

Conflict Resolution Education: International Innovations and Challenges

by Barbara Grochal, Deputy Director, Maryland Schools Conflict Resolution Grants Program at the Center for Dispute Resolution, University of Maryland School of Law

Ask a group of parents or teachers the following question: “What do you most want your children/ students to learn and know when they finish or leave school?” What responses do you think you’ll hear? “Good reading skills” or “algebra” or even “basic mathematics”? In fact, with a variety of audiences, the responses are *always* the same: communication skills, responsibility, anger management, conflict management skills, how to get along with others, respect, and integrity.

The media is regularly full of stories about all the conflicts that erupt in school, increasing suspension and expulsion rates, high teacher turnover rates, tragedies tied to bullying situations, even outbreaks of physical violence by parents at school gatherings. So, why don’t schools focus on teaching conflict resolution education? Why is it such a challenge to establish and retain comprehensive conflict resolution education (CRE) programs that address these needs?

Last March, the Global Issues Resource Center, Office of Community Continuing Education at Cuyahoga Community College, and the Organization of American States (OAS) hosted the first-ever Inter-American Summit on Conflict Resolution Education in Cleveland. The summit provided a dynamic opportunity for national and international policymakers and educators representing regions across the United States, select OAS member countries of North, Central, and South America and the Caribbean, as well as Europe, Australia, and Israel.

This diverse group came together to share CRE best practices, evaluation methodology and results, policy implementation structures, and obstacles to success. With presenters and attendees, Maryland was well-represented by



Maryland educators exchange ideas and explore opportunities for future collaboration. From left to right: Harriet Nettles, Sharon Boettinger, Toby Guerin, Tracey Heibel, Darryl Johnson, Ann Chafin, Kathryn Liss, Gonzalo Retamal, Barbara Grochal, and Claire Salkowski.

cont on 4

inside

My Bowl and the Potter's Tools 10

Maryland Fellows Program 12

Executive Director's Balancing Act 14

A True Mediation Story 15

Rachel's Notes

Ride on the Peace Train

Issue 10

2

January 2008

I went to the Pray for Peace Concert at the National Cathedral on October 16th, honoring the Dalai Lama, who received the Congressional Medal of Honor the following day. The cavernous and majestic Cathedral was filled to standing room only. It was an inspiring event. Some golden oldies made wonderful music—David Crosby, Graham Nash, Jackson Brown, John Oates—as did several younger musicians. Spiritual leaders from every religious tradition led moving prayers for peace. It ended with everyone on stage singing the old Crosby, Stills, Nash & Young song, “Teach Your Children Well.”

I thought the event should have been televised to a huge national audience, but sad to say, there were no TV cameras in evidence. The event, apparently, wasn't even considered worthy of a TV news story.

Our country is often described as “peace loving” and we Americans are sometimes called “a peace loving people.” Go figure. Perhaps, with the world in such turmoil, people no longer have faith in peace as a realistic goal.

Mediators Beyond Borders

More than a year ago, I came across an article written by Ken Cloke, a nationally well-known

mediator, trainer and author. He shared his dream that instead of dropping bombs on people, we would parachute thousands of mediators into troubled countries. While he acknowledged the dream as a fantasy, he went on to outline a more realistic vision that caught my imagination.

The vision was to have teams of volunteer mediators (using the word “mediator” broadly to include facilitators, trainers, restorative justice practitioners and others) making long-term commitments (5 to 10 years) to work with local people in troubled high-conflict places in this country and abroad. The teams would partner with local people or groups, as well as NGOs and universities.

Where welcomed, the teams would help those on all sides of a conflict build local peacemaking capacity. Operating in a culturally sensitive manner, team members would commit to spending a week or two per year in the troubled location, and to maintain contact with and support for local people between visits. Teams would not be first responders; rather they would work in pre-violence or post-violence situations.

I became involved in the early discussions about how to make this vision a reality, and am now serving on the Board of the resulting 501c3



MACROSCOPE is published twice a year by the Maryland Mediation and Conflict Resolution Office. We welcome your comments. Design/layout provided by Mary Brighthaupt and editing assistance provided by Molly Kalifut, both of the Court Information Office, Annapolis.

MACROSCOPE

Ramona Buck, Editor

Maryland Mediation and Conflict Resolution Office

903 Commerce Road Annapolis, MD 21401

410-260-3540; fax: 410-260-3541; email: ramona.buck@mdcourts.gov

Visit our website: www.marylandmacro.org



Rachel Wohl, Executive Director

nonprofit organization, Mediators Beyond Borders: Partnering for Peace and Reconciliation (MBB), mediatorsbeyondborders.org. The organization is international and is growing rapidly.

