

Special points of interest:

- Visiting Moab and learning lessons about life
- A chance for our volunteers to win a prize and have some fun
- More Wisdom from Mr. Rogers
- Rule 4-510 goes into effect
- Marvelous Mediator tackles a problem most of us face
- What does the golden rule mean? A look at various cultures around the world and their opinion on the maxim

Inside this issue:

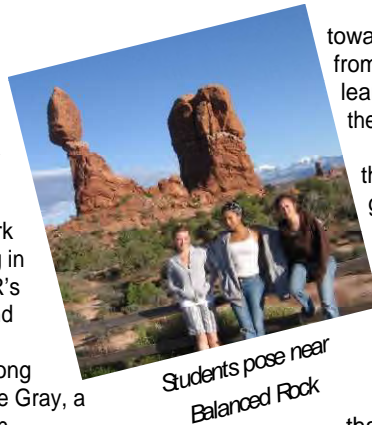
UDR and Horizonte Go to MOAB!	1
Song Title Contest	1
Introducing the Davis County Appeals Program	2
Peer Mediation Poem	3
A Review of our Volunteer Training	4
Marvelous Mediator	5
Book Review	6

UDR and Horizonte Head to Moab!

What better way to spend spring break than hiking Arches National Park and camping in Moab? UDR's Sue Petty and Heather Threlkeld along with Suzanne Gray, a teacher from Horizonte High School, and a group of students did just that.

During the three day trip, the group set up camp in Moab alongside a river, hiked over ten miles to different scenic locales, learned about their ability to cope with change, and found a new sense of perseverance.

Among the destinations reached by hiking were Park Avenue, Balanced Rock, Double Windows, Delicate Arch, Double O, and Devil's Garden. The girls earned a Physical Education credit



Students pose near Balanced Rock

toward their graduation from high school, but also learned about themselves.

Over dinner the second night, the group held a conversation about how the feeling of exhaustion they experienced hiking can be related to the feeling of burnout in life and that with that little bit of self encouragement or motivating words from people around you, achieving goals can be worth the trip.



Climbing up to North Window



One student tries to find a path to climb up to a cave near the Windows Area

Whether the goal is graduation, getting a job you want, or having a happy marriage or family, it takes work and dedication. The people around you are the ones who chime in and keep you motivated toward achieving that goal.

Despite the sand and wind, the lessons learned were valuable for everyone who went.

CONTEST FOR OUR MEDIATORS FOR A PRIZE!!!

UDR is sponsoring a contest for all of our mediators! In an effort to bring humor into everyone's lives, we want to challenge you to find song titles that fit into one of four categories. As an incentive, our team of experts will decide which song titles in each category are the cleverest, most appropriate, and flat-out funniest. Three winners will be selected for each of the four categories!

The categories (with ineligible examples) are....

1—Reasons people come to mediation (Such as; *Your Cheatin' Heart* by Roy Orbison or *An Affair to Remember* by Frank Sinatra)

2—Thoughts Mediators have but can't express (Such as; *Beat it* by Michael Jackson or *Shut Up* by Simple Plan)

3—Thoughts the disputants have

during mediation (Such as; *Angry all the Time* by Tim McGraw or *Ain't too proud to beg* by The Temptations or *If I Could Turn Back Time* by Cher)

4—Impressions people have after mediation (Such as; *A New Day Has Come* by Celine Dion or *Another One Bites the Dust* by Queen)



TO ENTER: Send the title, artist, and which category you want to enter it in by e-mail to Heather.Threlkeld@Utahstatebar.org or call it in to Heather at (801) 532-4841 by **June 15th**. Winners will be announced in the June/July issue of U R UDR!

More Wisdom from Mister Rogers

There was a story going around about the Special Olympics. For the hundred-yard dash, there were nine contestants, all of them so-called physically or mentally disabled. All nine of them assembled at the starting line and, at the sound of the gun, they took off. But one little boy didn't get very far. He stumbled and fell and hurt his knee and began to cry. The other eight children heard the boy crying. They slowed down, turned around and ran back to him—every one of them ran back to him. The little boy got up, and he and the rest of the runners linked their arms together and joyfully walked to the finish line. They all finished the race at the same time. And when they did, everyone in the stadium stood up and clapped and whistled and cheered for a long, long time. And you know why? Because deep down we know that what matters in this life is more than winning for ourselves. What really matters is helping others win, too, even if it means slowing down and changing our course now and then.

