

A Winning Solution

A publication of the District Court of Maryland's
Alternative Dispute Resolution (ADR) Office

January 2012 Volume 2, Issue 1

Peace Walkers Undeterred By Adversity

By Kate Quinn and Shannon Baker

It was a dark and stormy night...Oh, wait, no. It was a cold and windy morning. Yes, that's right. On October 1, 2011 at 10:00 a.m., close to 100 enthusiastic and determined souls braved temperatures in the low 50s, the threat of rain, and a cold, stiff wind blowing off the water, to walk around Baltimore's Inner Harbor. Why, pray tell, would they do such a thing on a Saturday morning, when they might have been sleeping in, or at least cozy and warm at home? They did it to raise public awareness and promote the use of peaceful conflict resolution methods by taking part in: **"Join the Resolution: Walk for Peace in Our Communities."**

In his welcoming remarks, Maryland Court of Appeals Chief Judge Robert M.

Bell offered support of the Maryland Judiciary for the Walk, encouraging attendees to "Join the Resolution." Chief Judge Bell noted that much of what is wrong in our society, from incivility to violence, could be alleviated by better communication and the use of conflict resolution skills. Chief Judge Bell recognized and thanked the spirited organizations who also braved the chilly conditions that morning to provide information about conflict resolution programs and services.



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My Two Cents: What Do You Know?

By Jonathan S. Rosenthal

I know a lot of stuff. I suppose we all do. Unfortunately, much of the stuff I know will only help me win trivia contests about 80's pop television. (What was Mr. Belding's first name on "Saved By the Bell?" Answer later.) Fortunately for me, I also know a bit about ADR, the court system, and mediation. But perhaps just as important as all of the stuff I have learned and know in the ADR arena is the fact that I recognize I don't know a lot more.

Let me explain. We (you and me) know that to excel at conducting a mediation or settlement conference isn't as easy as others may think. In fact, there is a lot to know and a lot to learn. The subtle difference between asking one open ended question versus another might alter the way a mediation unfolds. The way a settlement conference attorney provides his/her insights in evaluating a case may make the difference between the case settling or not settling and one side feeling like the "neutral" is biased. Knowing and understanding why and how those differences happen is a learned skill. If you do it wrong, it may change the complexion of the session. And if you don't know that what you did *was* wrong, how can you improve?

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OUR



307

Each year The District Court of Maryland ADR Office calculates the amount of time donated by each of our volunteers. The list of hours donated by each volunteer is available on the ADR Office website. Last year our volunteers gave nearly **4,500** hours of time to the District Court and the citizens of Maryland. Questions regarding volunteer hours should be directed to Leona Elliott, Director of ADR Roster Management, at 410-260-1677 or leona.elliott@mdcourts.gov.



* **"For the Good"**

Volunteer Appreciation Begins with "Thank You!"



The District Court of Maryland ADR Office is very thankful for the dedicated service of the 307 active ADR Practitioners who volunteered in the Day of Trial Programs in 2011. As a token of our appreciation, we sent all active ADR volunteers a padfolio as a way of acknowledging their work and dedication to our programs and conflict resolution. Thank you!

< Not actual size.

Volunteer Success Story

Submitted by Tim Mullen, District Court ADR Volunteer

I recently sat in the District Court in Westminster waiting for my client's case to be called. The presiding judge was hearing a contract case involving a storage lot and one of its customers that was behind in his monthly storage payments. At the conclusion of all the evidence and before the judge was about to reluctantly render a verdict in favor of the plaintiff, the litigants advised the court they were interested in settling the case. The court advised them she was unable to assist them in settling the matter and lamented the fact an ADR volunteer was not available on that day to assist the parties. The judge saw me sitting in the crowd and, sensing her desire to have the litigants settle the matter before her, I rose from my seat in the crowd and volunteered to serve as a settlement conference attorney for the case. I spent some time with both parties and they reached a settlement that satisfied both of them. The court was extremely pleased with the fortuitous appearance of an ADR volunteer and my ability to conduct a settlement conference so that both litigants left the court feeling good about the result. I then finally tried my client's case. I suppose this is what some call multi-tasking!

Tim Mullen, a settlement conference attorney since 2008, volunteers in Baltimore City, Baltimore County, and Carroll County.

Success in ADR means different things to different people: an agreement; a partial resolution; or simply a better understanding. ADR Practitioners often enjoy sharing successes with the mediation community. If you want to share one of your District Court success stories for publication on our website or in *A Winning Solution*, send your story to sarah.kauffman@mdcourts.gov.

My Two Cents, *from 1*

So understanding that there is a lot to learn and a lot to know shouldn't be taken for granted. After my first mediation training back in the late 1900's, I understood that it was an amazing experience and I learned some very rich, sophisticated material. After taking the advice of my teachers and diving right in, and spending some time practicing and getting involved in the ADR community, I realized that there was so much more to learn. In fact, reflecting back on those first trainings, I realized I hadn't even absorbed all that had been offered at those trainings. It was so much information, I just missed some of it altogether. Couldn't pack it all in. That's happened to you, right?

So I realized that I had more to learn to develop my skills and improve my usefulness to my clients. And that realization is the first step to becoming a better, more skilled practitioner. Whether you are a mediator, settlement conference attorney, or even a judge or lawyer, once you realize you can learn more and raise your level of performance, you are on your way. And I don't know any great ADR practitioners who would suggest they already know it all. We are constantly in the process of learning and growing from our experiences.

Besides being good practice to learn more, let's not forget that as ADR practitioners, our Standards of Conduct *require* us to keep trying to get better. The Maryland Standards of Conduct for Mediators, Arbitrators, and Other ADR Practitioners (adopted by the Court of Appeals) notes that "**Neutrals...have an obligation...to improve their**

professional skills and abilities." (Section IX, Obligations to the Process.) So it's not just me saying it. The Court of Appeals agrees.

The million dollar question, then, is besides constantly taking training, how does one "learn what one doesn't know," or at least learn how to add to his/her knowledge base of ADR information? I'm glad you asked. We are fortunate here in Maryland because our ADR community is so strong and so diverse. Training isn't the only way to go, although we have a number of nationally renowned trainers,



speakers, and presenters right here in Maryland. Here are some options to take advantage of these resources:

1. First and foremost, take advantage of your Maryland peers. This includes getting on the **MACRO listserv** and seeing all of the informative continuing education opportunities that come down the pike. To be added to the MACRO listserv, send an e-mail to alecia.parker@mdcourts.gov. (Please include the word "subscribe" in the subject line of the e-mail to Alecia.)

2. Mediators can take advantage of your **MPME membership**. The

membership is complimentary, and it comes with several benefits. Make sure to attend the **MOSS** (Members Only Synergy Session) in odd numbered years. The MOSS has something for everyone in terms of continuing education and discussion/networking possibilities. I have found, and I hope you will too, that simply talking with other mediators helps you think about what you are doing and how you might improve.

3. Similarly, attend the **Maryland Mediators Convention**. The convention has been around since 2003 and every other year (intermittent with the MOSS) it presents a very economical way to expand your learning. The Maryland Mediators Convention is put on by Maryland mediators for Maryland mediators, and all ADR membership organizations in Maryland co-sponsor the event.

