

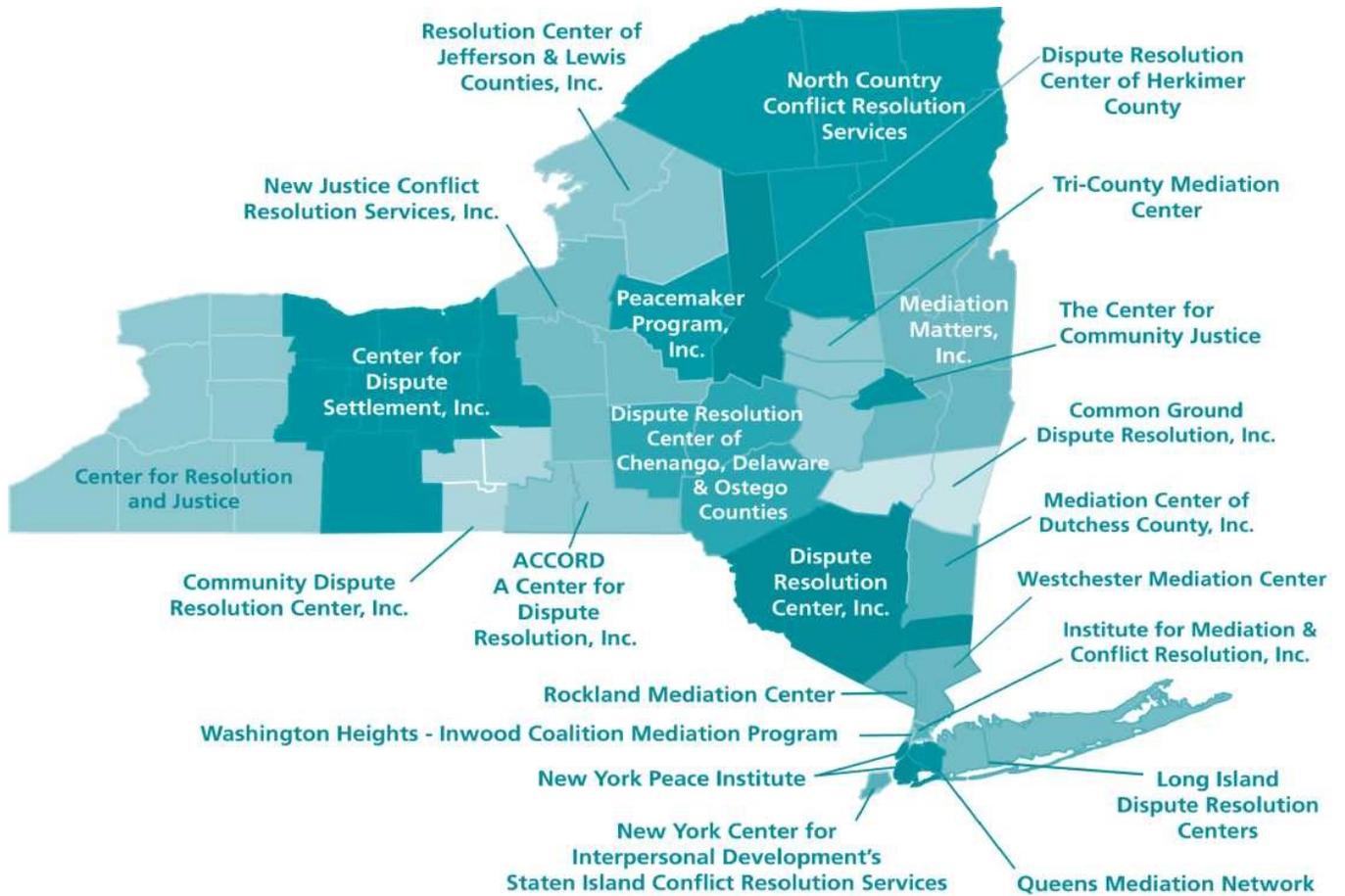
NEW YORK STATE UNIFIED COURT SYSTEM

Community Dispute Resolution Centers Program

ANNUAL REPORT

2012-13

New York State's Community Dispute Resolution Centers





New York State Unified Court System

HON. JONATHAN LIPPMAN

Chief Judge of the State of New York

HON. A. GAIL PRUDENTI

Chief Administrative Judge

Office of Court Administration

RONALD P. YOUNKINS, ESQ.

