

DVD Training Library Collection

Table of Contents

I. Mediation-Related Research and Theory

Trainings in this category cover topics related to conflict theory, neuroscience, and mediation-related scientific research.

DVD Title	Page	All Programs	Child Protection	Civil Actions	Family	L&T	Probate	Small Claims	Tax
Apology in Mediation	1			*	*	*	*	*	*
Building Trust and Overcoming Distrust	2	*							
Court-Based Mediation Symposium	3			*		*	*	*	*
Ethics of Neuroscience: Prime or Prejudice?	5	*							
Facilitative, Evaluative, Directive: What Kind of Mediators Are We?	5	*							
Impact of Culture on Negotiation and Mediation	5	*							
Impact of Gender on Negotiation and Mediation	6	*							
The Mediation Racetrack	8	*							
Narrative Mediation: Strategies for Advancing “Better” Stories	9	*							
The People Problem: Emotions and Their Effects on Decision-Making	11	*							
Reframing the Conflict Model: Dugan’s Nested Theory of Conflict	11	*							
This is Your Brain on Mediation	13	*							
What Works in Mediation	14	*							

II. Skill-Building

Trainings in this category focus on various mediation skills, such as overcoming impasse, agreement writing, or managing high conflict individuals.

DVD Title	Page	All Programs	Child Protection	Civil Actions	Family	L&T	Probate	Small Claims	Tax
Agreement Writing for Civil Mediators	1			*					
Agreement Writing in Child Protection Mediation (Permanency Cases)	1		*						
Barriers to Settlement	2			*	*	*	*	*	*
CAS: A New Strategy for Civil Mediation	3			*					
Dealing with Difficult People	3	*							
Managing High Conflict People in Mediation	7	*							
Mediating at an Uneven Table	8					*		*	
Mediating with Interpreters	8	*							
New Ways for Mediation: A 4-Step Method for Mediating High-Conflict Disputes	9	*							
The Tool of Caucusing	13	*							
Working with People with Mental Illness	14	*							

III. General Information

These trainings contain broadly applicable information, such as the Americans with Disabilities Act or timing issues in mediation.

DVD Title	Page	All Programs	Child Protection	Civil Actions	Family	L&T	Probate	Small Claims	Tax
ADA Series: Session 1 Overview & Etiquette	1	*							
Court Security Briefing	3	*							
Elder Abuse	4	*							
Distinguishing Legal Information from Legal Advice	4	*							
It's All in the Timing	6	*							
Mental Illness as a Factor in Mediation	9	*							
Understanding Civil Protection Orders	14	*							
Wounded Warriors Regiment Presentation	15	*							

IV. Program-Specific Information

These trainings contain information applicable to program-specific issues, legal topics, and agency resources.

DVD Title	Page	All Programs	Child Protection	Civil Actions	Family	L&T	Probate	Small Claims	Tax
Ask the Experts: DCRA & ERAP	2					*			
Benefits Offered by Department of Human Services	2		*		*		*		
Debt Collection and Related Issues Roundtable 2014	4							*	
Financial Issues in Family Mediation 2015	5				*		*		
Judge-in-Chambers Roundtable 2016	6							*	
Judicial Sale/Foreclosure Mediation Program Update	6			*		*		*	
Landlord and Tenant Law Review: Commercial Law	7			*		*		*	
Landlord and Tenant Law Review: Commercial and Residential Law	7			*		*		*	
Landlord and Tenant Law Review 2015	7			*		*		*	
Landlord and Tenant Law Review 2017: Late Fees	7					*		*	
Pension and Retirement Plans: Pension Basics	10				*				
Pension and Retirement Plans: Spousal Assets	10				*				
Personal Injury and Insurance Claims Panel	11			*				*	
Small Claims Q&A with Judge Brenneman	12							*	
Small Claims Resource Center	12							*	
Supported Decision-Making and Guardianship Cases	12		*				*		
TRO Mediation Program Training	13							*	
Understanding Legal Aid in the Civil Branch	14			*		*		*	

DVD Descriptions

ADA Overview & Etiquette

—Originally presented and recorded at Multi-Door on February 27, 2017. Approximately 75 min.

—1 CEU available in all Multi-Door Mediation Programs

—Presented by H. Clifton Grandy, Chief ADA Coordinator at DC Superior Court

The goal of this session is to provide an overview of the ADA, including how it applies specifically at Multi-Door, what steps to take if a client requests an accommodation, and disability etiquette (e.g. what to say/not to say). The information presented is geared towards the responsibilities of Multi-Door staff in relation to the ADA and mediation. Mediators may also find this information useful and are invited to view the DVD to gain a better understanding of this topic.

Agreement Writing for Civil Mediators

—Originally presented and recorded at Multi-Door on April 12, 2017. Approximately 90 min.

—1.5 CEUS available in Civil Mediation Program

—Presented by Karen Leichtnam, Perrin Scanlon, and Jennifer Herman, Multi-Door staff

Mediators in the Civil program typically do not write agreements, when the parties are represented by counsel. The program expects mediators to memorialize agreements, however, when both parties are *pro se* and encourages it in some situations with a *pro se* on one side and an attorney on the other. This session is designed to help civil mediators become more comfortable with writing agreements. Presenters offer some guidelines for writing agreements and practice in working to formulate the terms of agreements.

Agreement Writing in Child Protection Mediation (Permanency Cases)

—Originally presented and recorded at Multi-Door on April 9, 2013. Approximately 120 min.