In December, we held the first meeting of Maryland and Washington DC MBB members at MACRO. At that meeting, we decided to operate as a regional chapter of MBB, covering Maryland, the District of Columbia and Northern Virginia.

For the second meeting, held on January 7, 2008, we invited all interested people to come and learn more about MBB. It was well attended and lively. I spoke about MBB, and several other Maryland mediators were on the agenda, including Keith Seat, Louise Phipps Senft, Roger Wolf and Harriett Nettles. Harriett discussed her participation in one of MBB's first international efforts. She has been involved in the work of a youth organization in Ghana for many years. As part of an MBB team, she participated in a mediation training at the Buduburam Liberian Refugee Camp in Ghana. She also visited Liberia, which has been devastated by war, to assess whether and how MBB might be useful. She is making a second trip to Liberia to gather more details.

Give Peace a Chance

As you know, there is a great deal of conflict resolution talent in Maryland and in the region, offering valuable services in courts, neighborhoods, schools, government agencies and businesses. MACRO applauds this important work. We also encourage conflict resolvers who have an interest in international peacemaking to consider getting involved in the work of MBB. For those interested in helping, but not by working on international projects, there is a great

deal of volunteer work needed to build the organization's infrastructure. Our next regional chapter meeting will be held on March 10, 2008 at 9:30 AM. At that meeting we will report on MBB's February 15-18 Inaugural Congress, several MBB projects that local mediators are working on, and the formation of a student MBB chapter at the University of Maryland School of Law. If you would like to attend, please contact me for details.

One of the speakers at the Pray for Peace Concert ended her remarks with the following quote, and I will do likewise:

"World peace through nonviolent means is neither absurd nor unattainable. All other methods have failed. Thus, we must begin anew. Nonviolence is a good starting point. Those of us who believe in this method can be voices of reason, sanity, and understanding amid the voices of violence, hatred, and emotion. We can very well set a mood of peace out of which a system of peace can be built."

— Dr. Martin Luther King, Jr.
December 1964



Conflict Resolution Education:

continued from page 1

individuals from the Maryland Mediation and Conflict Resolution Office (MACRO), the Center for Dispute Resolution at the University of Maryland School of Law (C-DRUM), the Maryland State Department of Education (MSDE), as well as a few private educators. Attendance for many of these Marylanders was made possible by MACRO scholarships.

Inter-American Summit on Conflict Resolution Education Presentations

The first two days offered a variety of presentations from 140 presenters representing 24 states and 13 countries. It was surprising, and yet not surprising, to learn that many of the same challenges exist in schools throughout the country and the world:

- Violence and underdeveloped conflict resolution skills in communities invade school boundaries and affect school cultures;
- Teachers encounter daily disrespect by students and struggle with developing successful discipline strategies allowing them to focus on academic subjects;
- Frustrated teachers, new and old, leave the profession at alarming rates;
- Teasing and harassment among students compromise emotional safety for some;
- Truancy is a disturbing problem, linked to increased juvenile criminal activity, especially in urban environments; and
- Suspension and expulsion rates highlight the need for alternatives to punitive disciplinary policies.

The event featured presentations about innovative programs, such as one coordinated by St. Lucia in the Caribbean, yielding exciting data indicating changes in student attitudes within an environment in which “violence seems accepted as a way to solve conflicts.” Discussion around the need for more teacher education recurred with exciting examples of national best practice CRE programs for pre-service teachers and

integrated school-wide programs for teaching staff and counselors. Presentations from some of the workshops can be found at creducation.org, a Web site launched during the conference.

Among the U.S. educators present, there was strong sentiment that the No Child Left Behind laws provide such a strong pressure to ‘teach to the test’ that there are competing priorities for educators interested in teaching CRE skills and techniques. Teachers fear they can’t take the time to teach problem-solving skills or anger management for fear of giving up the time necessary to complete their curriculum.

There were discussions about how formal discipline systems allow administrators, in efforts to enforce a safe learning environment, to strip students of their right to education via suspension/expulsion. Educators from Minnesota shared how restorative measures have been used in the Anoka-Hennepin School District to address unacceptable student behaviors, providing the students an opportunity to reconnect with the community and make amends.

Policy Meetings

During the second two days of the conference, smaller international policy meetings were convened that provided educators, conflict resolution practitioners and researchers the chance to exchange insights and information about policy, infrastructure, and research. The policy meetings included representatives from Armenia, Australia, Brazil, Bulgaria, Chile, Colombia, Cyprus, Israel, St. Lucia, Mexico, the Netherlands, Norway, the United States (with state teams from California, Delaware, Iowa, Maryland, Michigan, Minnesota, and Ohio), and a number of organizations. The two days were full of group discussions using translators and headphones when needed. At the core of the meetings was the driving question: What is needed to promote conflict resolution education and peace education in your region?

