



Bringing People Together: Conflict Resolution in Maryland

M A R Y L A N D

Mediation and Conflict
Resolution Office

Fiscal Year 2004 In Review

July 1, 2003 through June 30, 2004

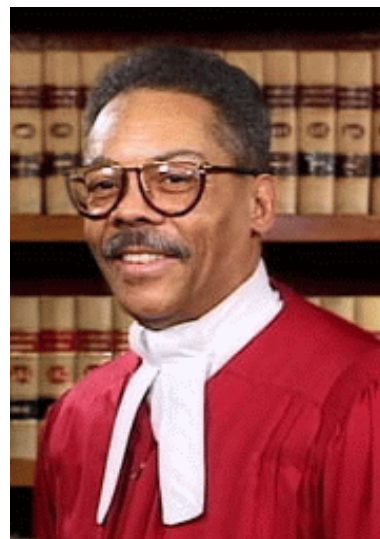
Published December 2004

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Dear Fellow Marylanders:

I am pleased to present this annual report on the work of the Maryland Judiciary's Mediation and Conflict Resolution Office (MACRO). MACRO's vision is to have high quality dispute resolution services increase the public's access to justice, make the courts more efficient and user-friendly, empower more people to control the outcomes of their own disputes, and promote a more peaceful and civil society. MACRO works with stakeholders to establish, expand, evaluate, and support conflict resolution education and services in courts across the state, and in communities, schools, state and local government agencies, criminal and juvenile justice programs, family service programs, and the business community.



Marylanders are increasingly using mediation and other alternative dispute resolution (ADR) processes to resolve their disputes. Mediation is a process in which a trained impartial person, a mediator, helps people in a dispute to communicate with one another, understand each other, and if possible, reach agreements that satisfy everyone's needs. The mediators do not provide legal advice or recommend the terms of an agreement. Instead, mediators help people reach their own agreements, rebuild their relationships, and if possible, find lasting solutions to their disputes. In mediation, people speak for themselves and make their own decisions instead of turning that authority over to the courts.

Maryland's circuit and district courts make mediation available in a wide variety of civil and family cases. Maryland is also home to many skilled mediators and effective community-based mediation programs all helping people in conflict to resolve their disputes without court intervention.

The Maryland Judiciary recognizes that courts should be a place of last resort for dispute resolution. Through MACRO's work, the Judiciary supports advancement of mediation and other dispute resolution programs to meet local needs and to provide more options for people in conflict. This report describes our efforts to increase the use alternative dispute resolution statewide and highlights our fiscal year 2004 accomplishments. For more information, visit MACRO online at www.courts.state.md.us/macro, or call MACRO at 410-841-2260.

Very truly yours,

A handwritten signature in black ink that reads "Robert M. Bell". The signature is written in a cursive, slightly stylized font.

Robert M. Bell
Chief Judge

Chair

The Honorable Robert M. Bell
Chief Judge, Maryland Court of Appeals

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Table of Contents

Introduction.....	6
Statewide Projects of FY2004	8
Maryland Program for Mediator Excellence	8
Self-Assessment System for Court ADR Programs	10
Business Benchmarking Study	11
Public Awareness	12
Building Connections – Conferences in FY2004	13
Promoting a More Peaceful and Civil Society: Initiatives to Advance Conflict Resolution in Maryland	14
Circuit Court	14
District Court	17
Community Mediation	18
Schools and Universities	20
Criminal and Juvenile Justice	22
State and Local Government	24
Grants Awarded in FY2004	26

Introduction

The Maryland Mediation and Conflict Resolution Office (MACRO) is a state office of dispute resolution created and chaired by the Honorable Robert M. Bell, Chief Judge of the Court of Appeals, Maryland's highest appellate court. Judge Bell is a nationally recognized champion of advancing appropriate conflict resolution in the courts as well as in the community. MACRO serves as a dispute resolution resource for the state, contributing to the development of a society where people routinely resolve their own disputes, amicably and creatively.

MACRO has played a major role in stimulating dramatic increases in the number and quality of ADR programs in Maryland. MACRO is guided by a detailed action plan called *Join the Resolution*, which was adopted by the Maryland ADR Commission, MACRO's predecessor, after an extensive, statewide, consensus-building process.



The Commission, which was also established and chaired by Chief Judge Bell, created the “Road to Success” map above to develop and begin implementing its plan to advance mediation and conflict resolution statewide. MACRO has achieved nearly all the Commission’s original goals. Now “off the map,” MACRO’s FY2004 activities included a strategic re-visioning process aimed at developing new goals for every area of its work. In FY2005, MACRO will continue collaborating with its advisory board members and other important stakeholders to build consensus on new strategic goals and to assess the effects of its achievements to date.

This report outlines MACRO's major priorities, highlights significant projects and accomplishments, and identifies dispute resolution trends in Maryland. In FY2004, MACRO provided support for nearly 70 ADR programs and initiatives statewide while laying groundwork for three important statewide collaborative projects regarding mediator quality assurance, court ADR program evaluation, and public awareness of mediation and its benefits.

A National Model

With Chief Judge Bell's vision and leadership, MACRO has established Maryland as a national leader in the field of conflict resolution, as well as a model for other states and even a few foreign governments just starting ADR programs. MACRO's work has been featured prominently at numerous national ADR events and acknowledged with major awards from the American Bar Association, the Association for Conflict Resolution, and the CPR Institute for Dispute Resolution.

MACRO has also built a strong working relationship with mediation advocates in Scotland, many of whom participated in a two-day mediation study visit to Maryland. Subsequently, with a grant from the Royal Bank of Scotland, the Scottish Mediation Network flew Chief Judge Bell, MACRO Executive Director Rachel Wohl and Deputy Executive Director Lou Gieszl to Scotland to participate in the first-ever Scottish Mediation Conference as well as other site visits, meetings and speaking engagements.

Ruth Wishart, a Scottish broadcast journalist and patron of the Scottish Mediation Network, after her visit to Maryland, eloquently expressed the importance of ADR in our courts:

“Self evidently, there are areas where only the courts can usefully intervene, and that will always be the case. But, as the Maryland experience has underlined, there are huge trenches of human activity scarred by conflict where an adversarial route can only exacerbate the problem.

If instead, each party has a means of articulating their pain and their concern, and has that testimony heard and respected, a huge amount of impotent anger can be syphoned out. If a solution is hammered out on the basis of interpersonal negotiation, rather than on tablets of judicial stone, then neither party is likely to feel the sense of injured loss often engendered in a system only geared to winners and losers.”

