



Dispute Resolution Center Newsletter

Summer 2019: Annual Report

Inside this issue:

<i>DRC Annual Review FY 4/1/18 ending 3/31/19</i>	1-2
<i>A New State-wide Initiative: Presumptive ADR</i>	2
<i>DRC Annual Report</i>	3
<i>DRC Referral Sources</i>	4
<i>DRC Use of Volunteers & Staff</i>	5
<i>ATI & CSR Dispatch</i>	6

DRC Annual Review for the Fiscal Year beginning April 1, 2018, and ending March 31, 2019 by Tom Pullyblank, Director of Programming.

I want to begin this summary with our volunteers. One thing we've learned over the past year is that the word "volunteer" only begins to capture what our non-staff mediators bring to the table. Yes, like other generous people in other organizations, our volunteers donate their time to a larger cause for the benefit of other people. And yes, like other volunteers, many of our mediators are retired from their main career and have time available in their schedules to give back. But the demands on our mediators are high. Mediation sessions themselves can be as demanding as they are rewarding. Mediators must make time for a certain number of mediations per year to maintain certification. Training requirements are rigorous. In addition to the 30 hour basic training, mediators must complete a 16 hour custody/visitation training in order to mediate parenting plan cases. Then, in order to remain certified, mediators must complete 6 hours of advanced training per year. Given their training and service requirements, we have decided to refer to our volunteers as "professionally trained community mediators," a term that more fully captures who our volunteers are.

We are working hard to maintain and expand mediation opportunities for our professionally trained community mediators in all of our seven counties. Our overall goal is to have volunteers mediate at least half of all our cases that end up in mediation. As you can see in the pie charts on page 4 we have reached that goal in all our counties except Herkimer, where we currently have no volunteers available. Everywhere else, we have an excellent roster of mediators to rely on. That said, we are always looking for new mediators. Word of mouth is often the best reference.

If you know anyone who might be interested in mediation and has the life experience and personal characteristics to help people in conflict, please let us know and we will reach out to them. As I've heard over and over again in post-mediation debriefs, our work is extremely rewarding and energizing. I know from follow-up conversations with clients that they value the process of mediation as well.

We are committed to offering our mediators and staff frequent trainings on a variety of topics. Here is a list of trainings that our volunteers participated in this past year.

- April 2018: Motivational Interviewing with Treena Halstead and Divorce Mediation In-service with Phil Hill.
- June 2018: Custody/Visitation Mediation Training with Sarah Rudgers-Tysz of Mediation Matters in Albany.
- July 2018: Circle Training with Glen Parker and Alice Rudnick of the Unified Court System.
- November 2018: Parent/Teen Mediation Training with Duke Fisher and Agreement Writing In-service with Tom Pullyblank.
- February 2019: Starting Mediation in-service with Tom Pullyblank.

In addition, our paid staff members have attended several trainings, including Thinking for a Change, Advanced Circle Training, Attendance Mediation Training and Girl's Circle Training. If you are interested in learning more about any of these trainings or if you would like to talk about what trainings we have planned for 2019-2020, please give me a call.

(Continued on page 2)

(DRC Annual Review continued, p.2)

For this year, we will continue to offer in-service trainings and we are planning a small claims mediation/arbitration training for October.

Trainings have a two-fold purpose. Like all continuing education, they help keep us updated in the latest practices so our skills remain sharp. They also teach us new services that we can offer people in our communities. As you can see in the DRC Annual Report Summary on page 5, we offer a wide variety of services throughout our seven county service area. We are currently evaluating which of these services are most effective in our various counties and communities. Parenting plan mediation is an obvious centerpiece of our work throughout our service area. Divorce mediation is an important service in four of our counties—Chenango, Delaware, Herkimer and Otsego.

All of the services we offer have the goal of helping people through the difficulties of conflict. This overarching goal raises the question: Why do we do what we do? What is it about the work of mediation that causes us to invest so much time doing it? I've been asking this question of our mediators lately, and I've gotten a variety of answers:

"In court the ugly gets uglier. In mediation there's an opportunity for healing. The couples are no longer stuck on a battlefield, like in court."

"Informal self-determination is crucial--the clients themselves are peacemakers, solving their own conflicts as we guide them through the process."

"People get a chance to make their own decisions."

"Follow-up to modify a custody/visitation order is relatively easy."

