

## Maryland-Scotland Partnership Continues MACRO Highlighted at First-Ever Scottish Mediation Conference

By Lou Gieszl, Deputy Executive Director, MACRO

As keynote speaker at the first-ever Scottish mediation conference, on an all-expense-paid visit, Chief Judge Robert M. Bell spoke eloquently about MACRO and Maryland's positive experiences moving mediation forward in society. Stressing the power of collaboration, Chief Judge Bell discussed Maryland's successful history of bringing diverse groups together and expanding the use of mediation statewide. He also indicated that Maryland and Scotland can learn from one another since both face similar challenges: raising public awareness, maintaining high quality services, and documenting the benefits of mediation in different venues.

Held September 12 in Stirling, and organized by the Scottish Mediation Network with sponsorship by the Royal Bank of Scotland, the conference brought together judges, attorneys, mediators, educators and other interested individuals from across the country for day-long conversations about using mediation in commercial, community, court, education, environment, family and government contexts. The conference also touched on systemic issues related to evaluation, funding, and quality assurance, needed to support efforts to expand mediation in Scotland.

Chief Judge Bell described Maryland's efforts as part of an emerging cultural change to create a more peaceful and civil society. He discussed the Maryland



Judge Bell in front of Stirling Castle located in Stirling, Scotland's ancient capital city.

photo courtesy of Lou Gieszl

court system's emphasis on mediation within a broader access to justice strategy, one in which "justice includes having meaningful roles for individuals and communities in resolving their own disputes, with courts seen as a place of last resort for conflict resolution." Judge Bell also discussed evaluative research confirming that mediation saves participants money while helping to conserve court and police resources.

Rachel Wohl, Executive Director of MACRO, followed the Chief Judge, describing in detail the significant growth of mediation that Maryland has enjoyed in recent years. She credited "literally hundreds" of mediation stakeholders who have worked closely with MACRO over the years to set up and expand dispute resolution programs in courts, communities, schools, criminal and juvenile justice programs, state and local government, family service programs, and businesses statewide. Rachel also led conference participants through an

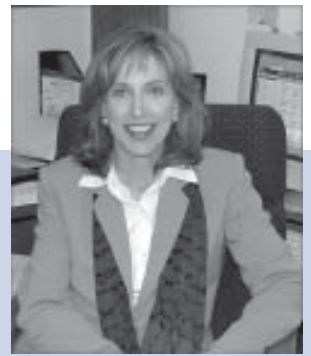
## inside

Promise of Mediation .....	3
Office of Administrative Hearings .....	6
Mediating Discrimination Cases .....	10
Training Children to be Conflict Resolvers .....	12

# MACROSCOPE

Rachel's Notes

## Collaboration among ADR Organizations



Rachel Wohl,  
Executive Director

Issue #4

2

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We are fortunate to have four outstanding appropriate dispute resolution (ADR) organizations actively serving the needs of Maryland's varied and growing population of ADR practitioners:

The ADR Section of the Maryland State Bar Association, which began as a Bar committee several years ago and matured into a Section in 2000. Its website can be found at [www.msba.org/sec\\_comm/adr](http://www.msba.org/sec_comm/adr);

The Maryland Association of Community Mediation Centers (MACMC) is a non-profit organization offering technical assistance to Maryland's 16 community mediation centers. Its website can be found at [www.marylandmediation.org](http://www.marylandmediation.org);

The Maryland Chapter of the Association for Conflict Resolution, which was formed in 2000 and attracted many mediators working for the federal government. Its website can be found at [www.mediate.com/acrmaryland](http://www.mediate.com/acrmaryland); and

The Maryland Council for Dispute Resolution (MCDR), which, since the 1980s, has been bringing a varied group of ADR practitioners together to share information, ideas and a certification process. Its website can be found at [www.mcdr.org](http://www.mcdr.org).

Having four different ADR organizations in our state provides a great resource for a rich exchange of knowledge and experience across the conflict resolution field. In the past, however, this exchange has been minimal in Maryland. While several ADR practitioners belong to more than one organization, the organizations, as such, do not have a history of interacting with one another. At various times there may even have been transitory tensions between, or misconceptions about, factions in different organizations.

