

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

# Mediate Ohio

March | April 2014

## A Word from the President :: Waiting For Spring to be Sprung News From the Commission on Dispute Resolution

by James Petas

**W**aiting for spring to arrive is an understatement! And the best part of spring? The OMA Annual Conference! Registration information is up on the OMA website ([www.mediateohio.org](http://www.mediateohio.org)), so plan to register early as the Columbus Bar Association (CBA) is co-sponsoring the event and will be opening up seats to their members as well.

This month, I wanted to give an update

Recently, the Supreme Court of Ohio's Commission on Dispute Resolution has focused on: (1) designing a new program to assist public officials in resolving disputes; and (2) amending the Rules of Superintendence to establish specific guidelines for Parenting Coordination programs in Ohio's courts.

use Parenting Coordination.

**I**n January 2012, the Supreme Court of Ohio assumed the conflict resolution services for government officials previously offered by the Ohio Commission on Dispute Resolution and Conflict Management, which was abolished by the General Assembly on June 30, 2011. The Supreme Court of Ohio's Dispute Resolution Section distributed a survey in late November to state, county, and local public officials requesting input to redevelop the services provided by GCRS to maximize its effectiveness and meet the needs of the participants. The goal of the program would be to provide flexible, practical, and confidential assistance to public officials to resolve and prevent conflicts involving budget, public records requests, and other organizational issues without court involvement. Compensation for services would be provided by the Supreme Court. Jacqueline Hagerott, manager of the Dispute Resolution Section is hopeful that the feedback from the survey will be helpful in designing a program that will best meet the needs of the government officials and assist the commission in formulating a recommendation to the Supreme Court on how to best deliver dispute resolution programs. *(contd. on page 4)*

on what the Supreme Court of Ohio's Commission on Dispute Resolution has been focused in recent months. The first project, Government Conflict Resolution Services (GCRS), is designed to provide dispute resolution services (both mediation and facilitation) to resolve disputes arising among state, county, and local public officials throughout Ohio, and the second is an amendment to the Rules of Superintendence for the Courts of Ohio setting forth specific guidelines for Ohio Courts that choose to implement the

The goal of the GCRS program would be to provide flexible, practical, and confidential assistance to public officials to resolve and prevent conflicts involving budget, public records requests, and other organizational issues without court involvement.

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

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## OMA Member Spotlight

### Marie Bader :: A Mediator's Story

When asked how she came to be a mediator, Marie immediately responded, "That's a tale!" Like any good mediator, Marie knows the importance of storytelling. Marie admits to "reinventing herself" many times throughout her career. She has worked as a social worker, a fundraiser, an executive director of non-profit organizations. She's lived in Indiana, South Carolina, California, and moved to Northern Kentucky in 1995.



Around 1999, Marie did a bit of soul-searching about what she really wanted to do and what interested her. Like many people searching for a meaningful work life, she completed an online career assessment tool. The results, with one exception, were not surprising; that exception was the career of "mediator". "At that time," Marie said, "I had no clue what that word meant."

Marie asked questions (as a good mediator would!) about mediation and gathered information. She enrolled in a one-week basic mediation training taught by Zena Zumeta. At the end of that training, Marie knew that "this is where I belong."

Knowing the value of reality-testing, Marie began co-mediating family cases at Beech Acres in Cincinnati and

**At the end of her one-week basic mediation training taught by Zena Zumeta, Marie knew "this is where I belong."**

volunteering at Hamilton County Juvenile Court. She flourished as a mediator and her volunteer work turned into contracts with both agencies. She subsequently earned her MA in Conflict Resolution at Antioch University and in 2001, she founded her own private mediation practice, "TALKWORKS! Mediation Services,"

focusing on family, civil, community and organizational disputes.

Marie believes that mediation provides people with a unique opportunity to see themselves in a more positive light. A mediator can help people see that cooperation can make their lives better. According to Marie, "Mediation can allow people to rise to their better selves."

Marie feels that it is a mediator's privilege to provide people with the environment in which they are able to forgive themselves and interact with their opponents in a positive way.



