

The bi-monthly publication of the Ohio Mediation Association ...

Mediate Ohio

June 2013

A Word from the President

2013 Conference Wrap-Up

What a great conference in April! We were fortunate enough to host another unparalleled presenter in Lee Jay Berman. Almost 70 OMA members had the amazing opportunity to participate in this full-day training and came away with a much better understanding of how impasse can be **prevented or avoided** at each stage of the process. We felt quite fortunate to have Lee Jay here in Ohio and will look forward to a continued relationship with him in the future. If you were unable to make it this year, we hope you will join us in 2014!

“Great day at ... OMA with Lee Jay Berman and all the fellow Mediators... Great job to all who helped make this happen. Thank you!” —OMA Member

Survey Results Summary

A big **THANK YOU** to all of you who took the time to complete the 2013 OMA survey! We were pleased to have responses from almost half of our membership. There is still time to respond if you haven't already! You can find the member survey at <https://www.surveymonkey.com/s/OMAMemberSurvey>.

Overall, members were quite satisfied with OMA membership. The majority of respondents indicated that the benefits of membership are worth the cost. Most members initially joined to take advantage of networking and professional development opportunities and indicate that the organization is providing these benefits.

Most importantly, we received many valuable suggestions with regard to how the organization might better serve members in the future. The primary concern was accessibility of programming for members throughout the state. While recent efforts have been made to ensure at least one bi-monthly meeting outside of Columbus, many would like to see both regional meetings and increased on-line accessibility.

You will find a sampling of the questions and responses from the 2013 Survey continued on *page 3*.

OMA Website :: MediateOhio.org

Finally, the survey reflected that while many of you indicated through the survey that you have in fact visited the OMA website (www.mediateohio.org), the majority of you have not yet personalized your OMA webpage. Please take a few minutes to do so—it is an important aspect of your professional marketing and promotion. The survey also indicated that a vast majority of our members have not visited the OMA Facebook page. If you can, find time to visit the page to view job announcements, conference photos and more!

As always, please **contact us** at omapresident@mediateohio.org with any questions, comments or concerns.

— by Jim Petas, OMA President

OMA :: Promoting an understanding of the value of mediation.

Member Spotlight ::
David Cohen

OMA News
Survey Results

A Moment of Silence
Job Opportunities

Conference &
Training Opportunities



OMA Member Spotlight

David Cohen :: Finding Magic in Mediation

When a corporate attorney touts the magic of mediation, you know it's more than smoke and mirrors. David Cohen, OMA's newest appointed Board member, says that it's those "magic moments" that keep him in the mediator's chair. "When I think about cases where parties come in as enemies and end as friends, that's when I think mediation is magical", says David, "and I get a feeling of accomplishment."



David began his career as a civil corporate litigator, working as an in-house attorney for American Electric Power. He attended many mediation sessions as an advocate, but it wasn't until the late 1980's, that he changed seats at the table. At that time, David took advantage of his company's policy of allowing in-house attorneys to be trained as mediators and attended training provided by Harold Paddock at the Fairfield County local court. After that training, David mediated a case and the attorney representing a

"You know you are hooked," says David, "when you turn down a golf game for mediation."

party in that case complimented him on his work as a mediator. David was encouraged by that attorney's

praise and continued to mediate cases as his schedule permitted.

When he retired from his corporate law practice in 2010, David decided to continue mediating. He has since worked as a mediator Franklin County, mediating small claims, eviction and federal district court settlement week cases.

Although David sees the value and the need for mediation, he feels that mediation is underutilized. His hope is that high profile publicity, such as

"OMA is fortunate to have David as a Board member because he is a true cheerleader for the organization."

the recent court case, involving Martha Stewart Living, Macy's and J.C. Penney, was sent to mediation, will have a positive impact on the field.

David has several suggestions for aspiring mediators. In addition to the "tried and true" tips (establish a website, join the OMA, volunteer whenever you can), David offered other ideas for ways he has established a mediator presence. He joined a local speaker's bureau and gave talks that educated the public about mediation. He got involved in his local Better Business Bureau, offering his services as a mediator. He submitted articles to a trade magazine that serves oil and gas companies (his pre-retirement

business); these articles focused on why mediation is a good fit for the oil and gas business.

OMA is fortunate to have David as a Board member because he is a true cheerleader for the organization. When asked about the benefits of

OMA membership, David mentioned the educational programs and the possibility of case referrals. David sees the OMA as a torchbearer for mediators in the state of Ohio and as an important player in the debate about mediator certification. "I see a lot of potential for OMA and I want to be part of the process that shapes the role of mediators in Ohio."

And there is one more piece of mediation magic that David has experienced. "You know you are hooked," says David, "when you turn down a golf game for mediation."

