



A Publication of the
Multi-Door Dispute Resolution Division of the Superior Court of the District of Columbia

Mediators Gather at the Superior Court

The Multi-Door Dispute Resolution Division and members of the Superior Court gathered to honor our long time mediators on April 23, 2009 in the jurors' lounge of the Moultrie Building. The gathering was an opportunity to acknowledge and show our appreciation to the mediators that have been providing mediation services to the court for many years.

The event was beautifully designed and carried out by a committee of very committed and talented Multi-Door staff. The committee worked for weeks on designing every aspect of the event, which included event programs, "certificates of appreciation" including the date the mediator began service to the court, and a Mediator Handbook, a resource for new and veteran mediators. The Handbook includes individual program information, biographies of Multi-Door staff, and program policies and rules. With the generous assistance of Mr. Michael Simms, the division produced a training video collage of our mediators that ran throughout the event. It was an opportunity for us to look back over the many years the Multi-Door has been training mediators.

As division director, I had

the pleasure of kicking off the program by welcoming mediators, judges and court staff to the event and spoke about the impact that mediation has had on the judiciary, attorneys and litigants. Chief Judge Satterfield also welcomed new and veteran mediators and spoke about the intrinsic value of mediation and thanked them for their continued service to the Superior Court.

The following are excerpts of my opening remarks to the mediators:

"This event is to honor you and is one small way of thanking you for your service to the court. You continue to work exceptionally hard to reduce the number of cases that go to trial and given the number of filings each year, I think it is safe to say you have a big impact on judicial and staff resources. However, more importantly than controlling the flow of cases, you give mediation participants control over the outcome of their disputes. You help them resolve issues and explore interests that court venues often cannot accommodate. You sometimes help parties heal and get closure so they can move on. You create

an atmosphere where there are no winners and losers, but where creative solutions and options can blossom...As you know, we work in the moment with exactly what we have.

I have always felt very privileged to work in this field. Conflict resolution provides us with unique opportunities to help people find better ways of problem-solving that takes into consideration the issues and interests that matter most to *them*. Good mediators possess knowledge, patience, persistence, the ability to listen and empathize, and the talent to recognize when a moment presents itself, to seize upon it and help parties move forward."



Director Jeannie M. Adams welcomes the group



Chief Judge Satterfield enjoying the festivities.



Janice Buie, CPM Program Manager & Darrell Hale, Family ADR Branch Chief



Rosa Jeter, Small Claims Program Officer, mingling with Multi-Door Mediators.

The event was a wonderful opportunity for new mediators to mingle with veteran mediators and discuss many aspects of mediation with our judges and Multi-Door staff.

- Jeannie M. Adams,
Division Director

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Judge Wright Does Right! Thank you!

In Multi-Door's Civil Mediation Program, lawyers and *pro se* parties are required to file a Confidential Settlement Statement (CSS) before mediation. The statement provides a description of the case, a summary of any settlement negotiations to date, and a confidential assessment of the case's monetary settlement range. In recent months, however, program staff have been receiving fewer and fewer CSSs, leaving them with little or no informa-

tion to share with the mediators as they prepare for the mediation. Fortunately, the division enjoys strong support from the Civil Division's Presiding Judge, Stephanie Duncan-Peters, and Deputy Presiding Judge, Melvin Wright, so when this concern was brought to them, they responded with action. Beginning in February, Judge Wright has required the delinquent attorneys to report to his courtroom, after mediation, for a stern admonish-

ment – and the threat of worse consequences in the future. Judge Wright explains why the CSS is important to a productive mediation and warns counsel that these discussions are meant to serve as a warning that the court intends to enforce the filing requirement more strongly in the future, especially for repeat offenders. He warns the attorneys that soon he will begin holding more formal proceedings for these omissions and asks

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Candace Bertotti, Crucial Conversations Trainer, at the CPM Training this November.

A conversation is *crucial* when opinions vary, stakes are high, and emotions run strong. The results have a significant effect on the quality of your life.



Judge Wright has been a tremendous support to the Civil Mediation Program by reinforcing the necessity of timely filed confidential settlement statements.