"To do this work," advises Marie, "you have to be honest

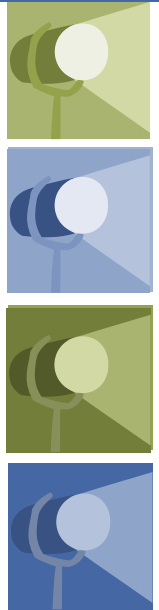
with yourself about what you bring to the table." There is no one right way to mediate, and Marie encourages all new mediators to observe others and develop their own styles. Also, it is important to "listen to and learn from your clients", because new and seasoned mediators alike can learn so much if they pay attention to what the clients say.

Another tip that Marie shares for mediators is to connect with other mediators whenever possible. "Mediation is a very isolating profession," explains Marie. Membership in the Ohio Mediation Association is one way Marie meets this need to connect with other mediators.

With all her rich experience and enthusiasm for mediation, it is not likely that the story of "Marie the Mediator" is anywhere near finished.

We look forward to hearing more, Marie!

—by Cathie Kuhl



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## Carefully Consider Caucus

by Cathie Kuhl

**O**ne of the strengths of mediation is that it is a process which can foster communication and understanding between the parties. When both sides are in the room together, and with the help of the mediator, each party can hear (perhaps for the first time) what is at issue for the other side.

Even when a mediator directs parties to “address your comments to me, not the other side”, both sides are afforded the chance to hear what the other has to say. A party may not agree with other side’s perspective, but that need not stand in the way of resolution or settlement. Arguably, knowing where the other side is coming from can inspire creative outcomes that fit individual interests.

**S**o, why and when would a mediator use caucus? Caucus is defined as a mediator meeting separately with a party within the mediation process, and some mediators would answer the above question, “Never”. These mediators have been trained in mediation models whose philosophical underpinnings prescribe that the parties participate together in mediation at all times.

Many mediators would answer the above question, “Always”. These mediators have been trained to allow each side to make opening remarks, then the mediator immediately breaks the sides into separate rooms so the mediator can meet with each side individually, shuttling back and forth with settlement proposals.

Rather than the letting the mediation model direct the use of caucus, mediators should carefully consider

the use of caucus; and use it strategically to meet a particular need in the mediation process—something that cannot be met with parties together in the room. Put another way, a mediator would use caucus when she feels that the benefits gained by speaking to each party individually outweigh the limitations that result when direct communication between parties is restricted.

### Examples of when a mediator may consider using caucus strategically include:

- To allow an overwhelmed or highly charged party time and space to regain control
- To allow for “face-saving” by a party
- To discuss issues that may seem “non-neutral”
- To allow the mediator some down time when feeling stuck or overwhelmed
- To allow parties to meet in private to discuss issues, proposals
- To allow the mediator to establish rapport with a difficult party
- To allow the mediator to mediate between a party and his attorney or nonparty participant
- To allow the mediator to assist a participant in preparing or responding to proposals
- To allow the mediator to provide a party with observations about behavior in the mediation which may not be furthering the party’s goals in mediation
- To facilitate more openness with one or both parties
- To establish safety whenever there are threats or intimidation

There are likely many other reasons why a mediator would make a strategic decision to use caucus, but mediators should consider using other strategies that do not require separating parties ... *before* turning to caucus.

### Furthermore, a mediator should carefully consider the use of caucus

because separating parties gives the mediator a much greater level of influence over the parties. This can create the opportunity for the mediator to manipulate the parties or the outcome, or create the perception of manipulation in one or both parties. Additionally, using caucus may create an ethical challenge for mediators if a party reveals information in a confidential caucus session that the mediator feels needs to be brought out in joint session and the party objects to revealing that information.

### Mediators should use caucus after careful consideration of the pros and cons, and

the decision to do so should be based on the particular factors present in mediation. Every mediation, therefore, may not involve the use of caucus; caucus may not be necessary because parties may better benefit from the free flow of communication and understanding that occurs when everyone is in the room.

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## Standards for Parenting Coordination in Ohio

by Jacqueline C. Hagerott\*, JD, LLM

### Introduction

Dispute resolution processes are becoming integral tools used for case management throughout all of the courts of Ohio, including the Supreme Court of Ohio (hereinafter Supreme Court). Ohio courts have been using mediation since the late 1970s<sup>1</sup> but are now recognizing that mediation may not always be the most appropriate dispute resolution process for a case.

