in conflict management arenas other than law. Our students come from backgrounds as diverse as counseling, human relations, management, and law enforcement. They include practicing lawyers and steelworkers, along with a group obtaining both MS and JD degrees in our joint program with the UB law school.

The center's approach is to teach theory as a means of informing practice. While new students to the field often want to learn conflict resolution skills and strategies as quickly as possible, the modern maxim to, "just do it!" is not appropriate for a conflict manager. Conflict is fluid, relational, human, and complex. It changes over time, often in unexpected ways. Wading into a conflict situation without the necessary analysis and planning creates dangers beyond failing to facilitate a resolution—it might actually make things worse for the parties and for the reputation of our field as a whole.

Theory and applied skills

The CNCM program promotes a theoretical study of conflict blended with the development of applied conflict management skills. Scholar/practitioners have generated a number of different conflict theories. Some theories emphasize individual differences as the basis for conflict, while others focus on social processes or social

structures as ways to explain or respond to conflict. Other theories seek to understand conflict in logical and mathematical terms. The CNCM program teaches students these various perspectives and encourages them to apply their new understandings to concrete situations.

The CNCM program also exposes students to a variety of conflict interventions—where theory and practice meet. We teach about approaches ranging from prevention and negotiation to coercion, from facilitation to mediation to arbitration. Students learn to understand, assess, and design organizational conflict management systems, based on the parameters of the particular conflict situation.

Internship program

An important way that the CNCM program tries to blend theory and practice is its internship program. To complete the program, each student is required to participate in an internship of at least 150 hours in the conflict management field. Students are given the option of finding their own internships (which must be approved by the Director) or of choosing from internships arranged by the program with practitioners throughout the region. With the invaluable help of these practitioners, the program has placed students as interns in the court system, in government agencies, in business, and in community settings. The internship aspect of the program has been the doorway to a position in the field for many students.

We are proud to create a cadre of knowledgeable, thoughtful conflict analysts and managers in Maryland.

Bringing people together

Baltimore County's Rural Strategy Collaborative

Open fields with grazing cows, wooded areas with old and new growth, a village with historic houses at a quiet crossroads—these are the kinds of places in Baltimore County that citizens want to preserve. Baltimore County is a 640-square-mile jurisdiction surrounding Baltimore City, Maryland. Two-thirds of the county is rural and lies outside of the Urban Rural Demarcation Line (the URDL) which was established in 1967 and is the county's limit of water and sewer service. Since 1967, policies have been put in place to protect and encourage the agricultural industry, protect sensitive environmental resources, and preserve traditional rural character, while allowing for limited residential development outside the URDL.

Increasing pressure to develop is being placed upon Baltimore County's rural resources, threatening their existence. There is disagreement regarding the competing needs for development, the environment, and agriculture. To address some of these differences and to try to determine ways to meet the overall goals of the county, the Department of Planning, with funding from MACRO, hired two facilitators from the University of Virginia's Institute for Environmental Negotiation, Rich Collins and Bruce Dotson. They convened a group of adversaries, including farmers, environmentalists, de-

velopers, citizens' groups, rural land owners, planners and designers, for a series of nine meetings over a period of a year and a half. The mission of the group was to investigate concepts and collaboratively seek a recommendation on achieving the county's rural goals. The group was named the Rural Strategy Advisory Group (RSAG).

Begin at the beginning

The RSAG began its work by studying the history of development in Baltimore County. It became apparent that a large number of residential development rights still remain in Baltimore County's rural areas (approximately 20,000), scattered throughout the county's agricultural and environmentally sensitive lands. A development right is the ability of a land owner to build a home on his/her property. Generally, the zoning and size of a property dictate the number of homes that may be built.

For a time, a rural village concept was discussed. A rural village concentrates small pockets of development with a consistent rural scale and appearance in specific locations so that larger agricultural or environmentally sensitive areas can be preserved. Another topic considered was transfer of development rights (TDR). A TDR program enables development rights to be transferred from agricultural or environmentally sensitive areas, which would then be preserved, into rural villages or other designated locations.