Executive Director

EUGENE W. MYERS

Chief of Operations

Division of Professional and Court Services

NANCY M. MANGOLD

Director

DANIEL M. WEITZ, ESQ.

Deputy Director

Office of Alternative Dispute Resolution Programs

DANIEL M. WEITZ, ESQ.

Coordinator

MARK V. COLLINS

Assistant Coordinator

A MESSAGE FROM THE COORDINATOR

I am pleased to present the Annual Report for the New York State Community Dispute Resolution Centers Program (CDRCP) for the fiscal year ending March 31, 2013. During this past year, the CDRCs served a total of **74,147** individuals and screened **31,747** cases, resulting in **15,773** mediations and other dispute resolution processes. Beyond the data, this report captures a year to be celebrated for its themes of resiliency and innovation.

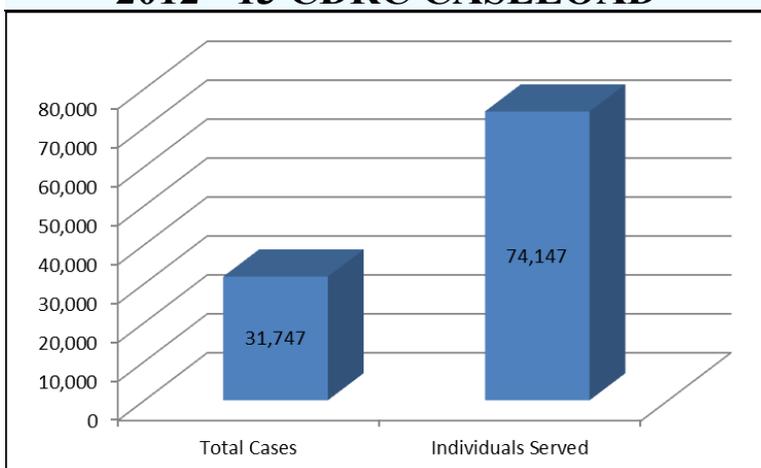


Despite declining resources, New York's network of CDRCs continued to grow local partnerships within their communities, using ADR to enhance the lives of individuals and families. In this edition of the annual report, you will read about the resourcefulness and cost effectiveness of the CDRCs, which despite reductions in public and private funding continued to provide quality ADR services throughout the year. For example, ACCORD in Broome and Tioga counties partnered with a local public broadcasting station and The Community Dispute Resolution Center of Chemung, Schuyler and Tompkins counties, bringing together a divided community to participate in a respectful dialogue on the polarizing topic of fracking; and the New York Peace Institute of Kings and New York counties helped engage its community and beyond via social media. Additionally, this report highlights new services being developed by CDRCs to better address specific segments of the community, including a mediation program to be launched by The Queens Mediation Network, Community Mediation Services and the United States Department of Veteran Affairs, to help address the difficult problems often faced by veterans (and their families) deploying or returning home from war.

For more than 30 years, New York's CDRCs have offered free and low-cost mediation, facilitation, conciliation and arbitration services to New Yorkers in all 62 counties of the state. Supported by funding from the New York State Unified Court System, the CDRCs rely on a small, dedicated staff and a diverse pool of professionally-trained volunteers eager to give back to their communities by promoting and engaging in peaceful conflict resolution.

I hope you enjoy reading about the CDRCs' achievements this past year. A statistical supplement with

2012 - 13 CDRC CASELOAD



information pertaining to the CDRCs' cost effectiveness, case types and referral sources, among other data, is available online at <http://www.nycourts.gov/ip/adr/Publications.shtml>. Looking forward, we remain as committed as ever to the vital services offered through the CDRCP.