—2 CEUS available in Child Protection Mediation Program

—Presented by Janice Buie and Susan Bartlett, Multi-Door staff

Geared towards permanency case mediators, this training focuses on preparation methods and writing techniques for effective agreement writing in the CPM Program. The trainers discuss the CPM Program's standard agreement template as well as program policies. Please note: all interested mediators may view the DVD, but only CPM mediators may receive continuing education credits for doing so.

Apology in Mediation

—Originally presented and recorded at Multi-Door on April 29, 2015. Approximately 120 min.

—2 CEUs available in Civil, Family, Landlord & Tenant, Probate, and Small Claims Mediation Programs

—Presented by Michael Lang, Multi-Door mediator

Apologies are often abstract and elusive in mediation. Knowing when an apology can provide a breakthrough can mean the difference between a satisfying settlement to all parties and the settlement ending in impasse. This training discusses the power of a full apology; the how, when, and why of an apology in mediation; the impasse potential of a partial or insincere apology; and the legal developments in some jurisdictions with respect to immunizing different levels of apologies. The session focuses primarily on the elements usually essential for an offender's apology to be accepted by the offended.

Ask the Experts: DCRA & ERAP

—Originally presented and recorded at Multi-Door on January 30, 2014. Approximately 120 min.

—2 CEUs available in Landlord & Tenant Mediation Program

—Presented by DCRA and ERAP

Representatives from the Department of Consumer and Regulatory Affairs (DCRA) and the Emergency Rental Assistance Program (ERAP) presented information about the services provided by their agencies in this two-hour DVD. The knowledge gained in this training will equip mediators to better discuss service options and reality-test with parties during their mediation sessions.

Barriers to Settlement

—Originally presented and recorded at Multi-Door on November 18, 2013. Approximately 120 min.

—2 CEUs available in Civil, Family, Landlord & Tenant, Probate, Small Claims, and Tax Mediation Programs

—Presented by Steve Altman and Jeff Senger, Multi-Door mediators

Various dilemmas may prevent parties from reaching an agreement during mediation. This training discusses the more common barriers that affect mediation parties. Topics covered include reactive devaluation, the negotiator's dilemma, risk aversion, and loss aversion. Trainees will also learn techniques and tools that a mediator may employ should they encounter one of these barriers. This training is presented by two experienced Multi-Door mediators—Steve Altman and Jeff Senger. Mr. Altman mediates in the Civil and L&T programs, maintains his own private ADR practice, and teaches negotiation and mediation as an adjunct professor at Georgetown. Mr. Senger mediates in the Civil program and is a partner at Sidley Austin; he has previously mediated in the Family program and in the US District Court program.

Benefits Offered by Department of Human Services

—Originally presented and recorded at Multi-Door on April 25, 2014. Approximately 120 min.

—2 CEUs available in Child Protection, Family, and Probate Mediation Programs

—Presented by DC Department of Human Services

Get ready to learn about the wide variety of services available through the Department of Human Services! DHS representatives layout eligibility requirements, options, and benefits of various services provided through their department. Services discussed include TANF (Temporary Cash Assistance for Needy Families), SNAP (Supplemental Nutrition Assistance Program), Burial Assistance, and PASS (Parent and Adolescent Support Services). Mediators will become better equipped to discuss options and reality-test with mediation parties.

Building Trust and Overcoming Distrust

—Originally presented and recorded at Multi-Door on December 6, 2013. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by John Settle, President of SETTLEMENT Associates, LLC

Trust is a key element of all relationships, both interpersonal and in organizations. Distrust is an equally important subject, as it is not merely the absence of trust; rather, distrust is a separate problem which may cause tension. Mediators need to understand the nature of both, particularly how to build and keep trust. Trainees will learn how trust and distrust develop as well as specific techniques for building trust and overcoming distrust. This training is presented by John Settle, president of SETTLEMENT Associates, LLC. Mr. Settle is an experienced trainer and mediator; he is on several ADR rosters, including NVMS and the EEOC.

CAS: A New Strategy for Civil Mediation

—Originally presented and recorded at Multi-Door on May 17, 2017. Approximately 120 min.

—2 CEUS available in Civil Mediation program

—Presented by Robert Hosea, Multi-Door staff

In Fall 2015, the Civil Actions Mediation Program completed a six-month pilot study examining the use of a more evaluative mediation approach. The overall purpose of the pilot was to identify specific techniques that could help make mediation more beneficial to the parties. The study focused on four particular mediation techniques and their effect on mediation outcome. Case types used in the study were typical of the Civil Actions program. Over the study period, 8 Civil Action mediators mediated fifty-six cases using these techniques. The study found that twenty-four of the fifty-six mediated cases were settled, producing a 43% settlement rate—14% higher than the current program settlement rate of 29%. This training will discuss the study's findings, presentation of the four techniques that supported this higher settlement rate, and additional findings. The techniques, used together, will be referred to as CAS, or Civil Action Strategy.

Court Security Briefing

—Originally presented and recorded at Multi-Door on October 31, 2017. Approximately 60 min.

—1 CEU available in all Multi-Door Mediation Programs

—Presented by Thomas Hedgepeth, Chief Security Officer of D.C. Courts

This session, presented by the Court Security Officer, will provide mediators with a better understanding of court security policies and procedures for different situations such as shelter-in-place, lockdown and evacuation, as well as for handling mediation situations with parties that are threatening or have become violent (even though this is extremely rare). Although we hope that none of these situations ever arise, knowing the information could prove extremely useful, if only once!

Court-Based Mediation Symposium

—Originally presented and recorded at Multi-Door on September 23, 2014. Approximately 160 min.