This picture began to change when MACRO, following through on a commitment made in the ADR Commission's action plan, "Join the Resolution," convened representatives chosen by each of the four

*cont. on p. 14*



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Ramona Buck, Editor; photographs by Jonathan S. Rosenthal, unless noted.  
Maryland Mediation and Conflict Resolution Office

900 Commerce Road Annapolis, MD 21401

410-841-2260; fax: 410-841-2261; email: [ramona.buck@courts.state.md.us](mailto:ramona.buck@courts.state.md.us)

[www.courts.state.md.us/macro](http://www.courts.state.md.us/macro)

## Guest Editorial

# The True Promise of Mediation

By Melanie A. Vaughn, Mediator, Trainer, Attorney, and former Administrative Law Judge

At the beginning of every course I teach in mediation, I ask students for their definitions of the term, "mediation." I am given a wide variety of answers, but nearly all come back to the same basic definition: mediation is a facilitated conversation. The key to the definition is *conversation*.

In its most simple form, mediation allows people to speak with one another. The complexities and pace of modern living often seem to compromise the art of communication; we don't talk with each other as much as we used to do. As a result, discussions frequently seem to happen too late in the course of any conflict to elicit meaningful conversation. Instead, they often occur in the form of arguments and/or fights.

As the practice of mediation becomes more commonplace, better understood, and more widely accepted, we have increased opportunities for moving matters out of the courtroom and back into the living room. The hope is that, through mediation, people will begin to see that they are capable of resolving their own issues by working together. Interestingly enough, this is a challenge not only to the participants in mediation, but to the mediators as well.

Recently, I have noticed an unfortunate trend in the field. Mediators, themselves, have begun lining up in conflict with each other. Mediation is a field that is rapidly growing and evolving. Therefore, there are currently few, if any, bright line rules; there is no real "right" or "wrong" way to mediate. However, as practitioner and academic interest in mediation has increased, various schools of thought are emerging.

Sometimes, rather than working collaboratively, we mediators engage in a battle of the "right way" to practice mediation. At times, we foster an environment that seems to support the very things we speak against: exclusivity, intolerance and deprecation of differences, a competitive, non-communicative distancing that diminishes our ability to work and benefit from collaborative efforts.



photo courtesy of  
Melanie Vaughn

Mediation has the potential to bring individuals together which, in turn, helps to reunite communities. One of the benefits of increased familiarity with and exposure to mediation is that the resulting improvements in communication often extend beyond the discrete relationship involved into other relationships: family, friends, the community.

Mediators need to focus on this very issue and learn this same lesson. We could improve our practice and enhance our value to the community at large by engaging in more open-minded, thoughtful conversations with each other. Mediation is a process that requires patience and an open mind; so does growth within the field. As mediators, we also are teachers. As teachers, we might improve our performance by practicing more of what we teach, working together more collaboratively in an effort to understand each others' perspectives and contributions to the field. That, I believe, is the true promise as well as the challenge of mediation.

## Scottish Conference, cont. from p. 1

experiential learning activity to help them distinguish between collaborative and adversarial approaches to conflict resolution.

I had the pleasure of being part of a plenary session titled "Asking the Big Questions," in which I joined a professor, a senior civil servant and a lawyer in discussing potential strategies to advance mediation in Scotland. Although my remarks focused on convincing critics and skeptics, the level of interest and enthusiasm by that point in the conference was enough to prompt a big question about whether or not there were any critics or skeptics left in Scotland. Judge Bell, Rachel and I participated actively in informative discussions and small group sessions throughout the day, finding ample opportunities for Maryland and Scottish mediation communities to come together and learn from one another.

One area in particular in which Scotland is way ahead of us is Restorative Justice. With substantial support from the national government, a group called Safeguarding Communities and Reducing Conflict (SACRO) diverts over 3,000 juvenile justice cases annually into victim-offender mediation, community conferencing, and conciliation and victim-awareness services at the community level. SACRO's services are expanding to the adult criminal justice system, and victim-offender mediation is even used post-conviction in some very serious violent cases. We were quite impressed with Scotland's commitment to restorative justice, and the Scottish folks we met who work in that field were quite interested in Maryland's statutory approach to safeguarding victims' rights and services.

In addition to the conference, our visit to Scotland featured a packed agenda of meetings, site visits and speaking engagements, all courtesy of the Scottish Mediation Network (SMN). We toured the Court of Sessions and High Court (which incorporates Civil and Criminal Appeal Courts) in Edinburgh and the Sheriff Courts in Glasgow, the busiest criminal court in Europe, which also handles civil cases. We reconnected with members of the Scottish Consumers Council (SCC) delegation who visited Maryland in February, and we built new relationships with other mediation advocates throughout Scotland. We even visited the country homes of some SCC delegation members and enjoyed breathtaking views of Scotland's beautiful lochs and landscapes.

Reflecting upon the visit at a recent MACRO Advisory Board meeting, Chief Judge Bell said that he's approaching MACRO's work with "renewed vigor for what we're doing here and its importance, recognizing that the cultural change we're promoting is part of an international movement; there's growing recognition that conflict resolution is not just something for the court, but is rather a set of skills and tools for every one and every part of society."

