

RES LUTION

The Ohio Commission on Dispute Resolution & Conflict Management
Spring 2008

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Welcome to **Resolution** the Commission's electronic newsletter. **Resolution** is published semi-annually by the Commission on Dispute Resolution & Conflict Management, 77 South High Street, 24th Floor, Columbus, Ohio 43215-6108. It is available online through the Commission's Web site at:
www.DisputeResolution.Ohio.gov.

The Commission welcomes your comments, news, calendar events, and suggestions for future issues.

Information about training in mediation, conflict management, and related subjects is available at:
www.DisputeResolution.ohio.gov/trainings.htm.

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[Schools and Higher Education](#)

May 6th Symposium – *Working for Safe Schools: Practical Strategies to Reduce Bullying*


Tuesday, May 6th, during Conflict Management Week 2008, the Commission will host a daylong symposium on school safety and bullying prevention. This year's event, *Working for Safe Schools: Practical Strategies to Reduce Bullying*, will take place from 10:00AM - 4:00 PM in the Riffe Center in downtown Columbus. The symposium will bring together state and national experts on topics such as cyber-bullying, diversity and bullying, school-wide bullying policies, and bullying and the brain.

Lyn Mikel Brown, Professor of Education and Human Development at Colby College in Maine, is confirmed for the annual Commission-sponsored school event. Dr. Brown writes extensively on the relational life of girls; the influences of race, class and gender on girls' lives; the impact of media, and girls' feelings of anger, self-knowledge, loss, hope, and desire. Dr. Brown earned her Ed.D. at Harvard University's Graduate School of Education. She has been Henkels Visiting Lecturer at the University of Notre Dame, a recipient of the Maine Women's Fund Sarah Orne Jewett Award, American Association of University Women Educational Foundation Scholar-in-Residence, and winner of a National Academy of Education Spencer Postdoctoral Fellowship for encouraging healthy resistance in girls.

To register: Please visit www.DisputeResolution.ohio.gov and click on symposium registration form on the front Web Page. 

Second International Summit on Conflict Resolution Education

The root causes of conflict and the methods to prevent and intervene in conflict situations are interdisciplinary. So too is the need to address them collaboratively in both global and local communities. From child soldiers in Africa and the Americas to gangs in North America, collaboration is necessary to resolve these challenges with cultural and contextual sensitivity. Global Issues Resource Center and Library, Office of Community Continuing Education at Cuyahoga Community College, and the European Centre on Conflict Prevention partnered with colleges and universities around the world to host a four-day International Summit on Conflict Resolution Education in Cleveland March 27th - 29th. The Ohio Commission on Dispute Resolution and Conflict Management (Commission) co-sponsored the event, funding scholarships for student participants from across the State. The Summit built on the Inter-American Summit on Conflict Resolution Education organized in March 2007, which brought together government representatives and their partners outside government, from among the 50 states and 34 countries of the Americas.

This second Summit was an opportunity for colleges and universities, non-governmental organizations, and governmental organizations to engage in interdisciplinary collaboration and research on issues of violence and conflict confronting our youth. Presentations focused on conflict management and peace education strategies for youth and methods that reduce the societal violence that surround youth. Presenters shared examples of best practices in their state and/or nation, community implementation models, policy dissemination, and evaluation results. Commission staff Ed Krauss and Sarah Wallis presented workshops on school-based conflict management and truancy prevention through mediation. 

Truancy Prevention Through Mediation Program Continues Growth

The Truancy Prevention Through Mediation Program, commonly known as truancy mediation, has grown in just over six years from 7 counties, 58 schools to 31 counties, over 515 schools in about 135 school districts. It has grown at this rate because it works. Research and evaluations are at:

<http://DisputeResolution.ohio.gov/courtcommunity.htm>.