—3 CEUs available in Civil, Landlord & Tenant, Probate, Small Claims, and Tax Mediation Programs

—Moderated by Michael Lang and Melissa Reinberg, Multi-Door mediators. Panelists included Judge Diane Brenneman and Professors Geoff Drucker, Homer LaRue and Roger Wolf

A distinguished panel of mediators, professors, and judges joins Multi-Door for a discussion focused on court-based mediations. Topics addressed include how court-based mediation differs from other mediation, the appropriate level of mediator involvement in brainstorming and option generation, and whether legal information is a help or hindrance in the process, as well as many others. Moderators posed challenging, yet very common, scenarios and questions to the panelists. Panelists also addressed audience questions on a variety of issues related to mediating in a court setting.

Dealing with Difficult People

—Originally presented and recorded at Multi-Door on January 27, 2016. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by David Batson, Adjunct Faculty at Georgetown Law School

Have you ever been in a negotiation, or even an important meeting, and had your progress stalled by that one person—that one individual or group that is just, so, DIFFICULT!? This session uses illustrative clips from movies and TV shows to highlight the types of difficult people and identify tools to help you work with that individual and get things moving again. You can't necessarily make them any less difficult, but there are ways to not let them sidetrack your efforts by understanding what they are

attempting to do, planning ahead, considering what to do when they “trigger” you, and consciously using an appropriate approach to deal with the various types of difficult people you encounter.

David Batson, Senior ADR Specialist for US EPA until February 2015, now provides dispute resolution services to public and private parties involved in environmental, public policy and organizational disputes. David has more than 30 years of dispute resolution experience as a convener, mediator, facilitator, allocation specialist, and designer of dispute resolution programs. A frequent speaker on the effective use of negotiation, public involvement, and ADR, David is Adjunct Faculty at Georgetown Law School and the author of guidance for federal agencies on collaborative practice and confidentiality of ADR processes.

Debt Collection and Related Issues Roundtable 2014

—Originally presented and recorded at Multi-Door on November 7, 2014. Approximately 160 min.

—3 CEUs available in Small Claims Mediation Program

—Panelists included representatives from legal aid organizations and private law firms

This training is designed for mediators who mediate collection and other consumer debt cases. Topics addressed include disputed debts, rent arrearages and security deposit collection, assigned debt, medical debt, automobile subrogation cases, condo and homeowner association fees, protected income and assets and laws regarding unfair debt collection practices. Settlement agreements are also discussed, covering such issues as attorneys’ fees, court costs, default protections and consequences and more.

Distinguishing Legal Information from Legal Advice

—Originally presented and recorded at Multi-Door on June 13, 2014. Approximately 90 min.

—1.5 CEUs available in all Multi-Door Mediation Programs

—Presented by Victor Quiros, Matthew Centeio-Bargasse, and Shavon Brooks, Multi-Door staff

What can a mediator do when she or he thinks the parties in their case don’t realize what they’re giving up in a settlement? Or when a party seems unaware of a legal standard applicable to the case? Does it make a difference if the party is *pro se*? Mediators will gain a better understanding of how to distinguish between legal information and legal advice within the boundaries of the mediation process.

Elder Abuse

-Originally presented and recorded at Multi-Door on March 28, 2019. Approximately 2 hours

-2.0 CEUs available in all Multi-Door Mediation Programs.

-Presented by Amy Mix (AARP Legal Counsel for the Elderly) and Bridgette Stumpf (Network for Victim Recovery of DC)

This session will familiarize mediators with issues surrounding elder abuse, beginning with definitions and statistics on its prevalence. It will help mediators understand how to recognize abuse, highlighting common indicators of victims and abusers. The effects of this sort of trauma and how to recognize it, as well as DC resources for dealing with it, will be explained.

Mediators might think that this issue will not present itself in case types other than family or probate, but it can arise as an issue in most case types. Mediators can benefit from knowing how to recognize and react when they encounter this issue in mediation.

Ethics of Neuroscience: Prime or Prejudice?

- Originally presented and recorded at Multi-Door on November 19, 2015. Approximately 120 min.
- 2 CEUs available in all Multi-Door Mediation Programs
- Presented by Cathy Costantino, counsel at FDIC and adjunct professor at Georgetown Law School

Cathy Costantino returns to Multi-Door with a follow-up to her February 2015 presentation, *This is Your Brain on Mediation*. In this follow-up session, Ms. Costantino expands on a topic covered at the end of her previous presentation: is it really ethical for mediators to prime, anchor, ego deplete, and frame the parties intentionally? The Model Standards most jeopardized by the use of neuroscience principles are self-determination, impartiality, and confidentiality.

Mediators may wish to view *This is Your Brain on Mediation* prior to watching this follow-up training. While not a prerequisite, it may add to your appreciation of this session. Note: *Ethics of Neuroscience* does NOT fulfill the ethics requirement as detailed in Multi-Door's continuing education policy. Please consult staff if you have questions about this.

Ms. Costantino is an attorney, law professor, mediator, facilitator and conflict management systems designer. She is currently Counsel at the Federal Deposit Insurance Corporation (FDIC) where she handles complex dispute resolution and litigation matters. She is an adjunct professor at Georgetown University Law School, George Washington University Law School, Fordham Law School and Vermont Law School. She frequently speaks at conferences and seminars, both in the United States and abroad.

Facilitative, Evaluative, Directive: What Kind of Mediators Are We?