As a result, courts are increasingly offering a child-focused dispute resolution process called "parenting coordination." Qualified impartial professionals, known as "parenting coordinators," assist parties with the implementation of parental rights and responsibilities or companionship time orders. As a result, parties minimize court involvement with parenting issues, allowing for more timely resolution of disputes. Parties also learn communication and negotiation skills necessary to prevent and resolve future disputes without court intervention. This article provides an overview of parenting coordination in Ohio; authority, qualifications, and responsibilities of parenting coordinators; requirements and responsibilities of the court using parenting coordination; and Supreme Court Resources.

### Overview of Parenting Coordination in Ohio

A number of Ohio courts are currently using parenting coordination. However, since no state-wide rules or standards currently govern parenting coordination, its use can differ from court-to-court. As a result of the lack of uniform standards, the Supreme Court's Dispute Resolution Section and its former Advisory Committee on Dispute Resolution have developed the new Parenting Coordination Rules of Superintendence for the Courts of Ohio,<sup>2</sup> effective April 1, 2014.<sup>3</sup> These rules will ensure that parties are best served by courts developing high-quality programs; appointing qualified professionals; and complying with nationally recognized guidelines published by the Association of Family and Conciliation Courts (AFCC).<sup>4</sup>

The rules apply to all courts that choose to use parenting coordination either by a court sua sponte or upon request of one or both parties. The rules set forth definitions, the responsibilities of the court to adopt local rules governing the use of parenting coordination, reasons for ordering and requirements of an

appointment order, the responsibilities and qualifications of a parenting coordinator, confidentiality, privilege and public access. The rules also address factors necessary for ordering parenting coordination, including required conditions when domestic abuse or domestic violence is alleged, suspected or present. They also address inappropriate uses of parenting coordination and compliance with the AFCC national guidelines.<sup>5</sup>

Sup. R. 90(C) defines parenting coordination as "a child-focused dispute resolution process...to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making."

The term "high-conflict" is not included in the definition for three reasons: 1) there is no uniform definition for "high-conflict" so judges do not want to have to find that parties are "high-conflict" prior to ordering parenting coordination; 2) courts do not want parties to have a less than favorable label attached to them; and 3) not including a requirement of "high-conflict" gives judges broader discretion to order parties into parenting coordination. The term "parties" is also used in lieu of "parents" to include other individuals, such as grandparents.

### Authority, Qualifications, and Responsibilities of Parenting Coordinators

The rules provide parenting coordinators with standards regarding authority, qualifications, and responsibilities. There are also provisions for the confidentiality, privilege, and public access to parenting coordinator files. Courts may create by local rule requirements above and beyond those prescribed in the Rules of Superintendence.<sup>6</sup>

Although parenting coordinators are required to have extensive mediation training, apply mediation skills and have decision-making authority, they are not mediators or arbitrators under the rules. Therefore, mediation and arbitration rules and statutes do not apply. A parenting coordinator's decision-making authority (*contd. on p. 5*)



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is prescribed in the appointment order. Mediators may serve as the parenting coordinator for the same case, provided there is written consent by the parties and approval by the court to ensure the parties understand the role change. This deviation from the AFCC national guidelines<sup>7</sup> meets the needs of rural counties that may have limited qualified dispute resolution professionals.

Due to the nature of cases appropriate for parenting coordination, it is imperative for parenting coordinators to have specific education, experience, and training to effectively assist parties. The training requirements mirror those of a family court mediator with an additional twelve hours of specialized training in parenting coordination. These requirements are set forth in Sup. R. 90.05, which mandate that individuals have all of the following qualifications in order to be appointed as a parenting coordinator:

- A master's degree or higher, law degree, or education and experience satisfactory to the court or division;
- At least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other experience satisfactory to the court or division; and
- Completed at least:
  - twelve hours of basic mediation training;
  - forty hours of specialized family or divorce mediation training;
  - fourteen hours of specialized training in domestic abuse and mediation; and
  - twelve hours of specialized training in parenting coordination.<sup>8</sup>

Sup. R. 90.06 states that a court may appoint a parenting coordinator in an abuse, neglect, or dependency case if the parenting coordinator has both of the following additional qualifications:

- Significant experience working with family disputes; and
- At least thirty-two hours of specialized child-protection mediation training approved by the Supreme Court.