Child Protection Mediation Hosts Training Crucial Conversations; Tools for Talking When Stakes are High

On December 14, 2008, Multi-Door was pleased to host a dynamic 2-hour presentation given by one of our own mediators, Candace Bertotti. The in-service **Crucial Conversations: Tools for Talking When Stakes are High** focused on holding effective conversations when there are strong emotions, opposing opinions, and results are critical to continuing or building an open, productive relationship. During the course of the training, it became clear that mediations are *crucial conversations*.

The training was based on the New York Times Bestseller **Crucial Conversations; Tools for Talking When Stakes are High**; written by

Kerry Patterson, Joseph Grenny, Ron McMillan and Al Switzler- a book which gives the reader the tools to effectively handle the most important and difficult conversations that people encounter throughout life.

Candace feels that her training can definitely help to improve mediations and enhance mediator's skills because, "part of our job as mediators is to ensure that participants feel respected and safe to talk about extremely tough issues. Without that safety, participants are less likely to dialogue and more likely to blow up or clam up. The cost [of not having the crucial conversation] is that a powerful opportunity to move that family forward is being missed." In this training, we talked about what we can do as mediators to make our participants feel comfortable talking about tough issues.

Thank you, Judge Wright Continued...

counsel to spread the word among their colleagues. Monetary sanctions, he says, are around the corner for those who don't heed this warning. Presiding Judge Stephanie Duncan-Peters also has taken a turn in this effort when Judge Wright

These skills included creating mutual purpose and mutual respect and clarifying misunderstandings with a skill called "contrasting." Finding shared goals and bi-directional respect have been critical elements to mediation since its inception. The role of these elements in



The training was held in a large state-of-the-art conference room in the Moultrie Courthouse. A lively conversation along with small group exercises kept training participants engaged.

crucial conversations is to create a positive context for open communication. This creates an opportunity for the contrasting technique in which one party highlights the difference between what s/he did not want to convey versus the intended communication. A key aspect to this technique is emphasizing a positive collaboration to problem solve the situation.

The Multi-Door training was very interactive and engaging for the audience. Video clips were used to show examples of difficult conversations that were easy to relate to. Afterward, there was a detailed discussion about the negative and positive ways of handling the situations in the video. Ms. Bertotti had participants write down personal situations in which a confrontation and/or conversation will be difficult to approach. She showed

the audience how their personal situations can be approached by using the skills discussed during the training. The audience also received a valuable gift; a copy of the "Crucial Conversations; Tools for talking when the stakes are high."

This training was attended by over 20 Multi-Door mediators of every mediation program as well as Multi-Door staff. Rave reviews from the audience reflected that the training was indeed excellent. The training was described as offering valuable information that was helpful in mediation as well as everyday life. Participants also stated that important lessons were learned

and practiced. The audience described Ms. Bertotti as being effective, engaging, clear, concise and inspiring. Candace Bertotti has been a Child Protection Mediator with Multi-Door for over 2 years. She is a Master Certified Trainer in Crucial Conversations and she has more than 10 years of experience in communication and leadership development. Ms. Bertotti specializes in negotiation, conflict resolution, and interpersonal communication to help teams, organizations and individuals increase effectiveness and achieve bottom-line results. We'd like to thank Ms. Bertotti for bringing her valuable cadre of skills to Multi-Door and enlightening mediators and staff members alike.

*-Joan Burrell,
Child Protection Case Manager*

person delivery, as required in the past. Together with the aid of these judges, Multi-Door will see a marked increase in timely filed CSSs.

*-Karen Leichtnam,
Civil Branch Chief*

Introducing New Staff at Multi-Door!

Multi-Door would like to introduce three recent hires. In the last issue of "The Current," we featured one staff member, however because we have hired a total of 4 staff over the course of 5 months, we wanted to be sure all our new hires have a proper introduction.

