



Newsletter

HEARTLAND MEDIATORS ASSOCIATION

March 2005

Volume X1, Issue 1

Celebrate with Us at the Annual Banquet on April 1st

We have a fun and inspirational evening planned where we can showcase HMA to the conflict resolution community. The banquet is Friday evening and kicks off the Heartland Regional Conference. You may register only for the banquet by using the form in this newsletter or on our web site, or sign up for the entire conference, which includes the banquet.

Let me share some of the highlights of the evening we have planned:

- **Live dessert music** provided by Sentimental Journey,
- **President's Awards** to the Hon. James Beasley, Wichita and Missouri Lt. Governor Peter Kinder,
- **Peer mediation awards** to a Kansas and Missouri school,
- **Acorn Award** recipient is kept confidential until the presentation, and
- A message from **Dr. John Menzies**, former United States Ambassador to Bosnia.

Get the word out! Pitch in and make our regional opportunity to "strut our stuff" a great success!

And don't forget to register yourself! See you in Kansas City on April 1st...

Evan Ash, President

Dr. John Menzies Keynote Speaker at Banquet

Ambassador John K. Menzies, recognized internationally for his efforts towards peace, served in some of the most challenging assignments during this 21-year career in the U.S. Foreign Service. As ambassador to Bosnia-Herzegovina, he was instrumental in the run-up of the 1995 Dayton negotiations. He later was named Chief of Mission in Kosovo.

Earlier in his diplomatic career, he served in Hungary, East Germany and Bulgaria as well as in the U.S. Mission to the United Nations. He also worked in a variety of capacities in the office of the Coordinator for the Support for East European Democracy (SEED) program and was a Jennings Randolph Senior Fellow at the United States Institute of Peace.

His work was heralded in an award nomination in 1996, when the Assistant Secretary of State for European and Canadian Affairs characterized him in these terms:



**Holiday Inn Hotel
45th and Main
Kansas City, MO**

**7:00 PM
\$30 per person**

**You may register for the
banquet only or
for the entire conference**

"There are people — Bosnians, Croats, Serbs — alive today because of John Menzies."

Ambassador Menzies was named the 16th president of Graceland University in June 2002.

He comes to Graceland with experience in, and dedicated passion for, higher education, which he views from a global perspective — as a way to achieve world peace. While in Sofia, Bulgaria, he assisted in the 1991 establishment of the American University in Bulgaria. His lifelong goal has been to return to Graceland, where he studied as an undergraduate, to serve in some significant way.

Ambassador Menzies holds both a BA and MA from the University of Arkansas and a Ph.D. in German from the University of California, Berkeley. ♦

President's Notes

Thanks to last fall's election, we are keenly aware of a president's role. And everyone has an opinion!

Yet, in spite of our differing opinions, we do expect things of the persons who we put into that position. Those expectations are much like the expectations of a mediator. We expect them to

- * be there for us, to be focused on our needs and problems,

- * to empower us and help us take responsibility for our own lives,

- * act in such way that we grow in our ability to cooperate in managing both our individual and common lives and endeavors,

- * have a process with principles and structure to enable us to reach the other expectations, and

- * have integrity - ethics - as they live out these expectations for their role.

These expectations have guided my service as your President-Elect and President during the last two years. I hope I have fulfilled those obligations and laid a foundation for the future of HMA.

As every American President since Washington has known, the world is changing. And leaders at any level need to guide as well as respond to the forces behind those changes. The field of conflict resolution has the same human features. The success of conflict resolution philosophy and approaches has expanded its focus beyond the "traditional" (though is the field old enough to claim traditions?) mediation we have known.

We have whole new groups of colleagues out there who share our goals and practice. The more we avoid actively welcoming those conflict

resolution colleagues into our fellowship, the more our own perspective and fellowship will risk shrinking.

As your president, I have been committed to the health of HMA and every member - past, current, and future. The "blue print" I brought is my offering to that future health. I hope it will foster a vibrant organization that champions the value and virtue of all conflict resolution efforts in our communities. I hope the expectations of a mediator, as well as a president, are in fact the expectations of members of our fellowship. We call upon our clients to seek a joint understanding of their disputes. The promise of our future practice depends on acting less like competitive clients, looking only at our own world and interests, but find hope in our pursuing more collaborative efforts. That is the vision that I hope will guide our fellowship's future.

*Evan Ash,
President*

Role Play and Mentor Mediator Committee

In accordance with a new provision to Rule 902, Art Thompson, Dispute Resolution Coordinator has put together a committee of mediators to help formulate policies for the simulated role-plays and mentor mediator qualifications for approval by the Advisory Council on Dispute Resolution.