- Originally presented and recorded at Multi-Door on January 17, 2014. Approximately 120 min.
- 2 CEUs available in all Multi-Door Mediation Programs
- Presented by Victor Quiros, Multi-Door staff

This session explores the mediation field, the definition of mediation, and what being a facilitative mediator means generally and at Multi-Door. Viewpoints from Multi-Door mediators, other professionals in the field, and research conducted at Multi-Door frame the training discussion.

Financial Issues in Family Mediation 2015

- Originally presented and recorded at Multi-Door on June 17, 2015. Approximately 180 min.
- 3 CEUs available in Family and Probate Mediation Programs
- Presented by Francisco Laguna, President of Empowered Divorce, LLC

A continuation of Mr. Francisco Laguna's previous Multi-Door trainings (May 2012, May 2014), this session provides mediators with a better understanding of financial topics brought up in mediation. Mr. Laguna also discusses what issues parties may need to get professional advice about before reaching an agreement. Topics include subjects such as; retirement accounts, pensions, qualified domestic relation orders (QDROs), bankruptcy, stock options, and business property.

Impact of Culture on Negotiation and Mediation

- Originally presented and recorded at Multi-Door on April 13, 2012. Approximately 120 min.
- 2 CEUs available in all Multi-Door Mediation Programs
- Presented by Nina Meierding, Negotiation and Mediation Training Services

How might culture affect an individual party? How might a party's culture affect a mediation overall, or even determine a mediation's success? How can a mediator handle differences in culture between the

parties or between the parties and the mediator? Nina Meierding addresses these and similar questions in this training. She discusses several variables that culture influences, including theories of fairness, processing styles, types of cultures, context communication, uncertainty avoidance, and speech styles and patterns.

Impact of Gender on Negotiation and Mediation

- Originally presented and recorded at Multi-Door on April 13, 2012. Approximately 120 min.
- 2 CEUs available in all Multi-Door Mediation Programs
- Presented by Nina Meierding, Negotiation and Mediation Training Services

Similar to the *Impact of Culture* DVD, Nina Meierding discusses gender, assumptions based on gender, and how gender may impact communication between people and, therefore, mediation. Meierding's training focuses on several prototypical differences between men and women, with a constant reminder that these prototypes are based on research and that each individual is just that—an individual who may or may not fit into the prototype. Areas of difference between the genders that Meierding addresses include: types of talk, validation, ritual opposition/fighting, types of speech, humor, and apology.

It's All in the Timing

- Originally presented and recorded at Multi-Door on November 30, 2016
- 2 CEUs available in all Multi-Door Mediation Programs
- Moderated by Jennifer Herman and Karen Leichtnam, Multi-Door staff. Panelists included Multi-Door mediators Randall Brandt, Sol Glasner, Bonnie Nathan, Matthew O'Hara, and Nancy Pilchen.

Timing questions abound in mediation: When should you end the joint session and move to caucus? When is it permissible for the mediator to offer settlement ideas? When do you keep the discussion going and when do you "throw in the towel?" Hear from a panel of experienced mediators from across Multi-Door programs, as well as ideas from the audience.

Judge-in-Chambers Roundtable 2016

- Originally presented and recorded at Multi-Door on November 8, 2016. Approximately 65 min.
- 1 CEU available in Small Claims Mediation Program
- Presented by Robert Hosea and Andre Randall (Multi-Door staff) and Judge-in-Chamber staff

This roundtable provides JIC mediators with an updated understanding of the JIC and TRO hearing processes. Further, it reviews what the program had learned to date about party demographics, issue types and other factors. The roundtable also included a discussion of the JIC/TRO mediation strategies used that are effective and the challenges that mediators have faced in this case type.

Note: This training is only available to Small Claims mediators who are on the JIC roster. If you are interested in joining this roster and have not yet received program approval, please contact the Small Claims Program Officer or Civil ADR Branch Chief.

Judicial Sale/Foreclosure Mediation Program Update

- Originally presented and recorded at Multi-Door on January 23, 2017. Approximately 90 min.
- 1.5 CEUs available for Civil, Landlord & Tenant, and Small Claims Mediation Programs
- Presented by Robert Hosea and Perrin Scanlon, Multi-Door staff

At this presentation, the Civil ADR Branch staff shared new procedures and steps being implemented in the Judicial Sale/Foreclosure Mediation Program, effective February 1, 2017. Mediators also learned about the court's foreclosure process from both plaintiff and defendant attorneys' perspectives. Staff and presenters also addressed attendees' questions regarding the foreclosure process.

Note: This training is only available to Civil, L&T, and Small Claims mediators who are on the Judicial Sale/Foreclosure roster. If you are interested in joining this roster and have not yet received program approval, please contact the Civil ADR Program Officer or Civil ADR Branch Chief.

Landlord & Tenant Law Review: Commercial Law

- Originally presented and recorded at Multi-Door on January 24, 2013. Approximately 120 min.
- 2 CEUs available for Civil, Small Claims, and Landlord & Tenant Mediation Programs
- Presented by Edward Cordone, attorney at Blumenthal & Cordone

Presented by Mr. Edward Cordone, Attorney at Law with Blumenthal & Cordone, this training outlines differences between residential and commercial property law by focusing on commercial leases. Mr. Cordone explains key elements of the lease, how landlords can increase rent, and why housing code violations do not affect negotiations in mediation. Effective negotiation tools and tips also are shared.

