

Special points of interest:

- **Contest Winner and Entries!**
- **Staff Openings**
- **Community Mediator Assessments**
- **New Resource Available for You!**
- **UDR Offers New Trainings**
- **Dear Marvelous Mediator**
- **Book Reviews**

Inside this issue:

Contest Entries and Winner	1
Mediator Assessment for Community Mediators	2
Spotlight—Meggan Stein	3
Desiderata	4
Marvelous Mediator Writes Again!	5
Upcoming Volunteer Training	6

CONTEST WINNER!!!!

Thank you to all of you who responded to the contest we published in the last newsletter! We offered our volunteers the opportunity to submit song titles and artists which fit in one of the following categories;

- 1-Reasons People Come to Mediation
- 2-Thoughts Mediators Have But Can't Express
- 3-Thoughts the Disputants Have During Mediation
- 4- Impressions People Have After Mediations

We had a bunch of entries! The winning entries are **Bolded**:

Reasons People Come to Mediation

- (I can't get no) Satisfaction – Rolling Stones
- You're No Good – Linda Ronstadt
- You've Lost that Lovin' Feeling – Righteous Brothers**
- Why Don't You Love Me Like You Used to Do? - Hank Williams
- Bring Him Home – Les Miserables
- Help! – The Beatles
- Achy Breaky Heart – Billy Ray Cyrus
- Ring of Fire – Johnny Cash
- You Can't Always Get What You Want– Rolling Stones

Thoughts Mediators Have but Can't Express

- Material Girl – Madonna
- Help! – The Beatles**
- Stayin' Alive – Bee Gees
- (Sending Out an) SOS – Abba
- Crazy – Patsy Cline
- Just Give It Away - George Strait
- Help! – The Beatles
- Ring of Fire – Johnny Cash

Thoughts the Disputants Have During Mediation

- Who's Sorry Now? - Connie Francis
- I Will Survive – Gloria Gaynor**
- We Can Work It Out – The Beatles
- Respect – Aretha Franklin
- Pop Goes The Weasel – Anonymous
- Bring Him Home – Les Miserables
- Help! – The Beatles
- Achy Breaky Heart – Billy Ray Cyrus

Impressions People Have After Mediation

- Someone Saved My Life Tonight – Elton John
- On the Road Again – Willie Nelson**
- Good Vibrations – Beach Boys
- I Got You Babe! – Sonny and Cher
- More Today Than Yesterday – Spiral Staircase
- I Feel Good – James Brown
- I Can See Clearly Now – Jimmy Cliff
- Bring Him Home – Les Miserables

Thank you to all that entered and congratulations to **Elaine Brown!** She entered all of the winning songs and we'll get her prize to her next time we see her!

Staff Openings!

Ogden Office

AmeriCorps Member (full-time begins in September)

Community Outreach and Volunteer Coordinator

Utah Dispute Resolution is accepting applications for a full-time AmeriCorps member who will work as a Community Outreach and Volunteer Coordinator. Requires a one-year commitment working a total of 1700 hours of service. Download the [AmeriCorps position description](#) for more information. If you're interested in applying, complete an [employment application](#) and submit it to Utah Dispute Resolution; ATTN: AmeriCorps Opening; 645 S. 200 E.; Salt Lake City, Utah 84111. Both the description and the application form can be found on our website;

New Mediator Assessment Form

Russ Osguthorpe has developed a Mediator Assessment Form to be used to evaluate the skills of mediators who volunteer for UDR's court and community programs. Here is a copy of this document. It is designed to help mediators identify and improve in all areas of the mediation process in order to provide the best service to our clients. Pam Nelson and Russ will be observing mediators in practice and using this form to assess their performance to help improve mediator skills. You can also see this form in the volunteer resources page on UDR's web site. www.utahdisputeresolution.org under the Volunteer Resources tab. The login is 'Volunteer' and the password is 'Volunteer' to access this page.