"The conference will be remembered as a major step forward in our ongoing efforts to embed mediation into the way in which conflicts and disputes of all forms are handled in Scotland," said Ewan Malcolm, SMN's Mediation Development Officer. He added that "participants were particularly inspired by Chief Judge Bell's leadership and commitment to ADR, and they really appreciated the many examples and experiences MACRO staff relayed."



Left photo: L-R: Chief Judge Robert Bell; Lou Gieszl, MACRO; Ewan Malcolm, Scottish Mediation Network

Right photo: L-R: Rachel Wohl, MACRO; and Niall Kearney of SACRO, a restorative justice program.

MACRO's Grant Review Committee:

## Cultivating, Seeding, Nurturing ... Anticipating an Abundant Harvest



Doug Brookman, Vice-Chair of Grant Review Committee

Serving on MACRO's Grant Review Committee, like planting and tending a garden, is time consuming, but very rewarding. Every season has its fascinations and challenges. The six-member committee meets on alternate months and typically reviews 10-15 grant applications each time. We support MACRO's mission to advance Appropriate Dispute Resolution (ADR) in Maryland by providing funding to worthwhile initiatives in courts, communities, schools, government agencies, and criminal and juvenile justice programs, while also supporting conferences and events that help raise public awareness of conflict resolution and its benefits. Over the past few years we've planted a lot of seeds.

The best thing about serving on the Committee is getting a glimpse of the larger landscape of Maryland ADR. It's fascinating to see the projects and programs that are being proposed and how they might contribute to broad adoption of ADR statewide. I find it especially rewarding to see the progress we are making as many efforts that we helped to start are beginning to come to fruition. Not too many years ago, Maryland ranked low among the states, providing virtually no institutional, coordinated support for ADR. Under MACRO's leadership, that standing has been rapidly reversed. The Grants Committee is one place where you can see how all this targeted effort is adding up.

One example of an exciting project we have recently funded is a pilot mediation program at the Legal Aid Bureau in Baltimore City. Under this program, individuals who ordinarily would not qualify for free legal representation can get legal representation for going through mediation. Not only does this project increase the services of the Legal

Aid Bureau, but it also provides new pro bono service opportunities for attorneys, as well as the hoped for fruit of getting more attorneys to think about using mediation as an alternative prior to going to court.

Another example of an outstanding program the Committee funded is a student led program at Bennett Middle School in Wicomico County. Under the tutelage of Dr. Margaret Matlack, a group of committed students worked together to write, produce and perform a play on conflict resolution. This play highlighted many of the serious conflict issues that middle school students today face, with the characters effectively escalating and de-escalating conflict throughout the performance. The play was performed for all of the students at the school, as well as for more than 300 people from the community who came for an evening performance. It was even video taped and broadcast on the local cable channel. I particularly like this project because it came out of a small grant and serves to illustrate how a lot can be accomplished with only a small amount of money.

[cont. on p. 15](#)

## upcoming . . .

Family ADR Conference:

"Meeting Challenges in Court-Related Family Mediation - A Bridge over Troubled Waters."

Tuesday, May 4, 2004

Universities at Shady Grove, Rockville, MD



photo courtesy of Judith Plymyer

## Mediating at the Maryland Office of Administrative Hearings

By Judith Finn Plymyer, Administrative Law Judge

Issue #4

6

December 2003

I enter a conference room in a busy, crowded local Board of Education building. I see a nervous couple uncomfortably seated at two rectangular tables shoved together. Minutes later, a public school administrator, a classroom teacher, a speech/language therapist, and a Special Education coordinator join us, choosing the chairs across from the couple who are the child's parents. I introduce myself to the participants, ascertaining gratefully, I concede, that no attorneys will be joining us. After asking everyone to regroup in a more circular pattern, we begin with introductions.

I explain the mediation process in a Special Education dispute, looking into the eyes of each participant with warmth and empathy. I include the fact that I am a parent of a college student who received two years of speech and language services in a public elementary school in a local county. We go on to read and sign an agreement to mediate and then get to work, sharing facts, concerns, suggestions, and expectations. Often, this is the first time a parent has had the full attention of the school staff and vice versa. The parent can share his/her unique experiences and the staff can respond and explain what is possible and what is not. Happily, the mediation process usually results in a settlement agreement.

I am an administrative law judge (ALJ) at the Maryland Office of Administrative Hearings (OAH) and I am also a trained mediator. We began the mediation program in order to manage the high volume of hearing requests in the special education area. Since then, federal law mandates that mediation be offered as an alternative dispute resolution process.