Landlord & Tenant Law Review: Commercial and Residential Law

- Originally presented and recorded at Multi-Door on February 27, 2014. Approximately 120 min.
- 2 CEUs available for Civil, Small Claims, and Landlord & Tenant Mediation Programs
- Presented by Edward Cordone, attorney at Blumenthal & Cordone

Back by popular demand, Atty. Edward Cordone trains attendees and viewers on various aspects of both commercial and residential L&T law. Specific topics covered differ from *Landlord & Tenant Law Review: Commercial Law*, and mediators may receive credit for watching both DVDs. Watching *L&T Law Review: Commercial Law* is not a prerequisite.

Landlord & Tenant Law Review 2015

- Originally presented and recorded at Multi-Door on February 26, 2015. Approximately 120 min.
- 2 CEUs available for Civil, Landlord & Tenant, and Small Claims Mediation Programs

The 2015 installment of the popular L&T Law Review covered two legal topics—specifically, the mold law and money judgments. An attorney from Legal Aid Society presented information regarding the new mold law in D.C., which went into effect in September 2014. The presenter provided information on various details of the law, such as inspection, enforcement, remediation, and licensure requirements for mold assessors and remediators. The attorney advisor to the Landlord & Tenant court then answered questions regarding legal issues involving money judgments, mediation agreements, and judgments.

Landlord & Tenant Law Review 2017: Late Fees

- Originally presented and recorded at Multi-Door on March 10, 2017. Approximately 90 min.
- 1.5 CEUs available for Landlord & Tenant and Small Claims Mediation Programs
- Presented by Billy Cannon, L&T attorney at Offit-Kuman, and Dan Clark, Director of DC Law Students in Court

This law review focused on the “Rental Housing Late Fee Fairness Amendment Act of 2016” and other changes to DC code. The Act substantially changed how late fees can be assessed and how tenants’ payments are applied to current and past-due rent amounts.

Managing High Conflict People in Mediation

- Commercially available DVD from the High Conflict Institute. Approximately 135 min.
- 2 CEUs available in all Multi-Door Mediation Programs
- Presented by Bill Eddy, President of the High Conflict Institute

“High conflict people appear to be increasing in society and in mediation. They often have intense negative emotions, make repeated personal attacks, trigger splits in communities, organizations and families. They frequently work against their own self-interest and seem to have little apparent desire to resolve the issues at hand. This 2-hour seminar provides information about the predictable patterns of five common types of high conflict people, including case examples....” —DVD Jacket Cover

This DVD training also includes tips and suggestions for mediators to use when they encounter a high conflict person.

Mediating at an Uneven Table

—Originally presented and recorded at Multi-Door on November 12, 2013. Approximately 90 min.

—1.5 CEUs available in Small Claims and Landlord & Tenant Mediation Programs

—Presented by Roger C. Wolf, professor emeritus at Carey School of Law

Special difficulties and ethical challenges may arise when one or both mediation parties are self-represented. This session is a discussion of those challenges and provides guidance on both general approaches and specific practices a mediator might consider using in those situations. Professor Roger C. Wolf, *professor emeritus*, presents this session with input from André Randall, Small Claims Program Officer, and Melissa Reinberg, an experienced Multi-Door mediator. Professor Wolf has taught at the University of Maryland, Francis King Carey School of Law, since 1982; most recently, he directed the school’s Center for Dispute Resolution, the mediation clinic, and taught courses in dispute resolution. He also has extensive mediation experience as both trainer and mediator.

Mediating with Interpreters

—Originally presented and recorded at Multi-Door on May 3, 2013. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by Karima Azzouz, Office of Court Interpreting Services

Mediating with interpreters can often be a cumbersome process. From seating arrangements to the timing and rhythm of the process, mediators may need to make a variety of adjustments in order to effectively mediate with an interpreter. Presented by a representative from the DC Superior Court’s Office of Court Interpreting Services (OCIS), the training includes an overview of OCIS, an explanation of the interpreter’s role, and the different methods of interpretation. Through a fishbowl-type role play and follow up discussion, Multi-Door staffers demonstrate some best practices when mediating with an interpreter.

The Mediation Racetrack

—Originally presented and recorded at Multi-Door on March 16, 2015. Approximately 180 min.

—3 CEUs available in all Multi-Door Mediation Programs

—Presented by Elizabeth Stokoe, Professor in the Department of Social Sciences, Loughborough University, UK

Talk is orderly and predictable, so changing the words we use can change the trajectory and outcome of conversation. All conversational encounters have a distinct landscape, like a racetrack, with particular hurdles along the route. This training includes what sorts of roadblocks can occur in initial encounters between mediators and their prospective clients; techniques and strategies to best resolve these problems; the best way to explain the mediation process, without daunting current and potential clients; and new ways to engage in reflective discussion about the mediation practice.

Elizabeth Stokoe is Professor of Social Interaction in the Department of Social Sciences, Loughborough University, UK. She researches the organization of everyday life via audio and video recordings of domestic and workplace conversations, including mediation and neighbour disputes. She has also compared simulated interaction, or 'role-play', typically used to train and assess people's 'communication skills', to the real encounters they are meant to mimic, showing that they differ in important ways. A board member of the UK Association of Mediation Assessors, Trainers and Instructors, and the UK College of Mediators, most recently, she has applied her research findings about what works in workplace encounters to train practitioners to be more effective in their encounters with their clients and service users, and has developed an award-winning approach to training (CARM: www.carmtraining.org).