Statewide Projects of FY2004

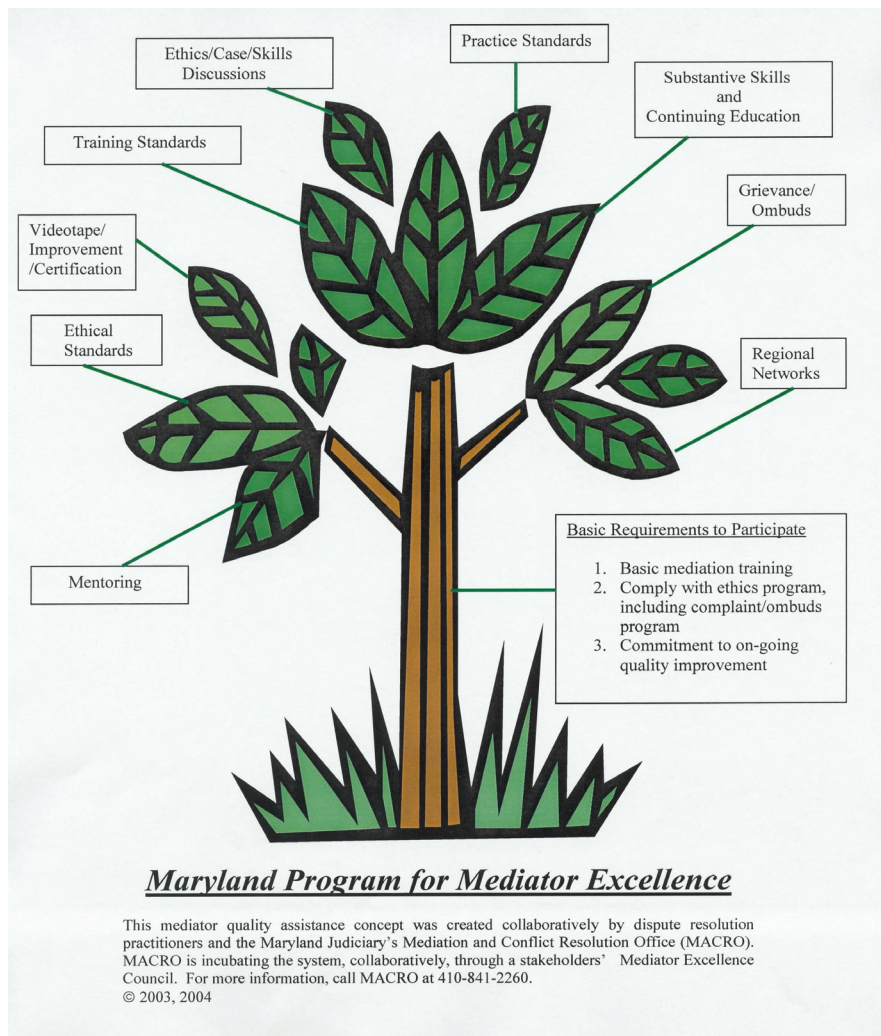
The Maryland Program for Mediator Excellence (MPME)

In its 1998 action plan, the ADR Commission concluded that mediator quality assurance was very important, but there was no agreement on how to ensure consistent high quality mediation practice across the state. As a result, MACRO convened and organized Maryland mediators for what developed into a four-year collaborative consensus-building process on this significant issue.

Examining program models throughout Maryland and from across the U.S. and Canada, MACRO, a Mediator Quality Assurance Committee, and consultant, Charlie Pou, worked collaboratively, with input from hundreds of mediators and mediation consumers, to develop the Maryland Program for Mediator Excellence (MPME). Much broader than a certification process, the MPME focuses on supporting continuing improvement by all Maryland mediators, whether they are newly trained or very experienced. Mediators throughout the state who participate in the MPME will have

opportunities for mentoring, co-mediating, case discussions, peer evaluations, videotaped mediated role plays, structures for self-reflection, as well as ethics standards and a grievance process. MPME participants will receive recognition for accomplishments, and their achievements will be noted in a new online directory of Maryland ADR practitioners.

MACRO's work on the MPME was a major achievement in FY2004, taking the system from the idea phase to the pilot program phase. MACRO organized a multi-stakeholder three-day Future Search Conference to refine the MPME and launch it into action.



Numerous task groups were created at the Future Search. They worked on different parts of the MPME, came back together for a Future Search follow-up meeting, and continue to work on component parts of the program.

Three pilot projects related to mediator quality were initiated in 2004: a performance-based mediator assessment project in the Circuit Court for Anne Arundel County; a mediator mentoring project in three venues; and a mediator survey sent to mediators throughout the state regarding mediator practices. All three of these projects will conclude in 2005, and their results will inform the further development of the MPME. MACRO is hiring a Quality Assistance Coordinator to support the various aspects of this work.



Future Search Participants – July 11, 2003

As this one-of-a-kind program develops, it is being followed by many mediators and mediation organizations across the country. MACRO believes the MPME will make Maryland a leader among states when it comes to maintaining highly-skilled mediation practitioners, while contributing significantly to the overall advancement of the mediation field.

"The Circuit Court for Anne Arundel County is pleased to have support from MACRO and AOC's Department of Family Administration for our family mediators' professional development project. We are proud to participate in this pilot project and we look forward to having the results of our program guide a similar quality assistance effort being designed for the statewide Mediator Excellence Program. "

The Honorable Joseph P. Manck,
Administrative Judge, Circuit Court for Anne Arundel County

The Self-Assessment System for Court ADR Programs

MACRO recognizes the value and power of evaluation, especially when it comes to assessing the success of court-based ADR programs. While most court-based ADR programs use exit surveys after a mediation takes place to get feedback from litigants and attorneys, these “satisfaction” surveys rarely get used for anything other than identifying significant problems. The courts lack personnel resources for data entry, response rates for the feedback surveys are low, and the survey forms are designed primarily to highlight problems, not successes.

To assist the court in assessing and improving their ADR programs, MACRO convened a group of court ADR program coordinators, administrators, and other court personnel from courts across the state to collaborate on a self-assessment program. By creating common but flexible evaluation tools and an easy system to collect and report data, court ADR programs will be able to

collect appropriate data, store it, and create individualized reports to learn how the programs are working, to highlight benefits and successes, and to identify problem areas. With that information, programs will be able to easily develop and implement improvements as they are needed.

“Evaluation is how the Judiciary is accountable. Evaluation is how we see what we do well, and see how we can improve.”

Frank Broccolina, State Court Administrator
Addressing the Court Evaluation Group, March 25, 2004.

In FY2004, the Court Evaluation Group, a sub-group of the larger convened group, completed the creation of goals, objectives, and indicators for court ADR programs, and is currently refining evaluation tools for litigants, attorneys, and ADR providers, as well as a checklist for program coordinators. With the evaluation tools almost complete, MACRO hired a consultant to assess the hardware, software, and personnel resource needs of court programs across the state, and to work on implementation with Judicial Information Systems experts.

Traveling to several courts of various sizes and with different ADR programs, and surveying the remaining courts, it became clear that because of the diversity in the court systems and the litigants’ use of ADR, the mechanisms employed to obtain the survey information need to be easily accessible, flexible and cost-effective. The self-assessment system will use a web-based data collection system with local bubble sheet scanners to enable the court ADR program coordinators to upload their data quickly and conveniently, and without a drain on personnel resources. Once the data has been compiled, the coordinators will be able to create both quantitative and qualitative reports as needed. Among other things, these reports will enable program coordinators to assess the level of participant satisfaction with the programs, the effectiveness of the mediations, and the durability of agreements reached.

By developing a system of self-assessment geared to highlighting the benefits of ADR programs as well as areas for improvement, the courts will be able to continually raise the quality of programs and ensure that they provide the best possible service to the public.

No other state has a statewide self-assessment system to improve its court ADR programs. This effort has attracted attention in other states as a potential national model.

Business Benchmarking Study

In FY2004, MACRO and the Maryland Chamber of Commerce together released a new study of the Maryland business community's approach to conflict management. National research indicates that a growing majority of the nation's top companies use mediation, arbitration, ombuds services and other non-litigious conflict resolution processes to save time and money, to avoid negative publicity and to repair strained business relationships.



Released in March 2004, and titled *The Use of Alternative Dispute Resolution in Maryland Business: A Benchmarking Study*, this study sets a benchmark for measuring progress over time, and provides an empirical basis for assessing the effects of various approaches to conflict management within Maryland's business community. MACRO hopes that this study offers a wide range of options for business executives and owners, as well as attorneys and human resource professionals, as they set out to improve businesses' approach to conflict management.

The study measures Maryland business practices against the components of an Integrated Conflict Management System (ICMS). Such a system: (1) establishes dispute resolution options for all types of problems and all people in the workplace; (2) creates a culture that welcomes dissent and encourages resolution of conflict at the earliest possible time; (3) provides multiple access points to dispute resolution resources; (4) presents multiple options for addressing conflict; and (5) establishes systemic support structures. While Maryland businesses currently are not using an ICMS, they are using components that could form the basis of such a system.