For FY 2003, we received 425 special education mediation requests. 298 cases actually went to mediation and 193 of those settled for an agreement rate of 65%. Mediation is available in other types of cases, in addition to Special Education cases, by request of the parties or upon the suggestion of the administrative law judge. Mediation is particularly useful in resolving or narrowing the issues in complex multi-party cases such as environmental permitting.

All OAH administrative law judges, staff attorneys and paralegals are trained mediators and many find it very rewarding to mediate cases. While some OAH mediators are more successful than others, and not all of us enjoy mediation, the OAH strongly supports mediation. To that end, for several years, the OAH has offered a basic 40-hour mediation course and is now offering a shorter course in advanced mediation, all with the assistance of MACRO grants. Contact ALJ Laurie Bennett for more information about OAH's mediation program, 410 229-4210.

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.

## The Easton Future Search Conference On the Path to Quality Mediation in Maryland

By Ramona Buck, Public Policy Director, MACRO

The effort to design an appropriate mediator quality assurance (MQA) project for Maryland received a new infusion of energy at a meeting in July called a Future Search Conference. Future Search is an intensive three-day facilitated process that brings together 64 people working in eight stakeholder groups. Our Future Search, held at the Tidewater Inn in Easton, was facilitated by Sandra Janoff and others from the Future Search Center in Philadelphia.

At the conference, the following eight stakeholder groups were represented: mediation consumers, mediation hosts/users, mediators in organizational settings, mediation trainers and educators, community mediators, family mediators, civil (non-domestic) mediators, and MACRO. The participants shared their

of the regional forums, people had indicated that they would like to be more directly involved in designing the final MQA concept for the state. This Future Search conference was in response to that request for wider participation in implementation.

One participant, Linda Toyo Obayashi of Miller and Obayashi Mediation, LLC, commented, "As stakeholders, we shared how we hope to protect and uphold the integrity of the profession, and shared concerns and priorities the diverse group of participants identified. . . .We look forward to ongoing dialogue as the public becomes more aware of mediation as the effective conflict management alternative that it is."

While many felt the Future Search was successful, some were disappointed with the format of the Future Search Conference. John Roberts, from the Community Mediation Center in St. Mary's County, remarked, "I went to Easton expecting serious, intensive deliberations focused on design and implementation of a MQA program. . . . Only in the last afternoon and morning did we begin to address the challenges. [The set of committees that were created the last day] could have made substantial progress.

cont. on p. 9



L-R: Charles Pou, Doug Brookman, Marvin Johnson and Joyce Mitchell

past, present and desired futures, and explored options for common ground. Meeting in one large room with eight circles of eight chairs, they moved back and forth between intense meetings of their own stakeholder groups to mixed groups of eight that included one person from each stakeholder group. There were also plenary discussions involving the full circle of participants.

MACRO, representatives of Maryland mediator groups, and Charles Pou, Consultant, have been working on this MQA project for the past three years. At several



L-R: Front: Nancy Hirshman, Toby Treem, Ely Cleaver. Standing: Laurie Bennett

## Do Good Fences Make Good Neighbors?

Issue #4

8

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Does your neighbor constantly trash your lawn or has she cut down the tree which you had carefully tended for years? Do you have a conflict with your local merchant about damaged goods that he refuses to take back? Are you and your landlord locked in a dispute about the leak in the bathroom?

Community mediation centers provide mediation services for these cases and more at the community level. Such mediations deal with property boundary issues, wandering pets, landlord/tenant problems, conflicts about noise or traffic, vendor/customer complaints, parent/teen differences, parent access issues - all of the common conflicts which make up the grist of every day life. These cases are handled by trained volunteer mediators who skillfully help the parties find solutions which are effective, and which can get to the root of a problem. An account of an actual case (with names changed) mediated by the Community Mediation Board in Prince George's County follows:

Ms. Washington contacted the community mediation center about a conflict with her neighbor, Mr. Lincoln. Mr. Lincoln claimed that his property extended to within one or two feet from Ms. Washington's house. According to Ms. Washington, Mr. Lincoln was routinely cutting the grass on her property and had relocated a

basketball hoop from his driveway to a location right against her landscaped bushes.

County officials and the builder had provided explanations and markers and had identified the correct property line as being further away from Ms. Washington's house than Mr. Lincoln had said. Even so, Mr. Lincoln had continued to assert his ownership of the land. The tension escalated and threats were made. Ms. Washington thought that Mr. Lincoln purposefully moved the hoop over to make it noisier for her, and that he had made his children and their friends trample her azaleas. Mr. Lincoln restated his firm position on the location of the property line, and called her a racist.