Therefore, let us not despair, but instead, survey the position, consider carefully the action we must take, and then address ourselves to our common task in a mood of sober resolution and quiet confidence, without haste and without pause.

- Arthur Henderson

Utah Dispute Resolution Mediator Assessment Form

Name: _____
 Date: _____
 Observer: _____

Introduction:

- Welcome and opening comments
- Explain mediation process
- Clarify roles of participants
- Cover Agreement to Mediate
- Ground rules

5 4 3 2 1

Information Sharing:

- Encourage client participation
- Define issues
- Briefly summarize information and concerns
- Balance time and focus between clients

5 4 3 2 1

Issue Clarification:

- Ask appropriate questions
- Identify interests, differences and problems
- Identify common ground
- Reframe statements and issues

5 4 3 2 1

Generation of Options:

- Organize and prioritize issues
- Focus on present and future interests, not positions
- Explore multiple options and settlement possibilities

5 4 3 2 1

Negotiation:

- Facilitate negotiation and bargaining
- BATNA, WATNA, reality checking

5 4 3 2 1

Closure/Resolution:

- Draft agreement that is clear, specific, understandable, balanced, fair, realistic and addresses all the issues

5 4 3 2 1

Personal Qualities:

- Appropriate dress and appearance
- Create rapport, trust and positive outlook
- Confident and in control

5 4 3 2 1

Professional Qualities:

- Adequate planning and preparation time
- Adequate knowledge of issues
- Maintain impartiality and neutrality
- Avoid giving advice, pressure and judgment
- Show respect for different values and lifestyles

5 4 3 2 1



Communication Skills:

- Appropriate posture, gestures and eye contact
- Appropriate use of voice tone, volume and clarity
- Appropriate verbal content and timing
- Listening and intuitive abilities
- Paraphrasing and reframing skills

5 4 3 2 1

Special Techniques:

- Appropriate use of caucus
- Appropriate involvement of other parties
- Deal with impasse, resistance or bad behavior
- Deal with power imbalance or control issues
- Manage intense emotions
- Show flexibility and creativity

5 4 3 2 1

Overall Assessment:

- Mastery of the mediation process
- Awareness of ethical issues
- Appropriateness of case for mediation
- Appropriate level of competence and effectiveness
- Ability to work with co-mediator and clients

5 4 3 2 1

Comments:

Recommendations:

- How can the mediator become more effective and competent?

Comments:

Mediation information:

- Date of the mediation: _____
- Type of case: _____
- Length of the mediation: _____



NEW RESOURCE FOR OUR MEDIATORS!!

Thanks to Al Pedersen, UDR now has a binder full of articles on drug use and the effects it can have on people. We hope this will help our mediators when they are working with parties who may have drug problems. Thanks Al!

UDR Offers Two New Classes!

UDR has added two new workshops to its public training offerings: *Basic Mediation Refresher* and *Conflict Management for Supervisors and Managers*. In addition to these new workshops, UDR offers a one-day training on basic domestic law for non-lawyer mediators. Revenue generated from UDR's training workshops helps support the organization's mediation programs for middle- and low-income Utahns.

If you're interested in attending one of these workshops or if you know someone who might benefit from this training, you can get more information and register online at UDR's Web site: www.utahdisputeresolution.org.

Basic Mediation Refresher Training (8-hours)

This 8-hour workshop is designed for individuals who have completed basic mediation training and need or want to refresh their knowledge and skills. This interactive, skills-based workshop is

court-approved and qualifies for continuing education credit as required by the Utah Courts to be listed on its Roster of Mediators; attorneys may earn CLE credits to be applied toward license renewal. The workshop costs \$175 if payment is received at least one month prior to the training and \$200 thereafter. The fee includes materials, snacks, and lunch. Two workshops are scheduled for the next year: on July 31, 2007 and again on January 30, 2008.