— by Cathie Kuhl, Assistant Editor



For more information, to utilize David's services, or to contact David, please visit his website at davidcohenmediation.com.

Welcome aboard, David!



OMA :: Communicate and anything is possible.

A Word From President
Jim Petas

OMA News
Annual Conference

A Moment of Silence
Job Opportunities

Conference &
Training Opportunities



OMA News

Bi-Monthly Meeting :: Friday, June 7, 2013

Panel on the Credentialing of Mediators in Ohio

Our next bi-monthly meeting will be on June 7, 2013, at the MCL Restaurant and Bakery, located at 76 East Schrock Road in Westerville. We will have a panel discussion on the topic of the credentialing of mediators in Ohio. Many views will be shared, and we **STRONGLY URGE** you to **JOIN US** as we continue our examination of this important issue facing mediators.

Better World Award Recipient

Nancy Rogers :: Professor Emeritus of Law at the Ohio State University

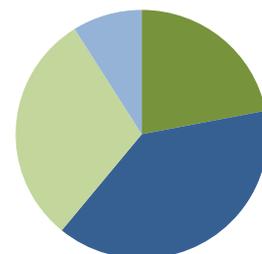
Each year, the Ohio Mediation Association presents an award to a person who or entity that has made the world a better place through his/her/its work, directly or indirectly, related to the mediation or dispute resolution field. Congratulations to this year's well-deserving recipient, Nancy Rogers! To read more about Ms. Rogers and her contributions to the field, click [here](#).

OMA :: When people speak, we listen.

2013 Survey Results (truncated)

1. Overall, how satisfied are you with your OMA membership?

Very Satisfied	22%
Satisfied	39%
Somewhat Satisfied	30%
Somewhat Unsatisfied	9%
Unsatisfied	0%



2. Would you recommend OMA membership to a colleague?

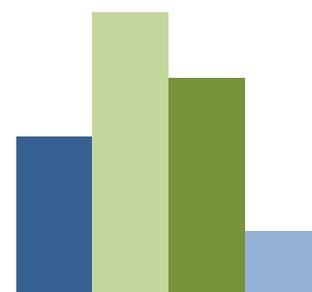
Yes	83%
No	17%

3. How much value do you think your OMA membership adds to your professional development?

High Value	9%
Some Value	74%
Little Value	15%
No Value	2%

4. In your experience, what benefits does OMA membership best provide?

Networking	45%
Programming and Education	53%
Information Distribution	54%
Conferences and Events	65%
Legislative Updates	14%



5. Do you feel credentialing is an important issue for you as a mediator?

Yes	45%
Somewhat	32%
Not at all	23%

A Word From President
Jim Petas

Member Spotlight ::
David Cohen

OMA News
Survey Results

Conference &
Training Opportunities



A Moment of Silence

“I have often regretted my speech, never my silence.” — Publilius Syrus

Here’s a challenge: **Be silent for sixty seconds.** Try not to think about all the details of your life that are currently whirling about in your head. Just enjoy the silence. If you find that sixty seconds is too long to be silent, you can stop the silence. Afterwards, even if you did not maintain silence for the entire sixty seconds, you may feel calmer than when you began, perhaps more clear-headed. If something as simple as being silent can have such salutary effects, might mediators find silence useful in resolving conflicts?

Many years ago, I observed a mediator working with parties in a particularly thorny dispute. Accusations were being passed back and forth, tempers were rising, and the parties seemed destined for impasse. The mediator intervened and said, “I’d like to ask each of us to be silent for a few moments. While we are silent, I’d ask that we think about the problem we are facing and what each of us might do to alleviate this conflict.” Then the mediator allowed the silence to happen.

When the mediator resumed the session, I was astonished to observe the change in the parties’

demeanors and attitudes. No longer blaming and finger-pointing, the parties were able to work out a solution. Afterwards, I asked the mediator about her “moment of silence” technique. She told me that she was a member of the Society of Friends, or Quakers, and had borrowed the idea from a Quaker practice of “waiting worship”, which involves silently waiting for God’s small voice to lead from within.

I have since employed the Moment of Silence technique during many mediation sessions. Sometimes, I have strategically introduced the concept as a way of allowing parties to reconsider or reconfigure their thoughts and feelings. Sometimes, it is more informal and I simply allow silence to happen. Either way, it is a powerful, yet uncomplicated, intervention that can benefit the mediator and parties alike.

— by Cathie Kuhl, Assistant Editor

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Job Opportunities

Checkout our Facebook page at www.facebook.com/OhioMediationAssociation for the latest job opportunities!

State of Ohio :: Labor Relations Mediation Bureau Administrator; and

Community Mediation Services of Central Ohio :: Mediator/Housing Program Case Coordinator

Conference & Training Opportunities

Events listed chronologically; click on the name of the conference or training to be taken to its website or brochure.