The countries, regions, and states identified three critical areas of collaborative action: information and

International Innovations and Challenges

“Learning can take place only when schools are safe, disciplined, and drug-free. Schools in all types of communities—urban, rural, and suburban—are taking steps to be free of violent and disruptive behavior. Incorporating conflict resolution education into the curriculum can be an important step in ensuring a safe and healthy environment.”

—Secretary of Education Richard W. Riley

administers a statewide CRE school grant program in collaboration with MACRO and MSDE.

Individuals and local communities can support the continued growth of CRE, too, through volunteerism, political support of changes in educational approaches, and financial support of local programs. Teachers, administrators, parents, and students are hungry for new tools to address daily challenges brought on by the need for stronger conflict management skills in our schools. Given today’s political arena, looking ahead, it’s not a choice; it’s a necessity.

For more information about the grants program, see <http://cdrum.org>.

advocacy; research and evaluation; and networking. Representatives were struck by the similarities and overlapping needs of conflict resolution education. International Web sites were created, and the people who made connections at this conference plan to continue their collaborative, boundary-crossing efforts through e-mail and telephone conferences, as well as other future events. (see creducation.org for greater details about the policy meetings and action plans).

Looking Ahead

In Maryland, CRE continues to grow in a number of different ways. All local school systems must develop a five-year master plan that is reviewed annually by the Maryland State Department of Education (MSDE). Many local school systems incorporate peer mediation and CRE as strategies to address the required “safe schools” component. The Center for Dispute Resolution at the University of Maryland School of Law (C-DRUM)



Barbara Grochal

Trouble in Paradise

Conflict in Common Ownership Communities



By Lou Gieszl, Deputy
Executive Director of MACRO

Imagine you hear from someone in conflict. She explains that she lives in a 20-year-old condominium and has been sleeping with a shower curtain over her bed for the past two months while three contractors, a property manager, and her condo association board president fight about who is liable for her leaky roof. She also suspects that their inaction is, at least in part, a form of retaliation against her for being a long-time critic of condo policies and leadership. She has filed complaints with several agencies, which, so far, have been no help.

At least one person in Maryland is familiar with this story, based on real experiences reported to a Task Force on Common Ownership Communities. Created by the General Assembly in 2005, this task force released a final report in 2006 highlighting the value of interest-based negotiation, mediation, arbitration, ombuds offices, and dispute resolution systems design as each relates to common ownership disputes. The report identifies the Montgomery County Common Ownership Commission as one promising model implemented by a local government with mediation provided by the Conflict Resolution Center of Montgomery County.

Can't We All Just Get Along?

High-rise condominiums, gated communities, planned cities, townhouse complexes, and trailer parks are all examples of common ownership communities. Common ownership communities differ from typical homeownership in three respects. First, common-property owners share some common resources, such as open space, parkland, pools, community centers and playgrounds. Second, common-property owners serve as members of an association and are bound to adhere to certain rules, restrictions, and covenants. Third, common-property owners pay regular assessments to cover the costs of maintaining common resources and responding to needs identified by the association.

A Growing Concern

The Community Association Institute estimates that 54 million people live in more than 270,000 common ownership communities nationwide, and about half of the new homes being built today are in common ownership communities. Given present trends and a turbulent real estate market, we can anticipate the continued growth of common ownership communities in the coming years.

Developers, not residents, usually make association rules, and their primary interest is to maintain the neighborhood's appearance for prospective buyers. Once the development is completed, associations are turned over to community members who are generally elected at poorly attended meetings and, with little or no training, expected to manage large sums of money, complex contracts, and legal details. Although many residents are pleased with their communities, some find themselves in intractable conflict. Just a few recent examples in Maryland include:

- A family had a fence installed to keep their toddlers away from a busy street. When the community association leadership insisted that the fence be removed, the homeowner spent \$25,000 in legal fees and was able to keep most of the fence. Reflecting back, the owner was quoted in the *Baltimore Sun* saying that the community association just "didn't want to lose ... and I was maybe a little pigheaded too."
- A townhouse owner who was reprimanded by his association for parking in a visitors' space decided to park on his own lawn, which was also a violation. When the association objected, the property owner deliberately violated other rules in defiance of the association. As the conflict escalated, one association leader accused the man of stalking and obtained a court order prohibiting him from being near her, even at

the school that both their children attended. The homeowner eventually moved away, but the association continued litigation in hopes of recovering its attorney fees.

- One community association eventually filed for bankruptcy to terminate a contract with a collection agency it had hired to help collect unpaid dues. When residents complained of heavy-handed tactics, which included filing liens against their property for unpaid dues of \$18 per month, terminating the contract resulted in litigation costs that the association could not pay.

