



Mediation Matters

Bridging Differences Since 1991



Autumn
2009

UDR Recent Achievements

- Fiscal Year in Review 1
Renaissance Woman 2

Inside this issue:

- Report from Ogden 1
New UDR Staff 2
Book Review 3
Youth Program 3
Mediation News 4
Thank You 4
Recent Publications 5
Upcoming Training 6
Write for UDR 6

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Fiscal Year in Review

UDR finished another successful fiscal year on June 30. The organization celebrates numerous accomplishments over the past twelve months.

UDR's **mediation programs** affected the lives of well over 4,000 people last year, an increase of 7% from the previous year. Mediations increased in the Family, Appeals, and Law & Motion programs. Mediations decreased slightly in the Community, Small Claims, and Youth programs. View a detailed annual report online at utahdisputeresolution.org.

A total of 1,026 youth benefited from UDR's **Youth Program**. New this year, UDR peer mediators organized and presented conflict communication classes for grade school students as part of the YouthLINC service project.

Interest in UDR's **Training Program** also grew. We conducted four basic and two domestic mediation workshops as well as numerous one-day learning events. A total of 151 people attended UDR's workshops. American Express funded a new training project for **Refugees**.

Nine refugees completed the 40-hour Basic Training, and another group of 22 refugees learned about resources to help them address conflict in their communities. The *Salt Lake Tribune* featured this project in a front page article on July 7, 2009.

A special word of thanks goes to all who have volunteered your time through UDR to help our community, as well as those who have supported UDR financially. We could never have accomplished so much without you!

by Nancy McGahey

Ogden Office Update

by Evie Brinkerhoff

Thanks to all the fabulous volunteers in Northern Utah for your hard work and dedication. You are all truly appreciated by UDR and our clients.

The Northern office recently started a youth program. Conflict resolution and communication classes were taught daily at Washington High School (Ogden School District's alternative high school). These classes were very well received by students, teachers, and administrators. We are hoping to expand this program by teaching these same classes

at the area's other alternative high school (Two Rivers High) and by starting a peer mediation program that encompasses other high schools in the area, all of which is dependent on funding.

The number of mediation cases in Ogden has increased by 123% from the previous year. Our family and community cases are on the rise and we are seeing continued success in these areas. We are still working with the courts in Logan and Ogden for small claims matters, and are always in need of people to mediate these cases. Logan

conducts small claims Monday mornings at 9:00 am. Ogden's court is on Tuesdays at 3:00 pm.

Can you help?

In Ogden, we need a desk for interns. If you have a used one and would like to donate it, please contact the Northern Office 801-689-1720 or evie.brinkerhoff@utahbar.org. Plus, contact Evie if you are interested in volunteering in the Logan or Ogden areas.

Mediation Matters



UDR is now on FACEBOOK. Check out the new PAGE for Utah Dispute Resolution, and become a FAN.



Photographer: Bianca Shreeve

Above: Nancy McGahey and Mayor Ralph Becker.

Above Right: Past and present recipients of the Peacekeeper Award; Kathy Elton, Sue Petty, Nancy McGahey, Michelle Roybal, and Mayor Ralph Becker.

Need a Basic Mediation Refresher? If enough folks want a January 2010 Refresher, UDR will offer one. Contact us ...

New UDR Staff: Michelle Ross and Susan J. Wurtzburg

Michelle Ross oversees UDR's youth program throughout the Salt Lake valley. She also assists Spanish and English-speaking clients at UDR through case management. Michelle received her B.A. in Sociology from Brigham Young University in 2007. She received her MBA, with an emphasis in social policy and management, from Brandeis University in 2009. Michelle completed Basic Mediation training through UDR and is working toward court qualification as a basic mediator. Michelle has spent most of her adult life working with youth of all ages and is passionate about making a difference in the lives of Salt Lake's disadvantaged youth. She learned Spanish while in Spain from 2004-2005.

Susan J. Wurtzburg is the new Training Coordinator at UDR. She has a Ph.D. in Anthropology from the University at Albany, and is an Adjunct Professor in Sociology at the University of Utah and Westminster College. Susan has published on ethnicity, gender, domestic violence, and addictions. She also serves on the Salt Lake City Human Rights Commission.