"We are communication-builders in hope that it impacts their future."

"People view us differently than attorneys and judges; they see us as more human, less as authority figures."

"Mediation is more welcoming setting than court."

"Divorce mediation can save couples a lot of money, as well as a lot of aggravation."

All of these answers point to the same basic truth about our work: mediation and our other conflict resolution processes are effective means to the end of helping people handle the conflict that comes into their lives. I think a fellow mediator said it best. Our work, he told me, is like lighting one small candle at a time to dispel the darkness of the world. To all of you who do this work: thank you!

A New Statewide Initiative- Presumptive ADR by Miranda Smith, Case Manager

A transformational move has been initiated within New York State Unified Court System. "Presumptive ADR" means that parties in civil cases will be referred to mediation or other forms of Alternative Dispute Resolution (ADR) as the first step in the case proceeding towards court. Civil cases such as estate matters, commercial and small claims disputes, custody and visitation, and matrimonial cases will be directed by the courts to ADR services. In mediation, a neutral party works with the parties in dispute to foster negotiation and helps them find a resolution to the issues at hand. Mediation helps the parties understand each other's positions and viewpoints as well as assisting them with considering options outside of the litigation or typical court involvement. This usually leads to more satisfying outcomes.

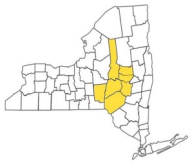
This initiative will build on the success of the court's relationship with the network of ADR programs. "The court system, supported by its ADR Office, collaborates with trial courts, law schools and non-profit community dispute resolution centers around the State to offer parties access to free or reduced-fee ADR services in a variety of disputes, also assisting courts in maintaining rosters of ADR practitioners, among other responsibilities." (New York State Unified Court System, 2019).

Over the past few years, ADR programs have grown with thousands of New Yorkers benefiting from ADR services. With this new initiative in place, it is expected that the demand for ADR will increase throughout communities in New York State. Presumptive ADR presents a cultural shift in how civil cases are handled in the court system. Disputes will be resolved faster while giving people in conflict an opportunity to be heard.

Reference:

New York State Unified Court System. (May 14,2019) Court System to Implement Presumptive, Early Alternative Dispute Resolutions for Civil Cases. Retrieved from http://ww2.nycourts.gov/sites/default/files/document/files/2019-05/PR19_09_0.

DRC Annual Report Summary by County by Tom Pullyblank, Director of Programming.



Chenango County: Our relationship with the Chenango County Family Court remains strong, providing us with the vast majority of our mediation referrals. We are a regular presence at the monthly meetings of the Chenango County Interagency Council. We continue to receive requests for divorce mediation from Chenango County. We have started holding regular mediations at the United Church of Christ in Norwich, offering us a second regular mediation site along with the YMCA. We have begun attendance mediation services at the Norwich City School.

Delaware County: Family Court continues to be our most important referral source in Delaware County. In addition to parenting plan (custody/visitation) cases, the Delaware County caseload includes landlord/tenant, special education and divorce mediations. In addition we hold one Victims' Impact Panel Presentation in Delhi annually. Connections have been made with several Delaware County organizations, including the Catskill Forestry Association, the Catskill Center for Conservation and Development, and town and village governments/courts. We continue to participate in the monthly Delaware County Council on Human Services meetings and the Delaware County Chamber of Commerce breakfasts. Because the lack of public transportation is a perennial problem in Delaware County, we have secured mediation sites in most communities to help make it possible for clients to attend mediation sessions wherever they live. Referrals from our Sidney Catholic Charities office have been steady. We now have a contract with the Delaware County Probation Department and the Delaware County Department of Social Services about our interactive journaling services.

Fulton County: Fulton County's caseload continues to be mainly cases referred from City Court and Family Court. The caseload mainly consists of small claims, landlord/tenant issues and parenting plan mediation. There has been an increase in small claims cases in Gloversville City Court. The Johnstown City Court is a new referral source that has started to bear fruit. We have been working closely with the Gloversville City Housing Authority on community building circles. We are also working on a long term agricultural credit case that was referred to our center from the New York State Agricultural Mediation Program (NYSAMP).