The committee made up of Art Thompson, Gary Kretchmer, Jeanne Erikson, Roxie Emmert-Davis, Kirsten Zenger, Terrie McCants, Kent Reed, Barbara Schmidt and Micki Armstrong met for the first time on January 28th.

The purpose of the mentor mediator would be to assist in the coaching process for role-plays or to assist mediator trainee on an individual basis in co-mediation settings. The purpose of the simulated role-plays is to assist newly trained mediators who have difficulty obtaining the three required co-mediation cases. The guidelines and policies for the role plays will focus on creating as realistic setting as possible and using mentor mediators in an "active coaching" role. The tentative proposal is to approve several role-play providers and evaluate how the service is provided for one year. The committee would

then make a formal recommendation on policy after reviewing evaluations of the role-play components .

Micki Armstrong

Are you receiving e-mails from HMA about upcoming activities? If not, please send an e-mail to mediation@grapevine.net.

Fourth Biennial Heartland Regional Conference for Mediators

DATE: April 1st - 2nd, 2005

AGENDA:

PLACE: Holiday Inn at the Plaza
(formerly Sheraton Four Points),
Country Club Plaza, Kansas City,
MO

THEME: Challenges in a
World of Conflict

Keynote Speakers:

John Menzies, former U.S.
Ambassador and **Dr. Jayne
Docherty**, author of Learning
Lessons from Waco

Sponsoring organizations:

Association of Missouri Media-
tors, Heartland Mediators Asso-
ciation, Iowa Association for
Dispute Resolution, The Commu-
nity Mediation Center (Indepen-
dence, MO) and The Mediation
Network (Kansas City).

REGISTRATION:

A variety of registration packages
are available to accommodate
your interests (see below). Accom-
modations are limited, so register
as soon as possible. For a registra-
tion form email request
to conference chair at
momediators@mediate.com
or send a fax to (816) 792-6508.

Accommodations:

Overnight accommodations at the
conference hotel are available at
the rate of \$92 per night single or
double occupancy, exclusive of
application taxes. Reservations
must be made by March 11, 2005.
Call 816-753-7400 or after Feb.
15th call 800-Holiday.

PRE-CONFERENCE TRAININGS

**A1 NAFCM Regional Training
for Community Mediation Centers
and Staff** *Thursday March 31 and
Friday April 1, 2005* - components of
the national training - manual will be
presented. Attendees must be a
member or join NAFCM. This train-
ing is underwritten by NAFCM with a
grant from the Hewlett Foundation. 16
hours.

**A2 Unifed Mediation: Overcom-
ing Resistance Use Gestalt Theory,**
*Trainer: Ann Begler; Friday, April 1
8:30 - 5:30 pm.* This advanced work-
shop is for experienced mediators
seeking practice beyond mindfulness
and transformation. It examines
mediation and conflict from the
perspective of Gestalt theory and
principles - awareness, action, contact,
resistance and presence/use of self - to
enhance and refine mediation work. 8
hours.

**CONFERENCE WORKSHOPS -
Friday April 1, 2005**

**B1 Mediation & Litigation:
Combining Strategies for Efficient
Resolution of Business Disputes**
*1:30 - 3:00 pm, Presenters: Rob Litz
and Sarah Reed.* How do legal
counsel think about dispute resolution
approaches in commercial disputes?
This presentation will discuss preserv-
ing options, mediation tactics, drafting
techniques, and combining these
options with litigation to ensure a fair,
just and swift resolution.

**B2 Mediation Ethics and Practice
Dilemmas** *3:30 -5:00 pm, Presenters:
Larry Rute and Patrick Nichols.* The
role as "neutral" provides a wealth of
potential ethical dilemmas. Mediators
may react very differently in similar

situations based on their profession of
origin. Scenarios frequently encoun-
tered in mediation will be discussed
and analyzed in light of emerging and
competing ethical standards..

**B3 Mediation in the Corporate
World: Power Disparities and Fear of
Retaliation** *1:30 - 5:30 pm, Presenters:
Debra Dupree and Valerie Burke.* In
the workplace conflicts can escalate
into a retaliatory cycle that impacts the
bottom line. This presentation dis-
cusses the signs and costs of such
workplace conflicts and techniques for
managing conflict when power
disparities exist.

**7:00 PM - CONFERENCE
BANQUET, Keynote speaker: Dr. John
Menzies, "Meeting the Challenges in a
World of Conflict"** and Heartland
Mediators Association Awards.

**CONFERENCE WORKSHOPS -
Saturday April 2, 2005**

**C1 Strategies to Enhance Com-
munications Among Work Teams.**
*8:30 - 10:00 am, Presenters: Julie
MacLachlan and Kathleen
McCarther.* Strategies to address
workplace conflict and pro-actively
deliver new skill sets to improve the
quality of workplace interactions.