A number of sites were considered for rural villages and were discarded, often because of the lack of appropriate sewage treatment or water. The final site proposed for "village" development was within the URDL and would more appropriately be called an "urban" village. The RSAG enthusiastically embraced this final site. Unlike the other places being considered, it is



L-R: David Pinning; MACRO's Ramona Buck; and Arnold "Pat" Keller III, Director, Baltimore County Office of Planning

Scottish delegation studies mediation in Maryland

A high-level, 14-member delegation of judges, attorneys, mediators, consumer advocates and a broadcast journalist traveled from Scotland to snowy Baltimore this February to learn about mediation and conflict resolution. Funded by the Scottish Consumer Council, a government-based consumer rights group, the delegation identified Maryland as a national leader in the mediation field and hopes to replicate the state's successes in this area.

MACRO orchestrated an intensive, two-day agenda to highlight the role that a state office in the judiciary can play in advancing good conflict management practices. Delegation members participated in sessions on mediation and other non-litigious, non-violent, conflict resolution programs in business, government, criminal and juvenile justice, communities, and courts.

Although their voyage was prolonged due to a flight cancellation, the group still landed in Baltimore almost a day ahead of their bags. Delegation members arrived with mixed expectations, no luggage, a great sense of humor, an enthusiastic interest in things to come, and an immediate need for some clean clothes and other essentials. We went shopping.

Day One

The next day began with a morning briefing on MACRO and its history, co-hosted by Dean Karen Rothenburg at the University of Maryland School of Law. That session featured an overview of the role the law school played in the ADR Commission process and information about the Center for Dispute Resolution at the University of Maryland (CDRUM). Next, the group enjoyed a business luncheon at Piper Rudnick LLC, co-hosted by Partner, Jim Mathias, and Chair of MACRO's Business ADR Initia-



L-R: Connie Beals, Center for Dispute Resolution of U. of Md.; Ruth Wishart, Scottish journalist; Valerie Macniven, Scottish Justice Official; Christine Grahame, Member, Scottish Parliament; Ewan Malcolm, Scottish Mediation Network.

tive, Bob Fleishman. The lunch meeting included discussion with our Business ADR Initiative members, as well as presentations by Baltimore mediator Dan Miller and Leonard Howie, Jr., MACRO's ADR Program Evaluations Director. By mid-afternoon, the delegation was at Baltimore County Police Headquarters for a briefing on mediation in the criminal and juvenile justice arena, featuring representatives of the county police department's mediation program, the Baltimore City School Police, and the Community Conferencing Center of Maryland. The delegation ended "day one" at MACRO's office with a discussion on advancing mediation's use, ADR awareness, and mediator quality assurance.

Day Two

Day two activities began at the Attorney General's Office (AG) in Baltimore with a morning session on mediation and conflict resolution in government. Facilitated by Ramona Buck, MACRO's Public Policy Director, the government session included informative presentations on the use of ADR at the U.S. EEOC, the MD Office of Administrative Hearings, the MD Dept. of Agriculture, the MD AG's Consumer Protection Division, the MD AG's Health, Education, and Advocacy Unit, the MD Commis-

Scottish delegation, cont. from previous page

sion on Human Relations, the MD Dept. of Education, the MD Dept. of the Environment, the Governor's Office for Children Youth and Families, the MD Dept. of Budget and Management, the Baltimore City Office of Planning and the Baltimore County Office of Planning. Next, the group went to the Community Mediation Program (CMP) in Baltimore City for an overview of Maryland's community mediation model, an explanation of CMP's services, and a mediation role play featuring CMP mediators Lorig Charkoudian and Lisa Johnson Peet. Finally, the group finished its second day with a session on court-based ADR programs hosted by Chief Judge Robert M. Bell.

The court ADR session included presentations by Hon. James N. Vaughan, Chief Judge of the District Court; Baltimore City Circuit Court Judges Kaye A. Allison, Marcela A. Holland, Kathleen O'Ferrall Friedman, Carol E. Smith; and several court personnel from the District Court and the circuit courts for Baltimore City, Baltimore County and Montgomery County.