Mental Illness as a Factor in Mediation

—Originally presented and recorded at Multi-Door on April 9, 2013. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by Roberta Mitchell and Joan Burrell, Multi-Door staff

One in four adults, approximately 57.7 million Americans, experiences a mental health disorder in a given year, according to the National Alliance on Mental Illness. Roberta Mitchell (Family Staff Mediator) and Joan Burrell (CPM Case Manager) present a training session focused on when and how to mediate—or not—when a party is exhibiting behaviors that make mediation especially difficult. Although mediators cannot diagnose mental illness, a mediator may need to judge whether a party has the capacity to mediate. This session discusses differing levels and types of symptoms that a party may display and, through group exercises, potential ways to facilitate a productive mediation session.

Narrative Mediation: Strategies for Advancing “Better” Stories

—Originally presented and recorded at Multi-Door on November 15, 2017. Approximately 75 min.

—1.5 CEUs available in all Multi-Door Mediation Programs

—Presented by Sara Cobb, Professor at George Mason University

The concept of narrative mediation holds that parties in a dispute all have a certain narrative, or story, about the dispute and the others involved. That narrative is usually negative and can make it difficult to have a reasoned, productive discussion. Mediators can help change this narrative by listening closely and asking questions to help construct a different narrative that allows the parties to view each other more favorably.

Sara Cobb is a Professor at The School for Conflict Analysis and Resolution (S-CAR) at George Mason University, where she teaches and conducts research on the relationship between narrative and violent conflict; she is also the Director of the Center for the Study of Narrative and Conflict Resolution at S-CAR that provides a hub for scholarship on narrative approaches to conflict analysis and resolution. Formerly, she was the Director of the Program on Negotiation at Harvard Law School and has held positions at a variety of tier one research institutions such as University of California, Santa Barbara, University of Connecticut, and more recently at the University of Amsterdam.

New Ways for Mediation: A 4-Step Method for Mediating High-Conflict Disputes

—Originally presented and recorded at Multi-Door on October 26, 2015. Approximately 210 min.

—3.5 CEUs available in all Multi-Door Mediation Programs

—Presented by Bill Eddy, President of the High Conflict Institute

Developed by Bill Eddy, *New Ways for Mediation* is a tightly-structured, simple process for mediating potentially high-conflict disputes. This approach emphasizes the role of the mediator as “guide” and focuses on the teaching and reinforcement of simple skills for the clients to use throughout the mediation process. The mediator provides a few simple skills for the parties to repeatedly apply in more actively asking questions, gathering information, and making proposals, while the mediator more actively provides education and options for the parties to consider. Throughout the process, the mediator calmly demonstrates empathy, respect, and neutrality for all parties, despite angry outbursts, surprise events, tears, and rigid positions. The intended result is that the parties have less need to defend themselves, work harder at finding solutions, and are more committed to their own decisions.

Viewers will learn about the 4-step method and the reasons behind it, as well as have the opportunity to practice the techniques taught.

Pension and Retirement Plans: Pension Basics

—Originally presented and recorded at Multi-Door on September 28, 2015. Approximately 120 min.

—2 CEUs available in Family Mediation Program

—Presented by Pension Rights Clinic

Representatives from the Pension Rights Clinic presented a two-training series at Multi-Door. Though mediators are not expected to be financial consultants nor offer legal services, *pro se* parties may be very confused and struggle to understand how pensions work—particularly in terms of marital division. This set of trainings provides basic information on pensions, such as the resources and documentation the parties may need, and helps mediators recognize the potential pitfalls where parties may need additional information.

Questions to be addressed in *Pension Basics*:

- How can parties access information about whether they have a pension at a particular company/agency?
- How can parties determine total funds available, past withdrawals, and future assets at retirement?
- What are the different rules for different plans: defined, 401K, railroad, post office, military, federal, international, etc.?
- Who should parties talk to if they have questions?
- What questions should they ask H.R.?
- How can they get documentation?

Pension and Retirement Plans: Spousal Assets

—Originally presented and recorded at Multi-Door on September 28, 2015. Approximately 120 min.

—2 CEUs available in Family Mediation Program

— Presented by Pension Rights Clinic

Representatives from the Pension Rights Clinic presented a two-training series at Multi-Door. Though mediators are not expected to be financial consultants nor offer legal services, *pro se* parties may be very confused and struggle to understand how pensions work—particularly in terms of marital division. This set of trainings provides basic information on pensions, such as the resources and documentation the parties may need, and helps mediators recognize the potential pitfalls where parties may need additional information.

(Description continues on page 11)

Questions to be addressed in *Spousal Assets*:

- How can parties determine marital portion? Can party withhold assets if spouse requests them?
- What role does plan type have on marital portion?
- What if a party had multiple spouses?
- What is a QDRO? What does it look like? Who handles it?
- What happens if spouse withdrew some of his/her pension assets before divorce?
- What are the rules for withdrawal after divorce?
- What are survivor's benefits? Who can claim them and how?
- What happens if a party is already retired and receiving benefits? How is the marital portion determined in those cases?
- Are there tax implications for choice of distribution?
- Who should parties talk to if they have questions?
- What questions should they ask?
- How can they get documentation?

The People Problem: Emotions and Their Effects on Decision-Making

—Originally presented and recorded at Multi-Door on January 17, 2014. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by Roberta Mitchell and Jennifer Herman, Multi-Door staff

Sadness, happiness, anger, guilt, fear, disgust...emotions that many mediation parties experience during a mediation session. Through the presentation of recent research into emotions, the trainers dispel common misconceptions about emotions and how different emotions may impact a party's judgment or decision-making capabilities. Group role plays are used to demonstrate the impact of different emotions.

Personal Injury and Insurance Claims Panel

—Originally presented and recorded at Multi-Door on May 25, 2016. Approximately 120 min.