Based on extensive survey research and analysis, the study's main recommendations emphasize the importance of:

- ▶ Getting senior-level management and general counsel support for ADR programs;
- ▶ Taking time to examine recurring disputes and their frequency;
- ▶ Designing dispute resolution processes that can be applicable in multiple areas (e.g., procurement, employee relations) and at various levels throughout a business (e.g., senior management, supervisors, "rank and file" employees);
- ▶ Creating an oversight body to support the visibility and credibility of the conflict resolution program; and
- ▶ Getting employees at all levels to recognize when mediation or other dispute resolution methods are appropriate and to know how to access the corresponding tools and systems appropriately.

What They Say About Managing Conflict

Responses to open-ended survey questions generated noteworthy statements:

"ADR avoids class action lawsuits against my organization."

"Resolve conflict at lowest level and without external publicity."

"Use ADR where at all possible."

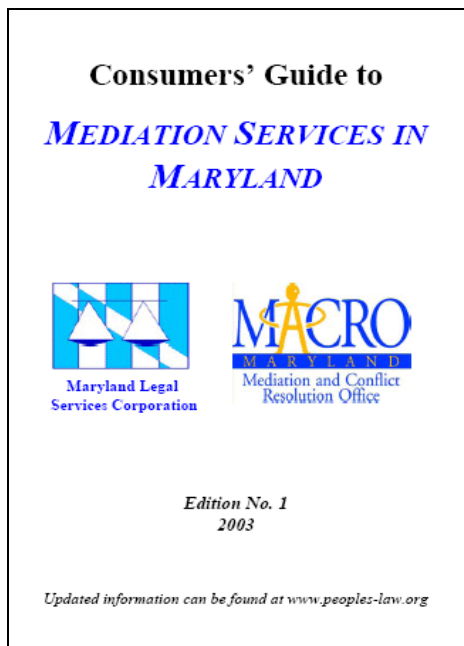
"People are our most important asset. We treat one another with respect, including open, honest feedback about performance. We seek to resolve differences in an honest, straightforward way, recognizing individual rights to hold different opinions."

Public Awareness

Some of the biggest barriers to advancing the appropriate use of ADR are the public's lack of knowledge about ADR and lack of understanding about how using ADR could be of benefit. In FY2004, MACRO laid the groundwork for a statewide public awareness campaign.

In collaboration with the Court Information Office, MACRO is planning the release of a series of posters, public service announcements, and a MACRO brochure. These new materials will give MACRO a variety of methods for touting the benefits and uses of mediation to the public. MACRO will continue to distribute ADR videotapes and plans to conduct targeted mediation awareness and other educational presentations. Some of the materials developed for this campaign, such as the "Mediation, It's Your Solution" posters, will be widely distributed across the state and around the country.

To help the public keep up with the growth of mediation programs statewide, MACRO keeps current a "Consumers' Guide to Mediation Services in Maryland," identifying and describing specific mediation programs operating in each county, both within and outside the courts. Another project to assist people with finding mediators is an on-line searchable directory. The directory, which is free to use, allows a person to search for mediators around the state by location, subject matter, or experience.



MACRO continues to operate its Website as a resource to the general public about mediation and its benefits, as well as a resource to the ADR community. MACRO also has an e-mail listserv, which keeps the ADR practitioner community abreast of its work as well as providing a place to post announcements regarding job and training opportunities, conferences, and other events that help to advance the dispute resolution field in Maryland. Additionally, the *MACROSCOPE* newsletter was published twice in FY2004 with features on court mediation programs, community mediation, mediator quality, mediation in the business world, and mediation in government agencies.

Building Connections – Conferences in FY2004

MACRO works to bring Maryland’s conflict resolution community together, hosting conferences and participating in statewide dialogues about major issues in the mediation field. In FY2004, MACRO co-sponsored three successful conferences.

National Conference on Current Trends in Conflict Resolution in Higher Education – November 10-11, 2003

Co-sponsored by MACRO, the Center for Alternative Dispute Resolution and the Center for Conflict Resolution at Salisbury University, this conference brought together faculty, administrators and directors from colleges and universities around the United States, along with conflict resolution practitioners, to exchange ideas on current developments in graduate and university-wide conflict resolution programs, centers, clinical programs, and institutes. Some of the topics addressed included using a university ombuds office as a catalyst for a conflict management system, bridging the gap between the university and the real world through conflict resolution services, a dialogue on the development of graduate academic programs in conflict resolution, and resolving student disciplinary disputes through law school clinical mediation programs.

Maryland Mediators Convention – December 12, 2003

The first Maryland Mediators Convention was held on Friday, December 12, 2003 at the Columbia Hilton in Columbia, Maryland. Three hundred people registered for the convention, at which point registration had to be closed due to limited space. The convention featured presentations, discussions, and debates, as well as role play sessions and interactive activities. The day concluded with a dinner, entertainment and a charity fund raising activity sponsored by various mediator groups. Participants who attended were stimulated by the ideas and the interactions. The convention was funded entirely by registration funds and private donations. A second convention is planned for December 2004.



A Bridge Over Troubled Waters: Meeting Challenges in Court-Related Family Mediation – May 4, 2004



More than 100 family mediators, judges, masters, court family mediation program coordinators, and family mediation experts gathered at the University of Maryland, Shady Grove for MACRO’s 2nd Family Mediation Conference. Co-sponsored by the Maryland Institute for Continuing Professional Education of Lawyers, the conference focused on court-related family mediation programs and their challenges. Experts gave presentations in areas such as the needs of the child, domestic violence, family law, high conflict families, the role of the attorney in mediation programs, and cultural competence, to name a few.

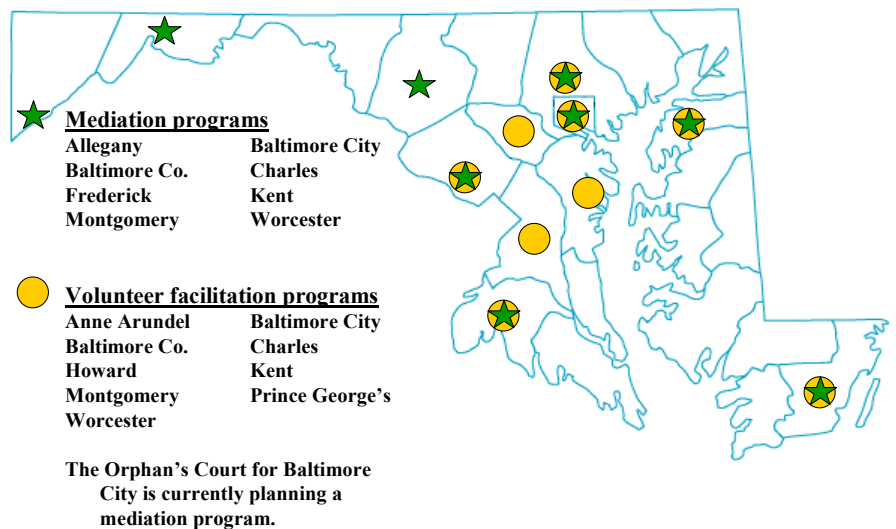
Promoting a More Peaceful and Civil Society: Initiatives to Advance Conflict Resolution in Maryland

Circuit Court

MACRO provides assistance and support for ADR projects in circuit courts throughout Maryland. MACRO works collaboratively with all of the circuit courts and supports their efforts to create, expand, enhance and evaluate dispute resolution programs that meet local needs.

Currently, mediation is provided in all contested parenting (custody/visitation) cases statewide (except those in which there are allegations of domestic violence), and MACRO continues to work with courts to expand ADR offerings in both civil and family divisions. MACRO has provided assistance to courts for hiring civil and/or marital property mediation program coordinators and for creating referral systems for civil mediation programs. Currently, eight jurisdictions have civil mediation programs, with two others considering new models for implementation. These programs mediate a wide range of cases depending upon jurisdiction, including workers compensation, contract, employment, personal injury, medical malpractice and professional liability cases.

