



Heartland Mediators Association

Newsletter for Midwest Mediators

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President's Message:

Thinking About Others

At the time of this writing, we are in the heart of the holiday season, and in my mind, the season culminates in the arrival of the New Year. It's always interesting to watch and listen to people making resolutions, which are very often focused on self-improvement. I sometimes wonder, why isn't the New Year focus broader; more self-less perhaps? It certainly seems that a common sentiment before the holidays is: "how can we help others?" Are we not able to sustain this attitude of giving, beyond the "twelve days of Christmas?"

Please understand, I am all too familiar with the concept that I can't really control (and maybe not even have much impact) on others. It's only on a good day that I really control myself! It can help to be reminded to think beyond just ourselves. So I'm not trying, or hoping to change the world.

One of my early mentors loved to quote Rodney King saying, "Can't we all just get along?" On it's surface, "getting along" seems so very easy. Most folks have enough social skills

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Impasse May Get Us Anytime

Normalizing impasse opens opportunities for parties, as well as the mediators. What's a mediator to do when parties get stuck and insist that it's their way or the highway?

Impasse: What Causes it, How to Avoid it, and How to Work Through It, will be presented by Rebecca Magruder, JD, St. Louis, on Friday Feb. 6 at Topeka Public Library, 1515 SW 10th, Topeka.

While most mediators, including mediators who are also attorneys, are occasionally tempted to use drastic interventions such as sending people off to a judge, there are more effective ways to help parties through impasse, which is a normal occurrence at some point in most conflicts.

The seminar on Feb. 6 includes a series of short exercises designed to help mediators reflect on their own attitudes towards conflict and impasse. Magruder will facilitate discussion of how our attitudes affect our interventions as well as the effectiveness of our interventions.

Participants in the seminar should leave with a better understanding of how and why clients get stuck in impasse, how mediators contribute to the problem, and the types of interventions that can be effective in helping parties, and professionals, to see from a different perspective.

Developing a deeper understanding of the causes and cures for impasse will help mediators, attorneys, attorney-mediators, mental health professionals, financial professionals, and human resources professionals provide client-centered services that lead to improved decision-making and higher levels of satisfaction.

Magruder is an attorney in a solo private practice with a focus on mediation, collaborative law, and other non-adversarial methods for resolving family and workplace disputes. She is an Advanced Practitio-

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New HMA Board Member Started Young

I knew at a very young age that I was put on this planet to help others. In later life, that knowledge blossomed into wisdom and I finally had been educated, trained, and refined by fire to become the Conflict Specialist that I am today.

I am a professional Conflict Specialist working with families, divorcing parents, elder parents, and individuals experiencing ongoing parental conflict. I am committed to helping fathers remain committed to their children after divorce as well as facilitating mothers (and some fathers) who have experienced emotional abuse.

I am committed to serving clients who suffer high levels of ongoing parental conflict after the court battle is over. I have earned a Bachelor's Degree in Religion, a Master's Degree in Classical Languages, and a Doctorate in Law.

Since getting my initial mediation training after law school, I have gone on to take advanced

training in high conflict mediation, parent coordination, conflict coaching, domestic violence advocacy, and victim assistance.

In addition to my mediation experience, I am a college professor and have also taught at the college and graduate level for over twenty years. I have also presented at dozens of workshops and seminars, and have a reputation of challenging my students and audiences to think more carefully, act more responsibly, and serve more compassionately. I am an accomplished businessman and business leader.

Jim Shaul, JD may be reached at www.sarpycenter.org or www.shaulmediation.com; By mail at 120 N. Washington St., Papillion, NE 68046 or by telephone at the Sarpy Center Office: 402-933-5300 (24 hrs); Fax: 402-933-2049; Cell: 402-686-6693.

President's Message

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to manage to get close to getting along, but it doesn't often happen in a truer, deeper sense.

Why do people hurt others? Why are we so selfish? What kind of fear, insecurity or just plain brokenness causes humans to behave the ways they do? I understand that we all carry some brokenness; and that when my brokenness touches others, the edges can be sharp and cause hurt. Still, why is getting along sometimes so difficult?

I believe that the reason might involve a loss of good ol' basic civility, compassion and caring for others. (Or maybe folks in earlier decades just did a better job of pretending!)

When I am outside my mediator role, and in the role of assessing families, I often think, "Even if they are just pretending to do and say the right things, at least they know what the right things are! And that puts them ahead of those who don't even know what the right things are."