Herkimer County: We continue to have an office in the Herkimer County Family Court, where our case managers cooperate very closely with the clerks and judges. We also continue to receive housing case referrals from five local housing authorities. Working out of the Herkimer County Catholic Charities office in Ilion, the TREATY program works with students in all Herkimer County schools to teach communication and conflict resolution skills. We receive a steady stream of divorce cases from Herkimer County. We continue to partner with NYSAMP and Farm Net at the annual Farm Progress show in Mohawk. Starting this winter, we joined other Herkimer County service organizations in holding regular office hours in Old Forge, which is an hour and a half away from the main Route 5 corridor in Southern Herkimer County.

Montgomery County: Our primary referral sources continue to be Montgomery County Family Court (parenting plan mediations) and Amsterdam City Court (small claims cases). We have a regular presence in both courts. We have been strengthening our connections with Centro Civico, a community organization in Amsterdam that serves the Latino population.

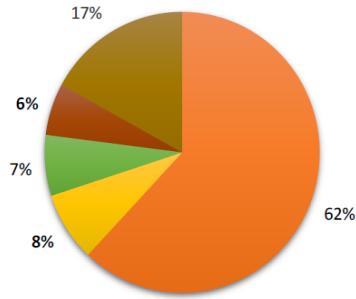
Otsego County: The caseload for Otsego County is made up of parenting plan mediations, divorce cases, utility disputes and landlord/tenant cases. We maintain a strong relationship with the Otsego County Family Court in Cooperstown. Still, most of our mediation referrals come from walk-ins, call-ins and prior clients. Our office on Main Street in Oneonta is the hub of our seven-county DRC program. Over the past year we have connected with other community organizations like the Job Corps and the League of Women Voters. In addition, we hold three Victims' Impact Panel Presentations in Oneonta annually.

Schoharie County: Cobleskill is the location of our other main office. From there we connect with the Cobleskill Town Court and the Schoharie County Family Court. We have done circle work with the adult education program at SUNY Cobleskill. We are fixtures at events like the Maple Festival and the FAM Fun Run. We have also had several conflict coaching cases in Schoharie County.

In all our counties, we reach out to schools, public agencies, libraries, attorneys, doctors, veterinarians, police departments, courts, synagogues, churches and other businesses/organizations to advertise our services and build relationships. If you know of any professional or public organization that we should contact, please give me a call.

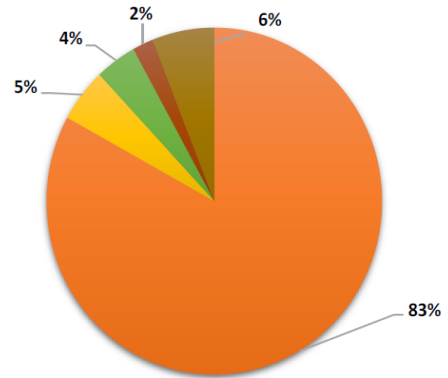
DRC Referral Sources 4/1/18-3/31/19

Chenango County



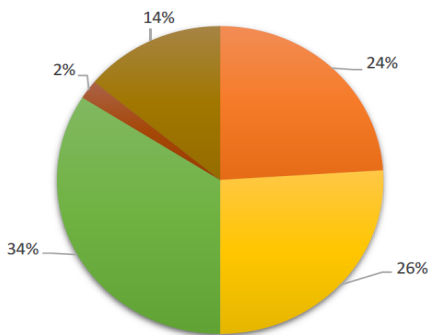
Family Court Walk-in Prior Client Small Claims Other

Delaware County



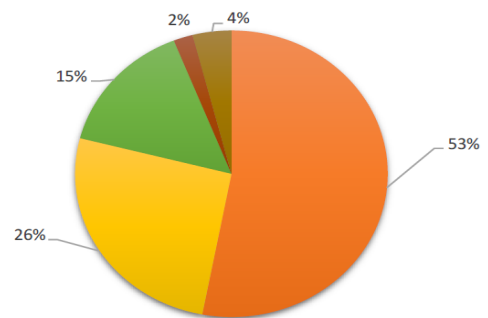
Family Court Walk-in Prior Client Schools Other

Fulton County



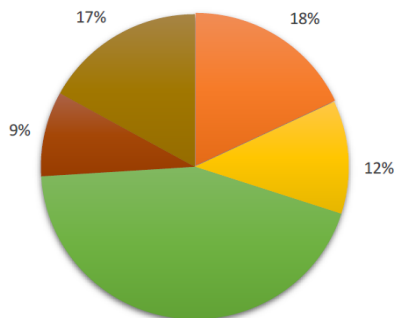
Family Court NYSAMP City Court Groversville Housing Authority Other