Conflict Dynamics

Disputes in common ownership communities occur when the actions or values of an individual property owner are in conflict with another or with those of the larger association. For example, unit owners with children may be inclined to support association expenditures for parks and playgrounds more than owners without children. Owners who rent out their homes or those who anticipate moving after only a few years may oppose high assessments and costly capital improvements. Owner obligations are not always clear at the time of unit purchase, and associations are sometimes accused of making their own rules.

The mere presence of a community association often prevents neighbors from attempting to work out their differences. Rather than consulting each other about issues of concern and attempting to negotiate solutions, neighbors simply file complaints with their associations, effectively transforming neighbor-neighbor conflicts into neighbor-association conflicts.

Opportunities in Maryland

With common ownership on the rise, there is a growing need to examine the application of conflict management to community association living. The Maryland General Assembly this year considered legislation that would have created a state ombuds office for common ownership. In other states, ombuds, in addition to receiving concerns and advising people of their dispute resolution options, maintain registries of community association leaders and offer them training, legal information, and support, while also functioning as a resource for the general public and raising awareness of common ownership issues.

At the county and municipal levels, formal programs can be set up to screen complaints and coordinate the use of mediation and arbitration when appropriate. At the association level, conflicts can be minimized or prevented if disclosure documents are clearly written, easily accessible, and understood in advance of property transactions.

Associations could also consider using consensus-building techniques at membership meetings, requiring members to attempt negotiation before filing complaints, and providing interest-based negotiation training to members. When all other options have been exhausted, the court system provides an opportunity for relief, and possibly a last chance for encouraging the use of alternative dispute resolution.

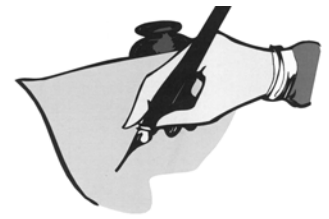
Is There a Mediator in the House?

Dispute resolution practitioners can be of great service to common ownership communities.

Of course, neighborhood-level conflict is rarely managed effectively, and mediation is much needed in every community. Much remains to be learned, however, about the possible conflict management benefits and limits of community association living. Perhaps, with the combined strength of grassroots community mediation programs and dedicated dispute resolution practitioners, Maryland's common ownership communities will develop a renewed emphasis on civility, basic human values, communication, and understanding.

Lou Gieszl served on the state Task Force on Common Ownership Communities and chaired its committee on ADR and Education.





Letter to the Editor

Dear Editor,

I always enjoy reading *MACROScope*. Thanks for sending it my way.

I feel the need to comment on February's guest editorial in which Martin Kranitz argues that mediators should write "unsigned memoranda of understanding" and not "contracts" to memorialize the outcome of a mediation.

The contract is the agreement. A written memorialization of it—whether in a letter, an MOU [memorandum of understanding], or a document that has "contract" written at the top—is nothing more or less than evidence of what the agreement is. If there is an agreement, it is binding on the parties even if nothing is written down.

Put differently, if a mediator writes anything down as a statement of what the agreement is, then it has legal significance regardless of the name the mediator gives it. She can call it "the elephant," and, if it purports to set forth the agreement of the parties, it is evidence of that agreement.

It is curious that Mr. Kranitz states that the parties to the mediation should not sign the MOU. I assume he means to suggest that they are not bound by its terms. What, then, is the purpose of the MOU? Why have one? In any event, *if* the MOU accurately sets forth their agreement, their signatures are not necessary for it to serve as evidence so long as the mediator is available to testify about it or one of the parties testifies that it accurately sets forth their agreement.

Mr. Kranitz asks, "What happens if the parties return for further negotiation? What happens if the parties return because they are unhappy with the details of the contract or its enforceability?" Again, the contract is the agreement. Either the parties have a deal, or they don't. If they don't, the mediator should, at most, simply write down some points under discussion and clearly indicate that it is no more than that. But if they have a meeting of the minds and an exchange of consideration (which can be promises), they have a contract. And the term memorandum of understanding says as much.

Of course, the parties can always make a contingent agreement. For example, they can say that they agree on X, Y, and Z, subject to the final approval of their legal counsel. This is quite common. Indeed, it is good practice when the parties have no lawyers present, whether or not the mediator is legally trained. If so, the agreement is not final or binding until and unless the lawyers give their approval. But it is, if they do. In other words, neither of the parties can renege legally if his/her lawyer, in fact, approves of the language of the agreement. Perhaps this is what Mr. Kranitz means.

The critical point, however, is that, even if it contains contingency language, the agreement is binding. A "memorandum of understanding"—even if unsigned—is evidence of that.