In April 2008, **Angela Mojica** joined Multi-Door as the Bilingual Family Case Manager. Angela is from Spain and was raised in Colombia. She has a Master's degree in Marketing from Instituto de Empresa IE, Madrid and ADE from Esade, Barcelona. Her professional experience includes management of the 6th Fleet Liaison for Morale, Welfare and Recreation for the US Navy in Barcelona. Angela has been a mediator and interpreter for the Fairfax, Alexandria and Manassas courts, while taking evening classes in Administration of Justice at Northern Virginia Community College. Angela has been certified as a mediator for juvenile and domestic relations in Virginia since 2003. She is fluent in English, Spanish, French, Italian and Catalan. We are both pleased and proud to

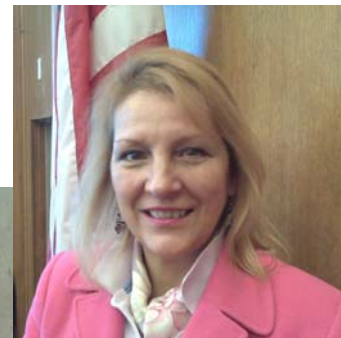
have brought Angela on board this past spring. Her linguistic skills add a much needed boost to Multi-Door's capacity to serve the non-English speaking portion of the public. Welcome Angela!

In July 2008, **Sarah Minkin** joined Multi-Door as the ADR Staff Assistant. Sarah's role involves communicating with Multi-Door mediators through outreach such as The Multi-Door Current. New mediators may have met her at the basic training this fall where she was instrumental in coordinating logistical details and helping applicants in their process of becoming trainees. Sarah typically interacts with members of the public who are interested in mediating at the court and beyond. Sarah comes to us from Boston, Massachusetts where she studied in the Masters Program in Dispute Resolution at the University of Massachusetts. She has worked in the human resources field including recruitment. She very much enjoys the opportunity to work directly in her field of graduate study.

In August 2008, Multi-Door welcomed **Leo Pomier** to the staff. Leo is the new Client Services Coordinator. In this role, Leo is the first point of contact for all callers to Multi-Door. Leo is native to the DC metropolitan area and is working on a Criminal Justice degree. Leo's professional experience includes enlisted duty in the US Marine Corps, the STEP program with the US Air Force and the Assignment Office at Montgomery County Circuit Court.

His roles includes disseminating program information to the public, referring the public to appropriate Multi-Door services or other court staff, confirming scheduled mediations and assisting all staff and programs in the division. Welcome Leo!

-Sarah Minkin



Angela Mojica, Bilingual Family Case Manager



Sarah Minkin, ADR Staff Assistant



Leo Pomier, Client Services Coordinator

If you notice one of these staff members on your next visit to Multi-Door, please introduce yourself!



Mediator Tip: Successful Mediation is in the EYE of the Beholder

Eye contact is an essential form of nonverbal communication in mediation. Yet, oftentimes mediators feel uneasy about how much and what kind of eye contact to use with participants. Being locked into eye contact with a party who is trying to dominate the conversation can make everyone in the room feel uncomfortable. At the opposite end of the spectrum, some participants may feel intimidated by constant eye contact. The eye sweep is a technique

that enables mediators to avoid the extremes of too much or too little eye contact with participants. The technique involves slowly turning your gaze from one party to another, and down to your notes as needed. The gentle motion of rotating your head is very deliberate, creating a sense of calm during the mediation session for both the parties and the mediator.

With the right kind of eye contact, mediators can create an

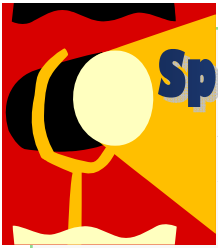
inclusive atmosphere in the mediation room and show parties that they are engaged in the mediation process. Everyone feels heard, both verbally and nonverbally, and no single person takes center stage.

-Terry Ascencio-Parvy, DRS

*Inspired by a Community Mediation Maryland training course presented by Ericka Bridgeford for the Conflict Resolution Center of Montgomery County



Maintaining a neutral facial expression and the right balance of eye contact with each party can lend a lot to your credibility as an impartial, interested mediator.



Spotlight on Jim Bishop

Multi-Door Mediator Jim Bishop has been an asset to the Family Mediation Program since 1986. He graduated from Multi-Door's second mediation class and has been mediating on a weekly basis since the late 1980's. Over the years, Jim has also mediated probate and property tax cases. He decided to get involved after reading about the mediation process. Jim was intrigued by the idea of empowering parties to make their own decisions. When asked what keeps him coming back after over 2 decades of dedication and service, Jim replies without hesitation. "I love working with the mediators and the program staff. Over the years, Multi-Door has had wonderful case managers and directors. I enjoy helping the parties come to a resolution of their issues so they can get on with their lives."

