



PENNSYLVANIA
COUNCIL OF MEDIATORS

2015 Annual Conference

**Expanding Mediation
Practice: New Directions &
Future Opportunities**

April 24-25, 2015

Hilton Harrisburg

**Conference Co-Sponsors
ACR – Greater Philadelphia Chapter
Mediation Council of Western PA
Unruh, Turner, Burke & Frees, Attorneys at Law**

Host Organization: Good Shepherd Mediation Program

**Attorney PA-CLE (including ethics CLEs) &
Social Worker CE Credits Available**

Expanding Mediation Practice: New Directions & Future Opportunities

Conference Co-Sponsors

ACR-Greater Philadelphia Chapter offers networking, advocacy and educational opportunities for professional and volunteer practitioners in any form of conflict resolution in the Southeastern Pennsylvania, Delaware and Southern New Jersey region. (See <http://ACRPhilly.org/>)

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. (See <http://mediationwp.org>)

FRIDAY, APRIL 24th

PRE-CONFERENCE WORKSHOP

8:00 - 8:30 am

Registration and Continental Breakfast

8:30 am – 4:00 pm

Pre-Conference Training (continental breakfast & lunch included)

Better Mediation Outcomes through Informed Practice: Decision Making, Preparedness & Self Determination



Dr. Timothy Hedeem is a Professor of Conflict Management and serves as University Ombudsman at Kennesaw State University near Atlanta. He provides mediation services through court and private programs, delivers trainings in the areas of conflict resolution and communication, facilitates group and public policy decision making and planning, and conducts research and evaluation on dispute resolution and justice policy.

He serves on the editorial boards of Conflict Resolution Quarterly and Family Court Review, and is appointed to the Commission on Dispute Resolution of the Georgia Supreme Court. He is a senior consultant to the Consortium for Appropriate Dispute Resolution in Special Education, a former member of the Section Council of the American Bar Association's Section of Dispute Resolution, and a past chair of the Board of Directors of the National Association for Community Mediation. More information is available at ksuweb.kennesaw.edu/~tkhedeem

Participants in mediation are often unfamiliar with the process and the opportunity it presents. This interactive workshop will provide mediators specific materials and interventions to hone their practice skills in preparing parties to make the most of mediation. The workshop will emphasize mediator skill development in three related areas: supporting parties' decision-making; ensuring parties' preparedness; and protecting parties' self-determination. To support decision-making participants will learn to apply recent findings in behavioral economics and neuroscience, as well as social and cognitive psychology. To ensure party preparedness participants will integrate insights from research and experience. To protect self-determination participants consider the ethical and practical dimensions of mediator pressure. Mediators will take away concrete strategies to improve their clients' experiences. (6.5 PA-CLE or NASW-CE credits; 2 PA-CLEs can be for ethics)

FRIDAY, APRIL 24th

PCM ANNUAL CONFERENCE

4:30 - 5:30 pm PCM Annual Meeting & Election of Board Members and Officers

5:30 - 6:30 pm Wine & Cheese Networking Reception

6:30 - 7:45 pm Dinner

**7:45 - 9:00 pm 2015 Most Valuable Peacemaker (MVP) Award:
David Keller Trevaskis**



David Keller Trevaskis, an attorney and former third grade teacher, is the Pro Bono Coordinator for Legal Services for the Pennsylvania Bar Association. Originally training as a mediator for landlord/tenant and small claims cases while a Temple law student in 1987, he subsequently completed divorce and custody mediation certification. Promoting mediation as a court alternative in Pennsylvania, David is one of the most prolific trainers of school-based peer mediation and conflict resolution programs. A co-author of the 2014 text, *School Law: Legal Framework, Guiding Principles, and Litigated Areas*, he is

an expert on school law and school crisis. He teaches in the classroom and online at Community College of Philadelphia, Gratz College, Arcadia University and the University of New England

We are pleased to honor David for his work as the designer and original trainer for Project PEACE (Peaceful Endings through Authorities, Children and Educators), a program that strives to reduce conflict and violence in Pennsylvania schools by teaching children, who are still in their formative years, how to alter their behavior, control their anger and resolve their disputes peacefully. Over the past twenty-two years, he has brought Project PEACE to nearly 1000 schools around the country.