Except for certain kinds of contracts (sale of land and agreements that cannot be performed within a year), our legal system long ago abandoned the notion that special incantations, magical formulas, or written instruments are required to have a binding, legally enforceable agreement (contract). Mediators need to understand this basic aspect of contract law if they write up *anything* that "memorializes" the agreement reached by the parties.

Sincerely yours,
Michael Palmer
Ethics by Design
Middlebury, Vermont

Maryland mediators:

If you are interested in the Maryland Program for Mediator Excellence (MPME), contact Cheryl Jamison, Quality Assistance Director, 410-260-3540.

Maryland Business ADR Conference

“Conflict Management: Making Business Better”

The Maryland State Bar Association ADR Section, MACRO, and the Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL) presented a conference on Business Alternative Dispute Resolution (ADR) on October 30 at the BWI Airport Marriott. It included a plenary panel on “Corporate Mediation: Evolving Expectations,” a keynote luncheon address by Kathleen A. Bryan, president and CEO, The international Institute for Conflict Prevention and Resolution (CPR) and eight interactive workshops throughout the day. The reception and dinner concluded with a keynote address by Ambassador Dennis Ross, who stayed to autograph copies of his latest book, *Statecraft, and How to Restore America’s Standing in the World*.



photo by Robert M. Bell

Members of the conference planning committee, L-R: Alexander Wright, Joyce Mitchell, Richard Melnick, David Simison and Craig Distelhorst.



photo by Robert M. Bell

Roger Wolf Receives the Chief Judge Robert M. Bell Award

Roger Wolf, law professor at the University of Maryland’s School of Law, received the Chief Judge Robert M. Bell Award on October 30th at the Business ADR Conference. The award honors the recipients for outstanding contribution to alternative dispute resolution in Maryland. Wolf has been a pioneer and champion for the use of ADR in Maryland for more than 20 years. He is the director of the Center for Dispute Resolution at the University of Maryland School of Law and the founder and former chair of the MSBA’s ADR Section. He has been a consistent source of wisdom and expertise for bar, bench and ADR practitioner community initiatives to develop alternative dispute resolution in Maryland. Wolf serves on MACRO’s Advisory Board and is a member of the Mediator Excellence Council.



staff

Rachel Wohl, Executive Director
 Lou Gieszl, Deputy Executive Director
 Eileen Bannach, Administrative Assistant

Ramona Buck, Public Policy Director
 Cheryl Jamison, Quality Assistance Director
 Alecia Parker, Budget and Grants Director

My Bowl and the Potter's Tools

by Joyce Ann Mitchell, Mediator, Attorney, Arbitrator

“What do you bring with you? “What is the quality of your life?” “How prepared are you to be a mediator?”

Recently, while sharing a meal with friends and their adolescent daughter, I answered questions from the adults about what it is that I do as a mediator. The youngster listened respectfully and apparently intently to our conversation. Later, when we were alone, she asked me to show her what I do as a mediator. Eagerly, I related that I talk with people, sometimes together and sometimes separately. She acknowledged that she understood but asked what else it is that I do but talk. I replied jokingly, “I share with the people whatever it is that I have when I arrive at the mediation site. Sometimes it is fruit, news from television, the excitement of a recent movie or sometimes reflections on a story I have read.” She looked at me, accepted the explanation, and left to join the others in her skating party.

I have thought about this conversation many times and recognize the brevity of the explanation.

Sometimes, I may take fruit but I do not take my personal thoughts, positions, family disputes, anger, traffic woes, etc. to the mediation site. Then what do I take with me?

Before the mediation, I spend time in contemplation of a thought or a moment; I pray or meditate. These practices are my tools that allow me, before the mediation, to become an unshaped bowl, which is pliable, flexible, humble, patient, and accepting of anything important that might be said or discussed in the mediation room. I failed to elaborate that the things I take with me are these personal practices and habits that allow me to be as mentally, physically, and spiritually healthy as possible in the middle of chaos. I am available to facilitate the flow of the discussions. I have an empty bowl that is not exhausted, sad, angry, or disappointed. Otherwise, I must make appropriate adjustments to my attitude and schedule. Do you?

Those who seek refuge as mediators from the stressful life of another career, especially the bar or the bench, are to be cautioned about the bowl that



MACRO Office Moves to New Location

The MACRO office has moved across the parking lot to 903 Commerce Road. The move was due to a request from the landlord to allow an adjoining tenant to expand into our old space. Our move took place the week of December 17th and enabled us to review all of our worldly possessions, particularly old files. Come by and see our new digs. After you turn left on Commerce Road from Industrial Drive, turn left into the parking lot (rather than right) and look for 903 and our sign on the door. We also have new telephone and fax numbers, see below. Our email addresses remain the same.