4. Join at least one of Maryland's fine ADR practitioner organizations:

- *The Maryland Council for Dispute Resolution (MCDR)*
- *The ADR Section of the Maryland State Bar Association (MSBA)*
- *The Maryland Chapter of the Association for Conflict Resolution (ACR).*

The organizations are each fine in their own right, and you will note that they tend to have slightly differing areas of focus. Most importantly, however, are the educational and networking opportunities that come with membership, most at low cost. And now many of them offer webinars and teleconferences, so "getting somewhere" is less of an issue.

"When conflict becomes a win-lose contest in our minds, we immediately try to win." - Thomas Crum

Peace Walk, *from 1*

Organizations who partnered in this event included: Community Mediation (Baltimore); Prodigy Youth Services; Learning by Heart; Tuttle's Place; Safe Streets East / Living Classrooms; Mediation & Educational Programs (part of Mosaic Community Services); and, Paul Laurence Dunbar High School.

Chief Judge Bell was joined by Major Dennis L. Smith, of the Baltimore City Police Department, Maryland Mediation and Conflict Resolution Office (MACRO) Executive Director Rachel Wohl, and Jonathan S. Rosenthal, Executive Director of the District Court Alternative Dispute Resolution (ADR) Office, for a ceremonial "ribbon cutting." Also in attendance at the event was the Honorable Dorothy J. Wilson of the District Court, Baltimore County and Chair of the District Court Judges ADR Committee.

Although the sky was a dismal shade of gray, balloons, face-painting, and music livened up the ceremonies at Rash Field and created a festive atmosphere. As the inaugural Walk kicked off, the Inner Harbor Promenade was speckled with splashes of lime green, purple, and white from Rash Field to the Seven Foot Knoll Lighthouse on Pier 5. Glimpses of the walkers' vibrant lime green t-shirts peaked out from underneath fleece jackets and hooded sweatshirts, alongside purple t-shirts on the enthusiastic volunteers and staff coordinating the event. Balloon bouquets of purple, white, and green guided the walkers along the approximately 2 mile route around Baltimore's picturesque waterfront.

Children, and children at heart, were engaged along the route not just by the sights and sounds of Baltimore's bustling Harbor, but by a challenging 2-part scavenger hunt about facts and sites along the Promenade. Scavenger hunters discovered the colors of the dragon paddleboats (the appropriately coordinating colors of green and purple), paid a visit to the Harbor's new September 11th Memorial, and learned some Inner Harbor History by finding out the date the Seven Foot Knoll Lighthouse began operating (1856). Scavenger hunt participants earned clues and free beverage coins to Shuckers of Fells Point by singing a song, doing a dance, or telling a joke to the various "Walk Guides" stationed along the Promenade.



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Peace Walk, *from 4*

Upon their return to Rash Field at the end of the walk, walkers who successfully completed both parts of the scavenger hunt form received a purple silicon bracelet adorning the phrase "Support Conflict Resolution." In addition, they were eligible for several prizes, including tickets to the National Aquarium, gift certificates to Shucker's Restaurant & Bar in Fells Point, and a framed collage of conflict resolution bookmarks, created by Maryland children for MACRO's annual Conflict Resolution Day Bookmark Art Contest.

Coordinated by the District Court ADR Office and MACRO, the Walk for Peace in Our Communities was set for the first Saturday in October. The event date marked the beginning of what has become known as "Conflict Resolution Month" in Maryland. The celebration of

International Conflict Resolution Day, traditionally designated as the third Thursday in October, began in 2005 by the Association for Conflict Resolution. Celebration and recognition of Conflict Resolution Day has grown in Maryland over the years, becoming a month-long series of coordinated events by many conflict resolution organizations around the State, including everything from outreach events, to fundraisers, galas, and the presentation of peacemaker awards. After the success and positive reaction to this event, making the Walk an annual event is being considered. Watch for announcements and information about the next Walk so you too can "**Join the Resolution**" and "**Walk for Peace in Our Communities.**"

My Two Cents, *from 3*

5. As noted above, taking advantage of your Maryland peers is something you can do in a variety of ways. Another way to do that is to attend our new **Brown Bag Lunch Series**. We created this series to provide you with free, local, and interactive opportunities to talk about your experiences in our program, other challenging experiences, or anything else ADR. Throughout the year, we will come to a location near you (probably the courthouse) to host a relaxing, safe conversation about anything you want related to ADR or our programs. For a schedule of the upcoming Brown Bag Lunch discussions and for details about this new program of the District Court ADR Office, see page 18 of this newsletter.

6. And speaking of discussions, another thing you might consider doing is creating or joining an ADR or mediation **discussion group**.

Some of these already exist throughout the State and they are not unique to mediation or ADR. There are a few keys to having a successful case discussion group. The first is commitment to the group. Pick a regularly scheduled day of the month (weekly is probably too much) and time (2 hours should work well) and put it on your calendar. Then stick to it. Other than vacations, you shouldn't schedule-over that event. Find a location that will work for everyone and where conversation will not be interrupted or difficult. Perhaps rotate homes, offices, or a private room at a restaurant (breakfasts can be nice). Next, keep the group relatively small; four to seven people works well. The smaller the group, the more each person is responsible for bringing cases to discuss. And everyone is expected to contribute to the conversations, perhaps rotating which people

should bring topics to each meeting. Finally, understand that even the most novice of professionals will still have a responsibility to contribute to the discussions.

7. **Journaling** is another great way to learn about yourself and your practice. There are great resources available on the inter-web to explain the details of journaling, but generally, after each mediation or settlement conference, write down answers to the same questions, such as: what went well; what would I do differently; were there any particular challenges presented (and if so, what were they); was I present/mindful during the entire process; did I remain neutral both in my mind and outwardly; etc. If you create a template on which you have those questions listed, you will be more likely to follow through on this tool.

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Ethics Corner: To Report or Not to Report?

Is it an exception (to mediator confidentiality)?

By Maureen Denihan & Jonathan S. Rosenthal

We use “Ethics Corner” to discuss issues that arise in our field and this is one of those occasions. At a recent staff meeting, we discussed confidentiality in ADR sessions, and more specifically exceptions to confidentiality in those sessions. To be precise, we were considering which exceptions to ADR practitioner confidentiality have mandatory reporting requirements and which have permissive reporting requirements. And, follow-up questions emerged from these conversations including *what are ADR practitioners required to report* and *to whom do we make a report?*

Let’s start from the beginning. One of the hallmarks of the ADR processes offered in District Court is confidentiality. There are some well known and agreed upon exceptions to confidentiality, including one of the most widely known, child abuse. We wanted to dedicate this ethics corner to spotlight exceptions to confidentiality and what the exceptions might mean in terms of a mediator’s obligations.

When considering what confidentiality means in the context of our ADR sessions, ADR practitioners should turn to the *District Court Agreement to Participate in ADR form* and the *Maryland Standards of Conduct for Mediators, Arbitrators, and Other ADR Practitioners*, and the *MPME Standards of Conduct*¹. The **District Court’s Agreement to Participate in ADR** form provides that “with some exceptions, anything that is said or done during an ADR session [in the District Court of Maryland Day of Trial ADR Program] will be held in confidence by the ADR Practitioner...”² That means that the ADR practitioner, whether mediator or settlement conference attorney, will maintain confidentiality of the session. That section continues on to list three exceptions to confidentiality: “a) evidence of child or elder abuse; b) an act or credible threat of violence; c) anything relevant to a complaint against the ADR practitioner or the District Court of Maryland.”

