



PENNSYLVANIA
COUNCIL OF MEDIATORS

2008 Annual Conference

Revolutionary Thinking in Pennsylvania

April 11-12, 2008

**Four Points by Sheraton Hotel
Harrisburg, PA**

**Conference Co-Sponsors:
ACR – Greater Delaware Valley Chapter
PA Bar Association – ADR Committee
Mediation Council of Western PA**

**Host Organization: Neighborhood Dispute Settlement
Harrisburg, PA**

CLE Credits Available

Resolutionary Thinking in Pennsylvania...

Welcome to the 2008 Pennsylvania Council of Mediators Annual Conference. This year's theme, Resolutionary Thinking in Pennsylvania, focuses on the intellectual growth of the mediation field in Pennsylvania, being documented by the Joint State Government Commission's Task Force and Advisory Committee on Alternative Dispute Resolution. The Advisory Committee is currently conducting a comprehensive review of the status of ADR in Pennsylvania, identifying best practices both locally and nationally, and developing a plan to educate the citizens of the Commonwealth about conflict resolution alternatives. The goal is to ensure access to these ADR services and propose legislation, as may be required, to implement the plan.

On Friday night, we begin by honoring Judy Shopp with the Most Valuable Peacemaker (MVP) Award for her outstanding contributions to the mediation field in PA over the last 20 plus years. She will share her plans for integrating ADR practices, especially mediation, into state government through her new role as Director of the Office of General Counsel's Mediation Program. We will also hear from others in state government about their mediation experiences and promotional activities. Saturday's morning plenary will be a lively panel discussion on ethics and mediation, a growing area of concern and debate within the field. The workshops that follow will continue to challenge us in examining the paradigms that drive our practice.

In the spirit of community building, we have once again invited our colleague organizations to continue in collaboration with us by co-sponsoring the 2008 PCM Conference. We are delighted that they have all accepted our invitation! We ask that you come and help us to build bridges within the mediation field by engaging with people you may not know and exchanging ideas that might test your comfort level.

The 2008 PCM Conference promises to be provocative. Please join us and add your voice.

Gale McGloin, President, PCM Board

Conference Co-Sponsors

ACR-Greater Delaware Valley Chapter offers networking, advocacy and educational opportunities for practitioners, both professionals and volunteers, in any form of conflict resolution.

PA Bar-ADR Committee addresses current issues of ADR processes, including private and court-connected ADR programs; conducts professional education programs; studies and recommends standards of practice for neutrals; and proposes and monitors legislation regarding ADR.

Mediation Council of Western PA is the only association of professional mediators in Western Pennsylvania that promotes public understanding and use of mediation, provides a directory of qualified mediators and presents in-service training for professionals.

FRIDAY, April 11, 2008

PRE-CONFERENCE WORKSHOP

8:00-8:30 AM

Pre-Conference Registration and Continental Breakfast; Conference Registration

8:30 AM - 4:30 PM

Pre-Conference Workshop (Continental breakfast & lunch included)

Facilitating Group Dialogue

Presented by Jennifer Handke and Katie Klain

Facilitation is a life skill. More often than ever mediators are being called upon to facilitate multi-interest, decision making meetings or public involvement sessions. This workshop is designed for those who want to learn the fundamentals of facilitation and those with facilitation experience who want to enhance their basic facilitation skills. You will explore the characteristics and role of the facilitator - guiding people, directing processes, and helping people to resolve issues. You will leave with a clearer understanding of the complexities involved in effective facilitation from pre-meeting preparation to post-meeting debrief. This workshop is highly participative, providing numerous opportunities to practice facilitation skills such as recording, listening, questioning, and managing group dynamics. **(6.5 CLEs)**

Jennifer Handke has facilitated consensus building and engaged in conflict resolution for 12 years. For a number of years she was director of the Center for Collaboration and Environmental Dispute Resolution and the chief facilitator, trainer and mediator for the Pennsylvania Department of Environmental Protection. Since 2005 she has developed her own consulting business, serving public/private sector clients and non-profit organizations.