David will present on the connection between conflict resolution education and the civic mission of the schools, with an emphasis on how one program—Project PEACE—offers a chance for our young people to find their voice in their schools, communities and nation.

SATURDAY, APRIL 25th

7:30 - 8:30 am Continental Breakfast

8:30 - 10:00 am Plenary Session

Police and Mediation: Natural, Unimaginable, or Both?



Dr. Maria Volpe, Professor of Sociology and Director of the Dispute Resolution Program at John Jay College of Criminal Justice-City University of New York is an internationally known scholar who has lectured, researched, and written extensively about dispute resolution processes, particularly mediation. She serves on the editorial board of Conflict Resolution Quarterly, Negotiation Journal, and Practical Dispute Resolution. She is a past President of the Society of Professionals in Dispute Resolution (now the Association for Conflict Resolution).

As mediation's visibility, utilization, and acceptance have grown worldwide, its diverse applications have become increasingly creative. One of the most challenging contexts in which mediation can be and, to a limited extent, has been applied, is the police context. Mediation provides police with precisely the kind of process and relationship-building tools that they need to engage their communities in problem solving. Yet, when police officers mediate, the core principles valued by mediation can be challenged and compromised. Maria will address how, depending on circumstances, mediation in the police context can be seen as natural, unimaginable, or both.

(1.5 PA-CLEs and NASW-CEs)

WORKSHOPS

10:15 am - 12:15 pm MORNING WORKSHOP SESSION (2 PA-CLEs and NASW CEs)

A1 Managing Language Issues in Mediation

David S. Willig, Attorney, admitted to practice in Florida and Paris, France, certified by the Florida Supreme Court as a Mediator for the Circuit Civil Courts, and fluent in multiple languages

When parties are trying to communicate but their understanding of each other is hampered by language difficulties, what is a mediator to do to enable them to take full advantage of the mediation process? This session will introduce typical situations where language issues arise and suggest strategies and best practices to overcome such obstacles. Skill-building will be based principally on case-scenarios, focusing on the mediator, the parties and counsel. (1 PA-CLE can be for ethics)

A2 Building Your Business with Real Estate Mediation

Paula M. Tansey, Director Professional Development, Suburban West REALTORS Association & Hank Lerner, Esq., Director Law & Policy, Pennsylvania Association of Realtors®

The Pennsylvania Association of Realtors® (PAR) operates two mediation programs that service both Realtors® and consumers. PCM members are encouraged to participate in these programs through an agreement with PAR. This session is designed to help PCM members learn more about the programs and become more familiar with real estate issues. Attendees will learn about: the most common mediation scenarios in real estate transactions; how disputes can be affected by relevant laws, regulations, forms and market practices; why it is not necessary to be a subject matter expert to mediate these disputes; how to participate in the PAR mediation programs.

A3 Co-Mediation – Can Two Heads Be Better Than One?

James L. Goldsmith, Esq., experienced mediator in real estate, commercial and insurance cases & Michael D. Reed, Esq., experienced mediator in construction and commercial disputes; both of Caldwell & Kerns (Harrisburg).

This session will include a discussion of the advantages of the co-mediation model (balanced perspectives, creative interaction, participant satisfaction), as well as concerns (costs, conflicting styles). A role-play segment will highlight the advantages and challenges. The presenters believe co-mediation is a viable model for private mediation of commercial disputes. They will discuss their training and experience in Virginia where court-appointed programs use the co-mediation model.

A4 Trauma-Informed Mediation

Vanessa N. Mayers-Snyder, M.S.W., Community Engagement & Mediation Specialist & Dawn Lehman, M.A., Restorative Justice Coordinator/Trainer, both with the Center for Victims (Pittsburgh)

This workshop will explore the physiological experience of trauma and the potentially lasting impacts that may influence an individual's behavior in mediation. The trainers will provide participants with a basic understanding of trauma, including signs, symptoms and reactions. Participants will learn how the brain responds to a traumatic event; how to recognize the emotional and physical reactions of individuals and/or family after exposure to a traumatic event; and mediator responses appropriate for explicit and suspected trauma symptoms. Participants will discuss and apply this information to mediation scenarios. This workshop will consider both situations where trauma is apparent at intake and situations where trauma is never explicitly expressed.