Daniel Weitz

WHO WE ARE

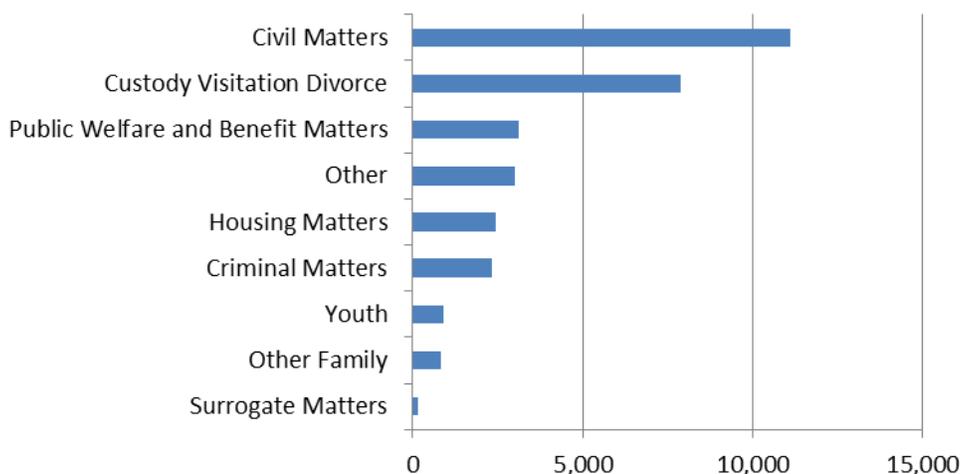
The Community Dispute Resolution Centers Program (CDRCP) is an initiative of the New York State Unified Court System’s (UCS) Office of Alternative Dispute Resolution Programs (ADR). The CDRCP was created with the goal of offering New Yorkers access to affordable or free ADR services, such as mediation and arbitration. Established in 1981 through Article 21-A of the New York State Judiciary Law, the CDRCs continue today to demonstrate an unparalleled commitment to the provision of affordable, quality mediation and other conflict resolution services, as an alternative to avoidance, destructive confrontation, prolonged litigation or even violence. Mediation, the ADR process most widely used by the CDRCs, is designed to value individual interests and needs, as well as relationships. The majority of CDRC cases are mediated by trained volunteers from the local community. In order to ensure that these volunteer community mediators are taught a core curriculum statewide, the ADR Office certifies trainers to provide Initial Mediation Training and Custody and Visitation Mediation Training. Volunteers must undergo initial training and fulfill an apprenticeship before mediating cases.

The CDRCs received **\$5,121,042** in UCS funds between April 2012 and March 2013. By building connections and promoting communication among individuals, community groups and organizations across our state, CDRCs played a vital role in assisting thousands of New Yorkers to resolve a range of disputes.



Hon. A. Gail Prudenti and Dan Weitz meet with a group of CDRC Directors.

WHAT BRINGS PEOPLE TO CDRCs

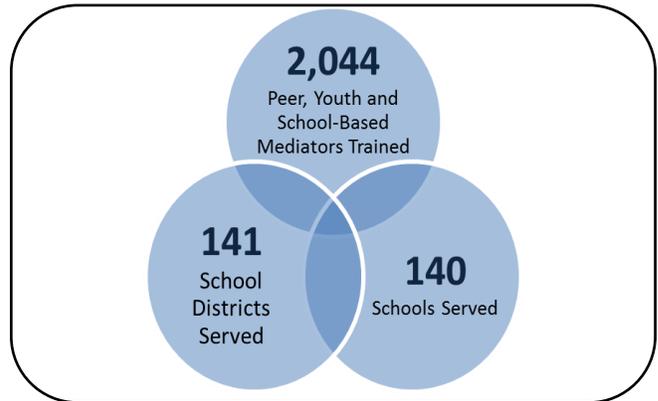


69% OF CDRC CASES MEDIATED BY VOLUNTEERS



WHAT WE DO

CDRCs mediate many common and complex types of disputes, including neighbor disagreements, custody and visitation arrangements, landlord-tenant issues, youth issues, and even misdemeanors and minor criminal matters. Any New Yorker may use the services of the CDRC in his or her local area, regardless of whether he or she has a case pending in court. When parties call a CDRC, they will receive a full intake and screening, to determine whether their dispute is amendable to mediation. If so, and the other party agrees to the process, the case is then mediated by a professionally-trained volunteer at the center. In 2012-13, **41,545** parties in **15,773** cases received intake, screening and dispute resolution services through the statewide CDRCs. For those **32,602** individuals in the **15,974** cases that did not ultimately mediate, those parties received thorough intake, screening and referral services from CDRC staff. In addition to providing conflict resolution services, CDRCs develop partnerships with public agencies, schools, and other community groups to meet the conflict resolution needs of their communities.