—2 CEUs available in Civil and Small Claims Mediation Programs

—Moderated by Jennifer Herman, Kemi Sanni, and Perrin Scanlon, Multi-Door staff. Panelists included Multi-Door mediators Jake Lebowitz, Ken Trombly, Skip White, and Burt Zurer, as well as insurance company attorney Maurice Jagne-Shaw.

At this session, a panel of insurance adjusters, in-house counsel at an insurance company, independently-hired defense counsel, and plaintiff's counsel gave their perspectives on how they evaluate a case, prepare for mediation, and what a mediator can do to change those calculations during the mediation session. Viewers will gain insight into how adjusters and in-house counsel evaluate a personal injury or automobile case and will have a chance to refresh your knowledge on DC law regarding personal injury.

Reframing the Conflict Model: Dugan's Nested Theory of Conflict

—Originally presented and recorded at Multi-Door on May 15, 2014. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by Victor Quiros and Jennifer Herman, Multi-Door staff

Not all disputes are as cut-and-dried as they first appear to be. Some may be a one-off dispute, others the result of underlying societal forces. When a mediator understands that a dispute may extend beyond the specific issue or even beyond the parties' relationship, the mediator can ask sharply-honed questions, broaden the discussion beyond the issue or relationship when necessary, and help the parties

sift through which parts of the dispute they can (or cannot) address. Máire Dugan's nested theory offers mediators a conflict model that explains how inequalities in a social system may manifest as conflicts at subsystem (e.g. rules and traditions), relational, or issue-specific levels. Understanding Dugan's theory can help a mediator realize when a dispute is truly about only the issue or when the real conflict lies elsewhere. Trainers present the model, history of the model, and work closely with the group to understand how it may impact cases seen at Multi-Door.

Small Claims Q&A with Judge Brenneman

—Originally presented and recorded at Multi-Door on October 8, 2015. Approximately 120 min.

—2 CEUs available in Small Claims Mediation Program

—Presented by Judge Diane Brenneman and Small Claims Court staff

Magistrate Judge Brenneman and several of her court staff spoke with mediators at this recorded roundtable to further their awareness of the Small Claims Court, its processes and procedures, and how the mediation program supports the court's mission. Topics included breach of agreement remedies, agreement writing issues, and administration of default clauses. Bob Hosea, Multi-Door Civil Branch Chief, and André Randall, Small Claims Mediation Program Officer, also discussed policy updates and reminders specific to mediators for the Small Claims program.

Small Claims Resource Center

—Originally presented and recorded at Multi-Door on September 21, 2016

—1.5 CEUs available in Small Claims Mediation Program

—Presented by Faith Mullen, Director of the General Practice Clinic at the University of the District of Columbia David A. Clarke School of Law

The Court has various self-help and resource centers to assist *pro se* parties who are attempting to navigate the twists and turns of the court process. The SCRC is a free service available to assist parties seeking restitution from another party, for claims of \$5,000 or less. Viewers will learn about the services provided through the SCRC, the existing laws impacting the most frequent small claims related matters, and how we can collaborate with the SCRC to serve our mutual clients.

Supported Decision-Making and Guardianship Cases

—Originally presented and recorded at Multi-Door on April 22, 2016. Approximately 120 min.

—2 CEUs available in Child Protection and Probate Mediation Programs

—Presented by Quality Trust for Individuals with Disabilities and the DC Superior Court's Guardianship Assistance Program

In a perfect world, we all have the right to make choices; however, when you're elderly, disabled, and/or underage that right is often taken away. Because life expectancy continues to increase, families find themselves involved in intergenerational decisions. They often have to share in the concerns and care-giving of their loved ones. Supported Decision-Making is for people who need assistance with making decisions because they are elderly, disabled, and/or underage. This new concept is being used as an alternative to guardianship, and it allows the subject to have a voice in decisions about their care.

This training provides information on how Supported Decision-Making is beneficial; offer options and resources on how to assist elderly people and/or people with disabilities; explain how this concept is incorporated as a part of the guardianship process; describe the different types of decision makers such as: Substitute Health Care Decision-Maker, Potential Substitute Health Care Decision-Maker, and Certified of Mental Incapacity to Make Health Care Decisions; and define legal terms. The Guardian

Assistance Program will also give us an overview of when a guardian is needed, the responsibilities of a guardian, and the process of becoming a guardian with the courts.

This is Your Brain on Mediation

—Originally presented and recorded at Multi-Door on February 27, 2015. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by Cathy Costantino, counsel at FDIC and adjunct professor at Georgetown Law School

Framing is not something you do when building a structure; priming is not a mathematical concept; ego depletion is not something that happens when you are tired. This session explores general principles of neuroscience specifically as they relate to the various stages of mediation. It explores effective framing, critical path analysis, decision-making developing options, cognitive and behavior barriers, the science behind impasse and closure, and effective strategies to both maximize and minimize the effect of the brain during the options and closure stages.

Ms. Costantino is an attorney, law professor, mediator, facilitator and conflict management systems designer. She is currently Counsel at the Federal Deposit Insurance Corporation (FDIC) where she handles complex dispute resolution and litigation matters. She is an adjunct professor at Georgetown University Law School, George Washington University Law School, Fordham Law School and Vermont Law School. She frequently speaks at conferences and seminars, both in the United States and abroad.

