



# The Multi-Door Current

## From The Director's Office

I am pleased to bring you the first edition of the Multi-Door Dispute Resolution's office-wide newsletter, which will be produced quarterly throughout the year. The Newsletter will feature articles of interest and new trends in the field of dispute resolution, information on noteworthy events taking place around the area, a special feature highlighting the work of an individual, and news from each of the Multi-Door programs.

One of the major initiatives being rolled out this fall is the adoption of the Ethical Standards for Mediators. The Multi-Door Division will be providing training to all of its mediators in this very important aspect of our field. Ethical standards are designed to promote honesty, integrity and impartiality in dispute resolution practice. These standards seek to assure the courts and the citizens of the District of Columbia that such services are of the highest quality, and to promote confidence in dispute resolution services. In addition, throughout the year we will be offering in-service trainings in each of the branches and brown bag lunches on issues mediators have identified as important to their practice.

## We're On-line!

Multi-Door's new web page for mediators [dccourts.gov/mediators](http://dccourts.gov/mediators), went on-line in June 2006. Designed by staff member Heather Schofield, the page is a one-stop resource for current Multi-Door mediators and people interested in becoming mediators.

On the "Mediator Resources" page, current mediators can link to upcoming trainings, articles of interest on mediate.com and websites of other alternative dispute resolution organizations in the D.C. area. Those who are looking for information on how to become mediators with the Multi-Door Division can access all of the necessary information on the "Getting Involved" page. Links include

These have been a very busy and exciting few months for me here at the Multi-Door Dispute Resolution Division, getting to know a very talented staff, meeting many of the mediators and judges, and of course getting to know the directors of the other court divisions and their staff. Everyone has been very kind to me. I am pleased to be here and look forward to a very productive year!

—Jeannie M. Adams



Jeannie Adams, Multi-Door's new director

descriptions of the recruitment and training processes, a training schedule, and explanations of our mentoring and peer review programs. The page also contains descriptions of Multi-Door's programs in both the Family and Civil branches. Interested parties can download applications to become mediators in the Civil, Small Claims, Landlord and Tenant, Family and Child Protection mediation programs.

Our new web page is a comprehensive resource that details all of the services Multi-Door mediators provide for the court and for the D.C. community.

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## Fall Trainings

- Ethical Standards  
September 13  
November 15
- CPM Program Training  
September 15-16, 18-21 and  
November 30
- Landlord and Tenant Mediation  
September 25—Agreement  
writing and review of the  
Enforcement Statement  
December 1—Program goals and  
procedures for 2007
- Family Mediation  
October 4—Meditation to  
Enhance Mediation Skills
- Brown Bag Series  
December 1—Cultural  
Competence and Cross-Cultural  
Communication  
January 17—Effective Co-  
Mediation

## International Visitors Discover Welcome Mat At Multi-Door



The Multi-Door Division served as a Visitor Center earlier this year for numerous groups of visitors sponsored by the State Department, the Federal Judicial Center, and a variety of other organizations as well as the occasional “self-hosted” visitor.

In March, Multi-Door hosted a group of judges and government officials from Egypt, Gaza, Iraq, Kuwait, Libya and Oman. This group visited Washington as part of their participation in a State Department regional project for the Near East and North Africa on Promoting the Rule of Law and Judicial Reform. The group heard presentations from Wallace Meissner and Karen Leichtnam, followed by an open discussion of the issues and processes that most interested the group.

In April, Heather Schofield and Kitty Huggins gave presentations about Multi-Door programs and how alternative dispute resolution services are used at the Superior Court of the District of Columbia to four visitors from Tajikistan. The delegation of judicial officials was invited to the U.S. by the Department of State’s International Visitors Leadership Program to learn more about the American judicial system. Also in April, Billie Jo Garcia hosted Robert Buergethal of the World Bank and Ecuadoran development consultants Nestor Arbito, Luis Buenaño and Nadia Ruiz. The group observed a Small Claims mediation and visited both the Family Mediation and Community

Information, Intake, and Referral Program.

In early May, Karen Leichtnam hosted a visit from Judge Alceu Mauricio, Jr., of Brazil, who is serving a year-long fellowship sponsored by the Department of State’s Hubert Humphrey Fellowship Program. Judge Mauricio observed a civil mediation.