WHY WE DO WHAT WE DO

CDRC COST EFFECTIVENESS

\$161

• TOTAL UCS COST PER CDRC CASE SCREENED

\$ 69

• TOTAL UCS COST PER INDIVIDUAL SERVED

\$325

• TOTAL UCS COST FOR CASES WHERE CDRCs PROVIDED CONCILIATION, MEDIATION, OR ARBITRATION

Every CDRC provides free or low cost mediation, or other alternative dispute resolution services, to parties in dispute. More importantly, the CDRCs provide a forum for people to come together and resolve their disputes in a meaningful way. As a result, the CDRCs are an exemplary model of a cost-effective means of providing a quality of justice that is most responsive to the needs of the individuals they serve.

QUOTES FROM CDRC STAFF AND VOLUNTEERS CELEBRATING MILESTONES

“My continued commitment to the process of mediation, and more specifically to the Center, can be attributed to my underlying belief in mediation as a preferred way of resolving conflict and...for the opportunity to give back to the community in a way I can’t in my full time job.”

BILL VAN BUSKIRK, VOLUNTEER , CENTER FOR DISPUTE SETTLEMENT

“I do this work because I am a huge optimist, and I've witnessed over and over again the benefits of providing folks a place to have a voice and a choice about their individual situations.”

MICHELE KIRSCHBAUM, DIRECTOR OF PROGRAMS, NEW YORK PEACE INSTITUTE

“I love being with new mediators to discover that it's all there. Through the tears, the demands, the threats, the accusations...the criteria for a solution is already there. We are just teaching them to learn how to see it.”

DUKE FISHER, UCS-CERTIFIED CDRCP TRAINER AND VOLUNTEER, CATHOLIC CHARITIES OF DELAWARE and OTSEGO COUNTIES

HIGHLIGHTING CDRC RESILIENCY AND INNOVATION

Challenged in 2012 by further cuts in local public and private funding, CDRCs have had to reconsider their dispute resolution service offerings and seek ever-more inventive ways to continue to effectively serve their communities. As such, CDRCs have worked closely with their boards to develop strategic plans that focus on creative approaches to marketing, outreach and fundraising.

Building a Better, Stronger CDRC Via Greater Engagement of the Board



“To provide and promote conflict prevention, management, and resolution services and education to individuals, families, businesses and organizations in Dutchess County.” That is the mission statement of the Mediation Center of Dutchess County (Dutchess Mediation).

A significant decrease in local funding this past year prompted Dutchess Mediation Executive Director Jody Miller and its board of directors to shift their operational priorities and focus on activities aimed at ensuring the organization’s future vitality.

As a first step, the board sought new revenue sources, contacting as many as ten local foundations. Over a third of these organizations, impressed by the center’s past and current work, offered their support and restored partial funding. This accomplishment, in turn, galvanized the board to undertake a comprehensive process of restructuring Dutchess Mediation that involved exploring new areas of programming, including restorative justice programs in colleges and healthcare-related mediation and conflict resolution.

Splitting into three committees or “pods,” board members focused on fundraising for long-term sustainability; initiating new and strengthening existing relationships with municipal agencies; and developing innovative programming and outreach strategies. Among their pursuits, Dutchess Mediation’s board members met with a representative from the local Chamber of Commerce to discuss effective marketing techniques; convened with the County Executive and members of the New York State Senate and Assembly to talk about the center’s work and learn how Dutchess Mediation can better serve the community; engaged each board member in a variety of fundraising activities; and worked to generate revenue via the development of fee-for-service programs.