The Tool of Caucusing

—Originally presented and recorded at Multi-Door on April 17, 2013. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by Steve Altman and Sigmund Cohen, Multi-Door mediators

As mediation styles change, the reason to caucus during mediation has become a question – should we or should we not? This training provides mediators with the What, Why, When, and How of caucusing by defining, demonstrating, and discussing: what is a caucus, why do we caucus in mediation, when is the right time to caucus, and how to bring a caucus to closure. Trainees will learn Multi-Door’s view on caucusing, discuss the difference between mediation case types, and how the case types may determine the mediator’s decision to caucus or not as well as, strategies, tools and tips on how to keep the mediation moving when a mediator chooses not to caucus. Presented by Dr. Victor Quiros (Civil Branch Chief) and two experienced Multi-Door mediators—Steve Altman (Civil and Landlord & Tenant mediation programs) and Sigmund Cohen (CPM, Family, and Landlord & Tenant mediation programs).

TRO Mediation Program Training

—Originally presented and recorded at Multi-Door on March 31, 2016. Approximately 125 min.

—2 CEUs available in Small Claims Mediation Program

—Presented by Robert Hosea (Multi-Door staff), Judge Joan Zeldon, and Judge-in-Chamber staff

The Judge-in-Chambers (JIC) mediation program is a new program provided by the Multi-Door Small Claims Mediation Program serving plaintiff parties requesting a Temporary Restraining Order (TRO) and the associated defendants of the case. The intent of the program is to provide parties an opportunity to engage in a mediated discussion for developing options and settling the dispute. The training provides mediators and staff with an understanding of the JIC and TRO hearing process, party demographics, and issue types and factors. The training includes a discussion of the JIC/TRO mediation process, documents required, and communication and mediation techniques useful in managing difficult conversations with hostile parties. The training also includes a discussion with Judge Zeldon about JIC and the value of mediating these cases. *(See note, next page.)*

Note: This training is only available to Small Claims mediators who are joining this roster. If you are interested in joining this roster and have not yet received program approval, please contact the Small Claims Program Officer or Civil ADR Branch Chief.

Understanding Civil Protection Orders

- Originally presented and recorded at Multi-Door on April 9, 2013. Approximately 90 min.
- 1.5 CEUs available in all Multi-Door Mediation Programs
- Presented by DC Superior Court’s Domestic Violence Unit

Presented by a representative of the DC Superior Court’s Domestic Violence Unit, this training fosters a greater understanding of how a protection order may influence the parties in a mediation session, particularly in family mediation cases. The training familiarizes the audience with the process of obtaining and modifying a protection order and the types of protection orders.

Understanding Legal Aid in the Civil Branch

- Originally presented and recorded at Multi-Door on December 1, 2015. Approximately 120 min.
- 2 CEUs available in Civil, Landlord & Tenant, and Small Claims Mediation Programs
- Moderated by Andre Randall, Multi-Door staff. Panelists include representatives from several legal aid organizations.

In advancing justice for all, the Superior Court offers a variety of legal aid assistance and resources. Each of these resources offers information tailored to the needs of the person seeking assistance, which is particularly helpful for *pro se* parties. This recording of the roundtable training is an opportunity to hear from representatives for several of the legal aid programs available to Small Claims, Landlord & Tenant, and Civil litigants. Representatives included Legal Counsel for the Elderly, DC Bar Pro Bono Clinic, Neighborhood Legal Services, and DC Law Students in Court. The discussion focused on benefits of these resources and limitations of service they provide.

What Works in Mediation

- Originally presented and recorded at Multi-Door on October 25, 2016. Approximately 120 min.
- 2 CEUs available in all Multi-Door Programs
- Presented by Lorig Charkoudian, Director of Community Mediation Maryland

Viewers will learn how the techniques and strategies used in ADR sessions may impact the process and the participants. Also, you will learn how the ground-breaking ADR Research conducted by Community Mediation Maryland was developed; lay the groundwork for developing your “elevator speech” about Court ADR (supported by empirical research); and impress your friends with your knowledge of regression analysis!

Working with People with Mental Illness

- Originally presented and recorded at Multi-Door on March 19, 2015. Approximately 120 min.
- 2 CEUs available in all Multi-Door Programs
- Presented by Susan Bartlett, Joan Burrell, and Roberta Mitchell (Multi-Door staff), and Cleonia Terry (DC Superior Court, Mental Health Community Court)

The term “mental illness” carries a negative connotation, and frequently, parties who are affected by mental illnesses or disorders experience stereotyping and are subjected to assumptions. According to the National Institute on Mental Health, research on psychiatric epidemiology shows that mental disorders are common throughout the United States, affecting tens of millions of people each year, and only a fraction of those affected receive treatment. Effects of both treated and untreated mental

disorders can impact parties' meaningful participation in mediation and the outcome of mediation. This training focuses on several strategies mediators can use to assist parties, who are affected by mental illnesses or disorders, in meaningfully participating in mediation so the outcome is helpful to everyone involved.

Wounded Warriors Regiment Presentation

—Originally presented and recorded at Multi-Door on December 7, 2012. Approximately 120 min.

—2 CEUs available in all Multi-Door Mediation Programs

—Presented by the Marine Corps' Wounded Warriors Regiment

Presented by the Wounded Warriors Regiment of the Marine Corps, this training discusses the myriad challenges that a veteran may face after suffering an injury. Several presenters discuss the various types of injuries that a veteran may have, ranging from physical to spiritual, and the different services that the Regiment can provide to a wounded Marine. The Regiment proffers information about potential warning signs that a veteran is having difficulty, particularly in an interpersonal interaction, as well as tips for how to help a wounded veteran.