In early June, Multi-Door hosted a group of Cambodian visitors from the country’s Ministry of Justice, the Municipal Court of Phnom Penh, and the Battambang Provincial Court. This group was sponsored by the State Department’s Office of International Visitors, Bureau of Educational Affairs. Karen Leichtnam and Heather Schofield delivered a presentation on Multi-Door history and operations, followed by a lively discussion.

Three Russian scholars observed Small Claims Court in mid-June, by arrangement with the Federal Judicial Center. They visited Multi-Door as one of the closing activities of a year-long study fellowship.

In mid-July the Court hosted an extended visit with a twenty-three-member delegation from Argentina, which included a presentation and discussion with Multi-Door’s Karen Leichtnam. The group participated in a month-long seminar sponsored by the Federal Judicial Center.

Also in mid-July, Multi-Door hosted the visit of two Nigerians, sponsored by the International Law Center. Karen Leichtnam escorted the visitors through a morning visit to Small Claims Court,

where they were able to witness a typical day in court, beginning with observation of Magistrate Judge Sullivan’s daily address to litigants, preceding the roll call.

Biljana Djuricin, First Mediator from Montenegro, spent a week with the Multi-Door staff, observing operations in all of the division’s programs. Ms. Djuricin also is a professor of civil law and ADR at the University of Montenegro Law School, and is helping to form an alternative dispute resolution component for the developing judicial system in the recently-formed nation of Montenegro. She observed several mediation cases including a Civil and Child Protection session.

The last of our summer visitors was Judge Fong, from Macau, China, who visited Small Claims in late July. Veteran mediator Marianne Vardaman served as his host, providing background information on the history of the Multi-Door Division and its programs, as well as conducting the mediation session that he observed.

As we head into winter, the number of visiting groups usually decreases, but we will undoubtedly have the opportunity to host more international visitors. When we move to our new space in December, we will once again have the capacity to host observer groups in Building A, via a separate observation room. Mediators shouldn’t be surprised when a staff member asks if they would be willing to have a visiting group observe their mediation session.

—Karen Leichtnam

## Child Protection Mediation In-Service Training



On June 27 the Child Protection Mediation (CPM) program sponsored an in-service training on the concept of the Family Team Meeting. The in-service was facilitated by Dr. Roque Gerald, Deputy Director for the Office of Clinical Practice, and Ms. Nicole Wright-Gurdon, Family Team Meeting program manager, both of the District’s Child and Family Services Agency (CFSA). Through lecture and film

they presented a comprehensive and insightful view into the workings of a Family Team Meeting. (FTM)

FTM concept represents a philosophy and practice that is widely used throughout the country to bring families together to make serious decisions about placement, care and support of a child before formal court intervention is implemented. Through the FTM forum, CFSA can offer a family a confidential, voluntary process that some participants feel is similar to mediation.

According to the CFSA presenters, CFSA began holding FTMs in January 2005. The program has been successful in demonstrating that families can be resourceful when given the proper forum to express

their needs and concerns. The FTMs provide families the opportunities to produce positive changes in the lives of their children with limited guidance from formal court intervention.

CPM compliments FTM by building on the momentum of collaboration and creativity. Since a FTM occurs within 72 hours of a child’s removal, many of the services agreed to at this meeting are tentative. CPM gives parents an opportunity to revisit those case plans, if necessary, and address why services have not been implemented or if additional services are needed. The combination of FTM and CPM creates a seamless process that provides the maximum benefit to families in need of assistance.—Janice Buie

## Same-Day Mediation In Family Cases

Since its inception, the Family Mediation Program has been providing value to litigants and Domestic Relations (DR) judges by accepting cases from the courtroom without requiring pre-screening. Our Same-Day effort reinforces the Court's message that parties should take responsibility for creating a solution to their family's problems. The Same-Day initiative saves litigants time by conducting intake interviews immediately after the referral by offering parties mediation on the "same day." It is the Family Program's belief that the sooner parties are involved in mediation, the sooner they can become invested in the process as a meaningful alternative to litigation.