Our world hangs like a magnificent jewel in the vastness of space. Ever one of us is a part of this jewel; and, in the perspective of infinity, our differences are infinitesimal. We are intimately related. May we never even pretend that we are not.

Finding out that we are one of a kind could be a lonely and frightening thing without the reassurance of knowing that we belong to humankind, and that all humans laugh and cry about many of the same things; that all have similar hopes and fears; that all have many of the same needs; and that those needs are best met by other human beings who can love us for both our similarities and our differences.

Every human being has value. This is the basis of all healthy relationships. Through living each day as it is given to me, I've learned that. It cannot be 'taught' but it can be 'caught' from those who live their lives right along with us. What a privilege to be able to look for the good in our neighbor!

How our words are understood doesn't depend just on how we express our ideas. It also depends on how someone receives what we're saying. I think the most important part about communicating is the listening we do beforehand. When we can truly respect what someone brings to what we're offering, it makes the communication all the more meaningful.

We speak with more than our mouths. We listen with more than our ears.

Caring comes from the Gothic word *kara*, which means 'to lament.' So caring is not what a powerful person gives to a weaker one. Caring is a matter of being there... lamenting right along with the one who laments.

I am glad that I've been able to do what I've done and not been sidetracked along the way. A teacher of mine calls it guided drift. Isn't that wonderful? You're drifting, and yet you've got a rudder.

Transitions are almost always signs of growth, but they can bring feelings of loss. To get somewhere new, we may have to leave somewhere else behind.

There are times when explanations, no matter how reasonable, just don't seem to help.

The media shows the tiniest percentage of what people do. There are millions and millions of people doing wonderful things all over the world, and they're generally not the ones being touted in the news.

We don't always succeed in what we try—certainly not by the world's standards—but I think you'll find it's the willingness to keep trying that matters most.

"Unexpected kindness is the most powerful, least costly and most underrated agent of human change. Kindness that catches us by surprise brings out the best in our natures."

Sen. Bob Kerrey

Davis County Appeals Program

Contributed by Alicia Henning

In March of this year UDR began providing mediation for small claims appeals in the Second District Court. Mediation sessions are scheduled on the second Wednesday of each month and are conducted at the Second District Court building in Farmington. During the initial three months of the program, we mediated five cases; we have two cases scheduled for June.

The judges of the Second District Court require parties in small claims appeals to attend mediation. If the parties participated in mediation when their case was initially in small claims court, they are excused from mediating on appeal. If they did not participate in mediation in small claims court, however, they are required to attend small claims appeals mediation provided by

UDR through this program.

Appeals in the cases mediated have been brought by both the small claims' decision losers and winners. Mediators observe that the litigants on appeal to the District Court are rather entrenched in their positions, posing a substantial challenge to the effort to help the parties reach agreement through mediation.

Peer Mediation

By Kim Stafford Contributed by Jim Holbrook

At the dinner table, before the thrown
plate, but after the bitter claim,
in the one beat of silence and glare
before the parents declare war

their child, who had been temporarily
invisible, but who had from school
a catechism, speaks: "Would you like
me
to help solve the conflict?" Silence.

They can't look at each other. A glance
would sear the soul. A wall of fire seethes,
Maginot line through the butter plate,
split salt from pepper, him from her. Silence.

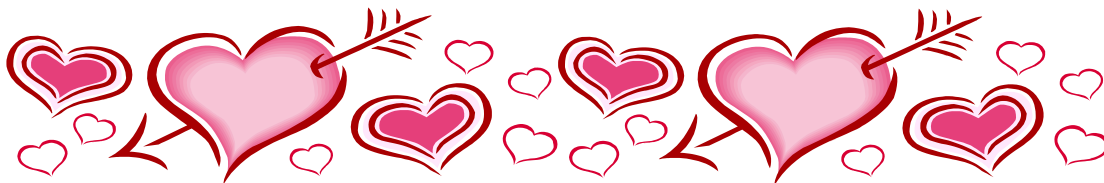
So the child speaks: "Three rules, then:
One—you have to let each other finish.
Two—you have to tell the truth.
Three—you have to want to solve the conflict.

If you say yes, we will solve it.
I love you. What do you say?"