### Mediation Requested

It was at this point that Ms. Washington requested mediation. Mediation was scheduled and the parties met for two sessions. First, both parties were allowed to describe some of the emotions and frustrations they felt about this ongoing and unpleasant situation and to explain what this problem had been like for them. They stated that they had not spoken to each other directly for four years and eventually acknowledged that they would now like to change this hostile situation between them.

The parties were then able to look at possible ways to solve the problem. They decided to seek a new and neutral source for a record of the location of the true boundary between the homes. Between the two sessions, the help of the Environmental Resources Community Standards Division was sought and they provided a neutral land record. At the second session, using the new record as guidance and with the new basis for communication between them, the two neighbors agreed to set the property line at approx. 9 ft. from the side of Ms. Washington's house and to relocate the hoop to the driveway of Mr. Lincoln's house.

The mediators assisted the parties in writing an agreement that reflected the new arrangement and

[cont. on p. 9](#)



Community Mediators from the Prince George's County Community Mediation Board

photo courtesy of Kathleen Thornton



## Good Neighbors?, cont. from p. 8

the actions each party was going to take. The mediation concluded with both neighbors feeling that an acceptable solution had been reached. After the mediation was over, the two neighbors reestablished their relationship. They had been planning to erect a fence between the two properties, but, as a result of the mediation and the fact that they are talking again, they decided they didn't need the fence.



Several members of the county government who had been called upon by one or both neighbors over the years wrote to the community mediation board staff, thanking them for their efforts and indicating how grateful they were to have this ongoing dispute resolved. As is often the case, the parties in the dispute had drawn other people and agencies into their dispute, affecting many more people than just themselves. Through mediation, this ongoing conflict was put to rest.

There are now 16 community mediation centers in Maryland. They offer basic mediation training, mentoring, continuing skills training and oversight of the mediators on their rosters. They serve people like Ms. Washington and Mr. Lincoln all over the state, helping them find their own solutions to problems through mediation. If your county does not have a community mediation center and you are interested in starting one, contact Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers, 410-349-0080.

## Easton Future Search, cont. from p. 7

.. beginning the morning of the first day." John Roberts is now a member of the certification task group.

David Simison, attorney and mediator from Annapolis, said, "I attended the Future Search Conference with significant concern that mediation in Maryland was possibly heading toward mandatory certification. . . . I came out on Sunday feeling energetic and committed to working within the framework to help develop a structure that will serve all of the 'stakeholders' in mediation."



L-R: Roger Wolf, Marc Baer, Pam Ortiz, Elly Cleaver

The 12 task groups which were created at the Future Search Conference will report back on implementation proposals at a follow up meeting at the end of January, 2004. After that, the MQA Committee plans to hold additional regional meetings to "roll out" the MQA program for Maryland.

Anyone interested in working on one of the task groups or in receiving the documented report of the Future Search Conference may contact the MACRO office.



## Mediating Discrimination Cases

By Tara Letwinsky, Mediation Program Director  
Maryland Commission on Human Relations

In November 2001, the Maryland Commission on Human Relations (MCHR) spearheaded an innovative mediation initiative. The Commission considers discrimination cases for the State related to matters of employment, fair housing, and public accommodations. Now, many cases are referred to mediation first, as appropriate, using trained volunteers.

The Commission has over 100 active volunteer mediators from diverse backgrounds who mediate in five field offices serving residents across the state including Baltimore, Cambridge, Hagerstown, Leonardtown, and Salisbury. The program focuses not only on resolving individual charges but also on repairing the relationships between disputing parties in all cases. The goal is to close cases quickly and efficiently and to promote a state free of discrimination by teaching the public to have a direct hand in resolving their own disputes.

Mediation might include a restaurant customer with a disability who is complaining that the restaurant restrooms are not accessible for persons who use wheelchairs; or there might be a worker accusing an employer of not promoting her due to racial prejudice; or the complaining party might be a resident who feels the neighborhood association is unfairly targeting him with complaints about his yard, due to his religious affiliation. In mediation, the parties in such cases have the opportunity to resolve the issues prior to any ruling by the Commission.

Although initially, the MCHR's primary role was to enforce Maryland's anti-discrimination laws through investigation and litigation, the new Mediation Program developed as an alternative to litigation for disputing parties. The program has now grown to three full-time staff members who continue to pioneer an agency-wide dispute resolution program that has been an overwhelming success. One of the key factors in the success of this program is getting people to agree to mediate. Since there is no mediation requirement, the staff must be persistent and persuasive in getting parties to the table.