Katie Klain, a trainer, facilitator and mediator, has over 20 years' experience consulting in diverse workplaces. She employs a holistic approach to training design and facilitation, using Accelerated Learning Techniques, and incorporates practices appropriate for a global, culturally diverse business environment. Her mediation practice includes community and workplace mediation using a transformative approach. Katie has worked extensively with public organizations, private corporations, Fortune 500 companies, US military and government agencies in the US and internationally.

FRIDAY, April 11, 2008

PCM ANNUAL CONFERENCE

4:00 - 6:00 PM Conference Registration

5:00 - 5:45 PM PCM Annual Meeting - Open to all. Your participation welcome and encouraged.

5:45 - 6:30 PM Wine & Cheese Reception

6:30 - 7:30 PM Dinner

7:30 - 9:00 PM PCM MVP (Most Valuable Peacemaker) Awards

Judy Shopp, Office of General Counsel (OGC), Chief Counsel to the Department of Education & Director of the OGC Mediation Program,

Judge Toby L. Dickman (posthumous), Montgomery County Court

Getting Into the Act: Mediation in State Government and the Office of General Counsel

Judy Shopp, with Panelists **Herb Nurick**, Mediation Coordinator, PA Public Utilities Commission and **Albert Masland**, OGC, Chief Counsel to the Department of State

With the appointment of Judy Shopp as Director of the OGC Mediation Program, mediation in state government and in the Office of the General Counsel in Pennsylvania has received a significant boost. Ms. Shopp will receive the PA Council of Mediators Most Valuable Peacemaker Award for her extensive contribution to the mediation field in PA and will provide an update on the progress of integrating mediation into all offices in state government. She and her fellow panelists will also share some of their mediation experiences as well as their strategies for educating stakeholders and promoting mediation, including the new OGC mediation program website. **(1 CLE)**

SATURDAY, APRIL 12, 2008

- 7:30 - 8:30 AM** **CONFERENCE REGISTRATION**
- 7:30 - 8:30 AM** **CONTINENTAL BREAKFAST**
- 8:30 - 8:45 AM** **PRESIDENT'S WELCOME**
Gale McGloin, President, PCM Board of Directors
- 8:45 - 10:15 AM** **SATURDAY PLENARY SESSION**

Ask the Ethicists: From Mediation Models to the Real World

Moderator: **Cheryl Cutrona**, Esq., Executive Director of the Good Shepherd Mediation Program & adjunct faculty, Temple University Beasley School of Law and St. Joseph's University.
Panelists: **Winnie Backlund**, M.Ed., LPC, Director of Mediation and Training, Montgomery County Mediation Center; **Lou Coffey**, Of Counsel to Wolf, Block, Schorr and Solis-Cohen & President of Coffey Consulting Co.; **Jim Rosenstein**, Rosenstein Associates, Negotiation Facilitators; **Nancy Welsh**, Professor of Law at the Dickinson School of Law of The Pennsylvania State University.

In ethical situations, there are no right or wrong answers. How we view right and wrong is generally commensurate with our perspective and may vary according to culture, moral climate and individual circumstance. Mediators respond based on their instincts or perception of what is the most ethical in a particular dilemma. What is considered ethical practice may vary based on the mediation model that the individual practitioner adheres to, mediator style and applicable Standards of Conduct -- which may conflict, especially when the mediator also practices in another field (e.g., social work, psychology or law). No response is definitively "right" or "wrong." The important thing is that the mediator make an informed choice based on the unique circumstances, professional standards of conduct and moral conscience.

Our panel of experienced and well respected Pennsylvania mediators will consider various mediator ethical dilemmas from real world cases and offer their ideas about ethical considerations as shaped by their individual perspectives. These cases will be pre-screened to give the panelists time to formulate their opinions carefully. Conference participants may submit dilemmas to the panelists not later than ten days prior to the conference by emailing Cheryl Cutrona at CCmeD8r@aol.com. Submission of a dilemma does not guarantee its inclusion in the panel presentation. **(1.5 Ethics CLEs)**

WORKSHOPS

10:30 AM-12:30 PM **SATURDAY MORNING WORKSHOPS**

- A1:** **Moving from Agony to Ecstasy: Working With Attorneys in Mediation**
Cheryl Cutrona, Executive Director, Good Shepherd Mediation Program