12:15 - 1:30 pm LUNCH (included in registration fee)

1:45 - 3:45 pm AFTERNOON WORKSHOP SESSION (2 PA-CLEs and NASW-CEs)

B1 Online Mediation – A New Frontier

Giuseppe Leone, founder and project manager of Virtual Mediation Lab, an online mediation project sponsored by the Association for Conflict Resolution Hawaii Chapter and formerly an Online Mediator for SquareTrade.com & facilitated by Ellen Morfei, Progressive Conflict Solutions

Experience an online mediation in real time. With the presenter in Hawaii, the workshop will be conducted through *Zoom.us*, a video collaboration software. The first hour will be a webinar touching on how online mediation works, what cases are suitable, how to get appropriate training, and what special skills may be needed. The second part will include a short video clip (recorded in advance) of workshop participants role-playing an online mediation. The role players will discuss their experience – what they liked/did not like and what surprised them about the experience. All participants will join in the dialogue and be able to ask the presenter questions. Any PCM member planning to attend this workshop members, who would like to participate in the pre-recorded, on-line mediation role-playing exercise, please contact Ellen Morfei (ellen@progressiveconflictsolutions.com) by March 15th.

B2 New Opportunities for Grievance Mediation

William Dwyer, Rutgers University, & Labor Arbitrator Pat Westerkamp, Westerkamp ADR Services, LLC

The average grievance arbitration costs over \$4,000, as compared with \$500 for grievance mediation. With settlement rates approximating 75%, grievance mediation provides faster results, and mutually satisfactory resolutions. The presenters will explore grievance mediation's pros and cons, discuss necessary neutral skills, review the Pennsylvania Bureau of Mediation's long-standing services, and describe New Jersey's fledgling public sector Grievance Mediation Program.

B3 The Stormwater Problem and the Opportunity for Consensus-Based Solutions

Lara B. Fowler, Senior Lecturer, Penn State Law and Research Fellow, Penn State Institutes for Energy and the Environment & Jack Ubinger, Adjunct Lecturer, Duquesne University Center for Environmental Research and Education; Policy Advisor to 3 Rivers Wet Weather; Policy Advisor to the Pennsylvania Environmental Council

Every community is presented with the daunting challenge of effectively managing increasingly volatile and severe stormwater events. The existing regulatory framework is getting more complex at all levels, with multiple regulatory drivers and changing law and policy. The solution requires long-term concerted effort by governmental authorities and private property owners that transcends local political boundaries. Using case studies from Pennsylvania and other regions, this workshop will provide a short overview of these types of issues and engage in a participatory discussion on potential opportunities going forward. The goals are to (1) demonstrate the need for consensus-based solutions as an essential supplement to regulatory requirements and the corresponding opportunity for conflict resolution practitioners; (2) illustrate some of the threshold barriers to the initiation of consensus processes, consider how mediators/facilitators might work in their communities to address these critical areas while building their practice; and (3) what PCM might do to help move forward what is becoming a national discussion.

B4 We Cannot Remain Neutral: Mediators in Solidarity with Anti-Oppression Movements

E. Abby Wells, Mediator, Wells Contemplative Solutions

What does it mean to build peace in the wake of persistent inequalities? Utilizing case studies that give voice to the social conflicts of our time, this workshop seeks to spark dialogue and engender ideas that speak to the future of mediation in terms of the mediator's stance against all forms of oppression. In other words, expanding mediation practice is as much about presence during the negotiations of social problems as it is in private ones. In order to shift from neutrality to advocacy, however, we must have a clearer understanding of what constitutes mediation as process and mediation as program-- that is, a mediation agenda that advances the social conditions of marginalized groups and communities. It will be suggested that builders of peace have a unique opportunity to change the rhetoric of race, gender, disability, and class issues, for example, by framing real issues in ways that demand attention to real solutions.