The MCHR mediation program has become known state wide for its creative recruitment efforts, cutting edge training classes, and continuous quality assurance. Over 1,000 mediation participants have been surveyed since January 2002, and of those, 95% of the participants were "mostly or very satisfied" with the program, overall. 96% of participants would recommend the program to others involved in similar disputes, even if they did not reach an agreement in mediation themselves. The program promises to be a continued success for the Commission. *For more info visit [www.mchr.state.md.us](http://www.mchr.state.md.us) or call 410-767-8600.*



By Jonathan S. Rosenthal,  
MACRO Court ADR  
Resources Director

# MACROSCOPE

## Volunteer Mediators Keep District Court ADR Engine Running

Under the current leadership of the Hon. James N. Vaughan and the previous leadership of the Hon. Martha F. Rasin, the expansion and proliferation of ADR programs in the District Court of Maryland over the past three years has been nothing short of remarkable. If one were to use an analogy, one might describe the ADR Program Director, Alice Rentschler, and her staff, as the engine in the ADR vehicle of the District Court. And the many volunteers could be described as the well-blended fuel that keeps the engine humming.

The ADR District Court program utilizes volunteers as neutrals for both its mediation and facilitation programs. The more than 300 volunteers have diverse professional and personal backgrounds. Jim Sauer is an attorney in Anne Arundel County, and he has been participating as a volunteer in the mediation program at the District Court in Glen Burnie since its inception a few years ago. Jim said he enjoys volunteering in the program because it “helps to keep my skills sharp and it’s the right thing to do, to give back to the court and community.” Jim feels that as judges continue to see the benefits of the mediation program, they will begin to encourage more litigants to try it, rather than relying on litigants to volunteer to have their case go to mediation.

“The District Court cases provide some unusual cases to mediate, which is a nice break from the other mediations I do, most of which are custody cases,” he said. He remembers fondly the first case he ever mediated in the District Court. “A couple of weeks after the mediation, I was listening to the Marc Steiner [radio] show, and one of the parties called up and spoke mostly favorably about their mediation experience.”

Robin Bradley mediates in Bel Air, Harford County, and has been doing so for about two years. Robin is one of many non-attorney volunteers. She has worked as a human resources executive at both Lockheed Martin and the Rouse Company and feels her background in human resources helps with her mediation skills. Robin describes her most rewarding District Court mediations as those involving families, siblings and parent/child disputes. “For those kinds of cases, mediation is perfect and rewarding,” noted Robin. Like Jim, Robin enjoys the variety of cases she sees. “Even in trivial cases, like arguing over a \$7.00 candle, people [can be] very principled and sometimes it’s not just about the money.” Robin enjoys volunteering for the program, and she believes it saves a lot of time for the court. She thinks it would be beneficial if people “had the option of checking off a box on the complaint form to choose mediation in advance of the trial. The sooner the parties can talk, the better. Sometimes they don’t until the day of trial,” she explained.

Tricia Powell is another non-attorney who volunteers in Charles, St. Mary’s, and Calvert Counties. She has been mediating in the District Court program for about two years, and she mediates in Charles County every Wednesday morning. The skills she has obtained through her vast experience as a successful business woman have blended well with her mediation skills.

She agrees with Robin that mediation is particularly useful in family settings. She recalls the case where the parents of a deceased bride-to-be had a dispute with their daughter’s fiancé. “By the time the mediation was over,” Tricia observed, “they all walked out of the courthouse arm in arm.”

## Training Children to be Conflict Resolvers — Our Hope for the Future

By Connie Beals, J.D., Deputy Director,  
Center for Dispute Resolution at the  
University of Maryland Law School (C-DRUM)

Our world is filled with conflicts, conflicts that range from the classroom to the courtroom. To help teach children non-violent methods of conflict resolution, and to institutionalize conflict resolution in schools; MACRO, in collaboration with the Center for Dispute Resolution at the University of Maryland School of Law (C-DRUM) and the Maryland State Department of Education (MSDE) sponsored a new school conflict resolution grant program this year open to all Maryland public schools.

Thirty-five schools from across Maryland submitted grant applications; from this number, ten schools were ultimately awarded grants. The grants were awarded based upon creativity, sustainability, feasibility, number of students involved, and diversity, as well as the nature of the faculty and administration support. Grant awards ranged from \$600 to \$10,000. Law students from CDRUM help to administer the grants. Schools receiving grants were:

1. Garrett Heights Elementary School, on Alisa Avenue in Baltimore, to work with the Sheppard Pratt Community Education Program on training and workshops for students and staff to learn conflict resolution skills.