Conflict Management Training (16-hours)

This training is designed for managers, supervisors, and employees who want to manage conflict more effectively in their professional relationships. During this workshop, participants will gain knowledge and skills to resolve conflict in collaborative ways. This interactive, skills-based workshop provides opportunities for participants to practice skills and apply concepts to workplace scenarios. This workshop costs \$350 if payment is received at least one month prior to the training and

\$375 thereafter. This fee includes materials and lunch on both days of this two-day workshop. There is no prerequisite required for participants in this training.

Basic Domestic Law for Non-Lawyer Mediators (8-hours)

This workshop is designed for non-lawyers who want to gain a clearer understanding of legal terminology and procedures that affect domestic situations. Presented by attorney mediator, Brian Florence, this workshop is offered as part of UDR's 40-hour Domestic Mediation Training. Individuals who received domestic training from UDR prior to 2005 or completed their training from other providers are welcome to register for this one-day training. Attorneys are also welcome to attend as a review of Utah domestic law. This workshop is court-approved and qualifies for continuing education credit as required by the Utah State Courts to be listed on its Roster of Mediators. The Basic Domestic

Law workshop costs \$175 if payment is received at least one month prior to the training and \$200 thereafter. Two upcoming workshops are scheduled: Thursday, November 1, 2007 and Wednesday November 12, 2008.

2008 Training Dates Scheduled

UDR has set dates in 2008 for three basic mediation workshops and one domestic mediation workshop. Check the Web site for details.

Through the centuries, men of law have been persistently concerned with the resolution of disputes in ways that enable society to achieve its goals with a minimum of force and maximum of reason.

- Archibald Cox

Spotlight on A Marvelous Mediator—Meggan Stein

This newsletter UDR is spotlighting Meggan Stein.

What can be said about Meggan? Well, Meggan is AMAZING. She is full of energy and she brings happiness wherever she goes. She is a gifted mediator and has devoted much of her life to improving her skills and making mediation available to the public.

Meggan first became involved with UDR in 1998 where she helped develop a conflict resolution program at Horizonte High School. She was also involved in case management and training. She left to further her education then returned to Utah and UDR in the spring of this year as a mediator on the family roster. We are so glad to have her back.

Meggan grew up in Heber City, Utah. She did her

undergrad work at an all women's college in Missouri, graduated from BYU with a law degree, and received a Masters in Conflict Resolution from Pepperdine. (She attended law school to become a better mediator). She now lives in Salt Lake and adores her one year old son named Atticus Buckminster Stein.

Meggan has been involved in spearheading several mediation centers and programs, not just at UDR, but in Provo and other places as well. In Washington state, she was the Executive Director at King County Mediation Program where she trained mediators, oversaw the programs, and mediated. She also developed the Agriculture Employment Mediation Program. This program was set up to help farmers and workers resolve

disputes. Meggan successfully lobbied for funding, recruited and trained mediators, did outreach and got to speak lots of Spanish.

Meggan loves mediating. She likes feeling like she is helping people become better problem solvers and loves transformative moments. She often takes a lot of time with the people she is mediating to help them feel comfortable and to help them establish new ways of communicating with each other. Meggan hopes to someday have a sustainable practice. Advice she gives herself is to never go into a mediation hungry and to debrief. She hopes to continue to learn and improve.

UDR is so grateful to Meggan. She willingly donates her time and talents to UDR and the people she serves. She brings joy to the office whenever she comes in. Thank you, Meggan, for all that you do!

Desiderata (Something That is Desired or Essential)

Go placidly amid the noise and haste,
and remember what peace there may be in silence.
As far as possible without surrender
be on good terms with all persons.
Speak your truth quietly and clearly;
and listen to others, even the dull and the ignorant;
they too have their story.



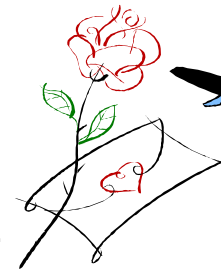
Avoid loud and aggressive persons,
they are vexations to the spirit.
If you compare yourself with others,
you may become vain and bitter;
for always there will be greater and lesser persons
than yourself.
Enjoy your achievements as well as your plans.