Sup. R. 90.07 requires that parenting coordinators complete at least three hours per calendar year of continuing education relating to children and also outlines the reporting requirements necessary to be eligible to continue to serve as a parenting coordinator.

The rules also outline the responsibilities of a parenting coordinator including compliance with the appointment order which includes powers and duties (scope of authority), term of appointment, scope of confidentiality, and parties' responsibility for fees and expenses; independence, objectivity, and impartiality; conflicts of interest; ex parte communications; legal advice; report of activity affecting ability to perform; and the disclosure of abuse, neglect, and harm.<sup>9</sup>

Communications made as part of the parenting coordination process are neither confidential nor privileged. The files maintained by a parenting coordinator but not filed with the clerk of court are not available for public access.<sup>10</sup>

### Requirements and Responsibilities of the Court or Division Using Parenting Coordination

The rules include requirements and responsibilities of the court using parenting coordination. Sup. R. 90.01 requires courts that order parenting coordination to have a local rule that addresses all of the following:

- Selection and referral
- Domestic abuse and domestic violence screening
- Referrals to legal counsel and other support services
- Participation
- Prohibiting dual roles that cause a conflict of interest, with an exception for mediators with written consent of the parties and court approval
- Issuance of parenting coordination agreements and reports or decisions
- Terms and conditions for fees (including waiver for indigent parties)
- Effect of and objections to a parenting coordinator's decision (some judges may require (contd. on p. 6)



## Parenting Coordination

(contd. from page 5)

approval prior to the decision being effective)

- Appointment and termination of a parenting coordinator
- Periodic evaluation of parenting coordinators
- Submission, investigation, and hearing of complaints

Sup. R. 90.02 provides a list of factors to consider when ordering parenting coordination, while Sup. R. 90.03 outlines circumstances in which parenting coordination would be inappropriate. Courts are encouraged to order parenting coordination where the county determines the process would benefit the parties by resolving case and developing skills to prevent future conflict.

Responsibilities of a court using parenting coordination are contained in Sup. R. 90.09, which include maintaining a roster of parenting coordinators; a current resume documenting compliance with parenting coordinator qualifications under Sup. R. 90.05 and, if applicable, Sup. R. 90.06 and a list of all continuing education completed by the parenting coordinator. On or before February 1 of each year, the court must file a copy of the local rule, roster, resume(s), and continuing education of parenting coordinators listed on the roster with the Supreme Court.

Finally, where no conflict exists, the courts using parenting coordination must comply with the "Guidelines for Parenting Coordination" developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination.

### Supreme Court Resources

The Supreme Court is committed to providing resources to the courts for the implementation of high-quality dispute resolution services through the Supreme Court's Dispute Resolution Section. To promote quality services there are currently rules of superintendence governing arbitration, mediation, and now parenting coordination. The Dispute Resolution Section is currently developing resources for parenting coordination including a model local rule, parenting coordination agreement, appointment order, processes and procedures for the evaluation of parenting coordinators, a complaint process, and other resources necessary for the implementation of parenting coordination in a court.<sup>11</sup>

### Conclusion

The multi-door courthouse concept has evolved in Ohio with courts recognizing that dispute resolution begins with negotiation and includes litigation, with the judges and magistrates serving as the third party neutral to assist the parties in resolving disputes. Dispute resolution processes such as negotiation, collaborative law, conciliation, early neutral evaluation, facilitation, mediation, parenting coordination, and arbitration are all integral tools within the judicial system.

—by Jacqueline C. Hagerott, JD, LLM



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### Endnotes

\*Manager, Dispute Resolution Section, Supreme Court of Ohio. J.D./LL.M., Capital University Law School; B.S., The Ohio State University; A.A.S., Bismarck State College. Association of Family and Conciliation Courts Board Member. The author is grateful for the contributions of Nicole DiCuccio, Mediation Counsel, Dispute Resolution Section, Supreme Court of Ohio and William M. Nuzum, III, Director, Judicial Services Division, Supreme Court of Ohio.