**C2 The 360 Degree Experience:
Using Boalian Improvisation to
Explore Issues of Power, Communi-
cation and Vision.** *8:30 am - 12:30 pm,
Presenters: Suzanne Carney and Lisa
Singh.* Boalian improvisation broad-
ens communication skills, heightens
empathy, sensitizes one to issues of
power and stimulates creative prob-
lem-solving. Techniques will be
demonstrated to confront political,
social and personal oppression and
the spectrum of responses to power
disparity and miscommunication.

continued on page 4

C3 Intervening Effectively: Handling Intangibles in the Mediation Process and Helping Disputants Analyze Risk. 8:30 am - 12:30 pm, *Presenter: Mike Thompson.* Mediators help parties analyze risk and understand the language of risk associated with mediation. Skills will be discussed to handle the intangible aspects of the process, from dealing with emotions to helping people save face and converting pain and suffering into tangible outcomes.

C4 Screening and Mediating the Domestic Violence Factor. 8:30 am-12:30 pm, *Presenter: Alexandria Zylstra.* Learn the innovative techniques for screening domestic disputes with a domestic violence component for mediation. Intake assessment and handling domestic violence issues during mediation will be explored.

C5 Beyond Impasse: Attitudes and Strategies. 10:30 am-12:00 noon, *Presenters: Christina Jordan and Gary Kretchmer.* The right mind set and focused skills can help clients increase their possibilities. A combination of attitude and strategy can bring energy and hope to even the most difficult cases.

12:30 pm - CONFERENCE LUNCHEON, *Keynote speaker: Dr. Jayne Docherty, "Lessons from Waco and Beyond."*

C6 Resolving Ethnic, Cultural and Religious Differences. 1:30 - 3:00 pm, *Presenter: Paul Ladehoff.* What can mediators do to foster peaceful resolution when issues of cultural, ethnic and religious differences arise? Paul will explore this through exercises and discussion, relating lessons learned on a recent study tour to Thailand.

C7 Mediating on the Right Side of the Brain: Creativity in Process and Product. 1:30-3:00 pm, *Presenter: Rebecca Magruder.* Focusing on a mediation formula can stifle a mediator's creativity in process as well as product. This presentation explores what is involved in creativity, its importance in mediation, a process for accessing creativity and blending left-brain formulaic processes with right brain creativity.

C8 Beyond Core Mediation: How Victim Offender Mediation Skills Differ. 1:30-3:00 pm, *Presenters: Valerie Burke and Kathleen McCarther.* The underlying values of restorative justice relate well to transformative mediation. Mediators will learn how mediation skills differ in this context. A self-awareness exercise will help mediators assess their interest and aptitude in this area.

C9 The importance of Worldview Conflicts: How Mediators can Uncover Assumptions of the Parties and Themselves. 1:30-5:00 pm, *Presenter: Dr. Jayne Docherty.* The assumptions that mediators and clients bring to the table impact the process and opportunities for resolution. Participants will assess their own worldview, explore how to identify the worldview assumptions of clients, and how to effectively deal with divergent notions of reality in the mediation process.

C10 Confidentiality Issues in Mediation 3:30-5:00 pm, *Presenter: Charla Beall.* The profession is struggling with the definition of confidentiality and its importance in mediation. Developments in confidentiality issues will be discussed with lessons to apply in mediation practice.

C11 Subtle Sources of Coercion in Mediation 3:30-5:00 pm, *Presenter: Evan Ash.* Mediators may unwittingly introduce coercion into their mediation. Subtle sources of coercion, including the mediator's response to self, the clients and the process will be explored. Red flags will be identified and remedies suggested.

C12 Alternatives to Violence: An Educational Initiative for Reducing Interpersonal Violence. 3:30-5:00 pm, *Presenter: Lolya Pilchitz.* AVP is an international, nonprofit educational initiative utilizing experiential conflict management workshops to prisons, schools and communities. Experiential activities will simulate participation in an AVP workshop.

**Check Out Our
New Web Site!**

**www.
heartland
mediators.org**

**for information
on**

**upcoming events
Consumer Guide
board of directors
peer study groups
newsletters
related links**

**and coming soon:
membership roster**

From Kansas OJA

Juvenile Dependency Mediation

The Office of Judicial Administration and several state courts are exploring the benefits of using juvenile dependency mediation.

The Sedgwick County Juvenile Court is involved with a pilot project which is in its third year. Juvenile dependency mediation can be a very valuable and useful tool for everyone involved in a child in need of care case.