Like many other CDRCs, Dutchess Mediation has taken a new direction, adapting creative strategies that have led to more effective operations. And while the benefits to the organization are clear, the real value to the organization has been the renewed enthusiasm and momentum of the board and staff towards fulfilling its mission.

Using Conflict Resolution Skills to Address a Hot-Button Issue

“Stop Shouting, Start Talking!”

Throughout upstate New York, “fracking” has become a hot-button topic for residents. Fracking, or hydraulic fracturing – a process whereby rock formations are fractured to extract more oil and gas – has left many communities deeply divided. While some favor fracking for its economic potential, others oppose the practice for its impact on the natural environment. With the high level of interest in and diverse perspectives on this issue, board member Erik Jensen of ACCORD, a mediation center serving Broome and Tioga counties, in collaboration with Jeff Shepardson, a trainer for Community Dispute Resolution Center, which serves Chemung, Schuyler and Tompkins counties, and Dick Orth, an ACCORD mediator, facilitator and former board member, embarked on an opportunity to engage local residents in objective, educational discourse on the topic.

Erik, in his role as Director of Community Engagement, along with his colleagues at the local public broadcasting station WSKG, heard about public readings of a work by local playwright Laura Cunningham titled “Frack You.” WSKG worked with Laura, who wrote the play using humor and personalized character development as a way to help bring people together to see past their own positions and preconceived views on fracking, to attain small grants to support taping and broadcast of the play, in order to allow the play to reach a wider audience. Southern Tier Actors Read, a group of local professional actors who perform dramatic staged readings of plays, also joined with them to provide the acting talent for the production.

After “Frack You” aired, Jeff contacted Erik about the possibility of screening the film version of the play at different regional sites, in order to keep the civic dialogue going. Dick then joined Erik and Jeff to develop a discussion format that centered on participants’ concerns about fracking – rather than on their opinions – giving people a chance to engage in an objective, informative exchange regarding its pros and cons. At the end of the session, participants were asked to consider what they learned and how this information had affected them.

In November 2012, 80 people attended the initial screening of the film, held at the Cinemopolis Theatre of Ithaca, with Dick and Jeff facilitating the post-screening discussion. Other opportunities to keep the fracking discussion going ensued, including two additional screenings and community conversations at Broome Community College and at Cortland’s Christ Community Church. A local school in Ithaca, NY also reached out to the playwright to adapt the play for high school students. Members of this team of collaborators have been invited to present on this initiative in other settings as well, including a roundtable talk at the Kettering Foundation in Dayton, Ohio and at a Marcellus Shale Education Conference at Cornell University, for the purpose of highlighting the role of the arts in enhancing civic engagement and community development. This is yet another example of the valuable work being done by the CDRCs, and the critical part that the centers play in fostering communication and collaboration among individuals, groups and organizations across the state.



HIGHLIGHTING CDRC RESILIENCY AND INNOVATION**Queens County CDRC Creates New Program to Serve Veterans**

A 30-year-old staff sergeant is awaiting her third tour of duty in Afghanistan. Her reserve unit has been activated, but with no set date. She has 200 soldiers under her command, and a husband who is also in the military. But what she struggles with most is preparing her three-year-old for the news that Mommy will be leaving for a while.

Focusing on the unique experiences and profound issues that can affect veterans and military families as they transition between military and civilian life, Queens Mediation Network, Community Mediation Services (CMS), is developing a unique veterans' mediation program and training curriculum with the participation of Afghan and Iraqi war veterans and CMS volunteers.

Executive Director Mark Kleiman and Director of Mediation Peggy Russell conceived of the idea upon meeting with veterans and realizing that mediation might benefit those veterans struggling to re-acclimate to civilian life. Many continue to struggle emotionally with their experience, which makes them feel alone or misunderstood by others who cannot relate. With funding from a small local grant, CMS has begun devising an appropriate mediation model for veterans that will incorporate the use of specially trained veterans as co-mediators. These peer veterans' firsthand experiences make them particularly qualified to assist other veterans, thereby adding credibility to the mediation process.