This workshop will focus on strategies mediators can use to build a good relationship with the attorneys representing mediation participants, whether or not the attorney chooses to attend the mediation sessions. Some of the topics will cover: the concerns (and stereotypes) we have of each other, establishing the role of the attorney in mediation, protocols for interfacing with clients who are represented by counsel, and enlisting attorney support throughout the process. **(2 CLEs)**

A2: Group Facilitation and Debriefing: When to Do What
Bill Askin, Esq. Pittsburgh area lawyer, mediator and legal instructor; and outdoor adventure course facilitator

The group will actively participate in experiential physical activities in the form of problem solving games. There will be three activities of about 30 minutes length, with a ten minute debrief. You may choose to observe instead of participating. You will be asked to sign a liability waiver. Please wear comfortable shoes and clothing. **(2 CLEs)**

A3: Who is the Mediation About? : Exploring the Impact of Mediator Influence on Party Decision Making and Self Determination
Winnie Backlund, M.Ed., LPC, Director of Mediation and Training, Montgomery County Mediation Center, and Ellen DeBenedetti, M.Ed., Mediation Training Coordinator Center for Victims of Violence and Crime

This experiential workshop will use exercises and role-play to explore ways that mediator influence affects party decision making and self determination. Participants will experience the effect of third party influence, explore the effect of mediator influence on decisions about content, process and decisions about the future, and understand and practice ways in which the transformative orientation to mediation seeks to maximize self-determination and keep decisions in the hands of the parties. Some experience as a mediator helpful. **(2 CLEs)**

A4: Acknowledging Feelings to Enable Clients
Grayfred B. Gray, JD

Acknowledging feelings is a necessary component of effective mediation. It creates a way to build trust, clarify the client's thinking and enhance the ability to communicate. Participants will learn a technique to identify clients' feelings as distinguished from thoughts, beliefs and judgments. **(2 CLEs)**

12:30 - 1:45 PM LUNCH (included in registration fee)

1:45 - 3:45 PM SATURDAY AFTERNOON WORKSHOPS

B1: Effective Mediation Interventions
Bernhard Behrend, Mediator, Behrend Mediation Services

This skill building discussion will focus on what to say in a mediation and when to say it. We will explore why certain interventions are more effective than others, based on fundamentals of conflict resolution theory. Participants will be invited to bring their difficult situations, dilemmas, questions and suggestions to the discussion. Through this dialogue, mediators will gain a greater mastery of their work by becoming more purposeful in their interventions. Appropriate for any level of experience. **(2 CLEs)**

B2: Coping with Loss, Retribution and Closure in Mediation
Craig Lichtman, M.D., MBA, Psychoanalyst-Mediator

Disputes which involve loss can be fraught with unresolved grief and vindictiveness, hampering personal closure and resolution. The mediator may regard these situations as too emotional for a mediated solution, especially when there continues to be a lack of agreement on what seems like an otherwise reasonable settlement, possibly the result of many hours of work. Scenes from a film will introduce these issues. Dr. Lichtman will present a psychoanalyst-mediator's perspective as part of a facilitated discussion among the participants. The workshop will touch on differentiation between compensation and composition, the effects of "vindictive passions" and exemplify the limits of attempts at restorative justice. **(2 CLEs)**

B3: Capacity Issues in Elder Mediation: It's not just about older adults
Katherine Mariani, M.A.R., Director of Elder Mediation – Montgomery County Mediation Center & Barbara Foxman, LCSW, Montgomery County Mediation Center

When defined most broadly, "capacity to mediate" encompasses anyone's ability to use the process safely and effectively. While physical or cognitive impairment or elder abuse may affect an older adult's capacity to mediate, adult children also experience challenges when asked to meet with family members. This workshop will help participants understand capacity issues in mediation and how to screen and respond in ways that support all parties to make decisions about how to best utilize the process. Some experience as a mediator expected. **(2 CLEs)**

B4: Just Listening Trip to Israel/Palestine – Lessons Learned
Randy Duque, MA; Elaine Dushoff, Mediator and Facilitator; & Bill Jacobsen, Director of Mediation Services - Peace Center at Langhorne and Director, Trenton Community Mediation Services