Programs are run locally, with technical support, training, mentoring, and grant writing assistance provided by the Ohio Commission on Dispute Resolution and Conflict Management, and with training assistance from the

Supreme Court of Ohio's Dispute Resolution Section. Counties participating as of the second half of the 2007-2008 school year include Adams, Ashtabula, Butler, Clark, Clinton, Columbiana, Cuyahoga, Delaware, Fayette, Franklin, Greene, Hamilton, Henry, Lake, Licking, Lorain, Lucas, Mahoning, Marion, Morrow, Ottawa, Portage, Preble, Putnam, Ross, Sandusky, Seneca, Stark, Union, Wayne, and Wood.

It is common when districts first approach the Commission to ask about help with high school truancy and drop-outs, research and experience clearly show that a school district benefits most by building a program from the early years up. The Commission advocates having the program only in K-6 for two to four years, then adding the middle schools that those elementary schools feed, then in a year or two adding the high schools. If a district starts at the high school level they usually are dealing with students who have been missing days for many years, who are under-achieving, and who are close to dropping out – thus using time and resources but not addressing the systemic problem. If a district wants to permanently reduce truancy and tardiness it needs to be addressed in Kindergarten and the other early years, building the program upward. Every year there are thousands of K-6 truancy mediations, leading to a change in the way a neighborhood, eventually community, views the school district and the importance of regular attendance.

Core values of the program include:

- Mediations take place in the school, during or immediately before or after school hours.
- In K-6 the teacher always attends, and often is the only person meeting with the parent(s).
(3) To identify, in a non-punitive, non-disciplinary way, the family problems that are causing the poor attendance, and to then help the family reach a voluntary solution. Those solutions often involve reaching out to a government agency, social service provider, or non-profit organization.
- Confidentiality is maintained.
- The emphasis is on K-6 truancy and tardiness, with higher grades added only after the elementary school program is well established.
- The family is asked to come in for a mediation very early in the pattern of truancy, usually the third to fifth unexcused absence. This is a significantly lower threshold than the number of missed days for court referrals. The emphasis is on very early intervention and help in a respectful manner, as opposed to late intervention (15+ days is common) and a disciplinary attitude.
- The mediator is a person trained in truancy mediation, who does not represent any particular entity or interest, but rather is in the room to facilitate the discussion and search for mutually acceptable solutions.

For information contact Ed Krauss at ed.krauss@cdr.state.oh.us (614) 644-5872. 🌸

Mediation Helps to Reduce Truancy and Tardiness in Marion County Elementary School

Alex (not his real name) is a seven-year-old boy and the oldest of three children in a Marion family. His mother works second shift, his father works first shift. Because his father left for work before school started and his mother was tired from work and preoccupied with tending to the two younger siblings, Alex was responsible for getting himself to school. He often didn't wake up until 15 minutes after school had already started and his mother, after getting the other two ready, would have to take him to school. Alex was often more than an hour late by the time he arrived. His parents didn't want him to be late, but didn't know how much his being late affected the rest of Alex's school day. During mediation, Alex's teacher helped his mother and father understand how the other kids in the classroom were affected by their son being late. The teacher also pointed out that his classmates were not including him on their teams because he wasn't there to hear directions. It was

agreed that Alex had to start waking up for school earlier and that his mother would be more aware of his needs and more available to help him get out the door on time. A local social service agency supplied the family with an alarm clock just for Alex, which made him feel grown up. Alex wasn't late to school a single time the following semester. 🌸

Successful Workplace Mediations in a University Setting

For a number of years the Athens Area Mediation Center has worked closely with the local university. This has meant training in conflict resolution skills and approaches for hundreds of faculty, staff, administrators, and students. It has also led to a wide range of mediation being provided. The following are two brief examples:

A dean and a faculty member had been at odds for several years. In mediation the dean stated that he felt the faculty member was working against him in a number of ways. The faculty member shared that he believed the dean was "out to get him" though he didn't understand why. As they talked, both were able to share their perceptions of several incidents. At one point the faculty member actually said, in astonishment, "Oh my gosh, that's why you said that!" referring to an event from three years past. Each came to realize that their relationship had soured based on completely misunderstanding the other's motives. After further discussion, they left expressing newfound respect, a specific plan for talking through any future issues, and looking forward to working together successfully.