Circuit Court Civil Non-Domestic Mediation & Volunteer Facilitation Programs



“Mediation is very valuable, when appropriate, because it addresses the underlying causes of conflict. It can change people's understanding of one another, and lead to creative solutions that cannot be achieved through court proceedings. The Maryland courts are rapidly expanding their mediation programs, and by doing so they are lightening the courts' dockets and providing the public with greater access to justice.”

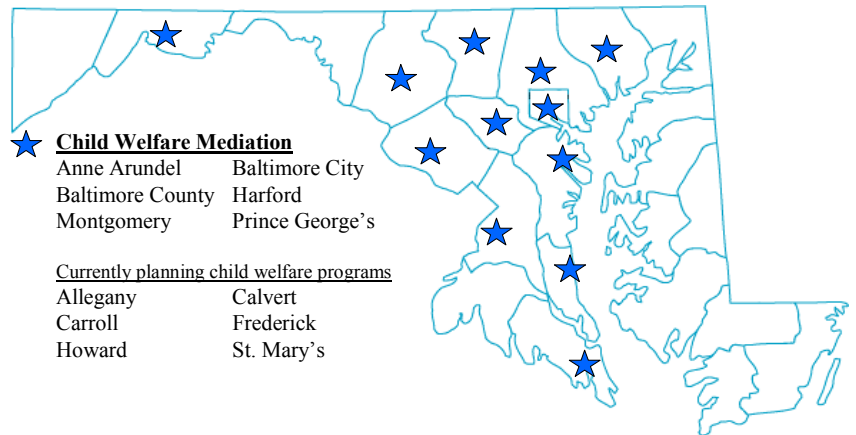
The Honorable Robert M. Bell Chief Judge, Court of Appeals of Maryland

The fastest growing mediation programs in the circuit courts are child welfare mediation programs, which MACRO has helped to start in eight circuit court jurisdictions, with growing interest in many other parts of the state. In fact, several additional jurisdictions have already replicated some of the existing programs, and there are a total of 12 jurisdictions that either have programs running or are in the active planning phases.

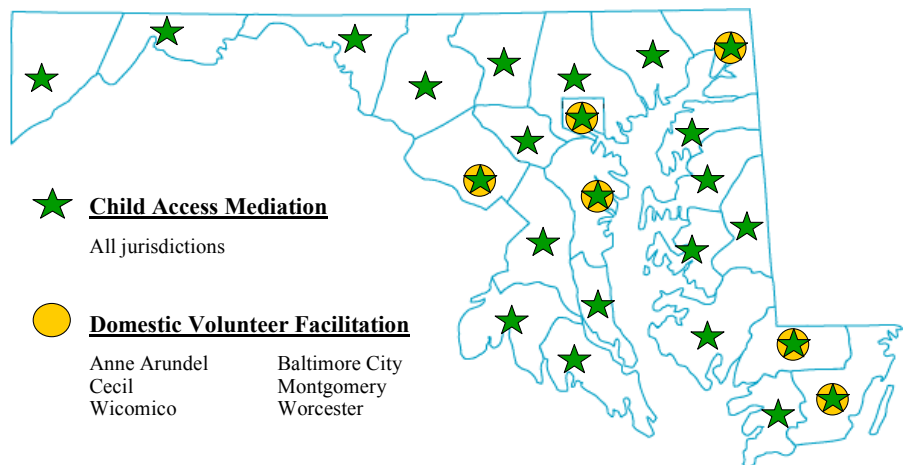
Child welfare cases are being mediated at several stages. Some jurisdictions have opted to use mediation at the early Child in Need of Assistance (CINA) phase of the case, when child abuse or neglect becomes an issue. Appropriate cases are referred to mediation to bring groups together that may include birth parents and their representation, social workers, county attorneys, foster parents, attorneys ad litem for the children, court appointed special advocates (CASAs), educators, health care practitioners, and extended family members or other supporters of the family. Mediators work with the parties to develop a plan to support the safety of the child and the well-being of the family, with reunification of children with parents as an ongoing goal.

Other jurisdictions have opted to use mediation at the later Termination of Parental Rights (TPR) stage of the child welfare case. Again, this mediation may include birth parents, adoptive parents, and service providers, all of whom work with a mediator to determine under what conditions the birth parents might have a future relationship with their child post-adoption and what that relationship might include. MACRO works closely with the Department of Family Administration of the Administrative Office of the Courts to help educate stakeholders about child welfare mediation programs and to collaborate on best practices for all court-related family ADR

Circuit Court Child Welfare Mediation Programs



Circuit Court Child Access Mediation and Domestic Volunteer Facilitation Programs



programs. MACRO is also supporting an in-depth evaluation of the TPR mediation program in Baltimore City in order to document the program's benefits to the court and to litigants.

The following circuit court ADR projects received assistance from MACRO in FY2004:

- ▶ The Circuit Court for Anne Arundel County
 - ▶ to create a civil (non-domestic) mediation program, expand its use of mediation in family cases, and create a child welfare mediation program.
 - ▶ to partner with the Maryland Council for Dispute Resolution to create a mediator skills assessment pilot project.
- ▶ The Circuit Court for Baltimore City
 - ▶ to create medical malpractice and professional liability mediation programs.
 - ▶ to hire an ADR Programs Coordinator.
 - ▶ to fund an independent evaluation of the TPR mediation program, run by Adoptions Together, Inc., to assess the program's benefits to the court and accomplishments to date.
- ▶ The Circuit Court for Baltimore County, to develop a child welfare mediation video to be used by multiple jurisdictions.
- ▶ The Circuit Court for Carroll County, to create a child welfare mediation program.
- ▶ The Circuit Court for Howard County
 - ▶ to create a child welfare mediation program.
 - ▶ to work with the local bar to continue and expand its civil ADR program.
- ▶ The Orphan's Court for Baltimore City, to create a pilot probate mediation program
- ▶ Baltimore City's Legal Aid Bureau, in partnership with the Pro Bono Resources Center, to create a mediation program for under-served clients in which clients are paired with pro bono mediators and pro bono counsel.
- ▶ Maryland Institute for Continuing Professional Education of Lawyers (MICPEL)
 - ▶ to co-sponsor a Family Mediation Conference.
 - ▶ to co-sponsor the Maryland Mediators Convention of 2004.
 - ▶ to coordinate a mediation training scholarship program for retired judges.
 - ▶ to sponsor an advocacy training for lawyers in the realm of ADR
 - ▶ to train mediators for the City's probate mediation program.
- ▶ Court ADR program coordinators from across the state are collaborating to create a statewide court ADR program self-assessment system. Pilot data collection projects are planned for Fall 2004.

Mediation works:

A recent research study released in 2004 by the Women's Law Center of Maryland showed that more contested custody cases are resolved by the parties themselves rather than by judicial intervention. While this by itself may simply show that most cases settle rather than are tried, the study further indicated that when custody cases are resolved by the parties themselves and without judicial intervention, the parties return to court only half as much as when the judge made the decision. And, "[i]n particular, where joint legal and physical custody is imposed by the court, the parties return for modification more than three times as often as when they agree to that outcome" on their own. "[This] data support[s] the benefit[s] of [court] mediation programs."



For more information, contact The Women's Law Center of Maryland at (410)321-8761.



District Court

MACRO works collaboratively with the District Court ADR Office to support its mission to create and operate mediation and settlement conference facilitation programs in District Court jurisdictions across Maryland. All ADR services in the District Court are offered free of charge to litigants, and services are provided by volunteers from local bar associations, community-based mediation programs, and other community organizations across the state. Services include day of trial

mediation, pre-trial mediation referrals, and settlement conference facilitation. In addition, the District Court ADR Office has created pretrial mediation programs for more complex "special set" cases. Volunteers receive continuing education and recognition by the court.