In a typical case, a DR judge refers litigants after they appear for an initial status hearing. The judge explains mediation, provides litigants with a pamphlet about our program, and sends them to the Multi-Door Division. Next, litigants meet separately with a Dispute Resolution Specialist (DRS) for a confidential intake interview that includes a domestic violence screening. The DRS makes a recommendation as to the appropriateness of mediation. The DRS then notifies the Family Program Officer, who reviews the information and makes an immediate determination whether to accept the case for mediation. Cases accepted are mediated that same day or scheduled within two weeks, depending on the parties' preferences.

To meet the demands of Same-Day mediation, a combination of staff and community mediators are used to cover Same-Day responsibilities from 11 a.m. to 4 p.m. each

business day. The Family Program's three staff mediators typically conduct most mediations that occur during the day. Community mediators, on the other hand, handle the lion's share of mediations that occur in the evening or on Saturday. Either way, the assigned mediator will continue with the case through as many follow-up sessions as needed.

The Family Program has recently joined forces with DR judges, court managers, and other interested parties to design a parent and child education program. The program, to be called the Program for Agreement and Cooperation in Contested Custody Cases (PAC), will address communication challenges that parents and children experience when families separate. PAC will also have a segment dedicated to explaining how mediation works and how parents can maximize this opportunity. The PAC pilot project, scheduled to begin by the end of this year, will provide a focused effort to prepare parents for mediation. We are optimistic that parents who participate in PAC will experience better results when they are referred to the Multi-Door Division for mediation.

The Family Program has also begun an extensive review of the Same-Day program that includes questionnaires for judges and statistical analyses. This evaluation will form the basis for many of the changes that will occur to improve client satisfaction. Preliminary findings support the Family Program's presumption that Same-Day mediation has been successful in the following respects: judges' interest in getting parties started on



Enona Williams and Claudette Bouldin, Dispute Resolution Specialists for the Community Information and Referral Program, discuss intake procedures for Same-Day mediation referrals.

mediation immediately can be realized; parties can attend a status hearing and start mediation during one trip to the courthouse; judges concerned about scheduling can now send cases directly to the program; and the rate of cases closed due to parties failing to appear has decreased (from 30% in 2003 to 18% in 2004 according to an evaluation by the Center for Policy Research).

The Family Program is pleased at the response to its Same-Day initiative and the support of the DR judges. We plan to continue serving the Court and litigants with prompt, efficient, and effective mediation services.

—Richard Becker

## Multi-Door Trains New Mediators In Two Programs

In May, the Small Claims Mediation Program held a training for new mediators. Twenty-four participants were introduced to basic mediation skills through a combination of lectures and role-plays. The 40-hour training presented key skills and mediation techniques, including active listening, reframing of party positions and interests, validating parties feelings, helping parties in the generation of options, and agreement writing. After training, participants are required to observe one mediation session and co-mediate three cases with an experienced mentor who

evaluates their progress. Most of the trainees are now actively mediating in the Small Claims program.

The Child Protection Mediation (CPM) Program also brought in new mediators with an intensive 60-hour training in the month of September. With many applicants to choose from, the CPM program narrowed its selection to twenty-four participants. Trainees in the CPM program learned about the child protection mediation process, which involves facilitating the opinions and interests of many stakeholders and recognizing the importance of maintaining the best interest of a child.

This training also focuses on sensitive issue for families in crisis.

The Multi-Door Division is fortunate to have a positive reputation in the community and therefore hundreds of people throughout the Washington, D.C. area applied for both the Small Claims and Child Protection Mediation trainings. As with all Multi-Door mediation trainings, participants were invited to attend the trainings after completing an interview and being chosen by a selection committee comprised of staff and experienced mediators.



The Honorable Joan Zeldon, Associate Judge for the Superior Court of the District of Columbia and Presiding Judge for the Civil Division, is an enthusiastic champion of court-based mediation. Multi-Door was in its infancy when Judge Zeldon was sworn in almost 17 years ago and she has helped it grow by advocating for better mediation processes and helping to bring mediation to several new areas of the court. "I love Multi-Door and its mediators. I cannot imagine this community without it. It's something we [in the Court] have come to think of as an integral part of the litigation process."

She has played an integral part in helping to shape mediation practice around the country, as well. She is a Commissioner of the National Conference of Commissioners on Uniform State Laws (NCCUSL), where she served on the Drafting Committee of the Uniform Mediation Act (UMA). The NCCUSL worked jointly with the American Bar Association Section of the Dispute Resolution for more than three years on the development of the UMA. NCCUSL's goal is to submit UMA legislation in each state for the purpose of creating uniform standards of practice throughout the United States. To date, approximately eight states and the District of Columbia have adopted the UMA.

