

The Muse

HMA's Annual Conference: Don't forget to register! April 29th, 2016.

Check out page 3 and 4 for information on how to register and the excellent presentation!

ST. JOHN'S 2016 MANGANO DISPUTE RESOLUTION ACHIEVEMENT AWARD

(This article has been adapted from an article written by:

Ms. Elayne E. Greenberg, Assistant Dean for Dispute Resolution Programs, St. John's University School of Law)

It is my great pleasure to announce that the nationally respected dispute resolution and procedural justice scholar Donna Shestowsky, a professor of law and Martin Luther King Jr. Scholar at UC Davis, will receive St. John's 2016 Mangano Dispute Resolution Advancement Award.

The \$5000 annual award honors scholars whose published empirical research has furthered the advancement and understanding of the values and skills of dispute resolution. It was established through the generosity of Hon. Guy J. Mangano '55, '83HON.

Professor Shestowsky was selected for the groundbreaking empirical research she reports on in her Iowa Law Review article, "The Psychology of Procedural Preference: How Litigants Evaluate Legal Procedures Ex Ante." The research is part of a national study examining how litigants decide how to resolve their disputes. This work was funded in large part through competitive grants. As over-viewed at SSRN, Professor Shestowsky's article explains how this research could be used to "advance procedural justice and mitigate the negative impact that the economic downturn has had on the resolution of civil cases."

The study reveals that litigants prefer mediation to non-binding arbitration by a wide margin. They also favor bench trials over jury trials, and negotiations involving both attorneys and clients over those involving just attorneys. Overall, her findings suggest that litigants prefer to be involved in their dispute resolution interventions.



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Mediation Interest

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MEET A DIRECTOR



Mr. Wayne Olsen

After a full career in government I retired to a West Coast job in the financial industry before relocating to Kansas when my wife was offered a job with the Johnson County Office of Emergency Management. She is a wise woman and worried about a retired husband “home alone” and unsupervised. After reading an ad for mediation training she suggested I consider taking up a new interest in order to keep me out of mischief.

As a dutiful husband I listened, learned, practiced and found I enjoy the challenge of helping others resolve the many problems that can plague an active society. Mediation keeps me mentally active, engaged with people and not able to attempt the uncontrolled things that so concerned my wife.

I joined Heartland Mediators Association in 2003 and was immediately impressed by their commitment to training and professional education for all alternative dispute resolution practitioners. I was invited to join the Board of HMA 2011 and found that my interest in educational opportunities for ADR was beneficial. The Board is dedicated to improving the skill level of practitioners, expanding opportunities for individuals and keeping the public aware of the benefits of mediation and ADR.

Most of my experience has been in general civil and community mediation, it’s interesting work that provides more than enough challenge to keep me functional. At an age when most rational people are retired I’ve found that retirement is dull, boring and certainly makes my mind spin, since I am of retirement age I can pick and choose the cases I take and I limit my case load to an annual count of about 125. A good percentage of those cases come from Small Claims where I have the opportunity not only to sharpen my skill, but also because our local docket serves as a practicum training site for new students. I not only get to mediate, I get to advise and train others at the same time, what’s not to like about that!

Because Small Claims mediation is a mirror of society it provides me experience with interpersonal relationships that I don’t normally see. I encourage any ADR practitioner with a focused practice who wants to expand their learning experience to volunteer for Small Claims. My professional goals as President of HMA is to create a system that recognizes mediators who have specialized training and experience in a wide variety of ADR applications; and to offer a variety of training opportunities through HMA for all who want to expand their skill set. Mediation is becoming a critical part of the social process and I look forward to an exciting future.

FOCUS ON CHILDREN OF DIVORCE AND SEPARATION: How ADR Professionals Can Make the Difference

April 29, 2016

University of Kansas Edwards Campus
Overland Park, Kansas

Presented by: Ms. Christine A. Coates, J.D., M.Ed.