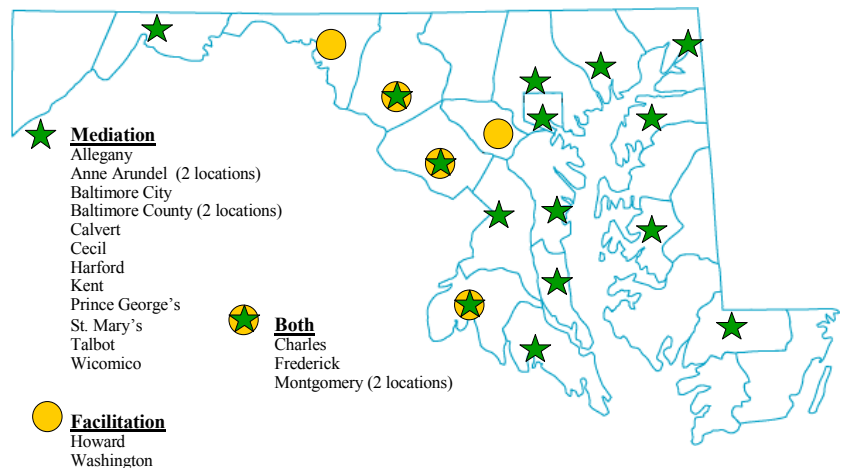
FY2004 District Court ADR Highlights:

- ▶ Chief Judge James Vaughan created a new District Court standing committee on ADR, Chaired by Judge Martha Rasin.
- ▶ The District Court's ADR Office

provided ongoing administration of mediation and settlement facilitation programs across the state, with top priority this year given to training and quality assurance. It engaged more than 300 volunteers statewide and provided them with ongoing assistance, education, recognition and quality assurance.

- ▶ The District Court ADR Office launched a new effort with community mediation centers accessing the court's computerized on-line docket for referrals prior to trial.
- ▶ The District Court ADR Office piloted ADR programs for special set cases.
- ▶ The District Court ADR Office coordinated an internship program to help handle its increased workload.
- ▶ The District Court ADR Office and Training Unit trained District Court personnel in ADR awareness, and trained ADR volunteers in peace order mediation, settlement facilitation, mediation skills development, and cultural diversity.

District Court Volunteer Civil Mediation & Facilitation Programs



“ADR has become an important resource in the District Court, and our ADR programs are growing as they resolve small claims and other disputes across the state.”

The Honorable James N. Vaughan, Chief Judge,
District Court of Maryland

Community Mediation

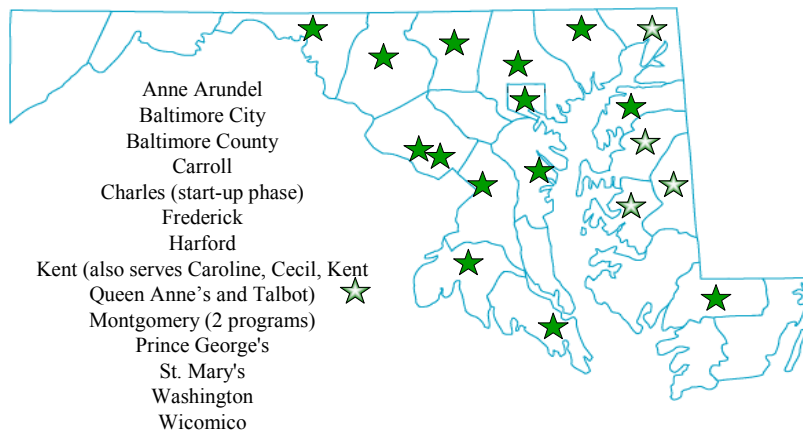
Community Mediation is an important resource for the court, providing vital conflict resolution services at the neighborhood level, preventing violence and addressing the underlying causes of conflict in a manner that cannot be achieved in a courtroom. Community mediation programs provide free services to the District Court, do outreach and conflict resolution education in the community, and also accept walk-ins and referrals from police, prosecutors, schools, social service agencies and others. They build effective working relationships with local government and community service organizations, and are on the front lines making a difference every day in our neighborhoods.

“We handle a great number of citizens' criminal complaints that stem from neighborhood feuds. It is great to be able to refer them, when appropriate, to the Community Mediation Program in Baltimore, because community mediation brings people in conflict together to work out their differences and work on their relationships in private. This often eliminates the need for court intervention and prevents disputes from escalating into violence or other serious crime.”

The Honorable Patricia Jessamy, Baltimore City State's Attorney

MACRO works closely with a non-profit 501(c)3 organization called the Maryland Association for Community Mediation (MACMC), which helps strengthen existing community mediation centers and create new centers throughout the state. In collaboration with MACMC, MACRO operates an innovative performance-based funding model that rewards centers for increasing their outreach efforts, intake services and number of mediations. Since MACRO began supporting community mediation, the number of jurisdictions served by community mediation centers has increased from 8 to 17 statewide, and service levels have increased dramatically, with statewide performance measures more than doubling within recent years. In addition, MACRO provides start-up support to help create new centers in areas not yet served by community mediation. All centers operate in conformance with a detailed, nine-point grassroots community mediation model adopted by the ADR Commission.

Community Mediation Programs



To ensure long-term financial viability, MACRO continually encourages community mediation programs to diversify their funding sources, generating additional support through grants, contracts, private foundations and individual donations. To assist in their efforts, in FY2004, MACRO partnered with the University of Maryland Center on Aging to train retired executives, or “Legacy Leaders,” in mediation and non-profit fund raising skills. Each program graduate commits to providing a significant amount of volunteer service to a community mediation center. As an additional fund raising incentive, MACRO has phased in matching fund requirements and leveraged approximately \$498,000 in matching funds during FY2004.

In FY2004, MACRO also helped:

- ▶ Support and expand 13 community mediation centers in Anne Arundel, Baltimore, Carroll, Frederick, Harford, Montgomery, Prince George’s, St. Mary’s, Washington, and Wicomico Counties as well as the Upper Shore region, Baltimore City and Rockville.
- ▶ Create a new community mediation center in Charles County.
- ▶ Support community mediation association to offer training, evaluation, research networking, advocacy and resource development statewide.
- ▶ Support an important research project designed to measure the impact and quality of community mediation services in Maryland.

The 9-Point Community Mediation Model

As part of its statewide collaborative process, the ADR Commission developed a detailed, grassroots, nine-point model for community mediation centers in Maryland. The model has evolved to serve as a foundation for MACRO funding criteria while also functioning as the standard by which all community mediation centers in Maryland are measured.

Mediation helps people reach agreements, rebuild relationships, and find permanent solutions to their disputes. Mediation is a process that lets people speak for themselves and make their own decisions. Community mediation provides a non-profit framework for assuring access to mediation services at the community level with control and responsibility for dispute resolution maintained in the community. Community mediation strives to:

- 1. Train community members who reflect the community's diversity with regard to age, race, gender, ethnicity, income and education to serve as volunteer mediators**
- 2. Provide mediation services at no cost or on a sliding scale**
- 3. Hold mediations in neighborhoods where disputes occur**
- 4. Schedule mediations at a time and place convenient to the participants**
- 5. Encourage early use of mediation to prevent violence or to reduce the need for court intervention, as well as provide mediation at any stage in a dispute**
- 6. Mediate community-based disputes that come from referral sources including self-referrals, police, courts, community organizations, civic groups, religious institutions, government agencies and others**
- 7. Educate community members about conflict resolution and mediation**
- 8. Maintain high quality mediators by providing intensive, skills-based training, apprenticeships, continuing education and ongoing evaluation of volunteer mediators**
- 9. Work with the community in governing community mediation programs in a manner that is based on collaborative problem solving among staff, volunteers and community members**

Schools and Universities

MACRO supports the development and expansion of effective peer mediation and other conflict resolution projects in schools and universities. MACRO works in partnership with the Maryland State Department of Education and the University of Maryland School of Law Center for Dispute Resolution to support a small and innovative school-based conflict resolution grant program. The program makes contact with every school in Maryland to offer assistance annually. Now, in its second year, the program is supporting 20 innovative school-based initiatives, each receiving modest funding support and ongoing technical assistance from a UM Clinical Law student. As this program evolves, MACRO anticipates generating a renewed emphasis on peacemaking in Maryland schools.