Summer 2013

Specialized Family | Divorce Mediation Training | June 6-7, 10-12, 2013, 8:30 a.m.—6 p.m., Hamilton County DR Court, 800 Broadway, 16th Floor, Cincinnati, OH. Sponsored by the Supreme Court of Ohio Dispute Resolution Section, co-sponsored by the Hamilton County DR Court. *Prerequisites:* Basic Mediation Training (12 hr. min.) and UMA Training (2 hr. min.). *Program Description:* 40 CLE hrs. Advanced training that covers all aspects of family law mediation. Upon completion, participants will be able to analyze the dynamics in family conflict in terms of relationship issues, data problems, values, disputes, structural constraints; demonstrate active listening skills; describe children’s needs as well as those of separating and divorcing parents; manage high conflict situations; draft an effective Memo of Understanding; and explain the relevant Ohio law and rules associated with the division of marital and separate property, spousal support, child support, allocation of parental rights and responsibilities, and parenting time. This course will also provide skills-based training in the child protection, truancy, and guardianship mediation context. *Faculty:* Mag. Richard Altman, Mag. Rosalind C. Florez, Cathie Kuhl, Tammy Martin Koiser, and Anna Tyrell.

A Word From President
Jim Petas

Member Spotlight ::
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OMA News
Survey Results

Conference &
Training Opportunities



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Summer 2013 continued

40 Hour Divorce & Family Mediation Training | June 6-8 & 14-15, 2013, 8:30 a.m.—5:30 p.m., Partners in Mediation, Inc., 3705 W. Darwin Ave., Cincinnati, OH. *Prerequisite:* Minimum of a basic mediation course. *Program Description:* 39.25 CEUs, 40 CLE hours, \$850. This training is a substantive course focusing on the broad spectrum of issues faced by the parties upon the termination of their marriage. Participants learn about the parenting and property division aspects of divorce as well as the emotional problems facing parties—parents and children. Additionally, participants have many opportunities to role play various situations frequently faced by the family mediator.

Intensive Mediation | June 10-14, 2013, 8:30 a.m.—5:00 p.m., Capital University Law School, 303 E. Broad, Rm. 572, Columbus, OH. *Program Description:* 34.5 CLE hours, \$895 (price reflects a \$195 price break if signing up for the entire week instead of the five individual trainings listed below). This in-depth 40-hour training, led by Scot Dewhirst and Terry Wheeler, is designed to provide individuals with the critical skills and knowledge necessary to begin mediating. Exercises, lectures, role-play sessions, and videos provide participants with the conceptual framework and key techniques to effectively conduct the seven-stage mediation process. Courses included in this program are:

- **Negotiation: *The Building Block of Dispute Resolution*** | June 10, 2013, 8:30 a.m.—5:00 p.m., CULS, Rm. 572
Program Description: 7 CLE hours, \$195. Lectures, videos, and exercises create an interactive experience for learning the characteristics of competitive positional, cooperative positional and interest-based negotiators.
- **Basic Mediation** | June 11-12, 2013, 8:30 a.m.—5:00 p.m., CULS, Rm. 572
Program Description: 13.5 CLE hours, \$450. A two-day mediation training designed to teach the basic skills used by an effective mediator. This training is specifically designed to be interdisciplinary in nature and is developed to be useful for people with multiple backgrounds and experience levels and combines exercises, videos, short lectures, written materials, group discussions, and role plays using the seven-stage mediation process.

Becoming a More Effective Mediator: *Advanced Mediation Skills including Breaking Impasse, Caucusing and Pre-Mediation Assessment* | June 13, 2013, 8:30 a.m.—5:00 p.m., CULS, Rm. 572

Program Description: 7 CLE hours, \$195. Attendees will gain the ability to: identify, frame, and prioritize the issues to be mediated; distinguish between presenting and underlying issues; understand obstacles to generating alternatives; use multiple methods of generating alternatives; assist the parties in selecting clear and practical solutions; and understand of the use of caucusing.

- **Mediation Ethics, Professionalism, & Substance Abuse Education** | June 14, 2013, 8:30 a.m.—12:30 p.m., CULS, Rm. 572
Program Description: 3.75 CLE hours, \$150. This workshop explores the interaction of these various ethical guides within diverse mediation contexts and engages participants in thoughtful and insightful discussions.
- **Succeeding in the Business of Mediation** | June 14, 2013, 1:30 p.m.—5:00 p.m., CULS, Rm. 572
Program Description: 3.25 CLE hours, \$100. Designed to enhance a mediator's ability to prepare for and conduct a mediation process, this training will identify those factors that must be explored before the actual mediation commences and those that influence the potential for a successful outcome at the mediation.