Mark and Peggy believe that the use of veteran co-mediators will also prove effective in addressing and tracking the underlying issues faced by veterans in crisis, such as post-traumatic stress syndrome, and linking them to appropriate resources. They will also bring legitimacy to the process, since they have undergone similar personal experiences, if not the feelings or symptoms from which the veteran may be suffering. As part of this innovative program, Mark and Peggy developed a mediation training video incorporating a variety of scenarios, to illustrate some of the typical struggles faced by returning or deploying veterans and their families. The first group of co-mediator trainees will complete their initial training in November 2013, with the program expected to launch the day after Veterans Day.



Mark Kleiman (second to left) meets with Richard Gibbs, CMS Board Chair, Board Member Nayibe Berger, and Commissioner Terrance Holliday of the Mayor's Office of Veteran's Affairs.

DELVING INTO THE WORLD OF SOCIAL MEDIA



NY Peace Institute @NewYorkPeace

17 Oct

conflict isn't the opposite of peace. it's a path to peace. we'll help you pave it. #ConflictResolutionDay



New York Peace Institute (“NYPI”), which operates in Brooklyn and Manhattan, recently launched as a new entity after 30 years under the auspices of Safe Horizon. CEO Brad Heckman knew that NYPI needed to raise community awareness regarding its new identity, so he began to research what he describes as a “dizzying and intimidating array” of social media platforms.

Through lots of trial and error, Brad faced his fear of the enormity of options available and carefully developed a social media strategy that made the most effective use of NYPI’s resources while ensuring NYPI could reach attainable goals. Those goals included getting the word out about its services and informing the public about its existence and the benefits of alternative dispute resolution.

To achieve these goals, NYPI decided to spend its resources on building a website for direct client interaction; launching a blog to share stories and ideas to reflect its organizational brand; joining Twitter to amplify its voice and provide updates on services and events; and using its LinkedIn and Facebook pages to build community relationships and foster dialogue among ADR volunteers, practitioners and others.

Brad reports that NYPI was successful in meeting its stated goals and today, NYPI’s interactive website yields several cases per week through its online referral form; Brad has reached almost 30,000 people via his blog - leading to speaking engagements and media attention; and NYPI has over 3,300 Twitter followers. Best of all, many clients, volunteers and others say that they first learned of NYPI via its website or through social media.

SHARED PARTNERSHIPS WITH CDRC FUNDING SOURCES

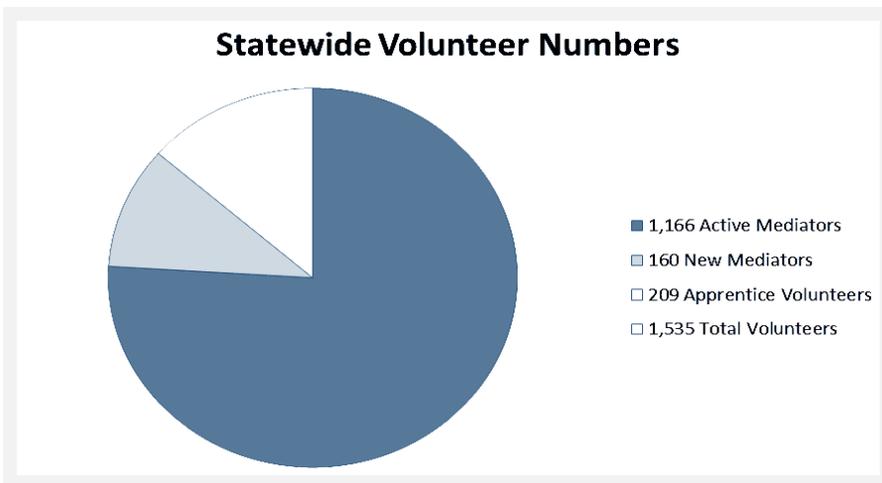
NYS DEPARTMENT OF EDUCATION
 NYS ATTORNEY GENERAL'S OFFICE
 NYS COMMITTEE ON QUALITY OF CARE
 NYS DIVISION OF CRIMINAL JUSTICE SERVICES
 NYS OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 NYS INTEREST ON LAWYER ACCOUNTS FUND
 NEW YORK CITY ADMINISTRATION OF CHILDREN'S SERVICES
 NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT
 NEW YORK CITY OFFICE OF THE CRIMINAL JUSTICE COORDINATOR
 UNITED STATES DEPARTMENT OF AGRICULTURE
 COUNTY GOVERNMENTS