Just Listening is a process to identify and listen deeply to people from social margins - their thoughts on justice, fairness, systematic equality and commonality. Its purpose – to empower, create deeper understanding and foster social change – is applicable to a wide range of social issues. In March 2008, members of the Greater Delaware Valley Chapter of the Association of Conflict Resolution, will journey through Israel/Palestine and engage in Just Listening with Jews, Muslims, Christians and Baha'i. This workshop will highlight some of the lessons learned and describe the essentials of the Just Listening techniques. **(2 CLEs)**

Conference Site and Room Accommodations

Four Points by Sheraton Harrisburg

800 East Park Drive
Harrisburg/Swatara, PA 17111
(717) 561-2800

<http://www.starwoodhotels.com/fourpoints/property/overview/index.html?propertyID=788>

Rooms have been reserved at the hotel for conference attendees for \$105, plus tax, a night. Please contact the hotel directly to make your reservation. Room availability is limited and is on a first-come, first-served basis. Call (717) 561-2800. Please mention PCM to receive the special room rate.

Reservations must be made before March 24th to receive the special rate.

Other hotels within a few-minutes drive of the Sheraton Four Points:
Wyndham Garden: 717-558-9500 or 1-800-253-0238
Travel Lodge: 717-564-3876
Holiday Inn East: 717-939-7841
Red Roof Inn: 717-939-1331

Directions

From East or West: Take PA Turnpike to the Harrisburg East Exit 247. Proceed on I-283 North for 2 miles to Interstate 83 North and take Exit 48. Turn right at the end of exit onto Union Deposit Road. Turn right at the next light onto East Park Drive. The hotel is .25 miles on the right.

From North or South: Take I-81 North/South to I-83 North/South. Take Exit 48. Turn left at the end of the exit onto Union Deposit Road. Go to the second light and turn right on East Park Drive. The hotel is .25 miles on the right side.

REGISTRATION FORM

Name _____

Address _____

City/State/Zip _____

Phone (day) _____ (evening) _____ Email _____

PRE-CONFERENCE FEES: Friday

Includes Pre-conference workshop, continental breakfast and lunch

PCM Member \$100.00 _____; after April 1: \$125.00 _____
Non-Member \$125.00 _____; after April 1: \$150.00 _____
Volunteer Mediator \$50.00 _____ (Applies if you never mediate for a fee)
Student \$50.00 _____ (Must enclose copy of Student I.D.)
6.5 CLE's for Pre-conference \$32.50 _____

CONFERENCE FEES: Friday Evening and Saturday

Includes Friday Evening Program, Saturday plenary & workshops, continental breakfast and lunch

Friday dinner is extra

PCM Member \$110.00 _____; after April 1: \$135.00 _____
Non-member \$135.00 _____; after April 1: \$160.00 _____
Volunteer Mediator \$ 50.00 _____ (Applies if you never mediate for a fee)
Student \$ 50.00 _____ (Must enclose copy if student I.D.)
Friday Dinner Buffet \$30.00 _____
1 CLE for Friday Evening Panel \$ 5.00 _____
1.5 Ethics CLEs for Saturday Plenary \$ 7.50 _____
4 CLEs for Saturday Workshops (AM & PM) \$20.00 _____

Saturday Workshop Choices

Morning Session:

1st Choice A1 _____ A2 _____ A3 _____ A4 _____

2nd Choice A1 _____ A2 _____ A3 _____ A4 _____

Afternoon Session:

1st Choice B1 _____ B2 _____ B3 _____ B4 _____

2nd Choice B1 _____ B2 _____ B3 _____ B4 _____

Join PCM now and attend for the Member rate

Individual/Organization membership, add \$50 _____ Volunteer membership, add \$30 _____

TOTAL ENCLOSED: \$ _____

A 25% cancellation fee will be applied after April 1, 2008.

Payment Options

- Check: Send this form and your check made out to "PCM" to:
Phoebe Sheffel, 414 Barclay Road, Rosemont, PA 19010 (610) 526-1802.
- Credit card: Connect to the PCM web site at www.pamediation.org and follow the instructions to complete the registration form and pay by PayPal (a secure system.)

For questions about the conference or registration: Call Barbara Foxman at 215-620-4218.

For questions about CLEs: Call Cheryl Cutrona at 215-843-5413.