2. Golden Ring Middle School, on Kenwood Avenue in Baltimore, to do "Prevent, Act, Resolve"

(PAR) training for consistent teacher response to misconduct.

3. Hamilton Elementary/Middle School, on Old Harford Road in Baltimore, to purchase additional training materials and awards for the student mediators. New student mediators are also being trained.

4. Judith P. Hoyer Early Childhood Center, on Belleview Avenue in Cheverly, to expand the Second Step Social Skills Conflict Resolution Program currently in progress, and for home reinforcement.

5. Leonardtown Middle School, on Point Lookout Road in Leonardtown, to use an innovative pilot program called "Peacemaker Program." All faculty and staff are working to integrate this program into the school curriculum.

6. Middletown Elementary School, on Bennett Road in Baltimore, to use a pilot program called "Why Try." The "Why Try" program helps children learn conflict resolution skills in the areas of anger management, problem solving, dealing with peer pressure, living by laws and rules, building positive support systems and planning a vision for the future.

7. Mutual Elementary School, on Ball Road in Port Republic, to involve all of the students in a conflict resolution program, which is introduced in small group meetings as well as in an assembly for the entire student body. Of special interest is the "Bridgework Theater" which teaches conflict resolution skills through the students both acting in, and watching, live theater.

8. Newport Mill Middle School, on Newport Mill Road in Kensington, to use a program developed by the Center for the Prevention of Hate Violence (CPHV) at the University of Southern Maine. This program seeks to provide students with the practical skills to



Far right: C-DRUM Director Roger Wolf, with law students

[cont. on next page](#)

## Our Hope for the Future, cont. from previous page

intervene in low-key ways when other students use putdowns, slurs, and generally degrading language.

9. The Rosedale Center, on Old Philadelphia Road in Baltimore, an alternative middle and high school for students who have been expelled from their regular schools due to behavior, anger management problems, drugs, alcohol, truancy, and failure to comply with rules and regulations; to put in place a conflict resolution skills pilot program. It will be incorporated into the curriculum through the daily guidance classes, and reinforced academically. The program includes a conflict resolution "Bingo" game.

10. Shady Spring Elementary, on Golden Road in Baltimore, to enable the school to expand the successful peer mediation program already in place and to provide training and resources with the goal of achieving a school wide influence.

The law school's mediation clinic students who are helping administer these projects are a diverse

and interesting group. For the most part, they are evening students with full-time careers during the day. Their careers are varied and range from a police officer and a schoolteacher to a Ph.D. working in patent law.

The 10 grant recipients are highly motivated, excited and hopeful about their grant awards. These conflict resolution programs would not have been initiated without these grants. C-DRUM and the Law School will provide space for a gathering of all the school recipients in February 2004 to share their experiences and to form connections with people from the other school projects. C-DRUM will assist in evaluating these programs, which may be emulated by other schools.

The grant recipients move into this grant year with enthusiasm and hopeful hearts. They are committed to working for the success of their programs and are grateful to MACRO and Chief Judge Bell for this chance to improve Maryland's schools and help our children.

## District Court, cont. from p. 11

To assist in continuing the growth of the program, Tricia has made a personal commitment to help new mediators meet their observation requirements, or aid them with any other needs they may have.

Howard Alder is an attorney in Montgomery County, and he has a great deal of experience in the dispute resolution arena. Along with volunteering for the District Court programs in Rockville and Silver Spring, Howard also serves as a private mediator and arbitrator. Howard has noticed that the judges have become more and more receptive to the program. "The judges are now very pro-active when there is a mediator in the courtroom," he explained.

One can see some common themes in what the volunteer mediators in this program have expressed: finding satisfaction from the experience of mediating, noting the appreciation from the judges, and seeing the benefits to the litigants. With this proud corps of volunteers acting as fuel, the ADR engine in the District Court will continue to roll happily along.



## Collaboration, cont. from p. 2

Issue #4

14

December 2003

organizations to serve on a mediator quality assurance (MQA) committee (please see "MQA Future Search" article on page 7). In the course of the MQA committee's work, members of the four organizations, and others, were brought together in numerous public forums across the state. Following the forums, we received lots of positive feedback about how much mediators appreciated the opportunity to network with other mediators across organizational lines. I believe all four organizations would agree that their ongoing collaboration on the MQA project is a benefit to the organizations and to the wider conflict resolution community.

The MQA project also led to a second collaborative effort, the "Maryland Mediators Convention," which the four organizations and others planned. It began as a result of the demand to find additional opportunities to bring

Maryland's mediators together. MACRO proposed the idea of holding this convention to the four organizations, and they all agreed with gusto. The results were quite wonderful.