Keep interested in your own career, however humble;
it is a real possession in the changing fortunes of time.
Exercise caution in your business affairs;
for the world is full of trickery.
But let this not blind you to what virtue there is;
many persons strive for high ideals;
and everywhere life is full of heroism.



Be yourself.
Especially, do not feign affection.
Neither be cynical about love;
for in the face of all aridity and disenchantment
it is as perennial as the grass.

Take kindly the counsel of the years,
gracefully surrendering the things of youth.
Nurture strength of spirit to shield you in sudden
misfortune.
But do not distress yourself with dark imaginings.
Many fears are born of fatigue and loneliness.
Beyond a wholesome discipline,
be gentle with yourself.



You are a child of the universe,
no less than the trees and the stars;
you have a right to be here.
And whether or not it is clear to you,
no doubt the universe is unfolding as it should.



Therefore be at peace with God,
whatever you conceive Him to be,
and whatever your labors and aspirations,
in the noisy confusion of life keep peace with your
soul.

With all its sham, drudgery, and broken dreams,
it is still a beautiful world.
Be cheerful.

Strive to be happy.

When time and
space and
change
converge, we
find Place. We
arrive in Place
when we
resolve things.
Place is peace
of mind and
understanding.
Place is
knowledge of
self. Place is
resolution.

- **Abdullah
Ibrahim**

Max Ehrmann, Copyright 1952.



Dear Marvelous Mediator...

Dear Marvelous Mediator,

I'm new to mediating and I'm not sure I'm cut out for it. What skills should I have or work on to boost my ability and confidence?

Tentative and Timid

Dear T&T,

While not everyone is cut out to be a mediator, there are skills that many great mediators possess. Let's see if we can't find a few of them in you, or give you ways to improve those you feel you are weak in!

The first quality you'll need, especially when dealing with people who disagree, is patience. For some, this comes naturally. For those who don't have the natural inclination, a good way to practice patience is to consciously take a breath when you feel annoyed or out of patience. Give yourself the opportunity to step back before reacting to the situation.

When you aren't involved in the dispute, you need to work on understanding, empathy, and listening. The more you listen to the parties, the more you'll understand, and showing empathy toward each of them helps them know you understand them. Try to put yourself in their positions,

respectively, and look for common ground to start building the future actions and relationships.

The easiest skill to help you look for common ground is to find their needs and interests. The stories they tell can often help you identify their

interests; respect, time with their children, or receiving payment to name a few. Their need in mediation is to receive whatever would satisfy their interests. They need to have authority to teach the class which would address a teacher's need for respect, a shared custody parenting plan to ensure they each have time with their children in a divorce, or setting up a payment plan so the landlord can pay for the repairs to rent out the apartment again after their tenant is evicted.

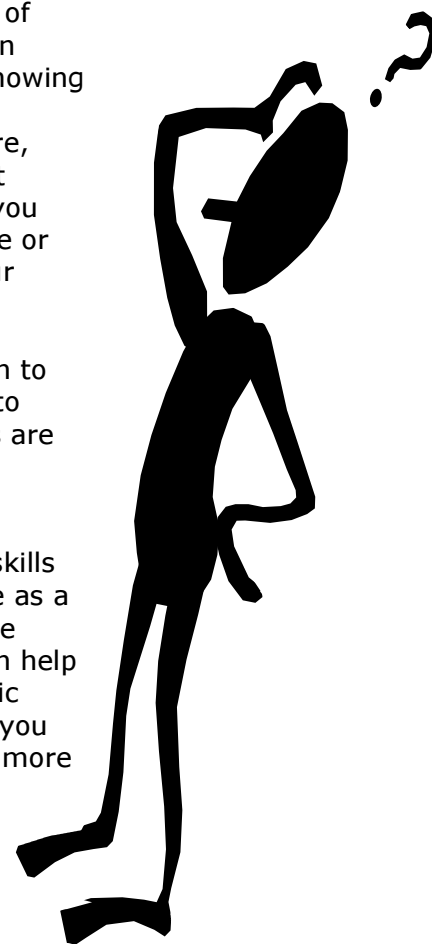
While not everyone is cut out to be a mediator, there are skills that many great mediators possess...

