

The Mediator's Role as a Neutral

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Inside this issue:

The Mediators Role as a Neutral	1
Upcoming Discussion Group	2
Upcoming Training	
NMC Staff Member Profile	3
Upcoming ACR Conference	
From the Executive Director's Corner	4
Mediation Around the World	4
2013-2014 NMC Annual Report	5

Perhaps one of the most difficult challenges for mediators is to fully understand the concept of neutrality, or impartiality.

Mediator impartiality is steeped in shades of grey, and sometimes it's difficult to know where the line is.

Mediators know they're not to take sides, and we take great care not to do so, but many times mediators get lost in the many gradations involved in appearing impartial and inadvertently give one or both participants the perception that the mediator is biased.

One way this can happen is when the mediator overly relates to the story of a particular participant either through mediating a similar situation, or through personal experience. In either case the mediator may feel an urge to speak about his or her experience as a way to let a participant know they understand. This is called telling your own story, and as much as the intent is to help the participant, it can backfire and cause one or both parties to perceive that the mediator is biased based on your assumption that the meaning of your story is a match to that of the participant's.

Remember that no matter how much a participant's story seems familiar to you the story belongs to the participant and the mediator should never interject his or her own experience.

Another gradation to impartiality that can throw the mediator off balance may come in the form of difficult behaviors by one or both parties. An unwillingness to move from an unreasonable position, or the use of crude language meant to humiliate the other party, or even

a lack of cooperation with the ground rules are behaviors that can frustrate the process and the mediator. The danger for the mediator is when these kinds of behaviors cloud perception and take the mediator's focus off of managing the process. Mediators can find themselves becoming judgmental and biased in an instant when we feel like we have to constantly manage the behavior of a participant.

Conflict can bring out the worst in people and the mediator needs to understand that his or her view of a participant comes from peering into a very small window of a person's life. Participants at their wits-end may display behaviors that are not cooperative. It's the mediator's job to focus on the process so the parties can focus on solving the problem.

Tips to balance impartiality:

- ◇ Refrain from telling your own story
- ◇ Pay attention to your feelings and if you feel off-center
- ◇ Refocus on the process
- ◇ Use impartial language in your questions and statements
- ◇ Keep your non-verbal communication impartial
- ◇ Call a break and talk to your co-mediator to strategize
- ◇ Meet separately with parties when one seems to dominate your attention—find out why...

**Collaborative
Discussion Group**

**Listening?
And you think
you've Heard??**

**Tuesday
September 23**



Neighborhood Mediation Center (NMC) and

Nevada Dispute Resolution Coalition (NDRC)

Collaborative Discussion Group

Mediator Challenges

Tuesday, September 23

5400 Mill Street, Reno

AGC Training Room - Park and Enter at the Rear

5:30—7:30

**Dr. Gwen Hullman, Ph.D. will lead an interactive
discussion focused on listening**

Please RSVP to mikehavercamp@icloud.com

**ADVANCED FAMILY
& CUSTODY
MEDIATION
TRAINING
OCTOBER 9-11, 2014**

**20 hour
certification**

**Inn By The Lake
Lake Side Room
3300 Lake Tahoe Blvd.
South Lake Tahoe, CA
530.542.0330**

**Reduced Room Rates
for
this Training**

**NANCY CLEAVES, MS, KATHRYN ELY, MA, & KATHRINE BERNING, MA, JD
present a comprehensive & interactive training designed to develop the skills
essential for mediating family conflict specific to parenting & custody disputes.**

Course Overview

**4-hr. Domestic Violence Training Segment
Analysis of Models, Interventions & Application
Child Development/Needs & Interviewing Children
Negotiating & Designing Parenting Plans
Family Diversity/Cultural Barriers
ADA/Special Needs
Ethical Dilemmas/Standards of Practice**

**Information and registration at:
carsonmediationcenter@gmail.com
775-887-0303**

NMC Staff Profile

Monica Kales, NMC Program Director

Monica Kales moved to Nevada as a toddler and is a life-long Reno resident. Monica graduated from Bishop Manogue High School and UNR, earning a B.S. in Business, majoring in Accounting. She has worked in a variety of industries including insurance, public utility, banking and a CPA firm and has been the business manager of her husband's small business private optometry practice for 25 years.

Monica became passionate about the promise of mediation after taking a 24-hour Mediation Training class at the UC Davis Extension in 2009. After completing the training, she contacted the Neighborhood Mediation Center to inquire about volunteer opportunities. She was accepted as a volunteer intern after earning a certificate from the 40 hour Beginning Mediation Training through UNR Extended Studies. She volunteered for NMC for 2 years before becoming the NMC Program Director in September of 2011. She has conducted over 150 Small Claims court and in-house mediations. She is a member of NDRC (Nevada Dispute Resolution Coalition) and served as Treasurer for 2013.

Since becoming certified in Beginning Mediation, Ms. Kales has earned a certificate from the 40-hour Advanced Mediation Training at UNR Extended Studies. She has also completed: a 20-hour Advanced Mediation seminar at the Straus Institute for Dispute Resolution at Pepperdine University; a 20 hour Collaborative Problem Solving class at UC Davis Extension; one-day trainings sponsored by NDRC in the areas of difficult personalities, getting to the heart of conflict, increasing the range of mediator questions and advanced mediation.

As Program Director, Monica coordinates the court program and works closely with Executive Director Claudia Wahl to recruit and train volunteers, and to promote mediation to the Washoe County community.