In another mediation an administrative department felt they were no longer functioning well, with mistrust and gossiping becoming the norm, and at least two major factions had divided the group. Mediators from the Center held three sessions attended by a number of people, a mix of administrators and classified staff. There was honesty, difficulty, and tears. The first session was primarily airing grievances. The second was understanding each other and trying new ways of communicating. The third was developing strategies for making their new plans work in the midst of their busy and stressful workdays. They seemed to gain a clearer understanding that their struggles were largely because of outside pressures rather than because of each other. They reported being very pleased with the specific ideas they developed to work together more smoothly.

Mediation in the university setting can be very rich and productive. There are some special challenges because of the university culture and other grievance procedures that may be in place. However, having a mediation center that is based outside the university offers the parties a greater sense of safety and impartiality that is crucial in resolving issues effectively. Feedback from participants has been quite positive. Ninety-two percent (92%) of those who have attended a mediation session and ninety-eight percent (98%) of those who have attended a mediation training say that they would recommend it highly to their colleagues. To learn more about mediating in university settings please contact John Schmieding, Director, The Athens Area Mediation Center 🌸

Community Mediation Center Trains Kent State University Faculty

The Community Mediation Center of Stark County offers basic mediation training and conflict resolution skills workshops. During March, the Mediation Center worked with Kent State University (Stark Campus), teaching conflict prevention and management skills to faculty and staff. The two-day workshop focused on acquiring skills to anticipate, prevent, or if necessary reduce conflict in a positive manner. The workshop will be followed, later this year, by a series of discussions, inviting campus personnel to consider how conflict is handled on campus and creating a culture where conflict resolution is valued and practiced. For further information please contact Teresa P. Cusma, Executive Director, the Community Mediation Center of Stark County, 115 Dewalt Avenue N.W., Suite 200, Canton Ohio 44702. Phone: (330) 430-9502 or (330) 430-9505 or email teresacmc@sbcglobal.net. 🌸


Pilot Project in Northeast Ohio Offers Much Needed Skills Training To Juvenile Detention Officers

There are 32 county-level juvenile detention facilities in Ohio. Professionals who manage these facilities are well aware of the low job satisfaction and high turnover of facility employees. One perceived cause is a deficiency in training. A new project in northeast Ohio seeks to address this deficiency, with the hoped-for result of greater employee job satisfaction. For more information on this project please contact either Sarah Wallis at Sarah.Wallis@CDR.state.oh.us, 614 - 644 - 9275 or Shawn McElroy at Shawn.McElroy@lakecountyohio.gov, 440-350-3111. 


[Community & Court-Connected Dispute Resolution](#)

Dayton Mediation Center Turns Twenty-One

This year, 2008, marks 21 years that the Dayton Mediation Center has been serving the greater Dayton area by providing conflict management services to the community. Over the last 21 years the Center has served more than 25,000 people, conducting nearly 500 mediations involving over 2,000 citizens each year.


Tom Wahrlab, Cherise Hairston, Michelle Zaremba, Janet Mueller, Trisha Werts and Lisa Singh staff the Center. These dedicated staff, along with over 50 volunteer mediators, provide mediation services to address: juvenile diversion, victim/offender (adult and juvenile), truancy, community, small claims, elder care, family and workplace issues. In addition, the Center receives court referrals through a contractual relationship with the Montgomery County Court of Common Pleas, Juvenile Division, and also provides conflict management, facilitation, and peer mediation training. For more information contact the Center at (937) 333-2345 or visit its Web site at www.domediation.com. 

Directory of Community and Court-Connected Dispute Resolution Programs

The Commission's Directory of Court and Community Dispute Resolution Programs has been updated on the Commission's Web Page. To access the directory please visit: www.DisputeResolution.ohio.gov/nfpmmap.htm. Changes and updates should be sent to Ed Krauss at [mail to: ed.krauss@cdr.state.oh.us](mailto:ed.krauss@cdr.state.oh.us) or by fax to (614)-752-9682. 