If an exception to confidentiality arises, it does not automatically mean that a practitioner must break confidentiality. Rather, an exception to confidentiality means the ADR practitioner has to decide what, if anything, should be disclosed and to whom. It is up to the practitioner to understand whether the exception *requires* that confidentiality will be broken or that the practitioner *has flexibility to decide* if confidentiality will be broken under the expressed exceptions.

So, the initial questions for the ADR practitioner to consider are: has an exception to confidentiality occurred, and if so, what, if anything, does the exception mandate or permit the ADR practitioner to do. To determine whether the practitioner is mandated or permitted to do something with the information that was the basis of the exception, one must look to where the exception is found. For example, the exception to confidentiality regarding child abuse is

derived from a statute (**Annotated Code of Maryland, Family Law Article, Section 5-705**). Within that statute the action to be taken by the mediator is mandatory, and that action is one of reporting to authorities. Conversely while the exception to confidentiality regarding elder abuse is also derived from a statute, reporting of that kind of abuse is either permissive or mandatory, depending upon one’s occupation (**Annotated Code of Maryland, Family Law Article, Section 14-302**). Another exception to confidentiality is “an act or credible threat of violence.” That exception is found in the Agreement to Participate in ADR form. For this exception to confidentiality, the ADR practitioner’s action is permissive, not mandatory.



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¹ Another place to look soon will be the District Court ADR Rules.

² The focus of this article are the obligations of the ADR practitioner. Others in the room must consider their own obligations.

My Two Cents, *from 5*

8. Finally, consider going through a **certification process**. Not all ADR processes have certification, but mediation does. Keep in mind that when you took your basic (or beginning) mediation training in Maryland, you were probably presented with a certificate, but you were not certified for anything other than warming a seat for 40 or so hours. Being “certified” implies a certain level of expertise and skill level. **MCDR** and **Community Mediation Maryland** both offer either certification or evaluation through a rigorous and effective performance-based process. And both are straight forward processes. Even if you are not certified on your first try, the learning you can gain from the experience is tremendous. Both processes require role players, yet another way to get your toes wet. Think about it: are you ready to go in front of the video camera and have someone review your performance? It may be a scary thought, but it will help you become a more thoughtful practitioner.

I could go on, but hopefully you get my point. We all have the ability to continue to improve. Whether we choose to do so is another question entirely. Here in Maryland, the resources are almost endless. **So, what’s your next move?** Do you want to learn more about what you don’t know? *Oh, and by the way, Mr. Belding’s first name was Richard.*



ADR Lending Library...

By Maureen Denihan

Over the past few years the District Court of Maryland ADR Office has collected an exceptional variety of ADR-related publications, including scholarly journals, magazines, newsletters, and books in our ADR Lending Library. A complete book list and comprehensive lending library policy document will be made available in the 1st quarter of 2012 on the District Court’s ADR Office web site for review, download and/or printing.

Publications from the library may be borrowed by all active ADR volunteers. Those wishing to borrow from the library will be asked to first read the lending policies and procedures document, and affirm they understand how to borrow from, and return items to, the Lending Library. After an initial affirmation, a registered user may borrow up to two books at a time, for a period of 30 days. Lost, stolen or damaged books will be replaced at the borrowers expense.

Here’s just a sample of some of the titles available from the ADR Lending Library:

Ed’sitorials on Mediation, Edward P. Ahrens, Jr.

Becoming a Reflective Practitioner (3rd Edition), Christopher Johns

How to Mediate Like a Pro— 42 Rules for Mediating Disputes, Mary Greenwood

Lawyers as Peacemakers: Practicing Holistic Problem-Solving Law, J. Kim Wright

Making Money Talk: How to Mediate Insured Claims and Other Monetary Disputes, J. Anderson Little

Beyond Neutrality: Confronting the Crisis in Conflict Resolution, Bernard S. Mayer

We hope you will share with us what you learned from reading the various publications in our ADR Lending Library. There is no requirement to submit a book review, but if you decide to do so we will ask your permission to include the review in a future edition of *A Winning Solution*.

Stay tuned to your e-mail inbox for an invitation to become a registered borrower of the District Court’s ADR Lending Library.

...Drop Your Nook®, Pick Up A Book



Conflict Resolution Resonates with Local Maryland Residents

By Maureen Denihan & Sarah Kauffman

In 2005, the Association for Conflict Resolution (ACR), an international conflict resolution membership organization, started annually recognizing the third Thursday in October as 'Conflict Resolution Day' to widely promote alternative methods of conflict resolution. The District Court of Maryland ADR Office began hosting events on Conflict Resolution Day in 2006. We quickly surmised that dedicating a "day" to promoting ADR merely scratched the surface of the District Court's geography. The District Court ADR Office intentionally transformed the outreach opportunity from one day into a week, and now into a month-long celebration named 'Conflict Resolution Month.'

The idea of dedicating an entire month to being visible in multiple District Courthouses is to provide another avenue for the public to access information about ADR processes and services. "One might argue that promoting the appropriate use of ADR to those who walk into a courthouse may be perceived as 'too little, too late.' We think it's never too late. People have choices. If we can inform the public about ADR, and provide them with local resources the hope

is next time they are in a dispute they will consider ADR as a realistic possibility either outside of court or within the court process," said **Jonathan S. Rosenthal**, Executive Director of ADR Programs.

Ultimately, the ADR Office hopes those who visit Conflict Resolution Month event tables walk away with some understanding of ADR and its uses. "If we help folks recognize there is a difference between mediation and 'meditation', we've done a good thing. If we've explained the benefits of mediation and settlement conferences, then we're helping to create an informed consumer. And even if the consumer doesn't remember the nuances of the ADR processes we offer, and they only remember the resources available in their community, then we've served the public well," said Deputy Director **Maureen Denihan**. "One of the goals is to distribute information about local community mediation centers (CMC) and other ADR service providers," added Rosenthal.

To that end, literature was distributed describing the processes of mediation and settlement conference, their uses, and benefits at 17 locations throughout Maryland. District Court ADR Office Regional ADR Programs Directors invited local community mediation centers (CMC) to partner in disseminating information to the public. What follows is a description of Conflict Resolution Month events around the state. The summary of the events are grouped by Regional ADR Programs

Director and the districts they cover. Where their availability complimented the civil docket schedules, the RPD scheduled local events on civil docket days to increase exposure to litigants. Table positioning has a lot to do with the success of any of these events. "We try to position ourselves in locations that have heavy foot traffic to increase visibility," said **Cindy Faucette**, Regional ADR Programs Director.

Baltimore County

The Baltimore County events were held on October 25th in Catonsville and October 27th in Towson. Cindy shared that the outreach event provides an awesome opportunity to educate

litigants or consumers of District Court services about ADR, especially to those who express concern and anxiety about the unknowns of the litigation.