<sup>1</sup> "Night Prosecutor" Programs for the resolution of minor criminal complaints began in Cleveland and Columbus as early as 1978. The Franklin County Municipal Court offered telephone and in-person conciliation in the early 1980s; the Pre-filing Mediation Program starting in 1988; all of the mediators in this program are volunteers. Programs supported by the Supreme Court of Ohio began in 1991–1992 with the "Circuit Rider" Project that offered technical assistance to three Municipal Courts to replicate the success of the Franklin County Municipal Court Program. Parenting mediation began in the mid-1980s. Interview with C. Eileen Pruett, Supreme Court Commission on Dispute Resolution Member, Former Association of Family and Conciliation Courts (AFCC) Board Member, and Manager, Small Claims Division and Dispute Resolution Department, Franklin County Municipal Court, Columbus, Ohio (February 14, 2014) (notes on file with author). (contd. on p. 7)

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## Supreme Court Commission on Dispute Resolution (contd. from page 1)

**A** amendments to the Rules of Superintendence involving parenting coordination programs in the State were adopted on January 9, 2014, and will become effective on April 1, 2014. The amendments contain guidelines for courts of common pleas in the state to use in adopting local rules governing parenting coordination. The amendments list specific factors that must be present in order for a court to order parenting coordination. Generally, parenting coordination may be ordered where the parties have ongoing disagreements regarding parental rights and responsibilities or companionship time and need ongoing assistance, where ongoing disagreements adversely affect the child, where the child has a medical or psychological condition that requires frequent decision-making between parties with ongoing conflict, or when one or both of the parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements. The amendments also sets forth both inappropriate uses of parenting coordination and certain conditions for the use of parenting coordination when domestic abuse or domestic violence is present, suspected or alleged.

Further, the amendments set forth general qualifications that an individual must possess in order to be appointed as a parenting coordinator, including educational and experience requirements, basic mediation training, specialized family and domestic abuse training, and parenting coordination training. The Section and the Commission will have training standards adopted by April 4, 2014, to approve training programs required under the rules of superintendence offered by outside organizations. On March 13, 2014, the Section will also have a sample local rule and model documents and forms for courts to implement a parenting coordination program.

We will keep you posted on future developments and look forward to seeing everyone on May 16, 2014, at the OMA Conference in Columbus!

— by James Petas, OMA President



<sup>2</sup> Art. IV, Sec. 5(A)(1) of the Ohio Constitution grants the Supreme Court general superintendence over all courts in the state. The superintendence power grants the Supreme Court administrative authority over local courts. The Supreme Court adopts Rules of Superintendence for the Courts of Ohio to serve the public interest that mandates prompt disposition of all causes, at all times, in all courts of this state. The fair, impartial, and speedy resolution of cases without unnecessary delay maintains this confidence, safeguards the rights of litigants to the just processing of their causes, and earns the trust of the public. Using dispute resolution processes such as mediation and parenting coordination accomplish this goal. Ohio is a home rule state with 88 counties creating local rules that meet the needs of their communities within the parameters of the Rules of Superintendence. In 1992, the Supreme Court created the Dispute Resolution Section with the purpose of promoting effective and efficient operations of the judicial system through the facilitation of dispute resolution services throughout all Ohio courts.

<sup>3</sup> In May of 2011, the Court published the advisory committee's proposed rules for public comment. Following the public comment period, the advisory committee continued to revise the proposed rules, with the work completed by the Commission on Dispute Resolution. (In March of 2012, the Advisory Committee on Dispute Resolution was reestablished as the Commission on Dispute Resolution). In August of 2013, the Court published the revised proposed rules for a second public comment period. The final Parenting Coordination Rules of Superintendence were adopted on January 9, 2014, with an effective date of April 1, 2014. The adopted rules can be found at: [http://www.supremecourt.ohio.gov/JCS/disputeResolution/resources/rules\\_legislation.asp](http://www.supremecourt.ohio.gov/JCS/disputeResolution/resources/rules_legislation.asp)

<sup>4</sup> See *Guidelines for Parenting Coordination* published by the Association of Family and Conciliation Court (2005).

<sup>5</sup> See *id.*

<sup>6</sup> See Sup. R. 90.01.

<sup>7</sup> See *supra* note 3.

<sup>8</sup> Pursuant to Sup. R. 90.05(C) the individual must have completed the training in the order listed and the training must have been approved by the Dispute Resolution Section of the Supreme Court and that meets standards established by the Supreme Court Commission on Dispute Resolution.