Using Mediation to Address Ohio's Foreclosure Crisis

Statistics clearly demonstrate Ohio is facing a foreclosure crisis. In 2007, more than 80,000 foreclosure cases were filed in Ohio courts. The number of foreclosure filings has increased by 40 percent in the last four years, and filings are expected to continue to rise through at least 2011. Chief Justice Moyer has proposed that the courts manage this burden by developing foreclosure mediation programs that could be used to resolve some of the many foreclosure cases. It will give foreclosure cases the same access to mediation that is regularly available in other types of civil cases for more than a decade.

The State of Ohio is reacting to its foreclosure crisis using the Supreme Court of Ohio's Dispute Resolution Section as a resource. An 11-step response has been prepared; this eleven step Foreclosure Mediation Program Model is designed for courts to modify based on their own needs, resources and community. It includes related documents and forms, some of which are linked within the model. If you would like samples of any documents, have questions, need assistance with implementing foreclosure mediation in your community and/or court or would like a hard copy contact the Dispute Resolution Section manager. To view the model and for further information please visit: http://www.sconet.state.oh.us/dispute_resolution/foreclosure 

Can Foreclosure Mediation Help? Frequently Asked Question and Answers

Q.: *What is foreclosure?*

A.: Foreclosure is the process a lender uses to repossess your home. Once you receive notice that your lender has filed a mortgage foreclosure lawsuit, you could lose your home in 3-6 months. Immediate action on your part may prevent foreclosure.

- **Contact your mortgage lender.** Explain your circumstances and you may be able to work out a repayment plan to avoid foreclosure.
- **Beware of Scams.** There are many people who try to take advantage of your financial situation. Some may attempt to take ownership of your home or charge fees for services that are available for free. Seek legal advice.
- **Don't Wait.** Taking action sooner means more options to avoid foreclosure. If you do nothing, you will lose your home.

Q.: *What is foreclosure mediation?*

A.: “Mediation means any process in which a mediator facilitates communication and negotiation between parties to assist them in reaching a voluntary agreement regarding their dispute.” See Revised Code Uniform Mediation Act Section 2710.01 (A). A neutral individual, (mediator) works with the parties to a mortgage, with or without attorneys, to resolve the mortgage problem by mutual agreement which can occur at various times throughout the foreclosure process such as before it reaches court, default judgment, or foreclosure sale. The mediator (even a mediator who is also an attorney) cannot give legal or financial advice to either side and has no authority to decide the case. The mediator helps the participants negotiate and to more efficiently reach an agreement sooner than they could alone.

Q.: *What should I do if I want to participate?*

A.: You should first respond to your lender's foreclosure complaint by sending an answer to the court as soon as possible, but no later than 28 days after the letter was served on you. Next, contact your local court to determine if they have a foreclosure mediation program. If so, request mediation. The court will then schedule a session with your lender (or schedule with the borrower if the lender submits the request).

Q.: *Does participating in mediation stop the foreclosure case filed against me?*

A.: No. The foreclosure action continues until you and your lender reach a final agreement and the lender dismisses the case. Because you have been served with legal documents, it may be a good idea to contact an attorney. Please note that participating in the mediation program does not mean you have filed an answer to the foreclosure document.

Q.: *Why should I mediate my mortgage problem?*

A.: Mediation allows the parties to decide what solution is mutually acceptable. Many mortgage issues can be resolved through good communication between the borrower and the lender. Lenders are now willing to discuss flexible solutions that would not have been discussed in the past. Mediation provides a more informal environment in which to have discussions that, without a mediator, might be tense or difficult. There are also additional benefits of cost and time savings. Litigation can be timely, expensive and stressful. Mediation allows parties to create agreements that include conditions and terms such as keeping the property in good condition in exchange for a reduction of late fees that may not be an option if the case were litigated which is restricted by legal remedies.