Photographer: Bianca Shreeve

Renaissance Woman Receives Peacekeeper

by Aimee McConkie

The 2009 recipient of the annual Peacekeeper Award was Utah Council on Conflict Resolution's very own Nancy McGahey who now joins an elite group of outstanding community citizens. The award she received is a personalized crystal sphere. The sphere represents our world and the crystal symbolizes enlightened harmony. Also, in keeping with the peacekeeper tradition, a maple tree was planted in tribute to McGahey at the International Peace Gardens where the UCCR symposium and ceremony took place.

The idea of the Peacekeeper Award was created at the UCCR 2000 Annual Symposium by its membership to recognize an individual's outstanding work in dispute

resolution and to honor all UCCR members who actively participate in peacemaking. A Peacekeeper committee was formed in May 2000 and has evolved into an active entity, independent of the Board of Trustees. The peacekeeper committee is empowered with the task of confidentially selecting the annual Peacekeeper from the roster of people nominated by the committee and UCCR members.

This roster of nominees is compiled of individuals thought to be worthy of recognition. The award is to bring tribute to those working to build peace at home, workplaces, churches, schools, parks and entire communities. Variety in the locations of peacemaking

and society building leads to variety in the recipients of the award.

In 2008, Mayor Ralph Becker of Salt Lake City received the Peacekeeper Award. He had previously sponsored Hate Crimes legislation and one of his first acts as mayor was to introduce a Salt Lake Solutions initiative. Salt Lake Solutions was introduced as a collaborative government approach where ideas and options are considered and public solutions are made based on healthy dialog and consensus.

A wonderful and unique group of outstanding citizens have been nominated in past years beginning with Diane Hamilton in 2001.

Book Review of *Narrative Mediation*

by Russ Osguthorpe

Narrative Mediation: A New Approach to Conflict Resolution, by John Winslade & Gerald Monk (Jossey-Bass, 2000). ISBN 0-7879-4192-1

Narrative mediation is a fresh approach to conflict resolution based on the paradigm of story telling. It differs from interest-based negotiation and problem-solving approaches in its character and basic assumptions. It starts from the idea that people construct conflict from the stories they create concerning past events, rather than viewing conflict as stemming from not having inner needs and interests met.

Early in the book, there is a very interesting discussion of “conflict theory” that the authors use to argue that the narrative approach offers a

better way for mediators to help parties come to terms with cultural issues such as ethnicity, gender, class, education and wealth. If one accepts their theories of conflict, then a very compelling case can be made that the narrative approach is one that mediators should learn more about.

In practice, the narrative mediation process has three phases—engagement, deconstructing the conflict-saturated story, and constructing the alternative story. What follows is an oversimplified explanation of each phase.

Engagement: This phase includes anything that occurs from first contact with parties to each party’s telling of their stories in the actual mediation session. It includes

initial phone calls, sending of brochures, letters, scheduling, setting up the room, signing agreements to mediate, etc. It culminates with each party presenting their side of the dispute when the mediator invites them to tell the story.

Deconstructing the conflict-saturated story: In the second phase of the process, the mediator begins to work actively to separate the parties from the conflict-saturated story by gently seeking to undermine the certainties on which the conflict feeds and to invite the parties to view the plot of the dispute from a different vantage point. This lays the groundwork for the third and final phase of narrative mediation.

Constructing the alternative story: In the final

phase, the mediator is occupied with assisting the parties to craft a more preferred story line that is conflict-free or conflict-diminished where both parties can take ownership of the shared story. This phase may lead to a resolution that takes the form of an agreement between the parties. However, this is not assumed to be the best outcome. Sometimes the development of an attitude of cooperation and respect may be more important than any agreement. On other occasions the story of what happened may be revised in ways that dissolve the conflict altogether.

The narrative approach to mediation was described by the authors as “less grueling than problem-solving mediation.” That’s all I needed to hear! This book will be of interest to anyone who would like to learn about new and innovative ways to do this work.

