



# RESOLVING ISSUES

Maryland Council for  
Dispute Resolution

May 2007  
Volume 6 Issue 1  
Resolving Issues  
Editors:  
Roslyn Zinner  
Ramona Buck

Maryland Council for Dispute Resolution presents:  
**Conflict/Peace: Finding Common  
Ground**  
A Juried Exhibition

MCDR will feature **CONFLICT/PEACE: FINDING COMMON GROUND**, a juried exhibition, May 17-June 17, 2007 at the Columbia Art Center Galleries. The juried exhibition features 54 artists from 14 different states whose art works are interpretations of the theme of Conflict/Peace: Finding Common Ground.

The 75 works featured in the exhibit include paintings, sculptures, mosaics, photographs, metal, ceramics, installations, and more. The show is funded by a grant from MACRO, Maryland Mediation and Conflict Resolution Office. The exhibition is co-sponsored by Maryland Council for Dispute Resolution and the Center for Alternative Dispute Resolution, Community Mediation Maryland, the ADR Committee, Maryland State Bar Association, Mediation and Conflict Resolution Center of Howard Community College, the Center for Dispute Resolution at Univ. of MD (C-DRUM), and the Maryland Chapter of Association for Conflict Resolution.

**The reception and awards presentation for the show will be held Saturday, May 19, 2007 at 6 pm.** Free of charge and open to the community. Enjoy meeting the artists, mediators, jurors, and cast your vote for the Attendee's Choice for your personal favorite work in the exhibition.

**Gallery Hours:** Monday-Thursday 9am-9pm, Friday-Saturday 9am-5pm, and Sunday noon-5pm. The Columbia Art Center is located at 6100 Foreland Garth, Columbia MD, just minutes from Routes 175 and 100. For more information or directions, please call 410-730-0075.

## ISSUE THEME:

### The Impact of ADR

Roslyn Zinner

Mediation is never dull and it sometimes yields happy surprises for the participants. In this issue, several people explore how ADR has affected them or their clients. Last week, I personally experienced a poignant example of how much impact mediation can have.

A separated couple came to my office for court ordered custody mediation. The Mom was so nervous on arrival, she was literally shaking. In her first statement she indicated she was ready to fiercely battle to keep her teens living in her home. They were following a loose arrangement allowing the teens to see Dad anytime they wanted. Communication between parents had deteriorated into threats and letters from one side's lawyer to the other's. At the court-ordered Parenting Seminar, Dad had had an epiphany, unbeknownst to Mom, that he should stop fighting for custody and continue the current plan, which was working well for the children.

Without much intervention on my part, the two quickly fleshed in a full Parenting Plan, and between the first and second sessions, Mom invited Dad to their daughter's upcoming birthday party. As they left the second and last session, the relief was evident in both faces. They were talking again, albeit cautiously.

Although it doesn't always go that smoothly, ADR can have a profound and lasting effect on the participants. Whether it is a work dispute or a family gripped in the decision-making process for planning a disabled family member's care, we are often witnesses to these tiny miracles.

## MCDR Quarterly Meeting

**Program: Exploring Peace: A fun, hands-on, group participatory art activity.**

**Requires absolutely no artistic experience or talent!**  
**Tuesday, June 12 at the Columbia Art Center**

**6:30 pm Networking**

**7:00 pm Program**

**8:30 Business Meeting**

**From Douglas Brookman  
President of MCDR**

**Greetings colleagues and friends:**

What has being an ADR practitioner has meant to you?

How have your efforts impacted those you've served? How have these skills changed your life? And how have these perspectives benefited those you love?

This issue of our newsletter provides an opportunity for all of us to reflect.

I still recall vividly from over twenty years ago, mediating my first heart-wrenching divorce cases. I had no idea, and I wasn't prepared, for the pain and anguish many separating couples endure. I'd go home late at night after these sessions, emotionally drained and physically exhausted. Greeted by my wife and infant child, I made a silent vow that I would avoid this kind of trauma if at all possible. And although I've been fortunate, statistics show many of us are not as lucky.

Sometimes it seems as though our training, experience and our privileged position as third parties gives us an unfair advantage in a chaotic world. Our work enables us to observe life's obstacles through the eyes of others—and propels us to learn and benefit from the experience. Garrett County to the Eastern Shore, our members are making a huge difference in the lives of many when they need it most. MCDR's ongoing commitment is to help grow and sustain this community of practitioners.

As we know, every graceful, respectful connection plants a seed for the next one. Right about now, our world will certainly benefit from more grace, respect and connection.

I believe this means in our day-to-day relationships,

our families, friends and colleagues benefit from more-nuanced communication, which results in better connections and, importantly, a little more reserve when we face adversity. We are not practicing all the time, but I believe we are all permeated at some point.