On the morning of the event in Catonsville, Cindy shared that a litigant who approached the

table expressed frustration with the outcome of his case. "He thought he didn't get a fair shake," Cindy reflected, and informed him that mediation may provide an opportunity for him and the other side to sit down together to have a conversation where they develop possible solutions that work for both sides, rather than having a decision imposed on them.



The Association for Conflict Resolution (ACR) Conflict Resolution Day Poster

Fairly Legal: The Value of Mediation & Conflict Resolution in Your Court

Q & A with COCA Administrative Assistant, Terry Youngbar

By Sarah Kauffman

The Maryland Mediation and Conflict Resolution Office (MACRO) and the District Court ADR Office partnered to present *Fairly Legal: The Value of Mediation & Conflict Resolution in Your Court* to judiciary employees. During the interactive course, attendees were provided an opportunity to explore the uses of mediation in the judicial system. The course is designed to provide a better understanding of mediation, its benefits, and how to apply effective dispute resolution skills to diffuse a variety of conflicts. Terry Youngbar, Administrative Assistant at the Coordinator of Commissioner Activity (COCA) Office, attended the class. Terry took some time to share her thoughts about the class.

1. What made you decide to register for the Fairly Legal course?

I was curious to see how the mediation process works and also wanted to become a more well rounded judiciary employee. I was really intrigued to see how matters could be resolved by a means other than litigation.

2. What was one highlight from the course?

A big highlight for me was being involved in a role play in which ADR was used to resolve a dispute. The role play provided me with a practical example of how effective mediation can be used to resolve disputes (rather than going to court).

3. What was something new that you learned by attending Fairly Legal?

I learned a lot about the mediation process, the variety of cases that can be brought to ADR, and that mediation is a viable option for litigants to use as an avenue to resolve their disputes.

4. Would you recommend Fairly Legal to another judiciary employee? And, why or why not?

I would definitely recommend this course to another judiciary employee. This course gives judiciary employees the opportunity to learn about ADR and enhance their own overall knowledge of how the Maryland judiciary system operates.

5. How could the Fairly Legal course be improved?

It would have been helpful to get a list of real life tough disputes that had been resolved using a method of ADR.



Terry Youngbar, Administrative Assistant at the Coordinator of Commissioner Activity

SAVE THE DATE!
Next Fairly Legal Courses*:

March 23, 2012 & September 27, 2012

9:00 a.m. - 4:00 p.m.

Judicial Education and Conference Center Annapolis, MD

* Interested judiciary employees should contact the Office of Professional Development if you wish to attend.

Conflict Resolution Month Article, *from 8*

Cindy said the litigant was unfamiliar with the mediation process, much less when to use it and how to find a service provider. She provided the litigant with information about mediation resources in Baltimore County.

Along with Cindy and **Leona Elliott**, Director of Roster Management, **Jamie Simmons** a representative from the Baltimore County Conflict Resolution Center (BCCRC), explained that mediation is voluntary and confidential and provided free-of-charge to District Court litigants. Jamie and Cindy also explained that mediation is available through private practitioners and BCCRC.

“Local court, community mediation center, and bar association support for these events has been outstanding.”

Frederick County

Outreach in Frederick was targeted to District Court litigants on October 28th by Cindy and **Beth Heinle**, Administrative Assistant.

Howard and Carroll Counties

In Howard and Carroll Counties, “local court, community mediation center, and bar association support for these events has been outstanding,” boasted Cindy. A prime example of superior court support comes from District Ten’s Administrative Clerk **Nancy Mueller** and how she notified court employees in both Ellicott City and Westminster via e-mail about the Conflict Resolution Month events on the Friday prior to their respective Monday events. (*Howard County was on October 31st and Carroll County was October 24th.*) Thank you Nancy for sharing the event with local court employees, and for reminding them

that this event is for them as well!

Carroll County bailiff **Andy Stefankiewicz** took this opportunity to compliment the benefits ADR has brought to the Carroll County bench. “You guys do a good job and you save the court a lot of time,” he said.

Patricia Ryan and **Larry Brock** from Carroll County Community Mediation Center helped staff the table with Cindy and **Sarah Kauffman**, Data Management and Public Information Coordinator, in Westminster. The Mediation and Conflict Resolution Center at Howard Community College provided their materials for distribution at the Ellicott City event. “It was a great opportunity to connect with members of the Howard County Bar,” expressed Cindy, who appreciated the occasion to get in some valuable face time with local attorneys

that she often sees in the courtroom, but doesn’t usually have time to interact with because she’s busy managing the program.

Calvert County

Regional ADR Programs Director **Nancy Kreitzer** was responsible for events in Upper Marlboro, Prince Frederick and points south. The October 18th event in Prince Frederick was “an opportunity to ‘plant the seed’ about how useful and beneficial ADR can be,” Nancy offered. “Although the initial interest in the pens, water bottles, clips and other ‘freebies’ was obvious, it didn’t take much to engage the onlookers in conversation about mediation,” explained Kreitzer. When probed, a fair number of people acknowledged that they were at least familiar with the mediation process. Nancy continued, “many of those who were unfamiliar with the process were



Promotional items were distributed at various outreach events across Maryland.

interested in learning more about it.” One of the highlights of the event was when a litigant who participated in a day of trial mediation stopped by the table to express her sense of fulfillment because she had accomplished one of the to-do’s listed in the terms of the agreement reached in mediation. “I’m so glad she stopped by to share that with us. People mulling about in the hallway outside of the two offices could hear her excitement and it made them interested in what was going on at our table,” said Nancy.

Charles County

On October 12th, Conflict Resolution Month activities resumed this year in the new LaPlata courthouse after a brief two year hiatus. “It was a very productive morning. Several attorneys inquired about joining the District Court’s volunteer mediator and settlement conference attorney roster, which is great. La Plata is one of the locations where we have a need for additional ADR volunteers to help provide Day of Trial ADR services to litigants,” Nancy said referring to the fact that we are recruiting new volunteers for Charles County.

Conflict Resolution Month Article, *from 10*

Local Judges Talley and Wells have continued to show support and enthusiasm for mediation. Their willingness to refer cases to mediation provides citizens in Charles County with an option when confronted with conflict. (If you are interested in becoming an ADR practitioner for the Charles County program, [click here](#) for an application.)

Prince George's County

Due north of La Plata on Route 301, the Upper Marlboro event was held on October 25th. Nancy shared what she considered to be a very valuable example of why tabling in the courthouse can enlighten litigants about the possibilities mediation can bring to relationships. "A grandmother, mother, and teenage son approached the table after participating in a peace order hearing. The family was very interested in how the communication between the teenage son, and his child's mother might improve if they tried to have a conversation in mediation." **Danielle Booz**, with Community Mediation Prince George's, explained to the family that mediation may help to improve their long term relationships.

St. Mary's County

Leonardtown was the first Conflict Resolution Month event on October 3rd. There to staff the table with Nancy was **Lindsey Bradley** (St. Mary's County Community Mediation Center (SMCMC) Operations Manager) and a volunteer mediator from SMCMC **Ellen Hahn**. "There was no shortage of interested and inquisitive visitors to the table," Nancy remembered. "Lindsey's enthusiasm about mediation was infectious," and then added, "I really enjoyed getting to know Ellen better. She is one of the

mediators on our Day of Trial roster and is a natural communicator," she added. "And although this is the fourth year I have been doing this, I have to say the reaction of the Court Support Staff in all of my districts is overwhelmingly positive. In particular, I love getting to 'hang out' with the bailiffs, whose sense of humor and outlook on life is refreshing," Nancy reflected.