COUNTY YOUTH BUREAUS
 CITY AND TOWN GOVERNMENTS
 COUNTY DEPARTMENTS OF SOCIAL SERVICES
 POLICE DEPARTMENTS
 SCHOOL DISTRICTS
 LOCAL HOUSING AUTHORITIES
 INDIVIDUAL DONATIONS
 UNITED WAY
 PRIVATE FOUNDATIONS
 NONPROFIT AND COMMUNITY ORGANIZATIONS
 CORPORATIONS AND LOCAL BUSINESSES
 COLLEGES AND UNIVERSITIES
 CDRC BOARD MEMBERS

HOW TO BECOME A CDRC MEDIATOR

The more than **1,166** New Yorkers who volunteer their time and expertise as mediators are the core of the CDRCP, providing communities with access to mediation services in every corner of the state. Collectively, these highly trained volunteers make up the most vibrant network of community mediators in the nation.

CDRC mediators go through a demanding certification process. First they must complete 30 hours of initial mediation training provided by a UCS ADR Office-certified trainer, covering areas that include the dynamics of conflict; the goals of the mediation process; effective listening and questioning skills; diversity-related issues; ethics; and agreement writing.



In addition to successfully completing this initial training, volunteers must complete an apprenticeship with their local CDRC in which the trainees learn from experienced mediators and CDRC staff by role playing, observing, and co-mediating actual disputes. After co-mediating a minimum of five cases, CDRC staff members observe each apprentice and provide a written assessment. The mediator is then certified by the local CDRC if appropriate and is eligible to mediate cases without a mentor. To remain certified, CDRC mediators must mediate a minimum of three cases and complete at least six hours of continuing education each year. To become a volunteer mediator, contact your local CDRC by visiting <http://www.nycourts.gov/ip/adr/ogramlist.shtml>.



CDRCS PROVIDED **2,481** HOURS OF TRAINING TO **2,004** MEDIATORS

2012 Mediator Milestones

25 YEARS

ROBERT ADLER
WILLIAM VAN BUSKIRK
MICHELE KIRSCHBAUM
JOSIE PASCIULLO
LETITIA J. ROSENTHAL
JANE SHOSTEN
SANDRA SIMON
SUZIE SULLIVAN
KEN WALTER

20 YEARS

BERNARD DANIS
JANET DARDIK
REGINA DAVID
RUBY DAVIS
DUKE FISHER
BONNIE HAGAN
ELIZABETH HEILPERN
EDWARD HOLMES
CAROL HORN
MYRA MARCUS
LESLYN MCBEAN-CLAIRBORNE
SAM SIMON
LINDA SUE BERNIS
HOPE WINTHROP

15 YEARS

ANN ADAMS
ELLIOTT ADAMS
JENNY BESCH
STEPHANIE BORNT
DOROTHY CALDWELL
JEAN COLONY
LINDA CONTE
JOHN CURRIE
EILEEN DRISCOLL
RICHARD EGAN
RENEE ELIAS
CHRISTINA KALLAS
DONNA KANKIEWICZ
JURGEN KERBER
DOROTHY LAWRENCE
JOANNE LEDDY
JOE MACNAMARA
RITA MAXWELL
ADRIAN OTERO
AUDREY PERRY
LOUANN PIOLI
MARY WILLIAMSON

ADR OFFICE CERTIFIES MEDIATION TRAINERS

The ADR Office certifies mediation trainers to provide initial mediation training as well as custody and visitation mediation training for CDRCs. The certification process ensures that CDRC volunteer mediators learn core mediation skills and follow a comprehensive curriculum taught by the highest quality trainers. This year, the ADR Office certified Rebecca Price as an initial mediation trainer. Rebecca is the Mediation Supervisor at the United States District Court of the Southern District of New York. Previously, she was the Director of the Mediation Clinic at Brooklyn Law School and coordinated the special education mediation program at Safe Horizon Mediation Center.