Today, Jim not only mediates, but he has also been the Family Program's Saturday mediation supervisor since 1991. "I love helping new mediators learn the skills they need in order to help the parties." Jim continues to do just that! At the recent Family Program Comeback Day, Jim served as a mediator-facilitator helping the latest training class hone skills including reframing, focusing on the child and maintaining parties' future focus.

Common words used to describe Jim are generous, caring, compassionate, patient, outgoing, friendly, and laid back. While these may sound like general personality traits to some, we at Multi-Door know they are prerequisites to being an excellent mediator. Jim's gentle and relaxed demeanor is something that influences parties in their hour of stress and strife. Jim brings a unique flair to mediation and a strength of character to the Family Mediation Program.

Although one would think Multi-Door alone could keep Jim busy, he is also the Senior Program Manager for the Archdiocesan Legal Network at Catholic Charities of DC. Jim has been at this organization for the last 15 years helping low income families find solutions to their legal issues. "They can file through the DC Bar's *pro se* clinic, but when they have children or domestic violence is an issue, those folks need help. That's where we come in at Catholic Charities." Throughout the years at Catholic Charities, Jim has been the recipient of the Griffin Award for Outstanding Employee of the Year as well as the Order of Merit Award and the Benemerenti Medal. Multi-Door isn't the only organization to be benefiting from Jim's natural talents for and devotion to the cause of helping families.

Jim aims to help people establish respectful lines of communication such that parties are able to co-parent successfully after the mediation. "I think of them as not only parties, but also parents, and they are sitting there representing children. I'm not only helping parties, but I'm helping their children as well." In the future, Jim looks forward to many mediations to come at Multi-Door. The challenge brings him back. "Every case is a new case. No case is ever the same because people are always different. No one has the same fingerprint. Even though we may be talking about issues such as child support, visitation, or property, people differ on their outlooks on life and how they want to live their lives. It has always been challenging to look at the situation through each party's eyes and help them come to a resolution or an agreement," says Jim.

Jim's draw to mediation continues to hold its appeal. We're so glad to count Jim Bishop as one of our mediators and look toward a successful future with him. Thank you Jim! You are an example of mediator excellence and an inspiration.

-Sarah Minkin, ADR Staff

Upcoming Training in the Dispute Resolution Field

Association for Conflict Resolution

November 13, 2009
8:30 am - 5:30 pm
Arlington Campus of George Mason University
For more information: <http://marylandmacro.org>

Monday Night Forum

June 29, July 27, 2009, August 31, 2009, 7:00 pm - 9:00 pm
4041 University Drive Ste. 201
Fairfax, VA 22030
For more information: <http://www.nvms.us/monday-night-forum/>

The impact of passage of the Fairness In Arbitration Act on the resolution of disputes related to employment, consumer, franchise, and residential construction
P. Jean Baker

July 22, 2009
12:00-1:30 pm
Teleconference
888-453-4221
Passcode: 838404

Hot Topics in Family Mediation:

Zena Zemata, President of the Mediation Training & Consultation Institute
July 23, 2009
Location: TBA
For more information: <http://www.marylandmacro.org>

ABA Annual Meeting

July 30-August 4, 2009
Chicago, IL
For more information: <http://www.abanet.org/dispute>

ACR 9th Annual Conference

October 7-10, 2009
Hilton Atlanta, Georgia
For more information:

<http://www.acrnet.org/conferences/ac09/index.htm>

Why Community Mediation Matters and Why the Model Used in Maryland Matters:

Lorig Charkoudian, Executive Director of Community Mediation Maryland
October 14, 2009
Teleconference
888-453-4221
Passcode: 838404

Advance Mediation and Advocacy Skills Training Institute

October 15-16, 2009
Sheraton City Center
Philadelphia, PA
For more information: <http://www.abanet.org/dispute>



Check us out on the web for the latest Multi-Door training and policy updates for our mediators.

<http://www.dccourts.gov/mediators>