While serving on the drafting committee of the UMA, Judge Zeldon was intrigued to learn about the versatility of the mediation process. "I had no idea how many different circumstances are open to mediation. The range of mediation taking place in this country is amazing: in prisons, churches, day care centers, schools. It's incredible to see that mediation is so widely used."

Judge Zeldon strongly believes confidentially

## In the Spotlight: Judge Joan Zeldon

is essential for a successful mediation. "Parties really need to trust the process," Judge Zeldon says. During her tenure on the UMA drafting committee she learned that court-based mediation is less successful in some areas of the country because parties believe mediators talk with judges about their mediation cases. She found this both surprising and shocking. "That's why I believe it's very important to have a strong Multi-Door running mediation—to preserve that wall of confidentiality."

Judge Zeldon was instrumental in introducing mediation to the Landlord and Tenant Branch and the Tax Lien calendar of the Civil Division. In 2003 the Landlord and Tenant (L&T) Mediation Program began offering mediation services to parties involved in landlord and tenant matters. Mediation is voluntary in L&T cases and both parties, and their attorneys, must agree to participate. If an agreement is reached, the mediator or the parties' attorney(s) will write the terms of the agreement. The judge reviews the written agreement, and confirms each party's consent, before entering it as a settlement in the case. A trial is thus avoided. The caseload in the L&T Mediation Program began with about 450 cases in 2003 and reached 650 cases in 2005, with a settlement rate that hovers near 70 percent.

The Tax Lien mediation began in 2004. These cases primarily involve disputes over attorneys' fees in cases in which the city has sold property due to tax payment delinquencies. Property owners often are shocked to learn that they must not only pay delinquent taxes, but must also pay attorney fees to the person who bought their property at a tax auction. Judge Zeldon realized that mediators could be helpful in explaining the process to the property owners and in helping them reach an agreement concerning the fees.

As an experienced mediator herself, it is estimated Judge Zeldon has conducted hundreds, possibly thousands, of mediations in her career. When asked what she likes most about the mediation process her response is, "I love to find the common ground on which people can

resolve their disputes. As a judge, you need to preside over a process that is fair, orderly, and efficient. Mediation is entirely different. That's what is so rewarding. You can be more creative as a mediator than as a judge."

One of her favorite mediation experiences involved a commercial building case. The parties were arguing over particular aspects of the building, so she suggested that everyone go to the building site to see the building first-hand. Being able to discuss the building issues on the site helped the parties reach resolution. However, the most interesting moment came at the end of the process when the parties returned to the mediation table to draft an agreement. The defendant asked if he could sing a song to celebrate. Judge Zeldon, not having any idea what the defendant was going to do, agreed to let him sing. To everyone's surprise the defendant belted out "God Bless America." Although unconventional and highly unusual for the conclusion of a mediation case, Judge Zeldon points out that is how the defendant wanted to express his happiness that the case was resolved in an amicable way. The incident showed her the power of mediation. "When you bring people together, there can be actual healing. It's very powerful."

Another favorite story concerned a civil case that involved the beating of two university students by a group of teenagers. She asked to speak to the plaintiffs and the remaining defendant who had not settled. She asked the two students to describe what it was like to be beaten. After the plaintiffs finished telling their stories Judge Zeldon asked the defendant to respond. He apologized to them by saying, "I'm so very sorry." "And now you should pay them some money," she said, "to show you really mean it." The defendant was heartfelt in his apology and agreed to pay for a settlement. However, the case was more than settled because the plaintiffs felt a sense of healing for being heard. Her belief in the power of the mediation process never wanes. "Where appropriate, I encourage parties to mediate before, during and even after the trial."

## Multi-Door Is On The Move

At the end of this year Multi-Door will be moving to newly renovated Building A, located at 515 5th Street, N.W. Our entire staff will reside in one location adjoining the new mediation suite. As we prepare for the transition we will keep everyone notified of program changes and new staff contact information. In the meantime, you will find most of our program staff on the 6th Floor of Gallery Place. The Community Information and Referral program and the Family Court mediators are currently located at the Moultrie Courthouse in room 4335.