Monica and husband Tyson

Upcoming Conferences

Association for Conflict Resolution ACR 14th Annual Conference

Conference Dates

October 8-11, 2014
Cincinnati, Ohio

Website: <http://www.acrnet.org/annual2014/>

ACR Conferences gather conflict resolution practitioners, students and interested parties from all corners of the globe to network, learn new skills, discuss cutting-edge issues and keep abreast of what is happening in the expanding field of conflict resolution. ACR's annual conference attracts more than 600 people from around the world and offers more than 50 workshops. Make your hotel reservation at the [Hilton Cincinnati Netherland Plaza](#) before the September 15th deadline to take advantage of the ACR discounted rooms.



ACR 14th Annual Conference • October 8-11, 2014 • Cincinnati, Ohio

NEIGHBORHOOD MEDIATION CENTER

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International Peace Day

September 21, 2014

In 1981 The United Nations voted to declare September 21st of each year International Peace Day — a day of Global Ceasefire and Non-Violence. This declaration grows every year with 1,000s of celebrations around the globe. To see what's happening check out:

<http://www.peaceday.org/>



Mediation Around The World

NMC is primarily funded by Washoe County from court filing fees.



From the Executive Director's Corner

I would like to thank all of our volunteers for the dedication, energy, and the peaceful contribution you give to our community through the services you provide on behalf of the Neighborhood Mediation Center.

I'm sure you've all heard participants exclaim their surprise at the fact that you volunteer your time to help people peacefully settle their conflicts. I think we can all admit that being a mediator isn't a good fit for everyone's personality and can be an acquired taste for many.

With all the bad news floating around out there, I think the work mediators are doing the world over fits into the good news category hands down. Thank you for giving our community and the world your bright light ~ Mahalo Nui Loa for your Kokua (Thank you very much for your contribution).

Mediating land disputes in Liberia

Juliette Syn and the Norwegian Refugee Council Information, Counselling and Legal Assistance Team in Nimba County:

Liberia has experienced years of war, mass displacement and explosive population growth. Many who fled the war returned to find that their land had changed hands several times and was now occupied. Today, multiple systems of land use and ownership exist side-by-side complicating the resolution of land disputes. Against this backdrop, the Norwegian Refugee Council (NRC) opened its Information, Counselling and Legal Assistance (ICLA) project in Nimba County in 2007, using mediation and education to peacefully address emerging land disputes. It has since helped to resolve over 700 disputes.

The mediation process begins when a party reports their problem to an NRC mediator. Parties often come to NRC of their own accord, but they may also be referred by local authorities.

Once a case is reported, NRC will ask disputants if they are willing to participate in mediation. If the parties agree to mediation, NRC registers the case and begins a fact-checking exercise. The mediator holds separate discussions with each side about their fears, goals and interests. Parties often refuse to speak to each other at first; a large part of the mediator's work is helping parties prepare to listen. Depending on the level of emotion involved, this may be done in a single visit or it may take weeks. Whatever the situation, mediators try to keep communication lines open until the parties are willing to engage in discussion with each other. Elders and other community members are included in the process to ensure factual accuracy and legitimacy.

NMC Annual Report *July 1, 2013 to June 30, 2014*

Mediation

- Performed intake on 179 cases; mediated 156 cases (an increase of 9% over last fiscal year) resolved 111 (71%) cases.

Training Classes and Mediator Development

- Completed 8 weeks of team building and conflict resolution training for Sherwin Williams, Fernley.
- Provided NMC mediators with a 2 hour workshop on Impasse on February 18.
- Provided NMC mediators with a 2 hour workshop on High Emotions on May 13.
- NMC staff, two board members, and 5 mediators attended an 8 hour advanced mediation skills class provided by the Nevada Dispute Resolution Coalition (NDRC) on March 14.
- NMC in collaboration with UNR Provided 40 hours of basic mediation training to 24 community members in August.
- NMC in collaboration with UNR Provided 40 hours of basic mediation training to 18 community members in April.
- In collaboration with the UNR Upward Bound Program NMC provided a 2-hour conflict management class for 12 Summer Resident Assistants on June 17.
- Mentored eight new mediators to provide on-site mediation services for Reno & Sparks Justice Courts.
- Two staff and six other experienced mediators (NMC volunteers) received eight hours of training in adult guardianship mediation on November 22.
- Entered into an agreement with Judge Doherty of the Reno Family Court to provide adult guardianship mediation.

Community

- Presented NMC information and talk on conflict in the workplace to the ProNet Group on January 27.
- Met with Bert Bracey on April 21 of the County Community Service Department to discuss mediation referrals for community members.
- Presented NMC information and benefits of mediation to HOA Community Managers at the Peppermill on April 24, 2014.
- Presented NMC and mediation information to 100 sorority members at UNR in October 2013.
- Presented NMC and mediation information to 27 members of the Sierra Manor Tenants Association Annual meeting.
- NMC staff occupied a booth at the Northern Nevada Human Resources Association (NNHRA) Diversity Conference to disseminate information about NMC and mediation.

Organizational Participation

- Continue to work with UNR to provide training and skill classes to the community in mediation and conflict resolution.
- Association for Conflict Resolution, Member.
- Ongoing collaboration with NDRC, Member.
- In November 2013 the Board and Director of NMC attended a 4 hour strategic planning meeting.

Marketing

- Continuing updates to mediatenmc.org website.
- Continuing ad in YP.
- Consistent distribution of NMC quarterly newsletter.
- Staff, Board members, and mediators continue to speak to groups regarding mediation, facilitation, and training.
- Brochures are distributed to all Washoe County Libraries and County Agencies.
- Mediation information sheets (both English & Spanish) are handed out to all participants in the Reno and Sparks Justice Courts.
- A presentation by volunteer mediators about mediation is given approximately 5 days per week every month to participants in the Reno and Sparks Justice Courts.

** NMC financial information available at 200 Ridge Street, Ste. 230 Reno, Nevada 89501