"There is no doubt at all in my mind that this visit will prove to have been a 'tipping point' in relation to the development of mediation in Scotland."

Reflecting upon the visit, David Semple, a Scottish mediator who organized the delegation, said, "There is no doubt at all in my mind that this visit will prove to have been a 'tipping point' in relation to the development of mediation in Scotland." Fellow mediator Ewan Malcolm, added that the visit set a "benchmark of excellence" for him and others working to advance the use of mediation in Scotland.

We at MACRO reflect on the welcoming comments of Chief Judge Bell to the delegation. He said that when foreign officials come to learn from us they always teach us just as much. And, while we learned a great deal about the differences between our legal system and that of Scotland, we also learned that we have much in common in our shared goals of advancing the appropriate use of mediation and other conflict resolution processes throughout society.

David Semple

Promoting mediator excellence

MACRO's Mediator Quality Assurance Oversight Committee has worked for two years on a design to promote high mediator quality for Maryland's mediators. After nine regional forums and additional practitioner meetings, the committee held a retreat in September, 2002, to design a draft concept.

This concept will be further refined at a Future Search Conference on July 10 - 12, 2003 to include 64 stakeholders, including some consumers. The goal of the Future Search conference is an action plan to initiate the Maryland Program for Mediator Excellence.



L-R: Charles Pou, Consultant; Rachel Wohl, MACRO's Exec. Director; and Roger Wolf, Chair, Professional Responsibilities Committee ponder an idea at the day-long retreat of the Mediator Quality Assurance Committee, September 2002, at the Sheppard Pratt Conference Center in Towson.

The Listening Project: a way to resolve community problems

On a warm Saturday morning in June, 2002, 20 people in the Midway/Barclay neighborhood of Baltimore City met over breakfast at a community church building. After breakfast, the group, including community residents and men from a local transitional housing program, took part in a training on how to listen to their neighbors. With financial support from MACRO, the Baltimore Program of the American Friends Service Committee (AFSC) trained participants in listening, and organized teams of listeners to go door to door conducting a survey throughout their own neighborhood.

The Listening Project concept was developed in North Carolina in the 1970s by the Rural Southern Voice for Peace. It has been used as a first step in communities throughout the southern U.S. to resolve issues related to racism, violence and poverty. The AFSC, an 85-year-old, Quaker social change organization, specializes in conflict resolution and community organizing. The Listening Project concept is a unique process to involve and to bring together various factions of a community. The listening, which occurs in people's homes in pairs, culminates in a written summary and a forum to determine collaborative action. Goals include assisting people to identify needs and to work together to resolve their problems, including long standing conflicts or

rifts, so they will not need to resort to less productive, violent approaches.

On this Saturday, on 22nd Street, teams continued to knock on doors. They asked a few questions and lis-

cont. on next page



Listening Project trainees prepare to survey their neighborhood.

photos courtesy of the AFSC

Theory and practice at UB, cont. from p. 8

As our graduate numbers expand, we look forward to seeing them involved in MACRO-supported projects (as many already are), managing conflict in forward-looking businesses, and enhancing their communities by engaging in everything from victim-offender mediation to holding community forums.

We hope that our graduates will be reflective practitioners who can understand the complex nature of the various conflicts they face, analyze the dynamics, and develop effective appropriate interventions and responses.