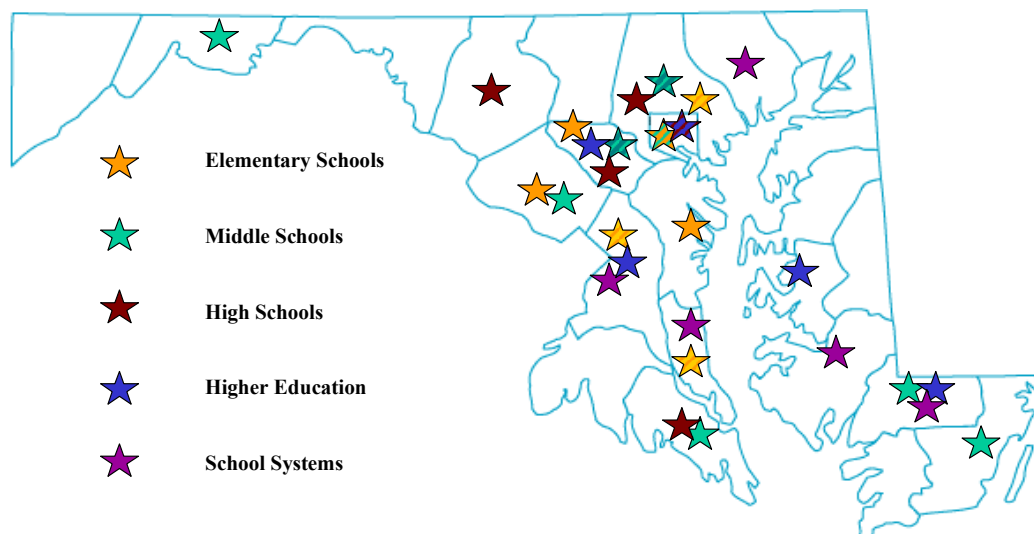
“With help from MACRO, the Center for Dispute Resolution at the University of Maryland (C-DRUM) and MSDE, increasing numbers of schools are finding safe, effective and creative ways to manage conflict, teach conflict resolution skills and promote peace.”

Nancy Grasmick,
State Superintendent of Schools

In higher education, recent MACRO projects have included supporting startup of a peer mediation program at Salisbury University, as well as assistance in Salisbury’s efforts to develop a post-graduate program in dispute resolution and a speakers’ series on

peacemaking in the community. MACRO has also recently formed a partnership with Salisbury University’s Conflict Resolution Center to provide ongoing outside evaluation and research services to assess outcomes associated with court ADR program developments statewide. MACRO supports a field service program at the University of Maryland School of Social Work, a conflict resolution curriculum development initiative at the University of Maryland School of Nursing, and a health care industry ADR initiative at the University of Maryland School of Law.

MACRO Support for Schools Conflict Resolution by County



* Striped stars indicate more than one school has received support

Projects that MACRO supported in FY2004 include:

- ▶ A conference on ADR in Higher Education, organized by the Center for ADR, which is planning a Fall 2004 Conference on K-12 conflict resolution
- ▶ The Baltimore City Midtown Academy Elementary School's peacemaking, community-building, and peer mediation initiative
- ▶ The Baltimore City Canton Middle School's new PAR program (Johns Hopkins University's Participation Action & Responsibility program)
- ▶ The Howard County Reservoir High School's replication of the successful Frederick High School "Connections" program
- ▶ The Howard County Swansfield Elementary School's new after-school program on conflict resolution
- ▶ Morgan State University's new pilot peer mediation program in its women's residence hall
- ▶ Salisbury University Conflict Resolution Center's significant mediation research and evaluation projects on court ADR programs statewide
- ▶ The University of Maryland School of Social Work's mediation and conflict resolution skills training for field placement students, in partnership with the Southeast Community Association, for neighborhood-based mediation, peacemaking and conflict resolution

Success Story: Connections! Program Makes a Difference at Frederick High School

"I think that Connections is one of the best things that has happened to Frederick High School. It lets people know that if they ever need someone to turn to, they can! Our main goal is to make people aware that they are not alone, and that problems can be solved with support and help. All people ARE different and Connections helps us accept those differences."

Dhara Amin (Sophomore, member for two years)

"Connections is important to me for MANY reasons, but what comes to mind first is just how inspiring it is. It has helped me be a more giving person, open to all. Also, the discussions are what I enjoy the most. I love hearing other perspectives and sharing my own opinions."

David Lester (Junior, member for three years)

"Connections has such a positive message. To be more welcoming and accepting may sound like a little thing, but for someone in need, it could be what makes their day. It's such a wonderful thing to do that for someone and it's become such a way of life for me. I petitioned to stay at Frederick High when Tuscarora High opened largely so I could continue participating in Connections and what it does for others."

Lauren Wolfinger (Junior, member for three years)

Criminal and Juvenile Justice

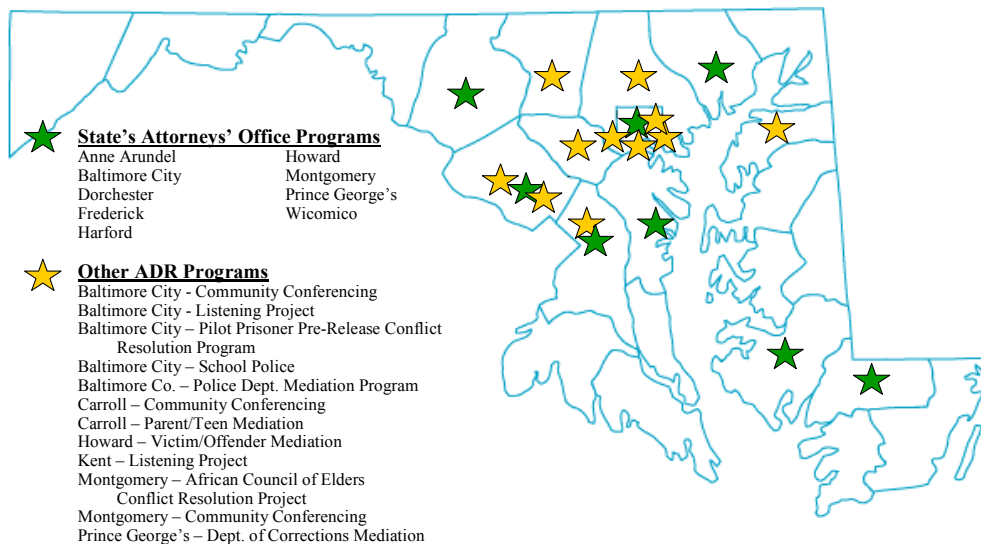
Mediation and other conflict resolution processes in the areas of criminal and juvenile justice help address underlying conflicts and prevent disputes from escalating or recurring. MACRO has supported a wide range of new mediation programs at State’s Attorneys’ Offices in rural, urban and suburban jurisdictions. Programs build mediation into case processing using in-house mediators and/or mediation screeners, as well as connections with community mediation centers. The programs focus primarily on diverting many citizens’ complaints summons docket cases into mediation.

“The community conferencing process is a viable part of our efforts to hold young people accountable, while helping them understand the consequences of their actions and their role in repairing harm done. It is one way in which we show our youth that we value them and that we will work to get them back on the right road.”