Baltimore City

One of the busiest District courthouses in the state, the civil division on Fayette Street played host to three days of events on October 3rd, October 5th, and October 7th. Two ADR office staff members, Leona Elliott and Sarah Kauffman, joined Regional ADR Programs Director, **Shannon Baker**, in distributing informational materials to the public. Scheduling the events on civil docket days when ADR practitioners are present provide an opportunity for Shannon to refer litigants to ADR that same day. It can also have great recruitment effects. At the October 3rd event, **Darren Kadish**, volunteer settlement conference attorney, was on the schedule and introduced fellow attorneys to Shannon, who then used that as an opportunity for recruitment. Shannon noted that it was great having volunteers scheduled during the outreach events. "It was so helpful to have volunteers on the schedule those three days, so we could mention

the opportunity to litigants before their trial and, hopefully, they would take advantage of ADR that day," she said.

Baltimore City is one of the locations where it is extremely beneficial to include more than one partners' materials at the table. Whether it was Baltimore City Community Mediation or University of Maryland Francis King Carey School of Law Mediation Clinic, pamphlets were quick to fly off the table. Passers by were very interested to find out about the local service providers and some even appeared impressed that conflict resolution resources are widely available in Baltimore City.



District Court in Baltimore, MD
(Fayette Location)

Harford County

Walking into the Bel Air courthouse you are typically greeted by a friendly bailiff telling you to remove all of your belongings from your pockets and please remove your belt. This

particular Friday was a bit different than most. Instead of being greeted by the bailiff, members of the public were greeted with a smile and warm hello from Regional ADR Programs Director Shannon Baker. Shannon's to-do list on October 21st included distributing literature, promotional goodies and surveys and to leave a lasting impression on the public and judiciary employees.

The ADR Office has a strong pre-trial mediation partnership with Harford County Community Mediation Program (HCCMP).

Ethics Corner, from 6

Because all of these scenarios are slightly different we will discuss each issue separately.

First, child abuse. **Family Law Article, Section 5-702**, provides that the purpose of the subtitle is to protect children who have been subject to abuse or neglect by: (1) mandating the reporting of any suspected abuse or neglect; and (2) giving immunity to any individual who reports, in good faith, a suspected incident of child abuse or neglect. Specifically, **Section 5-704** mandates reporting of suspected child abuse or neglect by *health practitioners, police officers, educators, or human services workers*, and **Section 5-705** mandates reporting by *any other person* than those mentioned in **Section 5-704**, if that person has reason to believe the child has been subjected to abuse. What this means for ADR practitioners in our program is that reporting suspected child abuse or neglect is mandatory for all of us, and it falls within one of our expressed exceptions to confidentiality. (**Section 5-701** provides definitions of abuse, neglect, and a variety of other relevant terms. For more information and who to report to, refer to **Family Law Article, Sections 5-701 to 5-705.**)

With regard to elder abuse, **Family Law Article, Section 14-302**, lists who is mandated to report vulnerable adult abuse. Any health practitioner, police officer, or human services worker who has reason to believe that a vulnerable adult is in danger is required to report, whereas any concerned person may make a report. The statute provides definitions of abuse, neglect, self-neglect, and exploitation, as well as defining a vulnerable adult as an adult who lacks the physical or mental capacity to provide for the adult's daily needs (**Section 14-101**). That means adult includes individuals 18 and older, not just senior citizens. For ADR practitioners in our programs this means that reporting vulnerable adult abuse is mandatory for some professionals (as noted above), permissive for everyone else, and it falls within one of our expressed exceptions to confidentiality.

As noted earlier, we also get guidance from our various ADR Standards of Conduct. The **Maryland Standards of Conduct** and the **MPME Standards** both expressly provide that mediators may be required by applicable law to disclose mediation communications that would otherwise be confidential. Additionally, the language used in the Maryland Standards **applies to both mediators and settlement conference attorneys** in that it recognizes the degree of confidentiality a neutral must maintain may be subject to rules, agreements, statutory obligations, and court orders.

In summary with regard to allegations of abuse and the applicable exceptions to confidentiality, ADR practitioners volunteering in the District Court of Maryland should keep the following in mind:

1. All ADR practitioners, regardless of professional affiliation, shall report suspected child abuse or neglect.
2. ADR practitioners that are also health practitioners, police officers, or human services workers shall report suspected abuse, self-neglect, or exploitation of vulnerable adults.
3. ADR practitioners who otherwise do not have a mandatory reporting requirement may report suspected abuse, neglect, self-neglect, or exploitation of vulnerable adults.

This discussion on ADR practitioner confidentiality is just the tip of the iceberg. For example, what happens when a participant believes an exception to confidentiality has occurred and the ADR practitioner does not? What happens when an observer invited by the ADR practitioner believes an exception to confidentiality has occurred, but you do not? We could on, but we've run out of space. We welcome your thoughtful feedback!

**To become familiar with the signs of physical, behavioral, social, and financial abuse, go to the Office of Adult Protective Services of the Maryland Department of Human Resources has a list of signs on their web site at www.dhr.maryland.gov/oas. [Click here](#) to open the flier. Links to the statute and local offices of Adult Protective Services is available on www.peoples-law.org by selecting 'Senior Citizens' from the web site's home page.*



Agreement Writing Best Practices

By Maureen Denihan

We had a flurry of questions from volunteers at the 2011 ADR Volunteer Appreciation and Recognition Continuing Education Agreement Writing session in **May 2011**. We'd like to take this opportunity to answer those questions. Additionally, some practitioners asked if we regularly take a look at the agreements reached in District Court Day of Trial ADR sessions. We reviewed many of the settlement agreements reached in both mediations and settlement conferences conducted in the Day of Trial program over the summer. Included below are a few of suggestions for improving your settlement agreement based on our review.

- 1.) **ADR practitioners do not sign the Settlement Agreement Form because the ADR practitioner is not a "party" to that agreement.**
- 2.) **All ADR participants who have agreed to the terms of settlement shall sign and date the bottom of the Settlement Agreement Form.**
- 3.) **Include the entire case number and case name at the top of the Settlement Agreement Form.**
- 4.) **Ideally print— no cursive, unless exceptionally neat. *Please take the time.***
- 5.) **The first time the parties are referenced in the body of the agreement their names should be written out in full. Additionally through the body of the agreement reference the parties using their names , rather than simply "plaintiff" and "defendant."**
- 6.) **If the agreement is more than one page, all participants initial each page and sign and date the last page. Include "page 1 of ___ pages," at the bottom of the first page and continue in similar fashion until the last page of the agreement.**
- 7.) **When a business is a party to a suit it must be noted on the signature line that "Joe Smith" is signing on behalf of that entity and that persons title should also be noted.**



Quick Bits

Compiled by ADR Office Staff

- Interested ADR intern applicants for the summer 2012 term should submit an ADR intern application by Friday, February 24th. The summer term runs from May to September. For an intern application, please [click here](#).
- The Self Help Center in Glen Burnie (the pilot site) has partnered with the District Court ADR Office to provide current and prospective litigants with information about mediation and ADR programs and services. The Center recently acquired a dedicated telephone number to create greater access to Self Help services. District Court consumers can call the Center or participate in a live chat with one of the Center's staff.
- In 2011, the District Court ADR Office had the pleasure of working with 307 volunteers (31 of those volunteers were oriented in 2011). And, those same 307 volunteers gave an astonishing 4,460 hours to the program! We thank you!
- Best wishes to **Tracee Ford** (former Executive Director at Community Mediation in Baltimore City) and **Sue Rose** (former Mediation Program Director at Anne Arundel Conflict Resolution Center in Annapolis) on their future endeavors.
- FYI: Courthouse Cell Phone Policy— Attention to all visitors of District Courthouses across Maryland: Please [click here](#) to read the policy.