Q.: *What is pre-suit mediation?*

A.: Pre-suit mediation is the same as mediation which occurs after a lawsuit has been filed but with greater benefit since there are no filing fees, less stress, impact on credit reports, etc. Once a lawsuit is filed, it is public record. Credit reporting services monitor court records and note the filing of a foreclosure on a person's credit report. Pre-suit mediation avoids a public record, saves expenses, and solves a problem (like non-payment). Parties are encouraged to anticipate their inability to make payments due to:

- Injury or illness (temporary or permanent);
- Adjustable Rate Mortgage (ARM): a mortgage loan where the interest rate changes periodically throughout the course of the loan;
- Balloon Payment: any repayment option under which the borrower is required to pay the entire amount of the outstanding balance of the loan as of a specified date or the end of a specified period;
- Expenses becoming greater than income.

Q.: *How does using foreclosure mediation differ from using a "debt relief" service?*

A.: Mediation keeps the parties to the problem directly communicating and in control of their outcome. Mediation services offered by the courts are at no cost to the parties. There are no hidden or ongoing fees or costs associated with mediation and, in most cases; it only takes a few hours of time. "Debt relief" services, however, may charge excessive fees for modest results, and some are actual scams.

Q.: *Will the mediator issue a decision in my case?*

A.: No. "...a mediator shall not make a report, assessment, evaluation, recommendation, finding, or other communication regarding a mediation to a court, department, agency, or officer of this state or its political subdivisions that may make a ruling on the dispute that is the subject to the mediation. See Revised Code Section 2710.06 (A) Communication or disclosure by mediator.

Q.: *What can a mediator tell a judge?*

A.: Communication or disclosure by a mediator is outlined in the Revised Code Uniform Mediation Act Section 2710.06 (B) which states: “A mediator may disclose any of the following: (1) Whether the mediation occurred or has terminated, whether a settlement was reached, and attendance; (2) a mediation communication as permitted by section 2710.01 of the Revised Code; (3) A mediation communication evidencing abuse, neglect, abandonment, or exploitation of an individual to a public agency responsible for protecting individuals against abuse, neglect, abandonment, or exploitation.”

Q.: *Should I bring witnesses and exhibits to the mediation like I would for a trial?*

A.: A mediation session is not conducted like a trial by presenting and asking questions of witnesses, exhibits, opening and closing arguments. However, you are encouraged to bring documents related to your mortgage and financial circumstances that you feel are relevant to reaching an agreement with the other party. All mediation communications as defined by the Uniform Mediation Act Section 2710.01 (B) include a statement, whether oral, in a record, verbal, nonverbal, that occurs during a mediation or is made for purposes of considering, conducting, participating in, initiating, continuing, or reconvening a mediation or retaining a mediator. Therefore, these communications which occur before, during and after mediation for the purposes of the mediation are privileged under the Revised Code Uniform Mediation Act Section 2710.03 are not subject to discovery or admissible in evidence in a proceeding unless waived or precluded as provided in Section 2710.04 of the Revised Code. This encourages open and honest communications between the parties which increases the probability of a successful outcome.

Q.: *Will I testify?*

A.: No. In mediation, everyone sits at the table as equals in a discussion. You are there to listen, participate, negotiate, and decide whether or not to settle, and if so, whether the terms of the agreement are mutually acceptable to both parties.

Q.: *Can the mediator give me advice?*

A.: No. The mediator is *not* there as a judge, jury, or arbitrator of the case, nor as an advocate or advisor for either side. A facilitative mediation model is recommended by the Supreme Court in foreclosure cases which means the mediator is neutral and is present to guide the parties through the process of mediation without providing an evaluation of the case.

Q.: *Will the other side be there?*

A.: Yes but they may participate by phone if approved. A lender representative with authority to settle and the current property owner(s) should be present and prepared to negotiate. The mediator can meet separately with each side for private, more candid discussions.

Q.: *Can I bring my attorney?*

A.: Yes. Under Ohio law, a party can bring an attorney or another support person(s) to the mediation. See Revised Code Section 2710.09.