The Listening Project, cont. from previous page

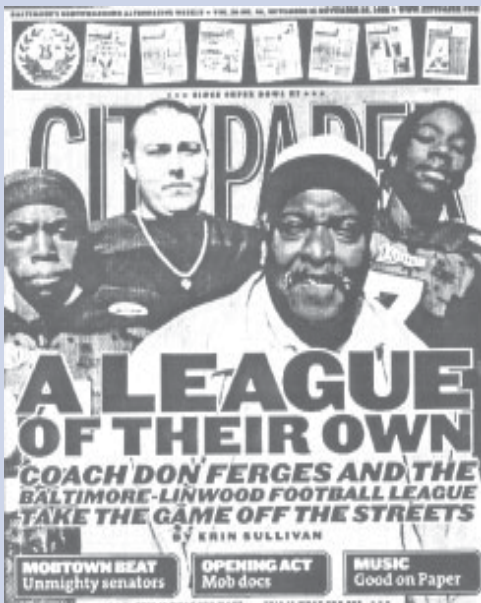
tened carefully, "What do you like about your community? What do the children need? What are the biggest problems and conflicts? Would you help work on the issues that you named?"

Community people responded that they need a playground, more recreation, removal of drugs from the neighborhood; and getting other neighbors to care about their situation. One resident said, "I've lived here 30 years. I like my neighbors, and yes, I can help." After three Saturdays, more than thirty residents and volunteers were trained (three became trainers themselves) and over 100 households were surveyed. People responded with excitement to the experience of being heard. Eighty percent volunteered to work on identified community problems.

While poor communities are often surveyed by various organizations or government entities, they rarely receive feedback afterwards. In this case, each household surveyed received a brochure summarizing the results.

As a result of this Listening Project, the Greater Greenmount Community Coalition was created to respond to the identified problems. A community forum is planned in spring 2003 to release the Listening Project results to a wider group and to solicit support from city and state representatives to work on the identified problems. The goal is to develop a timeline of practical action steps to make a real difference for the community.

The Listening Project culminates with people working together who may previously have been at odds. Patrick Campbell, a resident of I CAN, Inc., a local drug treatment and transitional housing center, participated as a community Listening Project member and trainer. He said, "After listening in the community, I now run into people who know me and are friendly. I feel welcome, and feel that I have contributed to the community."



Community conferencing transforms conflict into neighborhood success

The Baltimore City Paper's cover story for November 12-19, 2002 was about the football league formed to take neighborhood kids off the streets as a result of a Community Conference, a MACRO-supported project directed by Lauren Abramson, Executive Director, Community Conferencing Center, Johns Hopkins University.

MACRO's education initiative conference highlights conflict resolution programs

On November 12, 2002, MACRO's Education and Schools Initiative, in partnership with the Center for Alternative Dispute Resolution and the Education Section of the Association for Conflict Resolution, held a conference on "The Spectrum of Conflict Resolution Programs in Education" at Martin's Crossroads in Greenbelt, Maryland. Despite heavy rains and heavier traffic, educators and ADR professionals throughout the state, including people from as far away as Allegany and Wicomico Counties, attended this first-of-its-kind conference in Maryland.

The conference included presenters from nationally recognized out-of-state programs such as: the Winning Against Violent Environments Conflict Resolution Program from Cleveland, Ohio; the Effective Alternative Reconciliation Services Program from the Bronx, NY; Creative Response to Conflict from Nyack, NY; and Workable Peace from Cambridge, MA.

Programs showcased

Successful award-winning programs in Maryland were also showcased, including Mt. Rainier Elementary School, one of MACRO's model peace schools; a MACRO supported initiative at Frederick High School, called *Connections*; peer mediation programs at Mt. Washington Elementary School and the Hannah More School; and PAR, a processed-based model that promotes positive school-wide discipline.

Opening the conference were the Hon. Robert M. Bell, Chief Judge of the Maryland Court of Appeals and Chair, MACRO's Board; and Richard Scott, Guidance and Career Development Specialist, Maryland State Department of Education on behalf of Dr. Nancy Grasmick, Superintendent of Schools. They emphasized the importance of promoting peaceful means for resolving disputes in our schools and the positive effect this can have on our whole society. This message was further

developed by the plenary panel composed of Denise Fargo-Devine, Principal, Frederick High; Phil Catania, Principal, Mt. Rainier Elementary; and Priscilla Prutzman, Exec. Director, Children's Creative Response to Conflict. The stunning array of workshops created what one participant called a dilemma for the participants, ". . . too many choices!" Two examples were "Holistic Program Design and Implementation," by the Center for Alternative Dispute Resolution; and "Applying Technology to Conflict Resolution," by the Federal Mediation and Conciliation Service. The conference concluded with a session led by Leonard Howie, MACRO's ADR Program Evaluations Director, and Marsha Blakeway, Director, Programs in Schools, National Peace Foundation, concerning program evaluation.