The Honorable Kenneth C. Montague,
Secretary, Maryland Department of Juvenile Services

MACRO also supports the ongoing work of the Community Conferencing Center (CCC), a statewide organization, whose mission is to resolve juvenile justice matters and multi-party conflicts. With MACRO’s help, several community mediation programs are working with CCC to begin offering community conferencing services. Community conferencing is a successful community-based response to a variety of juvenile offenses. The process strengthens existing community assets by involving everyone affected by an incident in deciding how best to repair the harm and prevent future occurrences while helping juveniles and their families access community-based services. The conferencing model is also effective for resolving large scale neighborhood conflicts and other multi-party disputes. In FY2004 MACRO leveraged \$100,000 in Department of Juvenile Services funds to support a new partnership with MACRO and the Community Conferencing Center.

State’s Attorneys’ Office Mediation and Other MACRO Supported Criminal & Juvenile Justice ADR Programs



In addition, MACRO offered FY2004 assistance for:

- ▶ The African Immigrants and Refugees Foundation, which is creating a Council of Elders to resolve disputes within the African immigrant community, in partnership with the Conflict Resolution Center of Montgomery County.
- ▶ The Baltimore County Police Department, to expand its mediation program for criminal and community complaints.
- ▶ The Baltimore City School Police, to train resource officers, to launch a new community-based mediation ambassadors program, and to expand dispute resolution and community building work in high-risk middle schools.
- ▶ The Mediation and Conflict Resolution Center at Howard Community College, for regional restorative justice workshops throughout Maryland.
- ▶ The Maryland Transition Center, to pilot a pre-release inmate training in conflict resolution and life skills at the Baltimore City Correctional Center.

Success Story: Community Conference Brings Children and Adults Together To Address Neighborhood Concerns

A community conference brought together 25 adults and 19 children in response to concerns about young people playing in the street, numerous police calls, noise complaints, and claims of damage to vehicles on the block. Because of the conference:

- Adults heard from children about the need for a safe place to play;
- Adults volunteered their time to help young people on the block;
- A youth football league was created with 150 young people and 50 adult volunteers;
- Football players participate in a homework club, attend school regularly, and get good grades;
- Racial tension and neighborhood conflict has been reduced.

For more information, visit the Community Conferencing Center online at www.communityconferencing.org.

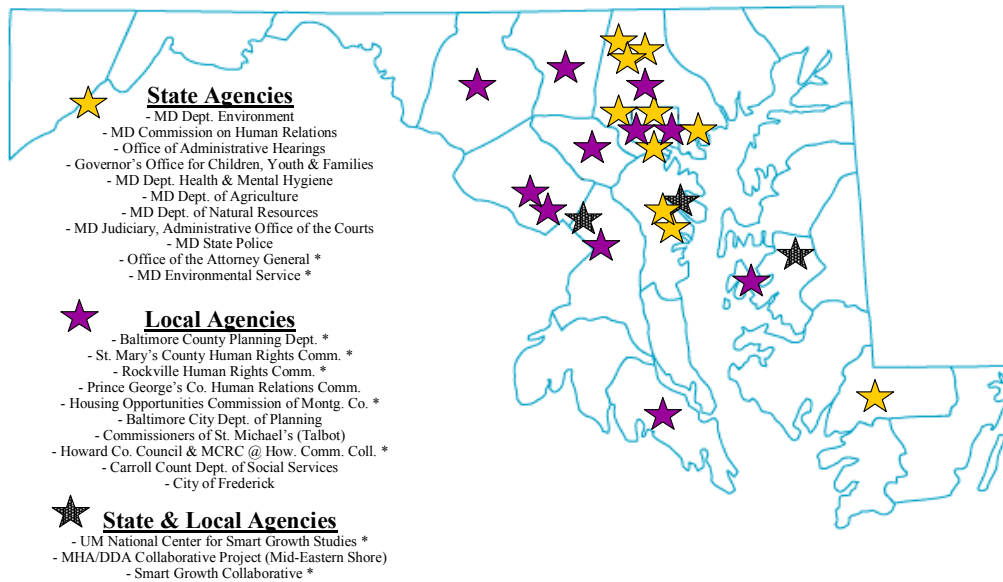
State and Local Government

MACRO works in close collaboration with the Attorney General’s Office, state agencies and local officials to support the use of appropriate conflict resolution in government or for public policy disputes. As an arm of the Judiciary, MACRO does not tell executive agencies what to do but seeks to assist them in efforts they identify as appropriate for ADR use. As in many other areas of its work, MACRO supports ADR in government-related settings to promote the peaceful resolution of disputes in their early stages, before they have reached the level of becoming court cases. Most recently, MACRO staff have begun conducting short, customized training programs on conflict resolution related topics for government agency staff.

“Our Assistant Attorneys General understand the benefits of using mediation and other forms of ADR, when appropriate. We work closely with MACRO and participate in an ongoing dialogue about how ADR can best advance the work of state government.”

The Honorable J. Joseph Curran, Jr., Attorney General

MACRO Supported Government & Public Policy ADR Projects



* Projects that are completed

In FY 2004 MACRO offered assistance to:

- ▶ The Maryland Commission on Human Relations for advanced training for their roster mediators who mediate discrimination complaint disputes.
- ▶ The Maryland Department of Natural Resources for training staff in facilitation skills, pairing them with community mediators, and providing a professional facilitator to work with multiple stakeholders regarding tributary strategies for the Chesapeake Bay.
- ▶ The Governor's Office for Children, Youth and Families, to train Local Coordinating Councils (LCCs) in conflict management and to train community mediators to mediate LCC cases at impasse.
- ▶ The Maryland Department of Health and Mental Hygiene, to continue a collaboration for developing protocols for agencies to work together in treating people with dual diagnoses on the Eastern Shore.
- ▶ The University of Maryland Cooperative Extension, to plan conflict resolution training for agriculture officials on emergency response teams.
- ▶ The University of Maryland Institute for Governmental Service, to create a conflict management curriculum for local elected officials, to be offered around the state.
- ▶ The Maryland State Police, to provide strategies for resolving workplace disputes.
- ▶ The City of Frederick, to create a citizen advocate/ombuds position to intervene in conflicts involving city agencies and to provide ongoing conflict resolution support for citizens and government staff.
- ▶ The Prince George's County Human Relations Commission, to expand ADR programs for discrimination cases filed with the Commission.
- ▶ The Judiciary's Administrative Office of the Courts (AOC), to train staff in conflict resolution skills, and to design an ombuds program for workplace conflict management.
- ▶ The Maryland Office of Administrative Hearings to offer mediation training and advanced mediation training for ALJ's, OAH staff and other state employees.
- ▶ Carroll County Department of Social Services, to mediate some complex CINA cases.

In addition to the above projects, MACRO sponsored a training in the facilitation of multi-party complex issue disputes for experienced mediators. A hands-on demonstration of the technique will be initiated in 2005 with the facilitation of two actual multi-party complex issue cases.

Grants Awarded in FY2004

Initiative Area: Circuit Court

<i>Grantee</i>	<i>Project Description</i>
Adoptions Together, Inc.	To collect and analyze data about the impact of the Child-Centered Permanency Mediation Project of the Circuit Court for Baltimore City.
Circuit Court for Anne Arundel County	To provide funds for the Circuit Court for Anne Arundel County to continue its current ADR efforts in civil and family law cases and to further develop programs for mediation in CINA and TPR cases.
Circuit Court for Baltimore City	To hire a full-time Coordinator for the Civil Mediation Program at the Circuit Court for Baltimore City.
Circuit Court for Baltimore County	To produce a video on dependency mediation.
Howard County Bar Association	To support the Howard County Bar Association's ADR program, which operates in both the Circuit and District Courts.
Maryland Council for Dispute Resolution	To create a pilot program to assist the Circuit Court for Anne Arundel County in assuring mediator quality by providing professional development training and performance-based reviews of family mediators.
Orphans' Court for Baltimore City	To create a mediation program at the Orphans' Court for Baltimore City.