Has our society ever placed value on sacrifice, consensus and other similar ideas? While it is my first impression that we have, maybe we really haven't. Either way, it doesn't seem we are now. I can remember when I used to scoff at other countries' governmental bodies where actual fights broke out. I am now not so sure we are far away from those oc-

currences in our own country now. We had a recent political cycle where people seemed to pride themselves on their unwavering stances (which seemed to indicate a total unwillingness or inability to compromise or work together).

One of the most basic skills a mediator has is to help the parties look outside themselves, see things from various angles and come up with additional options.

There are few things I enjoy as much as when my clients actually engage in mediation (as opposed to participating in facilitated negotiation).

When people really listen to each other, recognize common objectives, and then work to find ways to get closer to the desired end result, it's an honor to be a part of the process. This type of process culminates in the recognition of common interests, beyond the self.

Don't we all really just want Peace on Earth? How many people, really, would be against the principles of Kwanza which include unity, self-determination, and creativity (which all sound like things mediators would be in favor of)?

My hope for humanity is that in the coming year, all of us can resolve to do our part to make the world a little bit better for others, and in the end, that will benefit each of us beyond measure.

Bill Eddy to Bring Expertise to Regional Meeting

HMA is sponsoring the four-state 2015 Biennial Heartland Regional Conference of Mediators in partnership with the Association of Missouri Mediators, the Nebraska Mediation Association and the Iowa Association of Mediators.

Bill Eddy will come to Kansas City for 1.5 days of high conflict mediation training. The 2015 regional conference will be April 16-17 at KU Edwards Campus, BEST Conference Center in Overland Park. HMA has asked for Kansas CME and CLE; MO CLE and NE CME credit be given for this conference.

Attorney/Mediator Aline Barrett, JD, uses Bill Eddy's material and says it has been very beneficial to her and her mediations. Here, she reviews two of his books.

Impasse Training Feb. 6 in Topeka

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ner member of the Family Section of the Association for Conflict Resolution (ACR), and trains and mentors new mediators; presents advanced workshops on conflict resolution, mediation, and collaborative practice to professional and corporate organizations; and serves as an adjunct assistant professor for mediation training at St. Louis University School of Law where she directed the school's mediation clinic for 14 years.

In addition to providing direct services to clients and teaching, Rebecca is actively involved in professional organizations. She was on the organizing committee to bring an AFCC chapter to Missouri and continues to serve on the AFCC St. Louis Organizing Committee to bring quality educational programs to St. Louis Metro area professionals. She has served as President of the M.A.R.C.H. Board of Directors for many years. She was a founding board member of the Collaborative Family Law Association and previously served on the ACR Family Section Advisory Council for five years.

Contact HMA for more information or to sign up for the workshop. Three hours of CLE/CME are available for the nominal fee of \$60 for HMA members; \$85 for non-members and \$30 for students.

Those interested in joining others to learn from Rebecca Magruder may sign up and pay on the HMA website or contact Janet Lhuillier.

Two books by Bill Eddy that have been particularly helpful to me as a domestic mediator are "BIFF, Quick Responses to High Conflict People," and "High Conflict Personalities, Understanding and Resolving Their Costly Disputes." Both of these books deal with the very challenging task of working with people who may be very hostile, manipulative, and angry. Some of these high conflict people will suffer from personality disorders, some may just be very difficult people, but Bill Eddy provides unique and useful advice on how to deal with them in your mediation practice.

BIFF is Bill Eddy's response technique that allows a mediator to deal with a party's verbal attacks and escalating behavior. It is simple and straightforward and really does work! BIFF stands for brief, informative, friendly, and firm. It is a direct departure from trying to reason with a high conflict personality. Reasoning and logic will be met with more anger and louder voices.

BIFF seems to actually calm the party down. It is simple, it is direct, and it is only the facts, ma'am. You can use BIFF with basically anyone who is losing control - clients, family, business associates. It is especially useful, however, with those high conflict domestic clients who can't speak without yelling, need to monopolize the conversation, and refuse to really listen to you or their co-parent.

It is a wonderful technique to have in your toolbox and this little book is just as brief as the technique. I try to reread it often.

"High Conflict Personalities" is a reference book for personality disorders that a mediator may find in his or her practice. Many high conflict domestic clients have personality disorders. Mediators have to deal with them every day. Bill Eddy offers case histories and suggestions for dealing with some of these emotionally disabled people.