Overall, the conference received high marks (3.64 average rating on a 4.0 scale) from school participants, who were enthusiastic about taking new ideas, resources, and networks back to their home districts. By the end of the day, it was clear that although this was the first conference of its type in Maryland, it should not be the last.



photo by Alecia Parker

Left to right: Denise Fargo-Devine, Principal, Frederick High School; Phil Catania, Principal, Mt. Rainier Elementary; Priscilla Prutzman, Exec. Director, Children's Creative Response to Conflict; Marvin Johnson, Exec. Director, Center for Alternative Dispute Resolution.

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within a designated public water and sewer area and is a "Smart Growth" site, an area designated by the state as a growth area, available to receive state funding.

Having reached some agreement on the urban village pilot site, the group then focused attention on TDR's and decided to draft TDR legislation. The final draft legislation designated the preservation (sending) areas as land outside of the URDL and the development (receiving) areas as land inside the URDL.

The Office of Planning was very pleased with the RSAG facilitation process. The general public often views county-initiated strategies with some suspicion. Having independent consultants guide the process and elicit responses from the group enabled citizens to hear pro-

posed ideas and feel heard in an unbiased way. In addition, by not having to facilitate the meetings, Office of Planning staff could more easily listen and respond to the groups' comments.

The participants who evaluated the facilitation were positive about the process. One person said, "There is nothing more important than 'un-demonizing' the opponents; there is always a benefit there. It is best to get people there, looking at each other." Another wrote, "I thank the facilitators for a . . . good job; particularly with a very charged issue, such as this one. To keep things on track and keep tempers down was pretty amazing!"

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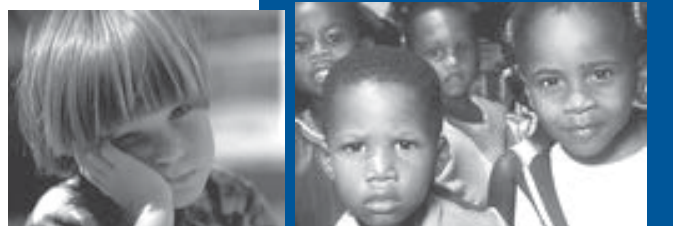
Montgomery County

In Montgomery County, where MACRO provided some funding for training, the program officially kicked-off in November, although some cases were sent to mediation prior to the official start date. While it is still too early for conclusive statistics, the child dependency mediation cases in the Montgomery County program have had positive results. The new program has yielded more consent agreements earlier in the case than in similar cases prior to this program.

The Montgomery County program hopes to show that "Mediated [consent] agreements have better outcomes because the parents helped craft the agreements and become invested in the process," said Suzanne Schneider, Juvenile Division Coordinator of the Circuit Court for Montgomery County. Ms. Schneider mentioned one case that was so successful in reaching a consent

agreement that the parent voluntarily requested mediation for a case involving an additional child.

Dependency mediation programs provide strong benefits. When parents have an opportunity to be heard and have a chance to help determine their future roles in the lives of their children, then governmental entities can work with the families and not against them. In the end, the children stand to be the real beneficiaries of this program.



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upcoming

May 20, 2003
Listening Project Forum
Baltimore Midway Barclay neighborhood

July 10 - 12, 2003
Future Search Conference on Mediator Quality
Assurance in Maryland

MACRO works collaboratively with stakeholders statewide to develop and expand conflict resolution services and education in courts, communities, schools, state and local government agencies, criminal and juvenile justice programs, family service programs, and businesses; and to promote quality assurance in mediation throughout Maryland.

MACRO provides conflict resolution information and assistance to mediators and conflict resolution practitioners, public officials and the general public.