Prior to adjudication, mediation can resolve issues regarding the wording of the petition and the initial placement of the child if placement is necessary. Once the court has made a judicial finding of child in need of care, mediation can help develop the specifics of a case plan by not just identifying what types of services the parents and children will receive, but also identifying and clarifying the details about such services. In mediation the parties develop the agreement and it can be and often is very specific.

The results from other states have shown that mediation of termination of parental rights yields numerous benefits to the parents, courts and social agencies. The Wichita project

has had a high satisfaction rate among all participants. Juvenile dependency mediation is a new category of mediator approval approved by the Office of Judicial Administration.

Changes in Supreme Court Rule 902

In October of 2004, the Kansas Supreme Court made several changes in how mediators are approved. The revised rule can be found on the Court website at www.kscourts.org/adr.

Two of those changes include a requirement that anyone who provide co-mediation experience (serve as a mentor mediator) must have conducted ten mediations in the type of case to be co-mediated. The second provision allows mediation trainees to substitute a role-play or similar exercise for one or more of the co-mediations required to be an approved mediator. The role-play process must be approved by the dispute resolution coordinator. The Advisory Council on Dispute Resolution has appointed a committee to draft a recommendation on policy for both of the changes.

Art Thompson
Dispute Resolution Coordinator
Office of Judicial Administration

Restorative Justice Section

A couple of years back, there was a group who was meeting regularly at Kansas City Kansas Community College (not Heartland affiliated.) My initial vision is to revive that, and also move forward with some Heartland programming in this area.

Our initial meeting was held on February 10th. If you were unable to attend, but are interested in participating in the section, please contact me.

I want to look at ways we can use this group to promote and support the uses of RJ in both states.

Please contact me if you have any questions. Thank you so much for the important work you do in our community.

Joanne Katz, J.D.
816-271-5837 / 816-271-4138 (fax)
katz@mWSC.edu

2004-2005 Heartland Mediators Association Board of Directors

- **President Evan Ash**
Domestic Court Services
1255 East 119th Street
Olathe, KS 66061
(913) 324-6978 • evan.ash@jocoks.com
- **President-Elect Rhonda Harris**
Kansas City Human Relations Dept
414 East 12th Street
Kansas City, MO 64106
(816) 513-1836 • rhonda_harris@kcmo.org
- **Secretary Ronnie Beach**
Advance Mediation Services
P.O. Box 3930
Olathe, KS 66063
(913) 390-7888 • rbeach18@comcast.net
- **Treasurer Barry Carroll**
1140 Coolidge Avenue
Wichita, KS 67203
(316) 269-2448 • barrycarr@aol.com
- **Director at Large Micki Armstrong**
Fort Hays State University
600 Park Street, Sociology Dept.
Hays, KS 67601
(785) 628-5369 • marmstro@fhsu.edu
- **Director at Large Don Hampton**
Mediation Associates
435 Pamela
Wichita, KS 67212
(316) 722-7817 • donhampton@onemain.com
- **Director at Large Peggy Hinzman**
404 Farm Place
Belton, MO 64012
(816) 331-5383 • peggyhinzman@leesummit.k12.mo.us
- **Director at Large Kathy Robinson**
University of Mo - Kansas City
4825 Troost, Rm 214F
Kansas City, MO 64110
(816) 252-8000 • robinsonka@umkc.edu
- **Director at Large Larry Rute**
Associates in Dispute Resolution
212 SW 8th Ave, Suite 102
Topeka, KS 66603
(785) 357-1800 • staff@adr.kscocmail.com
- **Past President Trip Shawver**
634 North Broadway
Wichita, KS 67214
(316) 262-6466 • nts44@aol.com
- **Executive Director Sandra Sabanske**
8826 Santa Fe Drive, Suite 208
Overland Park, KS 66212
(866) 381-4458 • fax (913) 381-9308
mediation@grapevine.net

DISCLAIMER

The opinions expressed in the HMA Newsletter are those of the writers and are not necessarily those of the Heartland Mediators Association.

Hearland Mediators Association
8826 Santa Fe Drive, Suite 208
Overland Park, KS 66212
Address Service Requested

FIRST CLASS

**2005 HEARTLAND MEDIATORS ASSOCIATION BANQUET
REGISTRATION FORM**

Name : _____

Firm: _____

Address: _____

City/State/Zip: _____

Phone: _____ E-mail: _____

Name of guest: _____

Registration fee: \$30 per person

Please mail this form with check to:
Heartland Mediators Association, 8826 Santa Fe Drive, Suite 208, Overland Park, KS 66212

Or — Fax to: 913-381-9308

Or — Email to: mediation@grapevine.net.