MACRO
903 Commerce Road
Annapolis, Maryland 21401
410-260-3540 Fax: 410-260-3541



they bring to the mediation table. Take the time before your mediation to clear your head of personal matters, family issues, the previous mediations and the physical ills that you have avoided addressing prior to the current date. Take a moment of reflection, meditation, prayer or just a deep breath. Exercise as often as possible. Eat lightly.

Our profession needs mediators who are willing to be open to all the possibilities that mediation can provide participants as they struggle with their disputes. When your bowl is full prior to the session, the tools are only stirring your chaos into the mix. It is important to hear the various intonations of the parties. One must see the body language as it shifts. Being able to intuit the need to change subjects and move to another aspect of the dispute is an important tool in managing the mediation process. Where is the clarity in your reflections and reframing of the parties' positions and interests? Are your questions pertinent to the parties or the circumstances? Are you alert to all the possibilities for resolution? Probably not, if the personal stuff you bring is in the forefront of your thoughts.

The next set of potter's tools is not in the ethics rules. They were not a part of your mediation training. They are your commitment to be nonjudgmental and to do a valued service for people who have entrusted, quite often, their most valuable possessions and thoughts to you when generally, all else has failed.

Many weekends, I browse the shelves of Blockbuster looking for old movies to help me understand the complexities of our human interactions. One movie, which I found last year, is "An Unfinished Life." It, like many previous ones, prompted me to reflect on the "story behind the story." Often a party to a conflict perceives as real that which he or she views through the lens of the "story behind the story." All I have to do, as a mediator, is to be available to hear the story from that party's perspective and reframe it so that the party and others can hear it from a third voice. My willingness to give honor and respect to a party's perspective is called "openness." It is the key to establishing and maintaining trust. Mediators may not always agree with the perspective or perception of a party but we must, however, always honor it. Can you be respectful of another's position when you have not

heard it or understood it due to the dominant chatter in your head about personal preferences, other matters, or physical ills?

Last week I took a telephone call while turning down my radio, which was blasting a medley of "old school tunes" by James Brown, Stevey Wonder, Aretha Franklin, and others. The caller was slightly irritated with the noise. I really did not want to take the call, but did so because it was time to return to reality. My music is the "hurricane," the "tornado," the "tsunami" that cleanses my head, heart and mind of what happened in the prior mediation session. I had to move on to my other session and later to my family. Neither would be labored with the woes, pain, or discord that happened earlier in the day. My third set of potter's tools had done their work as I breezed to another moment of service to others, but most importantly, service to myself.

What is the shape of your bowl? What is in your bowl? Have you found your potter's tools? I shared mine; will you share yours?

Upcoming Events

February 15 – 18, 2008
Mediators Beyond Borders Congress and
Rocky Mountain Retreat
Rocky Mountain National Park
St. Malo Retreat Center, Colorado
Register online at www.disputepro.com

April 3 – 5, 2008
Pacific Currents: Sound Perspectives on ADR
ABA Dispute Resolution Section Annual
Conference
Seattle, Washington
www.abanet.org/dispute

June 19 – 20, 2008
Center for Alternative Dispute Resolution
Annual Conference
Greenbelt, Maryland
www.natctr4adr.org

Maryland Public Policy Conflict Resolution Fellows Program Launched

An exciting new Maryland program began in the spring of 2007, bringing together influential leaders from around the state. During the four-day event, participants heard from outstanding experts in the field of conflict resolution, and considered ways to convene stakeholders to address appropriate conflicts or to plan collaboratively. The program, the Maryland Public Policy Conflict Resolution Fellows Program, was sponsored by the Center for Dispute Resolution at the University of Maryland School of Law (C-DRUM) and the Maryland Mediation and Conflict Resolution Office (MACRO) and hosted by Robert M. Bell, Chief Judge, Court of Appeals; David J. Ramsey, President, University of Maryland, Baltimore; and Karen H. Rothenberg, Dean and Marjorie Cook Professor of Law, University of Maryland School of Law.

Based on a program which began in Texas, the Maryland Public Policy Fellows Program will invite a new set of fellows to participate each year. As the numbers of program alumni increase, they will be able to work together to advance collaborative processes for solutions to public policy conflict issues in Maryland. Having a powerful network of leaders from the public, private and government sectors who understand how to harness the power of collaboration to advance the public good will highlight Maryland as a national leader in civic engagement and innovative governance.

The 2007 fellows met for four days, two days at Wye Woods on the Eastern Shore and two days at the Bolger Center in Montgomery County, participating in experiential exercises and listening to speakers. Among other presenters, the fellows heard from Chris Carlson, executive director of Policy Consensus Initiative in Oregon; David Landis, public official from Nebraska; and Mary Margaret Golten and Christopher Moore, CDR Associates in Boulder, Colorado. All emphasized the power of collaboration and the skills involved in interest based problem solving.