Q.: *What are my options and what if I just want to give up the house and walk away?*


A.: The decision to give up your house to foreclosure should not be made lightly. You have various options that your lender is willing to agree to that may surprise you. Keep in mind, your lender is attending the mediation to work out an agreement that is mutually acceptable to both parties, using the resources available to both. Be open-minded before and throughout the entire process. Staying in your home is one option which can be done through various means including, but not limited to, a repayment plan, loan modification/refinance, reinstatement of your loan, or forbearance. If, however, you do decide to give up your house, you can return your mortgaged property to the lender through “a deed in lieu of foreclosure.” You can still mediate such issues as the date of turn over, when to move out, and what other obligations exist as part of the deed in lieu of foreclosure process. There are also other options including, but not limited to, such as a short sale, transition strategy agreed sale.

Q.: *I want a trial. Why should I settle?*

A.: Citizens have the right to a fair court hearing, but foreclosure cases rarely, if ever, go to trial. The judge usually decides foreclosures based on motions the lender files with the court. Each side should thoroughly discuss every factor before choosing to settle with new terms or go forward with foreclosure. Mediation allows you to explore settlement without risk with the help of mediator.

Q.: *What happens if we can't settle?*

A.: Everyone may agree to negotiate further, the mediator can schedule a follow-up mediation, or the case could ultimately go forward in court. There is no penalty or extra cost for using mediation.


NOTE: Additional information for homeowners is available at <http://savethedream.ohio.gov/> 

Stark County Mediation Center Responds to Foreclosure Crisis

It's no secret; the home foreclosure situation in Ohio is a crisis. The courts are overloaded with foreclosure filings, lenders are overwhelmed, and homeowners are struggling to hold on to their homes.

With over 2,808 foreclosure cases filed in Stark County Common Pleas Court in 2007, and 2008 running at 250 cases per month, and with requests by homeowners to the Community Mediation Center of Stark County, United Way, and other organizations for help, Stark County responded by developing a program that would allow the community to respond creatively.

The Mediation Center and the Stark County Common Pleas Court have partnered to implement a foreclosure mediation program, with the Court contracting with the mediation center for their assistance. Parties with homes slated for foreclosure can request mediation. The request for mediation stays the case, pending mediation. Mediation notices are then sent to the lender, homeowner and attorneys. Mediations are scheduled and conducted at the Mediation Center and co-mediated by Mediation Center Mediator and an attorney mediator for the Court. Foreclosure mediations are currently being conducted in both Medina and Summit counties, each reporting a 60% settlement rate.

For further information please contact Teresa P. Cusma, Executive Director, the Community Mediation Center of Stark County, 115 Dewalt Avenue N.W., Suite 200, Canton Ohio 44702. Phone: (330) 430-9502 or (330) 430-9505 or email teresacmc@sbcglobal.net. 

State and Local Government Programs

Commission on Dispute Resolution Expands Pool of Public Policy Facilitators

May 12th the Commission will sponsor a Columbus workshop to discuss the principles of collaboration and consensus building. Participants will learn about the skills and training required for employment in multiparty mediation in public policy, environmental, labor-management and other settings. The May 12th event will also launch the Ohio Public Issues Negotiation Initiative (OPINI) to expand and diversify the availability of facilitation and consensus building service providers in Ohio. **More detailed information and registration information please visit www.DisputeResolution.ohio.gov.** For more information about Commission services to state and local governments, please contact Maggie Lewis at 752-9598 or Maggie.lewis@cdr.state.oh.us.



Contributions


An Unexpected Source for New Volunteer Mediators

C. Eileen Pruett, Manager, Small Claims Division and Dispute Resolution Department,
Franklin County Municipal Court

The Franklin County Municipal Court Pre-Filing Mediation Program has partnered with Nationwide Insurance Company's Office of General Counsel. The Mediation Program staff provided training for Nationwide volunteers and the volunteers have been working to increase the number of mediators available for the Thursday evening mediation sessions.

In 2007, a two-day basic training program prepared the 19 Nationwide volunteers to mediate. The volunteers are attorneys, paralegals and compliance personnel. Volunteers were first required to observe mediations and co-mediate cases. Most are now mediating "solo". The first group of trained mediators includes attorneys and other professional staff. Due to the success of the program, additional training is proposed for 2008.