And what about those who reap the benefit from our services? It is a gift to provide a safe place for those in the midst of conflict. It's a greater gift to help orchestrate a purpose-driven dialogue that results in a more graceful connection. This issue of the newsletter provides some deeper and more personal insights into the impacts ADR can have.

So how does this affect Maryland? One by one, as our numbers grow, we are changing the way people view and respond to difficult situations statewide.



## **From Mediation Client to Mediator**

### **An Interview with Leona Elliott, Volunteer Mediator for Community Mediation Program**

By Ramona Buck

Leona Elliott experienced mediation as a client in 2004. She knew nothing about mediation before this and did not know what to expect. She recalls that she felt awkward, tense and a little helpless as she entered the room. She was concerned about maintaining her dignity and her sense of identity and this was what she was concentrating on as she began the process.

The case she was involved in was a domestic case and there were about eight sessions in all. She recalls the introduction to mediation as being very helpful, particularly with regard to the fact that mediation was voluntary and that it was confidential. She found that mediation was very eye-opening in the sense that, "What we thought were the real issues when we started the mediation turned out not to be the most important issues after all. There was an unveiling of new issues by both participants during the mediation." She says that people who go to mediation have to be willing to "go through the ugliness of it." You can't really brainstorm, she maintains, until you have dealt with some of the emotional issues and until you really express and hear how you each feel.

There were two things she thought her mediator did particularly well. One was to allow the two people in the mediation to go through a lot of dialogue directly with each other and without interruption. Also, the mediator dealt with them both in a positive way and they did not feel judged.

After eight sessions, the mediation concluded without agreement. Even so, Leona was intrigued by the process. She heard about the volunteer program at CMP in Baltimore and decided to go through the 50 hour training. She did that and got hooked. She has now mediated 40 to 50 cases.

She says she is now passionate about the possibilities of mediation. She has even been thinking she would like to write a book about mediation with someone. Leona knows mediation from both sides of the table and is a true convert.



## Mediation and the Court Process

### By Jennifer Cassel, Esq.,

The Circuit Court for Anne Arundel County supports alternative dispute resolution methodologies and views them as a benefit to the litigants who pass through the court's doors. In the family law arena, parties are routinely ordered to participate in the parent education workshop known as the Family Law Orientation Workshop, or F.L.O.W. The parties also are ordered to participate in custody/visitation mediation. Generally both of these orders are front loaded by the court, which means that the litigants receive the orders for F.L.O.W. and mediation even before they have their first court appearance.

One of the goals of ordering the parties to the parent education class and mediation early in the court process is to prevent them from becoming entrenched in their position and the litigation. Another goal is to empower the parties to reach their own resolution. A third goal is that the parties will adopt mediation as a model for future dispute resolution. During the F.L.O.W. class, much time is devoted to introducing the concept of mediation, recognizing that conflict is detrimental to families and children, learning to adopt a child focused attitude, and looking forward to the future needs of the family.

Is mediation beneficial to the parties? Absolutely! Perhaps the best testament to the positive effect of mediation comes from the mediation client evaluation forms which the court receives from the parties.

Here is a sampling of what the parties have to say:

“Our mediator was very helpful and knowledgeable - I was impressed with her ability to keep negotiations on track as they seemed to falter as emotions heightened.”

“Our mediator was very helpful, and also very gentle, which is a nice change from the court system.”

“I really think we should have to take more parenting classes. I think they were wonderful and I respect mediation because it may save many more court fights.”

## RESOLVING ISSUES

“Mediation is very fair even though I gave the mediator a hard time.”

“No agreement was finalized but I feel there was a lot of progress. I really tried to keep an open mind for the best outcome for my children.”

In summary, most participants find mediation helpful, even when they do not reach agreement during the process. When they do, it is not only a benefit to them, but also a valuable savings in court time, time that can be used to hear difficult cases that only the judge or master can resolve.

### **Certification Days on May 20, 2007 in Easton and September 15, 2007 in Frederick**

The Maryland Council For Dispute Resolution (MCDR) provides performance based Mediator Certification. Currently it is the only statewide certification process available to mediators in Maryland. It is intended for Maryland mediators who have completed at least 40 hours of training and have at least one year of experience, post-training, as a mediator. It provides an opportunity for highly-skilled and experienced mediators to demonstrate their skills and craftsmanship.

The purposes of the certification process are:

**Professional Development:** By participating in the certification process, mediators have an opportunity to engage in ‘reflective practice’, to receive feedback from other experienced mediators, and to observe, for themselves, the degree to which they are able to demonstrate a level of skill and craftsmanship that is consistent with their theory of practice and their self-perceptions.

**Quality Assurance:** A listing as an MCDR Certified Mediator is an indication that the Mediator possesses a high level of skill and professionalism.

**A Standard Of Practice:** The certification process establishes a model of ethical and behavioral practice so as to engender a commitment to mastery that is consistent with the principles and theories that exemplify the highest standards of mediation.