Some insight into these high conflict personalities is helpful for the mediator who is searching for that path that will bring the couple to a collaborative agreement. I think it can save your sanity, as well, when you know you are dealing with a personality disorder and that YOU are not the problem.

People who are narcissistic or histrionic still require services - they still have children; they

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Sub-Plots Aside, There Is Fiction Here

Is there Mediator Fiction?

If you google “Therapist fiction,” you’ll find dozens of entries. Search it on Amazon and watch the books line up. But try “mediator fiction” or “mediator protagonist” and you’ll get “The Mediator Series,” which turns out to be about paranormal mediation between the living and the dead. Not what I had in mind. While our own work may have days when it feels “paranormal,” in general our clientele are still breathing.

Enter Grace McDonald in “All God’s Children,” book two of the Grace McDonald Series. While I’m still looking around, Grace may be the start of a new sub-sub-genre... “mediator fiction.”

A quick summary: After a 10-year hiatus, Grace returns to Kansas to help her single-mom daughter raise her seven-year old grandson with Asperger’s. Only months in, she is handed the mediation case from hell: a custody battle over a child who belongs to the funeral-picketing, gay-bashing Westboro Baptist Church. Not only about parental rights and schedule, it becomes a battle over a child’s soul and eternal life. Clearly mediation is doomed, but conciliation has a shot... and the judge wants recommendations.

There’s also a sub-plot with a parental alienation case, a brutal assault, plus family issues and friendships. It’s your basic character-driven psych thriller, heavy on the social issues. There’s more about mediation, just sitting in the room, the process and goals, than any other fiction out there (at least I think so.)

Bill Eddy Here on April 16-17 in KC

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still get divorced. You need all the help you can get in order to best serve their needs, but also guard your own wellbeing. I found this book so helpful. It is organized in a way that makes it easy to read and understand and the case histories are all too familiar.

They are the people you just had in your office last week. Bill Eddy has examined his case files through the years and created some excellent advice for dealing with specific personality disorders and for understanding why nothing you do will work on others. I think it is an absolutely essential book for the domestic mediator who works with high conflict families.

Aline Barrett, JD, is an attorney mediator with Douglas County Courts Mediation Program and RG Mediation, Manhattan’s court program. She lives in Topeka.

I take the adage “Write what you know” to heart (maybe too much so), and I’m serious about research. Not the “read it in a book,” but the hands-on, messy, going-outside-my-comfort-zone kind of research. Like spending all night watching homicide autopsies in the bowels of an inner-city morgue so I could write an authentic autopsy scene (that’s in “Fall From Grace,” book one of the Grace McDonald series.) Or going to church services at the WBC, and interviewing current and past members. (Every Biblical quote spoken by a Phelps character was given me by Jonathan Phelps.) When I put a character on the witness stand, it comes from my own experience of being grilled in court. I want readers to feel what the characters feel.

I’ve been a domestic mediator for 20 years. I’m also a marriage and family therapist, taught social work at KU, and I write (lots of different stuff.) I wrote “Fall From Grace” 15 years ago, and was shopping it around when 9-11 happened and publishing tanked. It went into the closet, but, after a few years, the voices in my head started up again. (We can deal with possible mental health issues at a later date.) So I wrote a sequel, “All God’s Children” (a phrase that does not begin to encompass months and months of writing and editing and writing and editing... all while trying to maintain the work that pays the mortgage.)

Do realize that this is fiction and most fictional characters are rule-benders and rule-breakers (cops, private investigators, etc.) Grace is no saint. She can be short on patience, curious to a fault, misplaces her scruples and gets a little fuzzy with boundaries, albeit always with good intentions. Kids come first for her, but sometimes rules are more like, well, suggested guidelines.

In the acknowledgments you’ll find a thank you to “The dedicated mediators of both Douglas County and the Heartland Mediators Association. I assure readers that Grace is a bit of a renegade, by no means an accurate representation of the professionalism and integrity of the mediation community.”

I look forward to feedback from my fellow mediators, because, what with all that pesky confidentiality, you’re the only ones who really know what happens behind the closed doors. And, I swear, I would never do some of the things that Grace does... not that I haven’t been tempted. As far as the initial question... “Is there mediator fiction?” Well, that’s for you to decide.

Feel free to e-mail me at susanjkraus58@gmail.com. For more info on the books, go to www.susankraus.com or http://www.amazon.com/Susan-Kraus/e/B00NRGFO6E/ref=ntt_dp_epwbk_0