<sup>9</sup> See Sup. R. 90.08 and Sup. R. 90.10.

<sup>10</sup> See Sup. R. 90.12.

<sup>11</sup> Courts needing training, assistance with their current programs, and/or want assistance building a new program consistent with the new rules, should contact Jacqueline Hagerott at [jacqueline.hagerott@sc.ohio.gov](mailto:jacqueline.hagerott@sc.ohio.gov).

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## Job Opportunities

*Click on the name of the position below to be taken to its website or brochure. Also, check out our Facebook page at [www.facebook.com/OhioMediationAssociation](http://www.facebook.com/OhioMediationAssociation) for the latest job opportunities!*

**Scioto/Adams/Pike Counties Mediator** :: This multi-county mediation program covers six Courts in three counties with cases referred to mediation from the General Division Civil (Torts, Contracts, Eminent Domain, Foreclosure, etc), Probate, Juvenile Custody, and Domestic Relations courts. The successful candidate will be expected to have Ohio Supreme Court Mediation training including but not limited to Basic, Domestic 40 hr, Domestic Violence. Strong preference for a law degree and experience representing clients in Family and/or Civil matters. Salary to be determined. Please send resumes to Dawn G. Keller, Court Administrator for Judge James W. Kirsch, 602 7th Street, Portsmouth, Ohio 45662. Phone: 740.355.8314; Fax: 740.353.1095

**Circuit Mediator** :: The United States Court of Appeals for the Sixth Circuit is accepting applications for the position of Circuit Mediator. The Circuit Mediator, who serves under the direction of the Chief Circuit Mediator and under the administrative umbrella of the Circuit Executive, presides at mediations in civil appeals. The primary purpose of circuit mediation is to settle appeals and any related cases. Duties of circuit mediators include leading discussions of procedural and substantive legal issues, conducting analyses of an appeal's settlement value, and probing each party's interests in an effort to help the parties create and explore options to continued litigation. For more information, refer to the complete Position Description by clicking on the name of the position above.

**Community Wraparound Facilitator** :: The Butler County Educational Service Center is looking for a Community Wraparound Facilitator. The Community Wraparound Facilitator will perform all duties necessary to implement the wraparound model as they assist families negotiate the health and human services systems, take responsibility for caring for their children, and establish networks of supports and services within their community. Apply online at [www.bcesc.org](http://www.bcesc.org) by March 31, 2014.

**Supportive Housing Case Manager** :: National Church Residences is looking for a part time licensed social worker skilled in mediation and negotiation to act as a link and to serve as a collaborative partner to the Supportive Services staff as positive role model. The case manager will partner with residents and assist with goals as noted in developed plans set by case management staff; work with residents and supportive services staff in a blended philosophy which promotes self-sufficiency, greater determination, and economic stability through community engagement activities; and work with residents to identify their skills and abilities to promote personal growth.

**Supportive Housing Clinical Team Leader** :: National Church Residences is looking for a either a licensed independent social worker or licensed professional clinical counselor with three years of supervisory experience and skilled in mediation and negotiation to be part of a multidisciplinary team who oversees day to day case management services and coordinates the transition of disabled residents from a nursing home facility into permanent supportive housing in the community. The Team Leader will serve as a leader in interdisciplinary team-based care, and will act as a link with collaborative partners in accordance with established protocol and procedures.

**UniServe Collective Bargaining Consultant** :: The Ohio Education Association (OEA) is seeking candidates for a challenging and rewarding position as a UniServ Collective Bargaining Consultant position located in downtown Columbus. The successful candidate will join the Education Policy Research and Member Advocacy department. Professional staff members work collaboratively to inform OEA's local and state advocacy for members' professional and economic well-being and the continuing improvement of public education. Primary responsibilities for this position include, but are not limited to planning, directing, and evaluating association collective bargaining strategies and collective bargaining processes to assist in the achievement of state and local collective bargaining goals. This person reports directly to the Director of the Education Policy Research and Member Advocacy department and will serve as liaison between the OEA and outside agencies that have an impact on the collective bargaining process, such as the AAA and Federal Mediation & Conciliation Service.