Learning to negotiate can be invaluable to a mediator. Being able to identify the problem and helping the parties identify creative solutions, rather than letting emotions escalate as the accusations between the fighting parties get more and more dramatic, can help focus the group and focus on the future.

If you feel you need more help in moving the parties from story to problem solving, review the process and the roles of each person in mediation. Knowing what the boundaries are, knowing what topics make you uncomfortable or biased so your neutrality is changed, and knowing when to refer parties to other sources are all valuable tools.

Work on these skills and you'll improve as a mediator. There are more skills that can help you, but these basic skills are the start you might need to feel more confident as a new mediator.

Marvelous
Mediator



Upcoming Volunteer Training

SMALL CLAIMS TRAINING

We'll be hosting a Small Claims Training for our volunteers on October 15th from 5:30 to 7:30 PM. Mark your calendars now and watch for more information to come! We'll cover Negotiation Skills, BATNA, WATNA and more!



Book Review Resources!

The following reviews were copied per their permissions from Mediate.com. To see the full review, visit the web address at the end of the introduction.



Improvisational Negotiation

Reviewed by [John D. Baker](#)

This is a book review of *Improvisational Negotiation: A Mediator's Stories of Conflict about Love, Money, Anger - and the strategies that resolved them* by Jeffrey Krivis.

The subtitle of this book will surely attract the attention of mediators and negotiators, but, of course, it's what's inside the cover that counts. In this case, it is an outstanding book of stories, strategies and methods that the author has tested and proven in thousands of mediations over a span of fifteen years. Whether you are a mediator, a negotiator or a bit of both, you will find this an interesting and valuable contribution to the field and to the enhancement of your work.

For the entire review, visit <http://www.mediate.com/articles/bakerj1.cfm>

Beyond Reason: A Framework For Use Of Emotions In Negotiation & Mediation

Reviewed by [Jon Linden](#)

This book by Roger Fisher and Dan Shapiro shows the versatility and brilliance of the Harvard Negotiation Project. After decades of teaching us that negotiation and also mediation is a matter of focus on "process, interests, needs and substance" we are now told that *emotions* have a unique and powerful influence upon the negotiation and the results of the negotiation.

Emotions are extremely hard to quantify and they are surely not rational. Emotions come, they are there; they are physiological and psychological reactions to environmental situations. These things are not just reactions to physical environment; but they are in fact, very much reactions to things that are said and ways that they make us feel. In this book, Fisher and Shapiro try to help utilize emotions in the negotiating process by giving a framework on which to base the use of emotions. The framework is simple, because there is only so much time one can invest in this monitoring and still focus on substance. Nonetheless, the model is useful and should be taken seriously.

For the entire review, visit <http://www.mediate.com/articles/linden28.cfm>

The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution

Reviewed by [Joe Epstein](#)

The newest book from Kenneth Cloke, one of America's most prolific and challenging writers on conflict resolution, is *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*. Cloke builds on his earlier works, especially his seminal book *Mediating Dangerously* (2000), in which he used an easy-to-read style, challenging mediators to be risk takers while pushing the frontiers in conflict resolution.

For the entire review, visit <http://www.mediate.com/articles/epsteinj55.cfm>

Utah Dispute Resolution Staff

Executive Director: Nancy McGahey

Development Manager: Pam Nelson

Office Manager and Case Management Supervisor : Sara Johnson

Court Mediation Programs: Russ Osguthorpe

Training Facilitator: Sue Petty

Youth Program and Training Registration Coordinator: Heather Threlkeld

UDR Newsletter Editor: Heather Threlkeld



This document was created with Win2PDF available at <http://www.win2pdf.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.
This page will not be added after purchasing Win2PDF.