They always say
time changes
things, but you
actually have to
change them
yourself.

Andy Warhol



Basic Mediation Training

The time has come once again for a Basic Training class! If you know of anyone who has expressed an interest in mediation, now is the time to sign up for the June class! The dates will be the 5, 6, 7, 11, and 12 (T, W, Th, M, T) from 8 AM to 5 PM daily. Our February class was cancelled due to lack of enrollment so remind anyone who might have been signed up that now is the time to re-enroll! They can contact Heather Threlkeld at UDR by calling (801) 532-4841 or (877) 697-7175 or register ONLINE at www.utahdisputeresolution.org!!



What is the Golden Rule?

Baha'i Faith:

"Blessed is he who preferreth his brother before himself."

Buddhism: "Hurt not others in ways that you yourself would find hurtful."
--Udana-Varga 5:18

Christianity: "As you wish that men would do to you, do so to them." --Luke 6:31

Confucianism: "Do not unto others what you would not have them do unto you."
--Analects 15:23

Hinduism: "Do naught unto others which would cause you pain if done to you." --Mahabharata 5:1517

Islam: "No one of you is a believer until he desires for his brother that which he desires for himself."
--Sunnah

Judaism: "That which is hateful unto you, do not impose on others." -
-Talmud, Shabbat 31a

Sikhism: "As thou deemest thyself, so deem others."

Taoism: "Regard your neighbor's gain as your own gain and your neighbor's loss as your own loss." --T'ai Shang Kan Ying P'ien

Wicca: "An ye harm none, do what ye will."
--Wiccan Rede

Zoroastrianism: That nature alone is good which refrains from doing unto another whatsoever is not good for itself." --
Dadistan-i-dinik 94:5

(Copied from stop-the-hate.org)



"Every child smiles in the same language."
Anonymous

The change to rule 4-510 has officially gone into effect. The requirements to be added to the court roster as a new mediator or to be re-added should your status change or lapse have changed. For details on these changes, visit http://www.utcourts.gov/mediation/application/docs/2007-04-01_Qualifications.pdf

Volunteer Training Review

Contributed by Sara Johnson

You never knew there was so much to know about the different kinds of flipcharts and markers available out there. Thanks to Natalie Threlkeld, the attendees of UDR's volunteer training are now in the know and are skilled in what products to use and how to use them.

Natalie shared her experience and knowledge with us at our March 12 volunteer training which was held at the Law and Justice Center. Natalie comes to us a qualified trainer - she is the divorce mediation coordinator for the Administrative Office of the Courts and has experience in teaching others on how to teach and facilitate.

For those of you who unfortunately missed the training, (and for those of us who did attend and need a reminder), here are some tips Natalie shared with us that you may want to incorporate when using flipcharts and markers:

- Make sure you use the right marker – keep those toxic fumes away! Natalie suggests Sanford Brand "Mr. Sketch" scented watercolor markers (not fine tip).
- Hold the marker sideways so that it will write bigger

- Make your letters at least as tall as your pinky (about 3 inches)
- Write with all CAPs
- Print your words, don't use cursive

And be sure to shop around. Flip charts and markers vary in price, color, style, size, and quality. There's a whole world of them out there baby and they are waiting for YOU!

Natalie gave a fast paced and informative presentation. We even got to practice our new found skills. Thank you so much Natalie for sharing your expertise with us and helping us improve our skills as mediators. The people we mediate will thank you, too.

Dear Marvelous Mediator :

Dear Marvelous Mediator,

My training helps me to promote constructive interactions between other people in conflict, but I seem to have trouble dealing with my own conflicts. I get frustrated with myself for not being able to deal with problems in my own life. How can I get past my own mental block?

—Hopefully Not Hypocritical

Dear Hopeful,

Conflict is a natural part of everyone's life. Mediators are no exception. While you know how to provide others with a chance to think through their problems and confront those they are in conflict with in a constructive manner, it can be hard to use your own mediation skills in your own personal conflicts.

The easiest way to be your own self-helper is to recognize those skills you use to help other people and to refocus them to help yourself. We learn to focus on the problem, not to blame the other person. When the emotions involved belong to other people, it's easier for a mediator to focus on the issues and needs at hand. Taking that step back from your own emotion and problem to see the other person's situation takes practice and patience.