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## Conference & Training Opportunities

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

### Spring 2014

**Domestic Abuse Issues** | Training for Mediators & Other Professionals | March 24-25, 2014, 8:30 a.m.—5:30 p.m., Lucas County conference & Learning Center, 711 Adams Street, Rm. B, Toledo. 14 CLE hours. *Program Description:* The purpose of this training is to teach participants how to screen for domestic abuse and to use appropriate procedures for determining when and how to mediate matters that may be before the court when parties may have experienced domestic abuse, such as parenting issues or other matters. Upon successful completion of this training, participants will be able to recognize the legal framework that applies to domestic abuse and mediation, the complex nature of domestic abuse, among other related issues. \*Note: This training is not about how to mediate domestic abuse itself or how to use mediation as a diversion from prosecution of domestic violence. Training co-sponsored by the Supreme Court of Ohio Dispute Resolution Section & the Lucas County Juvenile Court.

**Co-Resolution Training** | March 28, 2014, 9:00am—4:30pm, 373 S. High St., Columbus. Co-resolution is a new ADR process that allows two mediation-trained professionals to sit on either side of the table and coach disputants in negotiation skills as the coaches facilitate the discussion as a cooperative team. This process was first proposed in a Conflict Resolution Quarterly article (Witkin, 2008), was presented twice at the ACR National Conference, and has been piloted in Columbus, Ohio. The training is sponsored by the Franklin County Domestic Relations Court Mediation Program and is therefore without charge to participants. Trainees must have completed a minimum of 12 hours of mediation training and have experience mediating cases. To register, please contact Nathan Witkin at 330.620.2956 or email [coresolution.adr@gmail.com](mailto:coresolution.adr@gmail.com).

**16th Annual ABA Section of Dispute Resolution Spring Conference** | April 2-5, 2014, Hyatt Regency, Miami, Florida. Main conference registration provides an incredible value giving access to all concurrent sessions on Thursday and Friday, the Thursday Welcome Reception, the Symposium on ADR in the Courts (on Wed., April 2) and the Legal Educators Colloquium (on Sat., April 5). The Symposium on ADR in the Courts and Legal Educators Colloquium may also be purchased as stand alone events. The Court Symposium Luncheon and Legal Educators Colloquium Luncheon are ticketed events and tickets must be purchased separately.

**30 Hour Civil Mediation Training** | April 4, 5, 11, & 12, 2014, 8:30 a.m.—5:30 p.m. Partners in Mediation, 3705 W. Darwin Avenue, Cincinnati, Ohio. A Basic Mediation course is required prior to taking this training. *Program Description:* 30 CEU's; 29 CLE's. This training will develop basic mediation skills and will focus on the process of mediation rather than substantive areas of practice. Participants will learn the caucus model of mediation, often used in civil cases.

**Elder/Adult Family Mediation Training** | April 8-11, 2014, Elder Decisions, Newton, MA. *Program Description:* This training, conducted by Arlene Kardasis & Crystal Thorpe, provides mediators strategies for facilitating adult family conversations regarding issues such as living arrangements, caregiving, financial planning and much more. The four-day format includes all the features of our intensive three-day program plus additional content and even more multi-party role play opportunities and skill building exercises.

**Domestic Mediation Training** | April 16-17, 22-24, 2014. 8:30 a.m.—6:00 p.m. Community Mediation Services of Central Ohio, 67 Jefferson Avenue, Columbus, Ohio. *Program Description:* \$925 (\$825 if you have previously taken CMS Basic Training). Shelley Whalen conducts this training. She tackles topics that include the psychological impact of divorce on adults and children and the implications for mediation, Ohio domestic relations law and its relevance to the mediation process, and how to help couples plan to cooperatively parent their children.

**Basic Mediation Training** | April 17-18, 2014, 8:30 a.m.—5:30 p.m. Madison Lakes Learning & Conference Center, 581 Olive Road, Dayton. *Program Description:* 14.0 CLE hours. This two-day training course offers variety of basic mediation training, including communication skill building exercises, conflict theory in mediation and role-playing. Training co-sponsored by the Supreme Court of Ohio Dispute Resolution Section & the Montgomery County Domestic Relations Court.

