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Guidelines for Handling Domestic Violence Issues in Mediation

Due to the success of mediation as a process for solving disputes, it is now being applied to more complex issues and cases. As this growth occurs, so does our need to keep up to date with educating ourselves about new issues in mediation and developing new protocols to preserve the integrity of process.

Domestic Violence has been a mediation focus issue lately. The complexities and insidiousness of domestic violence have the potential to evade even the most experienced mediator. Therefore, in order to preserve the integrity of the process and ensure that all parties are able to mediate with reasonable assuredness of their physical and psychological safety, we require that mediators be sufficiently trained before handling cases in which domestic violence may be a factor.

At a recent seminar held by our center on Domestic Violence, Mary Beth Kur from the Charlevoix County Prosecutor's Office, Chris Krajewski from the Women's Resource Center, and Kathy Lame from Northern Community Mediation presented information on domestic violence. The seminar focused on domestic violence and the law, domestic violence from the victim's perspective, and domestic violence as applied to mediation. Guidelines and protocols for mediating cases with domestic violence were discussed.

Our center has developed a three page protocol for handling domestic violence in mediation. Copies were distributed at the seminar and are available upon request from our center. The following is a list of the recommended procedural guidelines as reported by the Academy of Family Mediators (AFM) in their article "Report on Mediation of Family Disputes Involving Domestic Violence". You will note that some of their recommendations are already in use by the center for all

mediations. This list can be used as a brief overview of the key elements for consideration in mediation:

- 1) Obtain training in domestic violence and become familiar with the literature;
- 2) Never mediate the fact of the violence;
- 3) Never support a couple's trading nonviolent behavior for obedience;
- 4) Set ground rules to optimize the victim's protection;
- 5) When appropriate, arrange separate waiting areas and separate arrival and departure times, permitting the victim to arrive last and leave first with a reasonable lag time for safety purposes;
- 6) Use separate meetings throughout the mediation when appropriate, necessary and/or helpful;
- 7) Consider co-mediation with a male/female team as an option;
- 8) Maintain a balance of power between the couple, and, if this is not possible, terminate the mediation process and refer the couple to an appropriate alternative process. Such alternatives include shelters, therapists, abuse prevention groups, and attorneys;
- 9) Allow a support person to be present in the waiting room and/or mediation session;
- 10) Terminate the mediation if either of the participants is unable to mediate safely, competently, and without fear of coercion. Precautions should be taken in terminating in order to assure the safety of the parties.
- 11) Consider offering a follow up session to assess the need for a modification of the agreement;
- 12) Work with any diverse cultural and ethnic groups serving violent families to develop appropriate and culturally sensitive options for resolving issues related to separation and divorce when domestic violence is an issue.

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Director's Notes

Our first quarter has been an eventful one. The lead article this month covers the update training held on March 23rd. Domestic violence is an issue which is being evaluated not only by our center but statewide. At a recent director's meeting, I was informed that Michigan is on the cutting edge of work in this area. The work our center is doing under Kathy Lane's guidance has been held up as the model for the other centers Statewide.

Our Statistics are good and we hope to continue with our momentum. We continue to get a wide range of cases, some of which are very complex. I am very proud of the work our mediators are doing.

One of our key goals for this year is to raise community awareness about our center. We have several strategies planned. One of these entails manning booths at key civic events. If anyone has sales or marketing experience, or just enjoys chatting cheerfully with strangers **we need you!**

We are also available to speak at civic organizations such as the Lion's Club, or Rotary. Just let the office know when, where, who the audience is and we will provide a speaker.

The Board has had a few changes since our last newsletter. Sadly, Cathy Neff had to resign as president for this year. Marilyn Hall who was vice-president

has graciously stepped in as acting president until a president is appointed. We also lost another dedicated board member, John Dixon. We wish both Cathy and John the best in their endeavors.

Should you know of anyone who is interested in serving on the board of Northern Community Mediation please contact the office and we will relay the name to the nominating committee.

For those of you who have had the chance to visit the office recently you will notice some changes. We were lucky enough to be able to use our additional funding to purchase a new computer and update our existing computer programs. We will within the next few months be replacing our good old work horse copier and purchasing furniture to accommodate our expanding staff.

Tony Soderquist, our intern, has joined our staff as of April 1st. He will take care of general office support and intake work. Kirsten will now work as the intake coordinator.

Take care one and all. Keep in touch.

—Maartje

What people are saying about Northern Community Mediation:

"A very good program & vital to our community. The mediators are to be commended for a job well done..."

"The mediation went very well and I felt good about what happened."

"I would certainly recommend this service for any citizen who would prefer a neutral setting as opposed to that of a court house."

Upcoming Events

Please call us at 547-1771 for more information or to register for any of these events.

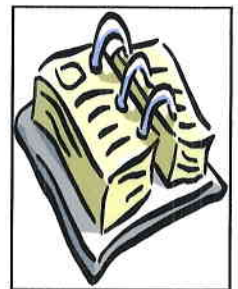
FIA Balanced & Restorative Justice Conference
 May 15-17
 Traverse City, MI

Michigan Mediation Conference
 November 9-10
 Ypsilanti, MI

Save these dates!

Special Education Mediation Training
 October 6-7
 Location, TBA

Upcoming 40-hour trainings:
 May/ June—Saginaw
 June—Grand Rapids
 October—Ann Arbor



Mediator Trainer Update
 October 11
 Okemos, MI

Training For Trainers
 October 12-14
 Okemos, MI

Feedback from Mediation Participants 1999

satisfaction rate:

At the end of each mediation session the participants are given evaluations to fill out and return to the center. That information is compiled annually. The results from the evaluations returned in 1999 are reflected below. Our rate of return for 1999 was roughly one third.

I knew what to expect, the mediation process was explained to me.	95%
I had the opportunity to express my views.	100%
The process was fair to me.	92%
I was treated with respect.	97%
Everyone came to an agreement.	57%
The process helped me with the problem I was having.	66%
I am satisfied with how my problem was handled at the center.	85%
I would recommend the center to someone else having a problem.	90%

“Where the solution is up to you.”

Case Statistics

What kinds of cases are we mediating?

In the first quarter of 2000 we processed 54 cases involving a wide variety of disputes:

- 13 Consumer/Merchant Disputes
- 8 Breach of Contract Disputes
- 7 Domestic Relations Disputes
- 3 Employment Disputes
- 1 Juvenile Offender Dispute
- 5 Landlord/Tenant Disputes
- 3 Neighborhood Disputes
- 1 Noise/Nuisance Dispute
- 1 Ordinance/Statute Dispute
- 3 Professional/Client Disputes
- 5 Property Disputes
- 1 School Problems Disputes
- 3 Other Disputes

NCM Mission Statement

“To improve both personal and professional relationships in the communities of Charlevoix and Emmet Counties by providing non-adversarial dispute resolution services.”

Northern Community Mediation offers mediation services to all citizens of Charlevoix and Emmet Counties at no cost to the parties.

Tell us what you think!

We want this newsletter to be your newsletter. Let us know what you want to read about. We also want you to contribute letters and articles which will give our readers an opportunity to benefit from your insights and an opportunity for you share your opinions with other readers. We will of course reserve the usual editorial control in choosing whether or not to print a specific submission and to edit it for length and form.

Please send your submissions to:

Bridges Newsletter

Northern Community Mediation Center

210 State Street, PO Box 550

Charlevoix, MI 49720

(231) 547-1771

Thank you for your input!