Conflict Resolution Month, *from 11*

Two representatives from HCCMP, **Nancy Turner** and **Steve Sopol**, were a welcomed addition to the outreach event. Both Nancy and Steve did a wonderful job of interacting with the public and making sure people were walking away with a better understanding of ADR. A four-legged friend, Houdini, Steve's service dog, was also a big hit with people. While he was unable to explain mediation, he was definitely a large draw!

nice and the Rockville event was no exception. An attorney often representing litigants in Day of Trial mediation at the Rockville courthouse commented, "I've had multiple cases in mediation and I've always had such good experiences with your volunteer mediators." While these outreach events create a great opportunity to promote our programs, there is also great value in building relationships with those who have already participated in ADR.

provided an opportunity for them to educate the public about their center's mission."

Beyond hosting local outreach events the ADR Office aimed to increase judiciary awareness of the events by distributing a promotional flyer about the events to all Annapolis complex judiciary employees. Along with the flyers, the ADR Office included a message on the bottom of employee timesheets (pay period ending 10/18) promoting October as Conflict Resolution Month.

In addition to the events throughout the courthouses, the ADR Office also held an outreach event in the lobby of the Department of Natural Resources (DNR) building in Annapolis on October 28th. We had a large turnout at this inaugural event and were pleased to see the interest that was expressed by judiciary employees, DNR employees, and the public.

Keep your eyes on your email this fall and future editions of *A Winning Solution* for more information about October 2012 Conflict Resolution Month events.



Conflict Resolution Month outreach event table.

Montgomery County

In the middle of the hustle and bustle of the I-270 corridor and the Washington beltway, **Kate Quinn** (Regional Program Director, ADR Office) held two events at the new Rockville courthouse (which opened in fall 2011) on October 13th and October 27th, and one at the Silver Spring Courthouse on October 14th.

Joining Kate at the Rockville event on the 13th was **Barry Klein**, Conflict Resolution Center of Montgomery County (CRCMC) volunteer mediator. Kate expressed, "It's always nice having a volunteer at the table with me who really understands our program and why ADR can be so effective for members of the public."

Hearing positive comments from ADR session participants is always

in and out of the courthouse. Joining Kate at the Annapolis event from the Anne Arundel Conflict Resolution Center (AACRC) were staff member **Holly Slack** and volunteers **Sharika Townsend** and **Chantelle Dukette**, as well as ADR Office staff member Leona Elliott. Kate said, "Having AACRC there allowed me the opportunity to enhance our relationship and

Anne Arundel County

On October 18th, Kate staffed a table at the Glen Burnie District Courthouse. Home to the Self Help Center Pilot Program, Glen Burnie has a high volume of litigants that enter the building on a daily basis.

Annapolis was the location for Kate's event on October 20th. Choosing a civil day, Kate was hoping to reach litigants on their way

1. Do you know what mediation is?

66% Yes 24% No 10% I've heard of it before, but not sure what it is.

2. Before today, were you aware that the District Court offers free mediation services?

62% Yes 38% No

3. Are you aware that mediation is

Voluntary? 64% Yes 36% No
Confidential? 65% Yes 35% No

4. Have you ever participated in mediation before?

22% Yes 72% No 6% Not Sure

Above, the responses of 550 surveys from across the state.

"People's minds are changed through observation and not through argument." - Will Rogers

Participant Feedback: Here's What They're Saying

The ADR Participant Survey provides a valuable understanding of how the ADR programs are operating. Approximately 70% of ADR session participants complete the survey. Of those, about 50% of participants include their contact information for further conversation. Below is a sampling of the kinds of comments we found last year.

Experience has shown us the success rate for having participants complete the feedback form has to do with when and how the form is initially introduced. Introducing the survey during the review of the Agreement to Participate form rather than saving the first mention of it until the end of the session helps participants know what to expect.

| | |
|--|----------------------------------|
| DISTRICT COURT OF MARYLAND | Trial Date: _____ |
| Alternative Dispute Resolution (ADR) Office | Case Number: _____ |
| | ADR Practitioner Name/ID#: _____ |

ADR Participant Feedback Summary

Filling out this confidential survey will help us improve our program. Thank you for taking the time to give us your feedback.

1. How did you hear about Alternative Dispute Resolution (ADR)? (Check *all that apply*)

Word of mouth Family or Friend Judge Lawyer
 Info from Court District Court website Video in court Other: _____

2. This court uses two ADR processes to see if an agreement can be reached before trial. This session can best be described as: (Check **one**)

Mediation Settlement Conference Not sure

3. I am the: Plaintiff Defendant

| DATE | FEEDBACK FROM PARTICIPANT |
|--------------------|--|
| April 1, 2011 | "The ADR volunteer worked hard to help us find a solution in our settlement conference." |
| April 4, 2011 | "Mediation is so productive when both parties are civil." |
| April 6, 2011 | "Our settlement conference was a positive process and beneficial to hear what the Judge might have to say if we went to trial." |
| April 8, 2011 | "Mediation is helpful and gives everyone a chance to resolve their disputes." |
| April 14, 2011 | "Assistance is greatly appreciated." |
| April 28, 2011 | "Helped with resolving our issues." |
| May 5, 2011 | "Helpful to 'clear the air' with the opposite party and speak civilly." |
| May 17, 2011 | "I was not sure how everything would work, but the ADR process simplified everything." |
| June 10, 2011 | "Good process for others to emulate." |
| June 30, 2011 | "Wish we would have known about ADR service before going to court." |
| July 5, 2011 | "I have a lot of pro se opponents. They feel less intimidated talking with a neutral 3 rd party." |
| August 1, 2011 | "Both ADR professionals were thoughtful and provided valuable alternatives for both parties to reach an agreeable decision." |
| August 16, 2011 | "I am very pleased with the ADR process and the ADR representatives were very clear and professional." |
| August 16, 2011 | "The anxiety and fear associated with court was removed by mediation." |
| August 22, 2011 | "Earlier notice for mediation might have been more useful." |
| September 1, 2011 | "I was not sure how things would work, but ADR simplified everything." |
| September 28, 2011 | "It saved time from going to trial." |
| October 1, 2011 | "The room where we met was hot and cramped. The mediator was very professional and I am extremely glad for her presence. I do not think we would have come to an agreement without her." |
| October 5, 2011 | "This was a great experience. I would surely do it again." |

ATTENTION ALL ADR PRACTITIONERS

Maryland is fortunate to have 3 high quality, reasonably priced ADR conferences in our state this year. Each of the conferences listed below satisfy MPME members annual commitment to continuing skills improvement and the requirements outlined in Title 17 of the Maryland Rules.