The first step is to look at your own perception and judgment of the situation. Recognize that you make a choice about how and when you are going to deal with this conflict. Putting off talking to your significant other about the wet towels on the floor in the bathroom now or later is a choice you make. Whether you come storming out of the bathroom in the heat of anger or calmly mention it over dinner is another choice. The choices you make determine a lot about the effectiveness of the discussion and the willingness of the other participant to solve the problem effectively.

Communicating through strong emotion can be difficult to regulate for anyone. Everyone loses their temper from time to time and

everyone feels victimized by outbursts of someone else's temper. Try to focus on empathy rather than sympathy. Put yourself in their shoes and understand where they are coming from, even if you don't agree with their perspective. If you don't understand their point of view, use those mediator skills to ask open-ended questions. What made them angry enough to yell? How does this situation need to be handled? Avoid those inflammatory 'Why' questions. They can lead to accusatory feelings and shut down the difficult communication you're trying to create.

Using 'I statements' can also help you take responsibility for your own emotion.

Identify your own needs and offer a suggestion to begin rebuilding the relationship without blaming the other person. Letting a co-worker know that you 'feel taken advantage of when they leave the office early and you have to close everything down for the night because you have obligations to meet after work,' can promote their own thinking of how often they leave you in that situation. Adding a statement such as, 'You can help me by taking turns leaving early,' or 'You can help me by letting me know if/when you need to leave early so I can let others know when I'll be late,' can be helpful. It offers a starting point for negotiating solutions that are mutually agreeable.

Acknowledge that you and the other person involved may both be angry at some point in the conflict. This anger is a secondary emotion fueled by the assumption that you are right and they are wrong. Seeing the situation in black and white motivates each of you to prove each other wrong

and to get your way. By working toward a collaborative approach, the outcome is likely to be more beneficial for both of you. Use the 'I' messages above and then listen to their response in a non-judgmental way. Try to identify their need to be heard and their interest in the situation before trying to impose a solution on them that meets your needs. Active listening involves the use of attending, clarifying, and summarizing the information available.

Attending the other person involves showing respect for each other through eye contact and appropriate posture. It helps you both feel understood and that your input has equal importance with anyone else's. If you don't understand, ask clarifying questions and make sure that you correctly understand what was said by summarizing that information back. This allows for corrections or further explanation if the summary wasn't accurate. Questions and summarizations can also keep a realistic point of view available for both of you.

While mental processes are life-long imprints on us, we can each consciously change our behavior in conflict resolution. Finding an appropriate time to talk, planning out a neutral and private environment free from interruptions, committing to talk out the problem, and seeking a solution that meets both of your needs are behaviors that can be used to set yourselves up for success in any conflict. Try to remember to express appreciation of the other person for their willingness to talk out the problem, just as you would in mediation. If ground rules are appropriate, use them. Remember to listen without response and to respect the other person's opinion and negotiate solutions in a manner consistent with your mediation experience.

Making a written agreement is just as applicable to interpersonal conflict you experience as it is in mediated agreements. The same principals apply; balanced responsibilities, detailed explanations, and concrete behaviors make for the most successful agreements.

Keep in mind, Hopeful, that conflict can be a chance to grow and learn about yourself and your environment. Cooperating with people in your life allows for an opportunity to change your perspective and grow in a positive direction for the future. Conflict isn't good or bad, it's how we resolve it that makes the experience good or bad. Just as Polonius said to Hamlet, 'Nothing is good or bad, but thinking makes it so.' Good luck and remember to be patient with yourself! Change takes time!

Marvelous Mediator

— Marvelous Mediator

*“...recognize
those skills you
use to help
other people
and to refocus
them to help
yourself.”*



Are you looking for something to help you improve your mediation skills?

“Crucial Confrontations: Tools for Resolving Broken Promises, Violated Expectations, and Bad Behavior.”

There are three reasons that I chose this book. The first is that I had attended a Brown Bag sponsored by UCCR in which one of the national trainers for Vital Smarts made a brief presentation on a companion book to this one. In order to draw the participants in, the presenter gave free copies of this book to the attendees so that they not only created interest in the companion book but also this one which could almost be considered the next one in a potential series. So in essence, the first reason for selecting this book was a monetary decision! The second reason is that I have read the first book in the series and enjoyed its content and wanted to see what the second in the series had to offer. So, yes, the national trainer's efforts paid off. He baited me, drew me in, and wrapped up another reader in a neat little package. Offering a free book worked and now the principles of marketing will be at work since when the public likes something- they tell others! The third reason I chose this book was that I was intrigued by the word “Confrontations” in the title. I wanted to know how it differed from a “Conversation” which was the subject matter of the initial book in the series.