The 2007 inaugural class of Fellows:

- **Arthur C. Abramson**, Executive Director, Baltimore Jewish Council
- **William Baker**, President, Chesapeake Bay Foundation
- **Hon. David R. Brinkley**, Maryland State Senator, Senate Minority Leader
- **John M. Colmers**, Secretary, Maryland Department of Health and Mental Hygiene
- **T. Eloise Foster**, Secretary, Maryland Department of Budget and Management
- **John R. Griffin**, Secretary, Maryland Department of Natural Resources
- **Diane Hoffmann**, Associate Dean for Academic Affairs, University of Maryland School of Law
- **John B. Howard**, Deputy Attorney General, Maryland Office of the Attorney General
- **Hon. Anthony J. O'Donnell**, Maryland State Delegate, House Minority Leader
- **Thomas Perez**, Secretary, Maryland Department of Labor, Licensing and Regulation
- **Hal Smith**, Executive Director, Catholic Charities of the Archdioceses of Maryland

- **Stephen Spahr**, Chief of Staff and Vice President for Economic Development, Frostburg State University
- **Gustavo Torres**, Executive Director, Casa de Maryland
- **Maria Welch**, Chief Executive Officer, Respira Medical; president, Greater Baltimore Hispanic Business Association

The 2007 Fellows enjoyed the information, fellowship and opportunity to focus on collaboration.

“This program allowed a diverse group of leaders to come together and seek a new way of solving problems and building One Maryland,” Secretary Thomas Perez commented.

Secretary Eloise Foster said, “The Fellows Program offered me the unique opportunity to enhance my conflict resolution skills within the context of the public policy arena. We discussed some very difficult issues that are often extremely contentious and sometimes even polarizing, which limit the effectiveness of the policymaking process. Through the Fellows Program, my colleagues and I learned how to lower the volume of the debate, look for common ground, and achieve win-win outcomes for the public good.”



Hal Smith, Executive Director, Catholic Charities and William Baker, President, Chesapeake Bay Foundation

photos by Bob Stockfield

Eloise Foster, Secretary, DBM and John Colmers, Secretary, Maryland Dept. of Health and Mental Hygiene





Career as Executive Director is a Rewarding Balancing Act

By Valerie Main, Executive Director, Washington County Community Mediation Center

Issue 10

14

January 2008

The life of a community mediation center director is extremely rewarding, yet very complex at times. You have to balance a multitude of responsibilities, relationships, and stakeholder interests while keeping a focus on the mission, financial stability, and changing needs of the organization.

An executive director recruits, inspires, and manages volunteers and staff; develops and schedules mediation training programs for volunteers; keeps board members informed and involved; develops and maintains a network of referral sources; promotes community mediation; maintains a Web site; articulates accomplishments; engages in all phases of case management and program development; builds relationships with funders and donors; writes grant proposals; organizes and compiles statistical data; oversees financial activities; and is responsible for making the organization thrive. In order to succeed, you must be enthusiastic, self-motivated, creative, flexible, passionate, committed, and resourceful. I seek to represent these qualities as the executive director of the Washington County Community Mediation Center (WCCMC).

I took over the leadership of the WCCMC in October 2004 when it was still in its early stages of growth. It is amazing to me to see how quickly a small organization can grow, once the community it serves is educated about available services. I have learned that developing solid partnerships and collaborative conflict resolution programs to enhance the value of services requires patience and perseverance.

Over the past two years, requests for mediation services have increased as citizens become more educated about what mediation offers. We have focused on developing collaborative programs with partner organizations, including the Washington

County Board of Education, Western Maryland Police Training Academy, and the Office of State's Attorney. All of these partnerships took many months to develop and implement. The outcomes are exhilarating; people are rebuilding their relationships and lives through mediation. The reward for me is WCCMC making a difference in the lives of those we serve:

- students and their parents now have an alternative method of solving conflicts;
- law enforcement personnel are being trained in conflict resolution for the first time in the history of the police academy; and
- people facing a criminal charge now have the opportunity to resolve their conflict through mediation as an alternative to court intervention.

At times, administering a community mediation center feels like a vicious cycle. There is an abundance of professionally trained mediators but few calls for service. During this time, due to lack of public interest, quality mediators can be lost. When we educate the public about mediation and develop referral partnerships (which takes time), the calls for service increase. By the time that happens, however, there may not be enough mediators left to handle the cases. So the cycle continues, with more recruiting and training of new mediators.