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## Conference & Training Opportunities

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

### Summer 2014

**Ohio Mediation Association Annual Conference** | May 16, 2014, 9:00 a.m.—4:15 p.m., Columbus Bar Association, 175 S. 3rd Street, Ste. 1100, Columbus. The early-bird OMA member rate of \$110.00 is available until March 24. The rate for members increases to \$140.00 after March 24, so renew your OMA membership and sign up for the Conference today! This year's Conference will feature AFCC Past-President Arnold Schienvold, Ph.D., a nationally-renowned expert on the subject of handling high-conflict disputants in mediation. Dr. Schienvold's talk will focus on a new direction for the field of ADR proposed in Bernard Mayer's book, *Staying with Conflict: A Strategic Approach to Ongoing Disputes*. Under this approach, the mediator is not merely resolving disputes, but helping people learn to cope with conflict over time and develop strategies that will continue after they leave the negotiation table. Dr. Schienvold's talk will lay the groundwork for better understanding conflict and how mediators, as a field, can be doing more to help our disputants deal with the problems in their lives.

**Domestic Abuse Issues** | Training for Mediators & Other Professionals | May 29-30, 2014, 8:30 a.m.—5:30 p.m., Madison Lakes Learning & Conference Center, 581 Olive Road, Dayton. 14 CLE hours. *Program Description:* See program description on previous page. Training co-sponsored by the Supreme Court of Ohio Dispute Resolution Section & the Montgomery County Domestic Relations Court.

**Two Day Basic Mediation Training** | June 11 & 12, 2014, 8:30 a.m.—6:00 p.m. Community Mediation Services of Central Ohio, 67 Jefferson Avenue, Columbus. *Program Description:* 16 CLE hours, 16 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.

**Ongoing Mediation Consulting** | Groups are held two Saturday mornings a month from 9:00—11:00 a.m. Partners in Mediation, Inc., 3705 W. Darwin Avenue, Cincinnati. Call 613.651.1010 or email [mediators@fuse.net](mailto:mediators@fuse.net) regarding session dates. *Program Description:* This program will use case studies, role-play, exercises and group discussions in order for participants to develop and improve mediation techniques. Advanced skills & new approaches will also be taught.

**Conflict Resolution Training** | June 26, 2014, 8:30 a.m.—5:00 p.m. Community Mediation Services of Central Ohio, 67 Jefferson Avenue, Columbus. *Program Description:* \$195 (includes lunch). Shelley Whalen conducts this training. She tackles topics that include tips for choosing the right conflict resolution approach for each dispute situation, how to resolve conflict using a "needs" rather than a "rights" based approach, and how using five different conflict resolution approaches impact your future relationships with others.

**Divorce & Family Mediation Training** | July 31, August 1, 2, 8 & 9, 2014, 8:00 a.m.—5:30 p.m. Partners in Mediation, Inc., 3705 W. Darwin Avenue, Cincinnati. Basic Mediation Training is a prerequisite. *Program Description:* 40 CLE and 39.25 CEU hours. This five-day training course offers training for divorce mediation, including parenting and property division. Situations often faced by mediators will be conducted through role-playing.

## Board Members

### Officers

**President :: James Petas**  
419.936.2312  
[james.petas@tmcourt.org](mailto:james.petas@tmcourt.org)

**Immediate Past President :: Maara Fink**  
419.530.4236  
[maara.fink@utoledo.edu](mailto:maara.fink@utoledo.edu)

**Vice President :: Ed Krauss**  
614.619.0017  
[edmkmediator@sbcglobal.net](mailto:edmkmediator@sbcglobal.net)

**Secretary :: Nathan Witkin**  
740.383.3928  
[ndwitkin@gmail.com](mailto:ndwitkin@gmail.com)

**Treasurer :: Suzanne Barker**  
614.519.3969  
[barkesu@aol.com](mailto:barkesu@aol.com)

**Appointed Members**

**Susan Shostak**  
740.215.0788  
[shostak@ohiohills.com](mailto:shostak@ohiohills.com)

**Kathryn Wollenburg**  
937.645.4175  
[kwollenburg@co.union.oh.us](mailto:kwollenburg@co.union.oh.us)

**David Cohen**  
614.745.5162  
[davidcohenmediation@gmail.com](mailto:davidcohenmediation@gmail.com)

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