- **ABA Section of Dispute Resolution** 14th Annual Spring Conference, April 18-21, 2012, Hyatt Regency Washington on Capitol Hill. Early bird registration deadline is February 24, 2012. Please [click here](#) for more information.
- **Center for ADR** 25th Anniversary Annual Conference, June 13-15, 2012, “Managing Conflict and Removing Barriers to Collaborative Decision Making,” Martin’s Crosswinds, 7400 Greenway Drive, Greenbelt, MD. Early bird registration deadline is March 1, 2012. Please [click here](#) to find out more information about this conference.
- **Maryland Mediators Convention**, Friday, December 7, 2012, Location TBD – Look for announcements later this year.

Teleconference Series

By Leona Elliott

The ADR Office sponsored its inaugural continuing education teleconference on August 16, 2011. The topic of the teleconference was to discuss the similarities and differences between the two ADR processes offered in the District Court Day of Trial Program: mediation and settlement conferences. The teleconference series is designed to provide our volunteers with an easy, convenient, and cost-effective way to attend continuing education programs during the lunch hour.

The panelists, **Susan Land, Esq.** (Salisbury, Mediator & Settlement Conference Attorney), **Tammy CitaraManis, Esq.** (Glen Burnie, Mediator), and **Hutch Robbins, Esq.** (Baltimore City, Settlement Conference Attorney), have 7 to 10 years experience volunteering in our Day of Trial programs. The panelists spoke about skills that are used in both processes along with skills that are likely to be used in one or the other. Among the skills that may be used in both processes are caucusing, open-ended questions, listening, reflecting, and agreement writing. The panelists also shared their opinions about the specific skills and techniques that are used only in settlement

conferences, such as case evaluation, assessing the strengths and weaknesses of facts and arguments, and floating ideas for settlement.

According to Title 17, the differences are clear. As 17-102 (d) indicates “[m]ediation is a process in which the parties work with one or more impartial mediators who, without providing legal advice, assist the parties in reaching their own voluntary agreement for the resolution of the dispute or issues in the dispute. A mediator may identify issues and options, assist the parties or their attorneys in exploring the needs underlying their respective positions, and, upon request, record points of agreement reached by the parties. Title 17-102 (h) describes a settlement conference as “a conference at

which the parties, their attorneys, or both appear before an impartial person to discuss the issues and positions of the parties in the action in an attempt to resolve the dispute or issues in the dispute by agreement or by means other than trial. A settlement conference may include neutral case evaluation and neutral fact-finding, and the impartial person may recommend the terms of an agreement.”



Continued on Page 17

Teleconference, from 16

ADR Office policy states that all ADR volunteers identify and explain the ADR process that they use at the beginning of the session. It is against ADR Office policy to combine ADR processes or switch between them during the session. From our perspective mingling of the processes leads to confusion by the participants. It is our mission to provide high quality ADR programs and services and to educate District Court litigants about the processes we offer. This continuing education teleconference series is one way in which we hope to assist our volunteers in providing high quality services.

By all accounts this first teleconference was a success. Sixty-seven people attended and we surveyed them afterward regarding their thoughts about the

teleconference. Feedback was very positive. All respondents thought the one hour time frame was sufficient and fit into their schedule. Some indicated they would be willing to participate in a teleconference for 1.25 or 1.5 hours. In general, participants enjoyed hearing different perspectives from the panelists. Some constructive feedback included that people wanted more debate, more time for Q & A, and more materials and/or handouts.

The teleconference, moderated by Jonathan S. Rosenthal, Executive Director of the District Court ADR Office, was the first in what we hope will be an ongoing series (including webinars). We look forward to your participation in our 2012 events!

S a y H e l l o



Please join us in congratulating Cindy Faucette on the new addition to her family on Thursday, October 13, 2011 at 2:41 p.m.

Alex, a Samoyed registered as *Moonsong's and The Answer Is?*, weighed in at a mere 1 lb., 3 ozs. at the time of birth.



"A problem is a chance for you to do your best." - Duke Ellington

Come One, Come All



Have an affinity for life long learning? (Don't we all?) Do you find conversing with your colleagues to be worthwhile and stimulating? Like to eat lunch? If you answered yes to any of these questions (surely you like to eat lunch) please join us for a Brown Bag Lunch coming to a location near you in 2012!

The District Court ADR Office launched the Brown Bag Lunch Series in the fall of 2011. "The idea behind the Brown Bag is to provide our practitioners with an opportunity to share with each other their successes, lessons learned, and the challenges of providing day of trial mediation or settlement conferences to District Court consumers at a time and place convenient to our practitioners," explained Maureen Denihan, Deputy Director of the District Court ADR Office. The lunches are open to all mediators and settlement conference attorneys regardless of how long they've been on our roster.

There is no set agenda, and therefore, no rigidity in what will be discussed. Instead, volunteers are encouraged to bring their lunch, as well as, their questions. A Regional ADR Programs Director (RPD) and at least one other ADR Office staff member will attend to facilitate and participate in the discussion, and field your questions.