Volunteers are the heart of our organization. Without them, we would not exist. I rely heavily on our volunteers and can always count on them to lend a helping hand, with several going beyond the "call of duty" to get things done. The biggest thrill for me is to help develop and recognize our volunteers. This can be accomplished through a simple "thank you," a warm hug, a special volunteer appreciation pin, or a unique crystal goblet—all reminders of the special qualities each volunteer brings to the organization and community.

A True Mediation Story

by Roger Wolf, Director, Center for Dispute Resolution
at the University of Maryland School of Law (C-DRUM)

We'd been gathered for three solid hours in the large community room of the Woodlawn police station, mediating a neighborhood dispute. This dispute included such issues as kids playing in the subdivision cul-de-sac, damaged lawns, and scratched and dented cars. The neighbors who were at odds had called the police on each other, stopped talking to former friends, and now the conflict had escalated to people making threats against each other. The situation was similar to others that my co-mediator, Melanie A. Vaughn, and I had mediated for the Baltimore County Police Department's mediation program. This program is like the community mediation programs that are now flourishing across Maryland. But this case seemed particularly intractable.

More than 20 adults and children had engaged in the mediation enthusiastically and for the most part respectfully. As mediators, we had done a good job of giving everyone a chance to talk about their concerns and issues as they saw them; we'd explored options; and the parties had generated a decent list of possible solutions. In spite of our efforts however, there were some who weren't ready to move forward, particularly one crusty old man who had dug in his heels and wasn't budging.

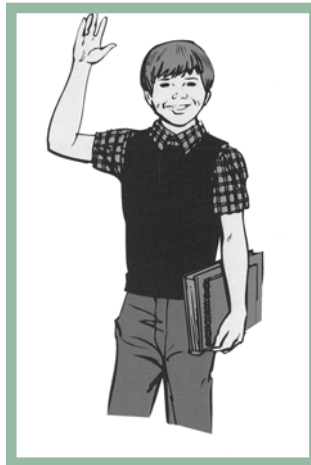
We dug deep into our impasse-breaking tool kit. We explored worst-case scenarios, partial agreements, sleeping on the matter and reconvening another day—all without success. It was 9:30 p.m. and people were tired; also, Melanie and I each had distances to drive before we got to our homes. So, we pulled out our last tool and said to the parties that they had done a lot of good work but that for whatever reason, some of them still cared more about holding onto the dispute than resolving it—which was their right. We told them we were willing to give it another half

hour to see if they could come up with a solution they all could embrace, but since we all had work and school in the morning, that would be the end.

It was at this point that a young boy named Ben, no more than 10 years old, who had been listening intently throughout the process, raised his hand and asked if he could speak.

We said, "Sure, Ben, go ahead."

He stood up and in his strong young voice said, "I think we can all solve this problem if we just say we're sorry to each other and shake hands."



Ben then walked over to the crusty old man, and stuck out his hand and said, "I'm sorry for any problems I may have caused you."

All eyes were on the man, who hesitated. Then he took Ben's hand and shook it.

With that, the neighbors then turned to each other and began to shake hands with each other, and some embraced. The final agreement was quickly reached and seemed almost unnecessary.

The little boy saw what needed to be done and was wise enough to do it. People were ready to put this matter behind them and just needed a way to accomplish this. This mediation emphasized again that if you follow the process, it often produces solutions for parties in surprising ways.

903 Commerce Road
Annapolis, MD 21401
www.marylandmacro.org



Executive Director, Rewarding Balancing Act, from 14

The ultimate satisfaction comes when the community recognizes the value of services offered. Last year, I was honored to have received the highest number of community member nominations for the *Herald Mail's* second annual "Making a Difference" edition, and was featured on that edition's front page. Meliegha Dagenhart, a 15-year-old volunteer mediator, won the "Youth Making a Significant Difference in Washington County" award for her volunteerism with WCCMC and was featured in the July-August 2006 issue of the *Hagerstown Magazine*. Stephanie Hunter, a 17-year-old volunteer mediator, was awarded scholarship to attend a 17-day summer camp in Oregon this past June. Stephanie was also honored by Community Mediation Maryland (CMM) during its 2006 annual fundraiser and featured in CMM's annual report.

These are the things that keep me going—

knowing I make a difference, not only in the lives of our volunteers, but in the lives of our community members—even when there are not enough hours in the day and when exhaustion takes over.

WCCMC currently conducts four to eight mediations a week throughout the county, a huge increase from the one to two mediations per week we were conducting a year ago. The types of cases entering mediation include conflicts among neighbors, friends, and roommates, and homeowners and contractors.

Being the executive director has enriched my life in many ways. It's an incredible adventure, filled with wonderful people helping others in a significant way.

I will close with one of my favorite quotes from Margaret Mead: "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has."