To learn more or apply for certification, call Rob Ketcham at 410-820-0325 or email [rcketcham@goeaston.net](mailto:rcketcham@goeaston.net).

May 2007



**MCDR 2007  
BOARD OF DIRECTORS**

**President:** Doug Brookman  
410-719-0580/ 410-719-0581-fax  
[publicsolutions@earthlink.net](mailto:publicsolutions@earthlink.net)

**Vice President:** Roger Wolf  
410-706-3836/410-706-5856-fax  
[rwolf@law.umaryland.edu](mailto:rwolf@law.umaryland.edu)

**Treasurer:** George Spangler  
301-258-7794  
Home:- 301-678-0914  
[gspangler@igc.org](mailto:gspangler@igc.org)

**Secretary:** Maria G. Krapf  
410-647-8724/410-647-3490 -fax  
Cell: 410-913-1219\*  
[Mariagk@verizon.net](mailto:Mariagk@verizon.net)

**Asst. Secretary:** Ruth McLay Zaroni  
410-531-0007/410-531-0007-fax  
Cell: 443-804-7062\*  
Home: 410-531-0829  
[ruthmediates@yahoo.com](mailto:ruthmediates@yahoo.com)

**Members at Large:**  
Steve Henick  
H-410-267-1507

[sbhenick@yahoo.com](mailto:sbhenick@yahoo.com)

Barbara Blake Williams  
410-730-2106/410-730-6420-fax  
[marylandmediation@yahoo.com](mailto:marylandmediation@yahoo.com)

Sallie Jenkins  
301-499-7259  
[Sallie.jenkins@worldnet.att.net](mailto:Sallie.jenkins@worldnet.att.net)

Toby Treem Guerin  
410-706-6228/410-706-5856-fax  
Cell: 410-707-2240\*  
[Ttreem@law.umaryland.edu](mailto:Ttreem@law.umaryland.edu)

**Immediate Past President:**  
Nancy Hirshman  
410-849-2388  
[nancyh\\_md@yahoo.com](mailto:nancyh_md@yahoo.com)

**Newsletter Editors:** Roz Zinner  
Office: 410-672-2237 Cell: 410-599-4412 or rozzinner@comcast.net

Ramona Buck  
410-841-2260/410-841-2261-fax  
Home: 301-434-0203  
Cell: 443-418-0392\*  
[ramona.buck@courts.state.md.us](mailto:ramona.buck@courts.state.md.us)

**Nominating /Organizational Committee:** Toby Guerin-Treem, Ramona Buck, Nancy Hirshman

**Liaison to Bar, Bench, Legislature:** John Spiegel  
301-340-1811/301-340-1824-fax  
[mediator@verizon.net](mailto:mediator@verizon.net)  
Roger Wolf

**Web Marketing Committee:**  
Mae Whitehead  
Home: 301-572-7464  
[maemae10@hotmail.com](mailto:maemae10@hotmail.com)

Program Committee Co-Chairs:  
Martin Kranitz  
410-280-8888/410-295-9190-fax  
[makranitz@aol.com](mailto:makranitz@aol.com)  
John Spiegel

**Certification and Qualifications Chair:** Rob Ketcham  
410-820-0325  
[rcketcham@goeaston.net](mailto:rcketcham@goeaston.net)

**Membership Chair:** Lindsay Barranco  
410-544-5349  
[lbarranco@comcast.net](mailto:lbarranco@comcast.net)

## MCDR Library Opens

MCDR has started a library of ADR books and audiovisual materials, thanks to two gracious donations. Doug Brookman donated a brand new oak bookcase, and xxx donated a set of "Conflict Resolution Quarterly," the journal of the Association for Conflict Resolution, several audio tapes and books. The library is currently housed in Odenton in the office suite lobby of newsletter editor Roz Zinner, at 8288 Telegraph Road, Suite A. Members can access it most weekdays and weekday evenings, however a call first (410-672-2237) is advised to make sure the office suite is open. If you have any adr books, dvd's, or cd's you would like to donate, your contribution would be welcome. MCDR plans to purchase adr training and education videos that members will be able to borrow for their own use or to present to groups.

The library has the following books and journals, which members may borrow:

1. Books include:

Getting Apart Together

Getting Together

Divorce and the Myth of Lawyers

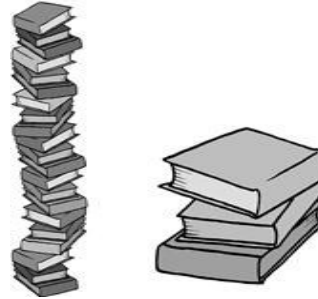
Mom's House, Dad's House

Bradshaw on the Family

Your Pension Rights at Divorce

Matrimonial Law

Starting Your Own Mediation Practice



2. Journals include the Family Court Review and the Negotiation Journal



MCDR  
Box 215  
3 Church Circle  
Annapolis, MD 21401