Reports are glowing from both sides. The Court's Mediation Coordinator, Pat Benchia notes that the new volunteers are "committed, engaged and enthusiastic." Erwin Dugasz, Assistant General Counsel and organizer/coordinator of the mediation program for Nationwide reports that "the response has been overwhelmingly positive. This program has allowed our volunteers to connect to the people within our community and has allowed some volunteers to apply skills they have while it allowed others to acquire new skills. Due to the positive reaction of our volunteers and how they talk about the program, we have been asked when another mediation training program will be held for a new group of volunteers".

The Franklin County Municipal Court Pre-Filing Mediation Program schedules about 1,000 mediation sessions a year. Participation and resolution rates are increasing so that finding new mediators from Nationwide has been a "win-win" for all involved. For more information on Franklin County's Small Claims Mediation Program, please contact the Court at (614) 645-8500. 

Mediation Helps High School Student Stay on Track to Graduation

George Brose, Mediation Coordinator, Clark County Court of Common Pleas

I first met Bill (his name has been changed) and his family through a juvenile court-ordered mediation. Bill was adopted by his parents at age two. He is now in high school. After the initial court-ordered mediation had concluded, Bill returned home and things went fairly well. However, this past fall I received a call from Bill's high school asking me to try to mediate a chronic truancy situation. Bill had missed a large number of school days. Bill had been put on several different plans to help with his education, including virtual learning where he still had to attend school, though a reduced number of hours per day. It seemed that Bill could stay interested in a program for a month or two, but then his interest and attention would fade. He would "respectfully" leave school during the day or just not come to school very often. In addition to school, Bill also works about 8 hours a week at a fast food establishment. He said he never misses his work. I asked him why and his response was "Because it's a walk in the park."


Both Bill's parents work outside the home and cannot battle with him to get him to school. He is physically bigger than either of them. The school is exasperated and feels there is nothing left for them to do but file truancy charges. Bill's mother, having known me from the prior mediation, called me before the school mediation took place to explain the situation. Communications were breaking down with the school. Bill's mother had gone over the principal's head and talked to the superintendent. This was the straw that broke relations at the school level. The superintendent called me also asking for mediation in this case and said he would be attending.

Both Bill's parents are well versed in the law and are very articulate people. They want to see Bill get a diploma one way or another, and feel that every effort still needs to be made to have him, at a minimum, graduate from high school. They see his future as low-level employment or jail if he does not succeed in graduating.

Three mediations were held with the school. Three options were initially discussed: filing a truancy case; attending school; or coming up with alternative schooling. Types of alternative schooling were discussed, but the school was reluctant to do the legwork for the family. A flip chart was used to help brainstorm options for staying in school. Bill discounted some of the options, because he had "friends" in some of the other schools, and he thought they weren't happy there. But he had never seen or interviewed at those schools. We then addressed Bill's needs in terms of education. He wanted something where he could learn to build, work with his hands, etc. The school that most met his needs was one that he had refused to consider.

A plan was made for Bill and his mother to visit several schools in a three-county area to get a first-hand look. We scheduled a follow-up mediation to review what he had learned from his visits. Because of the time needed to see all of the schools, two additional follow-up sessions were also scheduled. At the third session Bill had decided on a school where he wanted to enroll. The administration at Bill's current high school took the position that they would still file the truancy complaint, thinking that this would help to ensure that Bill would follow through with a transfer. A week before the disposition hearing at Court, Bill's mother called to say that the new school wouldn't take him right away but that they would accept him in three months. They wanted to be certain of his intent. They didn't want him to be "school hopping" just to keep the juvenile court off his back. This left everyone with a dilemma as Bill was now between schools. He had already un-enrolled from his high school, expectant that he would be going into the new school. Because they felt that they were not able to meet his particular needs, his former high school didn't want him back.