This day-long training is for attorneys, attorney-mediators, mediators and mental health professionals. The training will focus on acquiring an understanding of the needs of children and the effect of divorce and separation. You will learn approaches and strategies for creating useful parenting plans. The special needs of high conflict families for resolving conflict will be discussed. Kansas development of proposed Kansas Supreme Court rules will be addressed in an overview of the parenting coordination process with a focus on tips, strategies and past practices for parenting coordinators.

Ms. Coates is an experienced attorney in Boulder, Colorado whose solo practice emphasizes alternative dispute resolution. During her career she has brought a rich and varied background in management and education to her career law practice. She has received numerous awards for her advocacy on behalf of children from Voices for Children of Boulder, Colorado CASA program. Ms. Coates was the recipient of the John Haynes Distinguished Mediator Award from the International Association for Conflict Resolution.

Ms. Coates has been active in promoting the use of Alternative Dispute Resolution within the legal system since 1984. Ms. Coates administered a child protection mediation pilot program in Boulder County and continues to mediate child protection cases in the Denver, Colorado area.

Ms. Coates dispute resolution experience is extensive and Heartland Mediators Association is honored to have her present for us at our 2016 Conference.

You may contact Ms. Coates at: coates@aol.com.

Conference Schedule Part I



Mediating Parenting Plans: What Attorneys, Attorney/Mediators, Mediators and Mental Health Professions Need to Know.

8:30-9:30—What we know about the needs of children and parents in divorce and separation

9:30-9:45—Break

9:45-10:45—Role of the attorney, attorney/mediator and mediator in helping parents create parenting plans

10:45-11:00—Break

11:00-11:30—Mediating with non-traditional parents

11:30-12:00—Attorney/mediator ethical issues in mediating

Conference Schedule Part II



Parenting Coordination: A New Frontier for Attorneys, Attorney/Mediators, Mediators and Health Care Professionals.

1:30-2:30—Parenting Coordination in Kansas

2:30-2:45—Break

2:45-3:45—Stages of Parenting Coordination
Stage 1: Beginning the Case
Stage 2: Working the Case

3:45-4:00—Break

4:00-4:30—Stage 3: Maintaining Momentum
Stage 4: Ending the Case

4:30-5:00—Attorney/mediator ethical issues in parenting coordination

Questions and discussion

PROCLAMATION SIGNING WITH THE GOVERNOR!

Join Us Next Year!!



STATE OF KANSAS



**PROCLAMATION
BY THE
GOVERNOR**

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, The Heartland Mediators Association, an association of professional Mediators formed October 12, 1989, has worked tirelessly to promote the use of mediation to assist in managing public and private conflicts and disputes; and

WHEREAS, the State of Kansas is committed to the use of mediation for problem-solving, making Kansas a leader in providing statewide integrated approaches to the effective resolution of community, court and public policy disputes; and

WHEREAS, Kansas offers a wide variety of organizations to support and provide mediation and dispute resolution services to its citizens; and

WHEREAS, the benefits of mediation include: fostering communication and cooperation; offering forum for creative options and problem solving; contributing a confidential process for solving disputes; providing a less costly and less time consuming alternative to litigation and other forms of dispute resolution; empowering participants to control decisions affecting their lives and business affairs; promoting a recognition of the interests of all concerned parties; focusing on future-oriented solutions; supplying an opportunity for education and referral to possible additional assistance; promoting peaceful resolutions to community, school and family issues; improving communication, listening and problem-solving skills of participants; and

WHEREAS, The Heartland Mediators Association has promoted the practice of mediation by sponsoring an Annual Spring Mediation Conference April 29, 2016 at KU Edwards Campus in Overland Park, KS and organizing the first four state Biennial Heartland Regional Conference of Mediators in partnership with the Association of Missouri Mediators, the Nebraska Mediation Association and the Iowa Association of Mediators:

NOW, THEREFORE, I, Sam Brownback, GOVERNOR OF THE STATE OF KANSAS, do hereby proclaim April of 2016, as

Kansas Mediation Month

in Kansas and urge all citizens to join in this observation.

DONE: At the Capitol in Topeka
under the Great Seal of the