Rebecca Price

UCS ADR Office Certified Trainers

ADAM BERNER	PETER GLASSMAN	LELA LOVE	ELENA SAPORA
JENNY BESCH	GENE A. JOHNSON, JR.	ROSALYN MAGIDSON	JUDITH A. SAUL
BERYL BLAUSTONE	MARK KLEIMAN	JOHN McCULLOUGH	STEPHEN E. SLATE
ELIZABETH CLEMANTS	MICHELLE LEONARD-SMITH	JODY MILLER	JOSEPH B. STULBERG
DONNA DURBIN	CAROL LIEBMAN	REBECCA PRICE	SHERRY WALKER-COWART
DUKE FISHER			

Mediator Ethics Advisory Committee Members

- DAN WEITZ, Chair
- JENNY BESCH
- ALEXANDRA CARTER
- CHARLOTTE CARTER
- MELANIE CHAPEL
- RYON FLEMING
- JODY MILLER
- JACQUELINE NOLAN-HALEY
- SARAH RUDGERS-TYSZ
- JUDITH A. SAUL
- SEQUOIA STALDER
- JOAN STEARNS JOHNSEN
- HOPE WINTHROP
- SHEILA SPROULE, Deputy Chair
- AMY SHERIDAN, Counsel

COMMITTEE ADDRESSES ETHICAL DILEMMAS

The Mediator Ethics Advisory Committee (MEAC) responds to ethical inquiries from CDRC mediators and staff, and promotes professional development and consistent practices within the dispute resolution field. The 13-member committee, chaired by Dan Weitz and Deputy Counsel Sheila Sproule, along with Amy Sheridan who serves as Counsel, also recommends changes to the Standards of Conduct for CDRC Mediators. MEAC members are drawn from a cross-section of volunteer mediators, CDRC employees, and alternative dispute resolution scholars and practitioners statewide.

Recent Questions Considered by MEAC:

- An attorney-mediator wants to know how she can reconcile mediator confidentiality with the Rules of Professional Conduct for attorneys?
- A mediator wants to know what he should do when he notices in private session that one of the parties is using a tape recorder?

For answers to these questions and other published MEAC opinions, or to view the Standards of Conduct for CDRC Mediators or submit an ethical inquiry, please visit www.nycourts.gov/ip/adr/meac.shtml or contact Sheila Sproule at: ssproule@nycourts.gov.

CDRC DIRECTORS DISCUSS THE STATE OF COMMUNITY MEDIATION

In October 2012, the ADR Office hosted the CDRC directors for a statewide meeting to explore the topic of community mediation in New York and nationwide. Directors and staff heard the results of a wide-ranging assessment of the state of the ADR field from the National Association for Community Mediation (NAFCM) report titled “The State of Community Mediation,” co-authored by its Executive Director and keynote speaker, Justin Corbett. The meeting also gave participants an opportunity to share ideas and best practices, as well as network with peers. The ADR Office assisted the planning committee - comprised of CDRC directors Julie Davies of Rural Law Center, Sarah Rudgers-Tysz of Mediation Matters, Stephen Slate of the Institute for Mediation and Conflict Resolution, Dick Squire of ACCORD, and Sherry Walker-Cowart of The Center for Dispute Settlement - in developing the program.

Justin Corbett of NAFCM and Mark Collins of the ADR Office address CDRC directors at their fall meeting.



NEW YORK CELEBRATES MEDIATION SETTLEMENT DAY

Mediation Settlement Day (MSD) is an annual event designed to increase awareness about mediation as an alternative for solving conflicts and disputes. In observance of the day, landmarks throughout New York State are lit in blue.



Poughkeepsie's Mid-Hudson Bridge



NYC's Staten Island Ferry Terminal



Center for Resolution Director Julie Loesch and Erie Family Court Director Bridget O'Connell pose by Buffalo's Electric Tower.

Dan Weitz (far right) celebrates NYC Bar Association MSD Kick-off event with (from L. to R.) Ken Andrichik, Awardee Timothy Germany, Honorary Chair Kenneth Feinberg, and Julie Crotty.