When Bill's case came before a magistrate it was continued until a month after the date he was to start at the new school. He was ordered by the magistrate to try to increase his work hours at the fast food establishment and to "behave" at home. His parents were to report any unacceptable behavior at home. He could be charged with a domestic violence or unruly behavior if he went back to his old ways, and would be held in the detention center where he would attend school daily. Bill and his parents agreed to this arrangement. Two months later, things are going well at home, but it will be another month before Bill can enroll in his new school. He has been attending orientations and is looking forward to starting next month.

Although this story is still a work-in-progress, it does illustrate the value of mediation in improving interpersonal communication and in helping to build trusting relationships with family members, school and court personnel. Through mediation Bill, his parents, and school administrators found a way for him to stay in school and to improve his chances of high school graduation. Much hard work remains to see this goal come to fruition, but a foundation has been built that would not exist without the parties willingness to use the mediation process. 

Kenzi Bisbing's Service to Ohio

Ruth Simera, Planning and Development Director, Townhall II


This spring Kenzi Bisbing, Conflict Management Services Coordinator for Townhall II in Kent will be moving with her husband to Michigan. Those in the mediation community who have had the pleasure of working with Kenzi over the last eight years will definitely feel the void. Kenzi is a devoted proponent of peaceful conflict resolution and the use of alternatives in managing disputes. We thank you her for all her many contributions to the field and wish her the best in all her future endeavors. She will be missed!

Townhall II has had a 24-hour Helpline for 37 years. Kenzi began her career as a Helpline volunteer in 2001. She then became one of the first paid mediation interns at Townhall II, along with two other Kent State University classmates and fellow Helpline volunteers. The focus of the internships was to participate in police ride-alongs, to provide a community-based combination of crisis intervention and mediation to families in conflict. While the police rides no longer take place regularly, Kenzi was the first to develop a system whereby police officers could easily make referrals to Townhall II's Conflict Management Services for families in crisis/dispute. This referral base exists today and continues to grow. While working as an intern with Townhall II, Kenzi completed a bachelor of arts degree in Applied Conflict Management from Kent State University, and a master of science degree in Social Administration from Case Western Reserve University.

For the past five years, Kenzi has been employed with Townhall II as the Conflict Management Services Coordinator. In this role she oversees the provision of all mediation services at Townhall II, including parent-child, community, divorce/family, and truancy. She implemented the *Children in the Middle* and *After the Storm* programs – ongoing family education programs for parents and children going through separation or divorce.

She also served as an advocate for underserved areas of Portage County and put a lot of time and effort into building relationships and services in the Windham, Ohio community. She coordinated the development of the Windham Neighborhood Council and oversaw the structure, use, and process improvement of the Hooverman Family Center, a satellite office for social services in Windham. Most recently, she partnered with the Windham Police Department and the Garrettsville Area Chamber of Commerce to coordinate outreach activities to Windham youth and families, funded by the Ohio Department of Youth Services. This project included police ride-alongs during the summer, promotion of healthy summer activities, provision of tools for increasing the likelihood of success in school, and the use of police officers as positive community connections to local youth.

In addition, she conducted a variety of conflict management and mediation trainings over those five years, including training sponsored by the Ohio Commission on Dispute Resolution and Conflict Management and the Supreme Court of Ohio Dispute Resolution Section. Kenzi has been instrumental in the continuation and enhancement of services and has developed incredibly positive relationships – both locally and around the state, including her work with the Mediation Summit, a statewide effort to bring together representatives of all the mediation organizations in Ohio for their mutual benefit.

Finally, it should be noted that Kenzi was pivotal in promoting Portage County's Truancy Prevention Through Mediation Program and spreading the program to additional school districts and buildings. She has explained the model to teachers and administrators, set up in-school mediations, and performed numerous truancy mediations throughout Portage County. For more information on Townhall II please visit www.townhall2.com. 

[Training Opportunities](#)

To view statewide training opportunities in dispute resolution and conflict management, please visit the Commission's Web site at: www.DisputeResolution.ohio.gov/trainings.htm.

Supreme Court of Ohio Training opportunities are available under *Events Calendar* on the Court's Web site: http://www.sconet.state.oh.us/dispute_resolution/

[Commissioners and Staff](#)

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