Youth Program Services and Trainings

by Michelle Ross

UDR considers the training of today’s youth in conflict prevention and conflict resolution skills to be one of our primary goals. By empowering youth to solve their own problems and take responsibility for their actions, they can become caring and contributing citizens and adults. UDR’s Youth Program includes a curriculum with several courses: (1) an 8-session class that helps students

learn collaborative communication skills to manage conflict, (2) an 8-week daily class that provides in-depth instruction on conflict communication, (3) an 8-week daily class that teaches students the skills to conduct mediations, and (4) an ongoing skills development workshop to help youth mediators practice and refine skills. Research suggests (Johnson & Johnson 1996) that conflict resolu-

tion and peer mediation programs in schools help to reduce altercations and are effective at teaching students to handle conflicts in a constructive way. Conflict resolution and peer mediation programs have also been shown to increase academic achievement. UDR endorses conflict resolution and peer mediation as character and social learning topics that should be available to all youth.

Can you help?

UDR is currently looking for volunteers or interns to help provide youth services and instruction in the 2009 – 2010 school year.

Mediation Matters

Mediation News: Local and National

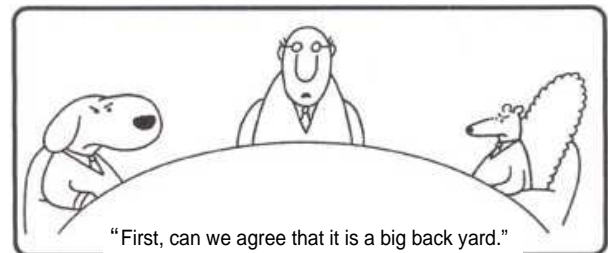


Can you help? In desperate need of new PCs and/or server

— In order to have greater operational success, UDR is in need of new computers or a server with 7 identical work stations. With new computers, the operations of our organization will greatly improve by decreasing the hours needed to perform routine tasks. With new computers we will be able to serve clients more efficiently and effectively. However, because of our current programs, we are incompatible with MACs. If any of you have or know of quality non-MAC computers or servers which could be donated, we would be much obliged.

Utah Dispute Resolution is a 501(c)(3) organization and all donations are tax deductible.

On the National Level — if you are you interested in how a Scottish mediator describes Barack Obama's mediation skills in de-escalating the disagreement in Harvard between a local police officer and noted African-American historian, Prof. Henry Louis Gates, then check out the link: <http://www.mediate.com/articles/sturrockJ7.cfm?nl=223>



Survey Respondents —

Thanks to the 138 mediators who completed the UDR Survey. Preliminary results include some surprising information. For example, approximately one third of the group surveyed were not on the Utah Court Roster, nor working toward Roster status.

Thank You to the UDR Volunteers

by Rachelle Geary

I would like to take the time to recognize our volunteers here at UDR. They are among some of the best in the area. These individuals are such a vital part of our mission to help this wonderful community become a much more peaceful place. The time you take out of your day may only

be a few hours and at times may not seem like much but you are the key element that empowers people in need of mediation services to explore other possible solutions that they may not have had the opportunity to discover before. In turn this opens their minds to a new op-

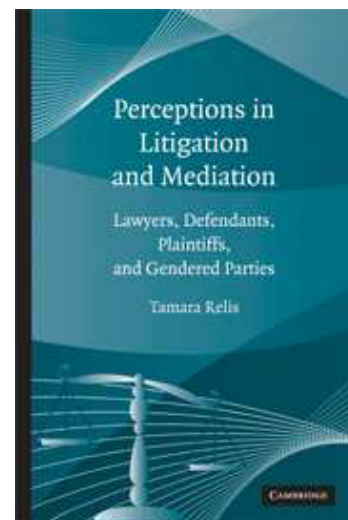
tion in dispute resolution and an alternative to the costly and timely process of court. Thank you so much for everything you do in your efforts to help people come together.

Recent Mediation Publications



Noteworthy mediation books for 2009 include:

- ◆ Bagshaw, Dale, & Porter, Elizabeth (2009). *Mediation in the Asia-Pacific region: Transforming conflicts and building peace*. (Series: Routledge Advances in International Relations and Global Politics.) New York: Routledge.
- ◆ Hörnle, Julia (2009). *Cross-border internet dispute resolution*. Cambridge: Cambridge University Press.
- ◆ Relis, Tamara. (2009). *Perceptions in litigation and mediation: Lawyers, defendants, plaintiffs, and gendered parties*. Cambridge: Cambridge University Press.



Renaissance Woman Receives Peacekeeper Award (continued from Page 2)

She was nominated as a mediator, group facilitator and a Zen practitioner with more than 20 years of experience.

