



# Northern Community Mediation

Where the Solution Is Up To You

Serving Emmet & Charlevoix Counties

## BRIDGES

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### DAY OF CARING



Pictured from left to right: Sara Darooge, Doug Bronw, Pat Ryde & Stan Smith

Northern Community Mediation again signed up to participate in the annual Day of Caring, which is sponsored by United Way. The idea behind the initiative is that volunteers sign-up to help non-profit organizations with a one-day specific need. NCM has always asked for help in its fall cleaning of the office.

This year, the Rotary Club of Petoskey Sunrise was assigned to NCM. What a great crew of workers they were. We all worked together, and within a few hours, woodwork had been washed down, furniture had been polished, floors had been scrubbed and vacuumed, and the list goes on. Murphy Oil Soap sure makes a place smell nice and clean.

### ADVANCED TRAINING

At this point, the advanced mediator training scheduled for October 11 is full. If you have not signed up and are interested, call NCM and we will put you on the waiting list. Those who will be participating include one judge, 10 private, attorney mediators who do not mediate for NCM, 6 private, attorney mediators who also mediate for NCM, 10 NCM mediators, and three staff members, for a total of 30. This balance will add diversity in perspectives and will definitely be of value in the training.

### NEW STANDARDS OF CONDUCT

On October 6, the State Court Administrative Office (SCAO) is scheduled to release the final draft of the new, proposed standards of conduct. At that time, there will be an opportunity to respond with recommendations. I will share the proposal with you, and if any of you have any suggestions, please let me know so that I can pass that onto SCAO.

### MEDIATOR ROUNDTABLE

On Wednesday, September 28, there was a mediator roundtable. Informative dialog was shared about the unlawful practice of law (UPL). "The practice of law is defined as counseling or assisting another in matters that require the use of legal discretion and profound legal knowledge." This includes, but is not limited to

- Giving advice or counsel to others
- Selection and / or preparation of any legal document
- Representation of another entity or person(s)
- Negotiation of legal rights or responsibilities
- Holding oneself out as authorized or competent to practice law

Non lawyers who engage in conduct as described above would be involved in UPL.

The second focus was upon the distinction of what non-attorney mediators can and cannot do, as well as what attorney mediators can and cannot do. Without having the advantage of having heard the explanations, it is difficult to present bullets of information. One of the important things to keep in mind, however, is that the non-lawyer mediator cannot provide legal information or advice, but an attorney mediator can provide legal information but not advice.

If anyone is interested in learning more about what was discussed or obtaining details of the meeting, feel free to contact me.

### MACM CONFERENCE

I think we all appreciate what Intake Coordinator Bert does for our center. Her talents, however, extend well beyond. She was asked to be a panelist at the recent Michigan Association for Court Mediators conference. Here is what MACM board member Kendal Taylor had to say about her presentation.

"I would be greatly remiss if I didn't give you a report on Bert's presentation at the MACM conference earlier this month. I know that she was very nervous and hadn't done that particular presentation before. That's why I was absolutely dumbfounded when she began to speak. She was calm, collected, had a logical flow to her material, and fielded questions from the group with ease and style. I was very happy that I had been the one who recommended her for the session. She represented our center well and we can all be very proud that she's a member of the team. Based upon what I witnessed, I think she would do well in presenting DV at your next 40-hour training."

**WAY TO GO, BERT!**