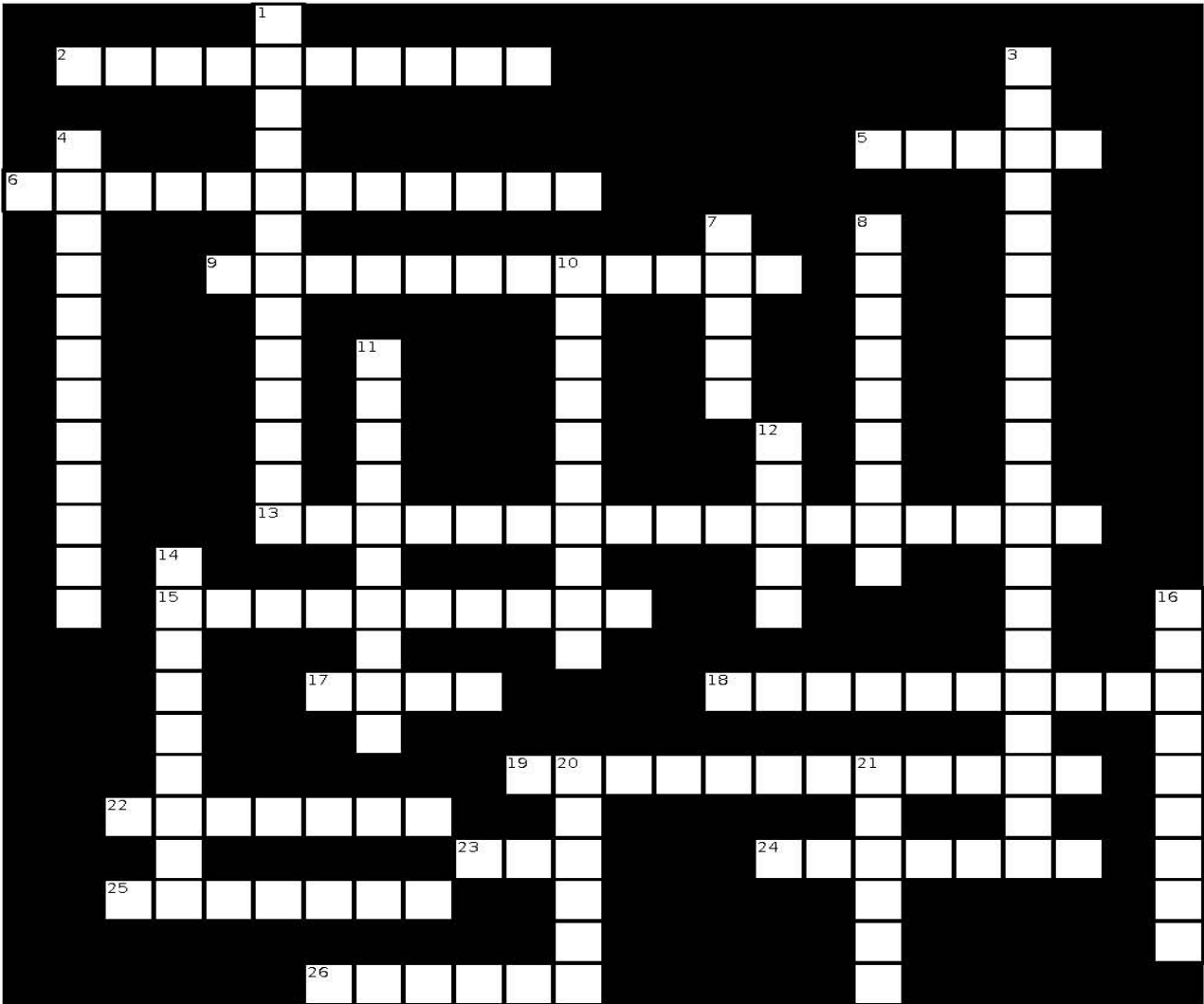
The first Brown Bag Lunch was held in Howard County on September 19th and the second was held in Baltimore City on October 4th. A wide variety of topics came up at both sessions, including techniques for introducing and completing District Court ADR forms, how to handle multiple simultaneous case referrals, the value of open-ended questions, and when to use close-ended questions. We also discussed ways in which settlement conference attorney's can maintain familiarity with the local bench (as the bench experiences turnover) and local trial results.

"We learn in a variety of environments, and that includes sharing our ADR experiences, and listening to others share. In this series, we do it over lunch. For our mediator volunteers in particular, the Brown Bag Lunch discussion qualifies as a continuing education activity under the MPME commitment to continuing education skills improvement," added Denihan. Brown Bag Lunches are scheduled from noon to 1 at your local District Courthouse. Want to participate? The following is a list of first quarter 2012 Brown Bag Lunch events:

| Event Date | Event Location |
|----------------------------|------------------------------------|
| Tuesday, January 10, 2012 | Silver Spring District Courthouse |
| Thursday, February 9, 2012 | Annapolis District Courthouse |
| Friday, February 10, 2012 | Bel Air District Courthouse |
| Friday, March 2, 2012 | Upper Marlboro District Courthouse |
| Friday, March 16, 2012 | Calvert District Courthouse |
| Monday, March 19, 2012 | Ellicott City District Courthouse |

* For a complete list of Brown Bag Lunch discussions, please [click here](#).

ADR abc's



ACROSS

- 2 Reiterating how the participant is feeling.
- 5 The minimum number of Basic Mediation Training hours to volunteer in the District Court ADR program.
- 6 A non-verbal way of communicating.
- 9 A USA network show and the title of a judiciary ADR course.
- 13 People making their own decisions.
- 15 A self-awareness technique.
- 17 ADR Conference in Maryland that is held every other year for MPME members **only**.
- 18 A program that staffs ADR volunteers across the state for civil dockets.
- 19 A technique used by a mediator to summarize what a participant is saying.
- 22 Being in conflict with another person.
- 23 An international conflict resolution membership organization.
- 24 Conflict Resolution Month
- 25 4th Chief Judge of the District Court of Maryland
- 26 A private meeting or primary election.

DOWN

- 1 Using various techniques and practices to notice the mediators thoughts, feelings, judgments, and behaviors.
- 3 A process that allows the neutral to suggest solutions.
- 4 One of the many draws to mediation is that what is said in the room stays in the room, otherwise known as, being kept _____.
- 7 Maryland's Mediation and Conflict Resolution Office.
- 8 BYO continuing education opportunity.
- 10 _____ is an adversarial process.
- 11 Synonym for reaching an agreement.
- 12 All agreements should be in _____.
- 14 The neutral shall handle only those matters in which they can remain _____.
- 16 Someone who is selflessly giving of their time.
- 20 The ADR Evaluation Support System.
- 21 Asking questions is a form of _____ listening.

District Court ADR Office

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Quote Corner

"What lies behind us and what
lies before us are tiny matters
compared to what lies within us."
-Ralph Waldo Emerson



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<http://www.mdcourts.gov/district/adr/home.html>

Calling for your
BEST Practice Tip!
Have a Quick Practice Tip?
Send it in and we'll share it with
others, and of course give you
credit. Tips should be condensed
to one paragraph. Help your
peers become better ADR
Practitioners!

A Winning Solution is edited by Sarah
Kauffman. Letters to the editor are
welcomed. If you have an idea for an
article or would like to share your
"success story" or a practice tip,
please send them to
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Calendar of Events

January

- 4th– MSBA ADR Section Webinar: Mediators Beyond Borders (MBB)
- 10th– ADR Practitioner Brown Bag Lunch Series, Silver Spring District Courthouse
- 16th– Martin Luther King Jr. Birthday (Courts Closed)

February

- 6th– Advanced Listening for Mediators, Gaithersburg Training Center, Room 401, Montgomery College, Gaithersburg, MD
- 7th- Mediator Ethics: Advertising and Mediator Fees, Careers Building, Room 253, Anne Arundel Community College, Annapolis, MD
- 10th– ADR Practitioner Brown Bag Lunch Series, Bel Air District Courthouse
- 20th– President's Day (Courts Closed)

March

- 1st-4th- International Mediators Beyond Borders (MBB) 5th Annual Congress, Baltimore, MD
- 6th– ADR Practitioner Brown Bag Lunch Series, Prince Frederick District Courthouse
- 30th– How to Manage Conflicts in the Organization, Gaithersburg Training Center, Room 401, Montgomery College, Gaithersburg, MD

April

- 16th– MSBA ADR Section Annual Spring Dinner
- 17th– Basic Ethics for Mediators, Montgomery College, Room 136PE, Rockville Campus
- 18th-21st– American Bar Association, Dispute Resolution Section Annual Conference Washington, D.C.
- 24th– Your Personal Conflict Style, Gaithersburg Training Center, Room 404, Montgomery College, Gaithersburg, MD

*Refer to page 18 for more information regarding the ADR Practitioner Brown Bag Lunch Series.