Initiative Area: Community Mediation

<i>Grantee</i>	<i>Project Description</i>
Anne Arundel Conflict Resolution Center	Performance-based funding for this community mediation center serving Anne Arundel County.
CALM, The Frederick Mediation Center	Performance-based funding for this community mediation center serving Frederick County.
Carroll County Youth Service Bureau	Performance-based funding for the Parent-Teen/Community Mediation Program serving Carroll County.
Center for Conflict Resolution at Salisbury University	Performance-based funding for this community mediation center serving Wicomico County and surrounding areas.
Charles County Community Mediation Center	Start-up community mediation funds.
Chester Valley Community Mediation Service, Inc	Performance-based funding for this community mediation center serving Cecil, Kent, Queen Anne's, Caroline and Talbot Counties
Community Mediation Center of St. Mary's County	Performance-based funding for this community mediation center serving St. Mary's and southern Calvert County
Community Mediation Program	Performance-based funding for this community mediation center serving Baltimore City.
Conflict Resolution Center for Montgomery County	Performance-based funding for this community mediation center serving all of Montgomery County except the city of Rockville.
Harford County Community Mediation Program	Performance-based funding for this community mediation center serving Harford County.
Maryland Association of Community Mediation Centers	Operational support for MACMC.
Mediation and Dispute Resolution Center of Baltimore County	Performance-based funding for this community mediation center serving Baltimore County.
Prince George's County Office of Community Relations	Performance-based funding for this community mediation center serving Prince George's County.

University of Maryland Center on Aging	To establish a Legacy Leadership Institute on Fundraising in order to support the long term financial stability of community mediation centers in Maryland.
University of Maryland Center on Aging	To offer a second Legacy Leadership Institute on Fundraising and Advanced Institute on Fundraising for community mediation centers in Maryland.
Washington County Community Mediation Center	Performance-based funding for this community mediation center serving Washington County.

Initiative Area: Conferences/Initiatives/Community

<i>Grantee</i>	<i>Project Description</i>
Center for Alternative Dispute Resolution	To hold a conference in partnership with the Center for Conflict Resolution at Salisbury University on the current trends in conflict resolution in higher education.
Center for Alternative Dispute Resolution	To provide 15 conference scholarships to deserving community mediators who cannot meet the expense of registering for the center's 16th Annual ADR Conference.
Homes for America	To offer training in conflict management skills to residents of Homes at the Glen in Anne Arundel County.
MICPEL	To co-sponsor the 2nd Family ADR Initiative Conference to be held in Spring 2004, with a focus on family mediation in the courts.

Initiative Area: Criminal/Juvenile Justice

<i>Grantee</i>	<i>Project Description</i>
American Friends Service Committee	To support the VetNet project within the Maryland House of Corrections.
Baltimore City Public Schools - School Police Force	To enable the Baltimore School Police Force to implement a school-community based Mediation Ambassadors program.
Baltimore County Police Department	To hold a 40-hour basic mediation training to support the work of the Baltimore County Mediation Program.
Community Conferencing Center	To create a Community Conferencing Advisory Board and to develop a state-wide Community Conferencing Providers Network in Maryland.
Community Mediation Program	To create a new Mediation Liaison referral partnership project involving the Community Mediation Program and the Baltimore City State's Attorney's Office.
Conflict Resolution Center of Montgomery County	To continue support for the Community Conferencing Initiative offered by the Conflict Resolution Center of Montgomery County.
Dorchester County State's Attorney's Office	To create a mediation program at the Dorchester County State's Attorney's Office.
Mediation and Conflict Resolution Center. at Howard Community College	To hold six regional workshops on restorative justice around Maryland.

Initiative Area: District Court

<i>Grantee</i>	<i>Project Description</i>
District Court of Maryland	Support for mediator and settlement conference facilitator trainings, volunteer appreciation ceremony, and participation at the 2004 MSBA conference.

Initiative Area: Government/Public Policy

<i>Grantee</i>	<i>Project Description</i>
Carroll County Department of Social Services	To hire a mediator for 1-2 pending CINA cases at the Carroll County Department of Social Services.
City of Frederick	To create a Citizen Advocate position who will act as an ombudsman for the City of Frederick.
Governor's Office for Children, Youth and Families	To complete the GOCYF's conflict resolution protocol and to conduct a training for experienced community mediators in mediation difficult GOCYF cases with LCCs.
Institute for Governmental Service at University of Maryland College	To offer a one-day introductory course in ADR for public officials.
Maryland Commission on Human Relations	To support an Advanced Practitioner Training Series for MCHR's Mediation Program.
Maryland Cooperative Extension, College of Agriculture	To train members of the newly formed Agriculture Local Emergency Response Team (ALERT) in introductory conflict resolution, mediation and problem solving skills and techniques.
Maryland Department of Natural Resources	To hire a multi-party mediator/facilitator to assist with forthcoming difficult collaborative meetings and with a two-day retreat.
Maryland Office of Administrative Hearings	To conduct a 40-hour basic mediation training and a two-day advanced mediation training at OAH.
Maryland State Police	To provide a seminar on confronting and resolving employee conflicts at all levels within State Police Department.
Prince George's County Human Relations Commission	To support the ADR Program of the Prince George's County Human Relations Commission.

Initiative Area: Quality Assurance/Evaluation

<i>Grantee</i>	<i>Project Description</i>
Center for Conflict Resolution at Salisbury University	To conduct a series of mixed-method research projects that focus on the use of ADR processes within the Maryland court system.

Initiative Area: Schools/Education

<i>Grantee</i>	<i>Project Description</i>
Baltimore City Public Schools - Moravia Park Middle	To develop and implement an integrated and sustainable middle school violence prevention program.
Bear Creek Elementary School	To initiate a peer mediation program.
Canton Middle School	To implement the PAR (Prevent, Act & Resolve) program at Canton Middle School.
Cross Country Elementary School	To implement a school-wide initiative to help students develop conflict resolution and anger-management skills to create a respectful school atmosphere.
Germantown Elementary School	To implement the "Step to Respect" program.
Golden Ring Middle School	To continue the development of the "Golden Code" PAR program at Golden Ring Middle School.
Midtown Academy	To implement the Midtown Academy Caring Community Project; To acquire comprehensive, school-wide training in conflict resolution through the Resolving Conflict Creatively Program.
Morgan State University	To train volunteer peer counselors in mediation and conflict resolution skills in order to pilot a peer mediation/dispute resolution project within the University's largest women's dormitory.

Mount Harmony Elementary School	To implement the "BeCOOL" violence prevention program.
Mutual Elementary School	To establish the Mighty Mustangs Library on Conflict Resolution, diversity and positive character development and to implement the Second Step program at Mutual Elementary.
Pine Crest Elementary School	To develop, implement and evaluate a violence prevention program that includes school-wide bullying prevention and intervention, as well as peer mediation.
Reservoir High School	To support the continuation of the CommUNITY project at Reservoir High School.
Swansfield Elementary School	To implement the "United in a Peaceful World" after-school program at Swansfield Elementary School.
University of Maryland School of Law (C-DRUM)	To support the work of C-DRUM through second-year funding for a Deputy Director position.
University of Maryland School of Law (C-DRUM)	To administer and award 10-20 small grants as part of a collaborative school conflict resolution grants program involving C-DRUM, MACRO and MSDE.
University of Maryland School of Law (C-DRUM)	To provide partial funding for the position of Deputy Director of C-DRUM at the School of Law.
University of Maryland School of Nursing	To develop a multi-tiered approach to increasing awareness about alternative dispute resolution concepts and practices within the nursing and public health community.
Winand Elementary School	To implement a school-wide conflict prevention and resolution program.

The Honorable Robert M. Bell
Chief Judge, Maryland Court of Appeals
Chair

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Executive Director

Lou Gieszl
Deputy Executive Director

Ramona Buck
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