Since the Peacekeeper Award's creation, over sixty UCCR members have submitted a nomination, participated on the Nomination Committee or assisted on the Peace Tree Dedication Committee. Nominees for the Peacekeeper Award are people demonstrating an elevated awareness of justice and compassionate dialogue, striving to create understanding and actively pursuing peace. The committee chooses the award recipient who has shown superior commitment to dispute resolution and distinguished work in the process of peacemaking.

By showing leadership, experience, skill and caring, Nancy McGahey was uniquely deserving of the annual Peacekeeper Award. She started working in conflict resolution in 1988 when she completed a basic mediation training workshop in Albuquerque, New Mexico. After moving to Utah in 1992, she continued to volunteer as a mediator in programs involving juvenile victim-offender, small claims and

family disputes. McGahey went on to complete the ADR (Alternative Dispute Resolution) Certificate program at the University of Utah in 1995 and a domestic mediation workshop in 1998 sponsored by the Utah Administrative Office of the Courts.

The service McGahey has given in the non-profit sector has been her most meaningful work experience. In Durango, Colorado she was director of a Big Brother/Big Sister agency and now currently works as the director for Utah Dispute Resolution in Salt Lake City.

Beyond her work in the peace-building and conflict resolution arena, McGahey has a background full of variety making her an ideally well-rounded candidate for the Peacekeeper Award. She was born and raised in a small town in Iowa which left her with a profound connection to the earth, animals and a desire to live the most rural-style life possible. McGahey lives in Rose Canyon amidst the Oquirrh Mountain foothills with her husband Dan McGraw and an unexpected variety of animals.

After attending the Colorado College and the University of Denver, she re-

ceived a Bachelor of Arts degree with a German major and Education minor. She then completed two Master of Arts degrees from the University of New Mexico. The first was in Communication with an emphasis on interpersonal and intercultural communication. The second was a degree in Training and Learning Technologies. Still reaching beyond a normal, predictable life and ordinary jobs, McGahey continues to pursue the avocation of being a jeweler/metal smith and has sold her work nationally through wholesale and tradeshows.

This exceptional, Renaissance woman has a long list of unique interests and accomplishments. Her skills in mediation, resolution, language, technology, leadership and compassion make her the perfect recipient of the 2009 Peacekeeper Award.

Can you help? Habla español — UDR needs Spanish-speaking mediator volunteers. If you can help, contact Michelle Ross at UDR: michelle.ross@utahbar.org

Upcoming Training

Free Training for UDR Volunteers

Monday, October 5 (5:00 - 7:00 pm)

Law & Justice Center (645 South 200 East, Salt Lake City)

Pizza & Landlord/Tenant Legalities

Marty S. Blaustein (Utah Legal Services)

Reserve a Seat: susan.wurtzburg@utahbar.org

UDR Trainings: Autumn, 2009/10

— Attending a UDR Course Funds UDR's Mission —

Providing Low Cost Mediation to the

Utah Community Since 1991

October

Conflict Management Training

- deal with office conflict and be an effective manager
- October 20 and 21

November

Domestic Mediation Training

- take your mediation skills to the next level
- November 4, 5, 6, 9, and 10

Mediating and Lawyering: Ethical Mediation and Pleading Preparation

- "best practices" for mediators who are also lawyers
- November 16

February, 2010

Basic Mediation Training

- take the first step in attaining Utah court roster listing
- February 3, 4, 5, 8, and 9



This is the first training/class I have attended in a long, long time that kept me awake, alert and interested for an afternoon, never mind a full week. It is evident that a great deal of experience, thought and planning went into this class. (UDR Training Participant, 2009)

Writing Opportunity — Would you like to submit a book review or a brief article about mediation for publication in this newsletter? If so, please get in touch with susan.wurtzburg@utahbar.org, who will be delighted to help you achieve this goal. The next newsletter will appear in early December.

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Operations Manager: Pamela Nelson

Office Manager and Case Management Supervisor: Rachelle Geary

Court Mediation Programs: Russ Osguthorpe

Youth Program Coordinator / Bilingual Case Manager: Michelle Ross

Training Coordinator: Dr. Susan J. Wurtzburg

Ogden Office Development Manager: Evie Brinkerhoff



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