MANO's Annual Joint Spring Conference will be held on Friday, June 14, 2013, at the Cleveland Metropolitan Bar Association located at 1301 East Ninth St., on the 2nd level of the Galleria in Cleveland, OH. Featured speaker, Nina Meierding will present *Strategies for Overcoming Barriers to Settlement: Techniques from Psychology, Communication, Negotiation, and Neuroscience*. The program will be co-sponsored by MANO, the Cleveland Metropolitan Bar Association, and the Center for Principled Family Advocacy.

2-Day Basic Mediation Training | June 19-20, 2013, Community Mediation Services of Central Ohio, Columbus, OH
Program Description: 16 CLE hours, 14 credit hours for Ohio professionals, \$395. CMS Executive Director Shelley Whalen conducts this training instructing you how to help disputants resolve a broad range of conflicts, including those occurring in the family, workplace, and community.

A Word From
President Jim

Member Spotlight ::
David Cohen

OMA News
Survey Results

A Moment of Silence
Job Opportunities



Conference & Training Opportunities

Events listed chronologically; click on the name of the conference or training to be taken to its website or brochure.

Summer 2013 continued

26th Annual Summer Professional Skills Program in Dispute Resolution | June 20-22, 2013, Pepperdine School of Law, Straus Institute for Dispute Resolution, Malibu, CA. *Registration Fee:* \$1,295; \$895 for governmental and non-profit employees. *Program Description:* Choose one course from a host of training topics including STAR; Advanced Mediation; Family Law Mediation; Strategic Negotiation Skills; Tools of Mindful Awareness; Apology, Forgiveness and Reconciliation; Preventing Bad Settlement Decisions & Impasse; Elder Care Mediation; Mediator Boot Camp; and Conflict Resolution Consulting.

Basic Mediation & Uniform Mediation Act | June 24-25, 2013, 8:30 a.m.—5:30 p.m., Stow Municipal Court, 4400 Courthouse Drive, Stow, OH. 14 CLE hours. *Program Description:* 14 CLE hours. Cathleen Kuhl & Terry Wheeler will introduce participants to concepts that underpin the practice of mediation: conflict theory, communication skills, interest-based negotiation, and mediator styles & qualifications. Participants will learn the basic stages of mediation, co-mediation, and effective ways to address common mediation challenges such as emotional dynamics, difficult personalities, impasse, ethical dilemmas, impartiality, and will be familiarized with the provisions and scope of the UMA (R.C. 2710). This training is highly interactive and fosters participation through group discussion and involvement in small groups.

Foreclosure Mediation Training | June 28, 2013, 8:55 a.m.-4:00 p.m., Cuyahoga County Common Pleas Court, 120 Ontario, 12th Floor, Cleveland, OH. *Program Description:* 5.75 CLE hours. The training will provide participants with a thorough knowledge of the range of both retention and liquidation settlement options. Participants will discuss the limitations of foreclosure mediation, advantages and disadvantages for the parties, and information required from the parties to come to an agreement under each option. Discussions will include the history of and institutional changes, the importance and scope of the task at hand, terminology, players and the inter/intra dynamics of the industry. Relevant statutes and rules and how to apply them to the local court foreclosure mediation programs will also be reviewed.

Basic Mediation Training | July 12-13, 2013, (see website for specific times) Partners in Mediation, Inc. Cincinnati, OH
Program Description: 12 CEUs, 11.25 CLE hours, 12 contact hours for teachers, \$250.

Fundamentals in Mediation Training | July 16-18, 2013, 9 a.m.—5 p.m., Trinity Commons, 2230 Euclid Ave., Cleveland OH.
Program Description: 18.75 CEUs, 18 CLE hours, \$300. This highly interactive 20 hour training will provide an introduction to mediation using demonstrations and practice as well as lecture, discussion, and situational case studies. Topics will include the UMA, active listening techniques, 5-phase empowerment model, client-centered approach, and cultural influences.

Specialized Family | Mediation Training | July 24-26 & 29-30, 2013, 8:30 a.m.—6 p.m., Supreme Court of Ohio, 65 S. Front St., Rm. 101, Columbus, OH. See program on previous page.

Divorce & Family Mediation | July 29– August 2, 2013, Capital University Law School, Columbus, OH
Program Description: 40 CLE hours, \$925. *Prerequisite:* Minimum of a basic 12 hour mediation course. This 5-day course in mediation in the domestic/divorce arena combines the understanding of basic mediation skills with knowledge of relevant issues in divorce. This course complies with the Ohio Supreme Court requirement for a 40 hour divorce mediation course for court-connected mediation programs.

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A Word From President
Jim Petas

Member Spotlight ::
David Cohen

OMA News
Survey Results

A Moment of Silence
Job Opportunities