The most useful general aspect of this book was that I kept wondering if/how it could apply to mediation(s). I am sure that every communication book could somehow be tied back to mediation in general since mediation is all about communicating, or not communicating. I don't want to use my valuable time reading something of a general nature but want to use it wisely on something more specific and useful. I want to ensure that my time was spent on something with more of a direct purpose. So as I read the book, I kept asking myself over and over – “How does this apply to mediation?” The answer was always the same. In essence, each mediation is a “Crucial Confrontation” as well as a “Crucial Conversation.” The difference being that a “Crucial Conversation” is all about holding a conversation in a respectful and safe manner. A “Crucial Confrontation” is about not only holding a conversation in a respectful and safe manner but also talking about expectations and behaviors, and being able to express that one party wants another party to be accountable for those expectations and behaviors, and to potentially make a change, while caring enough to maintain the relationship between the parties, whatever that may be. So it really is the next step in a more advanced, possibly difficult, and a more complicated process - thus the tie into the mediation process. Most folks that want/need/require mediation are involved in a stressful situation that have had an expectation broken, and have a necessity to express that broken expectation, and to potentially do something about it if appropriate.

As I kept reading and asking myself - “How does this apply to mediation?” – I kept trying to figure out what information I could use and how my role as a mediator played into the “Confrontation” aspect. A mediator is in essence a facilitator of a conversation helping the parties to keep organized, focused, and on track. As a mediator, I can help parties confront each other (the operative words being “each other”) so they can talk about their expectations and behaviors in a more organized, focused, and respectful manner. The term “confrontation” almost seems to imply a one sided perspective. One person “confronting” another person. As a mediator, one always knows that there are about 10 sides to every story. I can help the parties express themselves to “each other” no matter how many parties are involved so that the confrontation(s) are perceived to be balanced, fair, and safe. I can assist the parties to talk about the proper issues regarding the expectations and the behaviors. It allows the parties to in essence drop the other shoe. Rather than just griping or getting things off their chests, assisting in holding a “Crucial Confrontation” is also about “what can be done about the issues”- if anything, and if the parties even want to do something about them. Not just talking at a party, but to a party, with a positive intention of maintaining the relationship. A “Crucial Confrontation” has an intention of finding a mutual, positive, common ground even if the result is that the parties agree to not change a thing. The results of a “Crucial Confrontation” can either be observable if agreed upon or does not have to be tangible or quantifiable if that is what the parties want. An opportunity for dialogue versus monologue is a positive result and that is what a mediator can help achieve. So in answer to the question - “How does this apply to mediation?” –It is the essence of mediation and the steps that are outlined in the book are tools that a mediator can use to assist the parties in holding their “Crucial Confrontation!”

The best thing that I learned from this book is that there is a way to phrase something so as not to alienate the other party and to actually elicit cooperation from others even when the subject matter is prickly. I can help others to do this and hopefully make future mediations less contentious. I can guide the parties to the proper wording by asking questions in a specific order and manner. If the words are presented in a better way and in a better order, it will allow the parties to avoid playing the blame game. The book was almost a more in depth version of presenting an “I Message.”

The book offered valuable information that is definitely useful. I would recommend the book as a good guide to how to understand what a “Crucial Confrontation” should and should not look and sound like and how to phrase things well. There is a proper timing and anticipation process to think about ahead of time. The only feedback for improvement that I would give to the authors and that I would offer to anyone else who might be tempted to read this book is that the organizational structure of the chapters baffled me. There were so many headings (which usually would have been a plus in my little organized, analytical mind) that they became overwhelming. I could not tell if one heading was a sub-aspect of a previous one or not. I could not tell when the materials advanced to another important area or section. It all seemed to meld together since there was no substructure listed in the Table of Contents. I needed to see a visual representation of what the concepts were and how they related to each other. Not every heading could be a Major topic. With all that- I REALLY enjoyed this book!

Contributed by Natalie Threlkeld

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