Conference Site and Room Accommodations

Hilton Harrisburg

One North 2nd Street (GPS Friendly Address is 200 Market Street
Hotel parking at Walnut Street Garage (215 Walnut St.)
Telephone: 717-233-6000

To book a reservation, go to directly to the PCM group page for the Harrisburg Hilton
http://www.hilton.com/en/hi/groups/personalized/M/MDTHHHF-PACM-20150423/index.jhtml?WT.mc_id=POG

You can also go to www.harrisburg.hilton.com or
call 1-800-HILTONS; use the group code PACM

A limited number of rooms are reserved for conference attendees at \$129, plus tax.
Reservations must be made before March 22nd to receive the special rate.
(The hotel may extend this deadline closer to the conference; but for now it is March 25th.)

From Philadelphia or Pittsburgh: I-76 (PA Turnpike) to Exit 247 (Harrisburg East). Merge onto I-283 N toward PA 283/Harrisburg/Hershey. Take Exit 3A on left to merge onto I-83 S toward Harrisburg. Take Exit 43 toward Capitol/2nd Street. Turn left/north onto S 2nd Street. Hotel is on corner of 2nd St and Market Street.

From North: Take Exit 66 (Front Street - South) off I-81. Follow Front Street approximately 5.5 miles to Market Street. Take a left on Market Street. Hotel is on next corner at 2nd St and Market Street.

Overnight Self Parking is available in the Walnut Street Garage located next to the hotel. Please inform the Front Desk at check in to receive the Hilton parking rate (\$10/night).

From the train station: Walk five blocks (7 minutes) south on Market Street to the hotel.

REGISTRATION FORM

Name _____

Address _____

City/State/Zip _____

Phone (day) _____ (evening) _____ Email _____

PRE-CONFERENCE FEES: Friday, April 24

Includes Pre-Conference workshop, continental breakfast and lunch

PCM Member \$150 _____; after April 8: \$165 _____ (You are a member if "Current Member" appears above your name on the mailing label.)

Non-Member \$165 _____; after April 8: \$180 _____

Volunteer Mediator \$120 _____; after April 8: \$130 _____

Full-time student \$110 _____ (Enclose copy of student ID.)

6.5 Pennsylvania CLEs (attorneys only) \$35 _____

6.5 Social Work CE's \$20 (NASW member) _____ \$30 (non-member) _____

CONFERENCE FEES: Friday Evening, April 24, and Saturday, April 25

Includes Friday reception & evening program, Saturday plenary & workshops, continental breakfast and lunch

Friday dinner is a separate cost

PCM Member \$175 _____; after April 8: \$185 _____ (You are a member if "Current Member" appears above your name on the mailing label.)

Non-member \$190 _____; after April 8: \$200 _____

Volunteer Mediator \$125 _____; after April 8: \$135 _____

Full-time student \$115 _____ (Enclose copy of student ID.)

Friday MVP Dinner Buffet \$40 _____

5.5 Social Work CE credits \$ 20 (NASW member) _____ \$30 (non-member) _____

1.5 PA CLEs for Saturday Plenary (attorneys only) \$8 _____

4 PA CLEs for Saturday Workshops (attorneys only) \$20 _____

TOTAL ENCLOSED:

\$ _____

Saturday Workshop Choices

Morning Session

Afternoon Session

1st Choice A1 _____ A2 _____ A3 _____ A4 _____

1st Choice B1 _____ B2 _____ B3 _____ B4 _____

2nd Choice A1 _____ A2 _____ A3 _____ A4 _____

2nd Choice B1 _____ B2 _____ B3 _____ B4 _____

Join PCM now and register at the Member rate

Includes a listing in the Find A Mediator section of the PCM web site (www.pamediation.org)

Individual/Organizational membership, add \$60 _____ Volunteer membership, add \$35 _____

A 25% cancellation fee will be applied after April 15, 2015

Payment Options

- Check: Send this form and your check made out to "PCM" to:
Phoebe Sheftel, 414 Barclay Road, Rosemont, PA 19010, 610-526-1802 or pasheftel@gmail.com.
- Credit card: Connect to the PCM web site at www.pamediation.org and follow the instructions to complete the registration form and pay with a credit card through PayPal's secure system.

Conference Questions: Call Barbara Foxman at 215-620-4218 or bef423@mindspring.com