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You Can Always See the Judge...

In March 2015, the Neighborhood Mediation Center began providing highly trained, volunteer mediators to the Reno Justice Court for the Court’s mandatory mediation program. All individuals and businesses filing a Small Claims case are required by the Court to attend mediation. If the parties in mediation come to an agreement the case is dismissed from the court after the terms of the agreement are reached. If the agreement is not upheld, the plaintiff can obtain a court date without additional cost, and without notifying the defendant. If the parties meet in mediation and do not come to agreement, the parties are given a court date by court staff.

Although mediation is mandatory, coming to agreement is not. Parties can make the choice not to come to agreement and to have the case heard by a judge.

Since the inception of the mandatory mediation program, NMC mediators have mediated well over 500 cases and maintain a 55% resolution rate. That means that half the cases that would be automatically scheduled for trial when filed are removed from the court. The benefits of this program include financial savings to the court and to tax payers, and for those participating in mediation, an opportunity to maintain control over the outcome of their case.

Overall this program is a success. And all that is really required of participants is a willingness to enter mediation in good faith. Here are some comments from participants in answer to the question “What did you like best about the mediation?”

“That we could talk and explain directly to each other resulting in... an agreed settlement avoiding a court hearing.”

“Very nice, professional.”

“Getting to the most important issues.”

“So appreciative of volunteers who serve to help the community.”

“Calm approach to work through the issues.”

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Beginning Mediation Training April 2017



**The Neighborhood Mediation Center
in partnership with UNR Extended Studies
will present a 40 hour Beginning Mediation Training April 11-15, 2017.**

The course offers participants:

- Knowledge of the concepts and practices of mediation and its uses and limits
- Understanding of the core principles and values that guide mediation
- Instruction in the skills required to differentiate between personal style and program requirements
- Mediation skills related to communication, listening, problem solving, cultural diversity and agreement writing
- Development of an awareness of your own values and personal biases, including those toward people in conflict
- Proficiency in the use of the tools of mediation, and confidence in the capabilities of your co-mediators and the potential for individuals to handle problems in their own lives
- Completion Certificate from the University of Nevada, Reno and the Neighborhood Mediation Center

*Participants successfully completing the class are eligible
to practice as volunteers for the Neighborhood Mediation Center*

The instructors for the class are Claudia Wahl, Executive Director and Monica Kales, Program Director for the Neighborhood Mediation Center. The trainers have 25 combined years of experience in mediation.

Participant Comments from the 2016 Class

- ◇ “The information was presented clearly and thoroughly by both instructors.”
- ◇ “Good information; real life scenarios.”
- ◇ “Learning things about myself helps apply some of this information.”

The American Bar Association Declares October National Mediation Month

PLEASE JOIN US TO CELEBRATE MEDIATION MONTH!
Mediation Safety Training sponsored by NDRC
All NDRC & NMC Members Welcome

October 14, 2016

8:30am-Noon * 8:15 Sign-in

AGC Training Room

5400 Mill St. Reno, NV 89502

COST : \$10 At the door

Our program includes:

Sgt. Phil Jones, from the Washoe County Sheriff's Office, K9 Team Commander, who will discuss active shooter situations.

Joseph R. Haas, Ph.D., Psychologist/Administrator with the Washoe County Department of Juvenile Services who will present, "De-escalation and Risk Management in the Mediation Setting." We will also lead a brief discussion on the Association for Conflict Resolution ("ACR") Taskforce on Safety in ADR: Recommended Guidance, adopted in October, 2014.



Please RSVP by October 10, 2016 to lynnthom@msn.com or call Lynn at 775-828-1906



From the Program Director's Corner.....

Mediation: A Process, a Skill, and an Art

Mediator development is one of the missions of NMC. Mediation is a skill, and an art, that is honed by applying the process and by engaging in periodic training. In August, NMC held an in-service workshop for its mediators. The topics addressed were unconscious bias, emotion in mediation and reality testing. These topics aren't new to practicing mediators but all disciplines need occasional refreshing. The opportunity to interact and exchange experiences with peers is also very beneficial.

Impartiality is paramount for mediators, so much so that "Impartiality" is Standard II of the *Model Standards of Conduct for Mediators*. The *Model Standards* is a document adopted in 2005 by the American Arbitration Association, the American Bar Association and the Association for Conflict Resolution. It serves to guide the conduct of mediators and to promote public confidence in mediation. Operating with freedom from bias is challenging. Everyone has hardwired perceptions and automatic (unconscious) judgments for myriad reasons and can never truly say they are bias-free. To be an effective mediator, one must work to acknowledge his/her own many biases and have the ability to set them aside when they are triggered.

Mediators don't need to be therapists but they must have a comfort level with expressions of emotion. Once a dispute has resulted in a court filing or a call to the NMC, it's probable that emotion of some kind was one of the catalysts for the filing or call. Expressions of emotion are common in mediation and once expressed and addressed, can often open the way to resolution. They run the gamut from intense anger, venting and disruptive behavior to weeping, embarrassment or simply quiet withdrawal from active participation. Handled inappropriately, these situations can lead to impasse or even do further damage to an already tenuous dynamic. Handled appropriately, resolution is possible, but even if there is no agreement, ideally, some forthright, productive communication has taken place.

Reality testing is a questioning technique mediators use to test parties' contentions with regard to feasibility and practicality. Questions must be crafted with care since, effectively, the party's belief in their position is being challenged. This can be interpreted as partiality by either or both sides to the dispute and nothing can derail mediation like perceived bias. The goal is to help parties consider their positions in a different light while being careful to allow for self-determination. "Self-Determination" is Standard I of the *Model Standards* and instructs that outcomes must be participant driven, not mediator driven, and decisions must be voluntary and free of undue influence.

Mediator Profile: *Alicia Nyland*



“I’m sometimes surprised that the disputing parties will thank me for both volunteering and helping them find resolution. To hear those words from the individuals who were in conflict, is the real reward.”

Alicia Nyland has been working as a volunteer mediator with the NMC since 2014. She completed the UNR/NMC Mediation Training in April 2014. She has also been trained in mediation at the Defense Equal Opportunity Institute and the Justice Center of Atlanta. Alicia is also involved in the Nevada Dispute Resolution Coalition.

Alicia has over twenty five years of professional Human Resource management experience in all areas of the profession and has served in positions of Human Resource Director, Manager, Employment Manager, and Executive Recruiter for industries such as health care, hospitality, gaming, warehousing and retail.

She has been the State Equal Employment Manager for the Nevada National Guard for the last six years. She manages the diversity program, helps employees address matters of equal employment and works to resolve issues in dispute. She has implemented a mediation program in her organization to help reduce workplace conflict, open lines of communication and assist the organization in finding more efficient ways to accomplish its mission. Using mediation had helped resolve issues with co-workers, supervisors and subordinates. The results have been improvement in workplace relationships, co-workers learning ways to handle future issues and an increase in open communication. Occasionally we discover that mediation helped to develop a conversation between parties that may not have occurred if it was not for the tool of dispute resolution.

Alicia says that conducting mediations in the Reno Justice court has been a great experience for her. Her approach with the disputing parties is to help them feel that she has an interest in their conflict and that she is there to hear their concerns and help them to find a path to resolution. *“I often see disputing parties rebuild trust and respect for each other after having the opportunity to hear what the other one has to say.”* She often reminds parties that the resolution they crafted may not have been the outcome if they had been before the judge.

Alicia is a retired Army Colonel with her military service in active duty and the Nevada National Guard and lives in Reno with her husband, Jeff and step son Jacob.