The convention was held on December 12, 2003, at the Hilton Hotel in Columbia, Maryland. The turnout for this self-supporting event astonished everyone. The hotel's maximum capacity for our conference was 300 people, and when we quickly sold 300 tickets, we were forced to create a waiting list. Many mediators paid more than the \$60 ticket price to attend, as a contribution to a scholarship fund for others. Had we dreamed the demand would be so high, we would have chosen a larger venue.

The convention gave Maryland's mediators an opportunity to network with one another, discuss and debate hot issues in the field as well as role-plays and cases. It also provided an opportunity to celebrate the good work that is going on across the state. It was a wildly successful event and we hope it will be repeated in coming years.

As a result of collaborating on the MQA project and the Maryland Mediators Convention, [see next page] deeper connections and conversations are taking place across the ADR community.

It is important to continue building a collegial, supportive community to support our mutual efforts to advance ADR around the state. As we all know, the conflict resolution field is about bringing people together. Ghandi said, "We must be the change we seek to make," and it is wonderful to see Maryland's ADR organizations taking his advice.

### Corrections to the May '03 issue of MACROSCOPE

1. With reference to the interview with Gino Renne regarding the Montgomery County Government Workplace ADR Program, the article incorrectly stated that if the ADR panel cannot agree, the majority rules. Actually, the panel must agree unanimously or else no recommendation can be presented as a result of the panel hearing.

2. With reference to the article on child dependency mediation in Maryland, we failed to report that Harford County has had a dependency mediation program in place since 1999, making it one of the oldest dependency mediation programs in the State of Maryland.

We apologize for these errors.

December 12

## First Maryland Mediators Convention in Columbia Was Smashing Success

Participant comments:

Frank Pugh: **"Bringing interested people together reinforces their interest and enthusiasm."**

Vicki Rhoades: **"Excellent opportunity to get many different perspectives on mediation styles, skills, etc., and to meet other mediators."**

Melanie Vaughn: **"Seamlessly done. Great job!"**



John Spiegel, standing, talks to workshop participants



Mediators sing "Mediation Anthem" during dinner

## Grants, cont. from p. 5

Last year, the Committee was able to award 62 grants, many of which seed new projects or initiatives while others build capacity in key sectors, institutions and communities. To stretch the limited grant funds we have as far as possible, we look for well-planned projects; we carefully scrutinize budgets; we favor applicants that can provide matching funds, and we particularly support those that have good plans for evaluation and for sustaining the effort in the future. Finally, we try to assure a balanced regional and sectoral distribution of the funds.

As a committee member, it is gratifying to see the results of so many talented, energetic and committed individuals and groups, all finding innovative pathways to empower Marylanders to seek their own resolutions. Together we have been cultivating, seeding and nurturing. The most rewarding thing is an abundant harvest. If you would like more information about MACRO's grant program, or would like to obtain an application form, please contact Alecia Parker, MACRO's Budget and Grants Manager, at 410-841-2260, or by e-mail at [alecia.parker@courts.state.md.us](mailto:alecia.parker@courts.state.md.us).

900 Commerce Road  
Annapolis, MD 21401

[www.courts.state.md.us/macro](http://www.courts.state.md.us/macro)



## We've Moved

Alecia Parker, MACRO's Budget and Grants Manager, stands in MACRO's new digs in Annapolis. The move occurred on November 12 and 13. After a rocky start due to problems with the telephone, computers, and copier, the MACRO staff are getting settled in their new location. Feel free to stop in and visit.

The new office is at 900 Commerce Road in the same complex as the District Court ADR office and near the Judicial Training Center. Our new address/numbers:

900 Commerce Road, Annapolis, MD 21401  
Phone: 410-841-2260, Fax: 410-841-2261

## MACRO staff

Rachel Wohl, Executive Director  
Lou Gieszl, Deputy Executive Director  
Ramona Buck, Public Policy Director  
Leonard Howie, ADR Evaluations Director  
Jonathan Rosenthal, Court ADR Resources Director  
Alecia Parker, Budget and Grants Manager  
Kristina Foehrkolb, Administrative Assistant

## Staff News

Jeanne Smith, Administrative Assistant will be leaving MACRO in the next few weeks, due to the long commute from her home to our new location. We appreciate all she has done for us over the past year. Her position is being taken by Kristina Foehrkolb, a native of the Ukraine, who recently received a Master's Degree in Public Administration. We welcome her to MACRO.

Alecia Parker (above) and her husband, John Jewitt, welcomed a new arrival to their family, Grace Frances Parker Jewitt, born December 10th.