Herkimer County



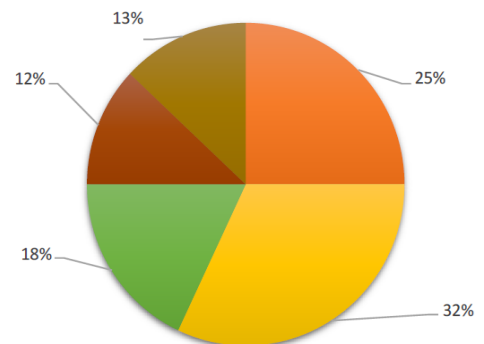
Family Court Walk-in Prior Client Housing Authorities Other

Montgomery County



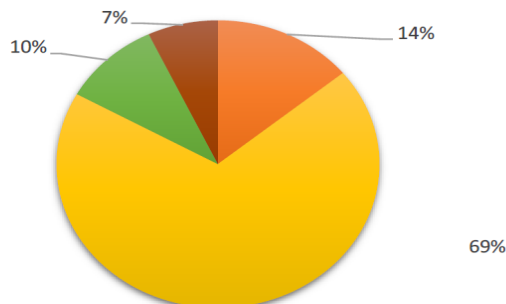
Family Court Prior Client City Court Legal Aid Other

Otsego County



Family Court Walk-in Caring Connections Word-of-Mouth Other

Schoharie County



Family Court Walk-In Private Agency Emergency Assistance

Total Number of DRC Processes for FY 2018-19

- Parenting Plan (Custody/Visitation) Mediations 139
- Small Claims Mediations 58
- Housing Hearings/Landlord-Tenant Mediations 33
- Conflict Coaching Sessions 11
- Divorce Mediations 10
- Circles 7
- Special Education Mediations 4

2018 DRC Mediation and Conciliation Survey Results

1. How satisfied were you with mediation as a problem resolution process?

Answer choices/ Responses

Very satisfied 64.21% (192)

Satisfied 31.44% (94)

Dissatisfied 4.35% (13)

2. Do you feel this is a better way to resolve problems than by alternative means (courts, other agencies, etc.)?

Answer choices/ Responses

Much better 67% (199)

Better 24.24% (72)

Not better 8.75% (26)

3. Would you use our mediation services again, if a need arose in the future?

Answer choices/ Responses

Yes 93.33% (280)

No 6.67% (20)

4. Would you recommend our service to others?

Answer choices/ Responses

Yes 96.66% (289)

No 3.34% (10)

5. Did your mediator(s) behave in a fair and impartial manner

Answer choices/ Responses

Yes 98.66% (295)

No 1.34% (4)

6. How satisfied were you with the mediator(s)?

Answer choices/ Responses

Very satisfied 75.25% (221)

Satisfied 23.08% (69)

Dissatisfied 1.67% (5)

7. How satisfied were you with our Dispute Resolution staff?

Answer choices/ Responses

Very satisfied 70.07% (206)

Satisfied 27.21% (80)

Dissatisfied 2.72% (8)

10. How valuable do you feel our mediation or conciliation services are to the community?

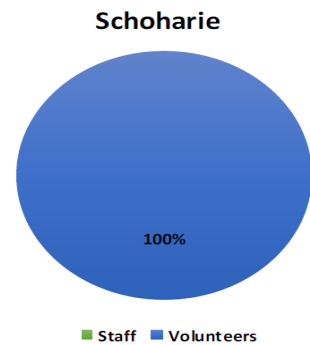
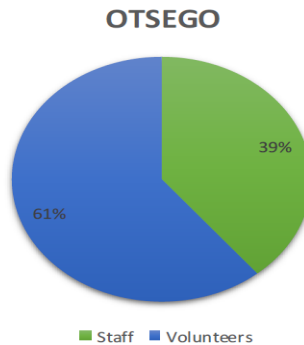
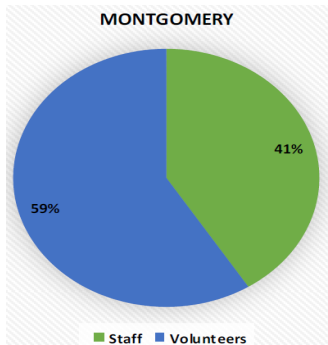
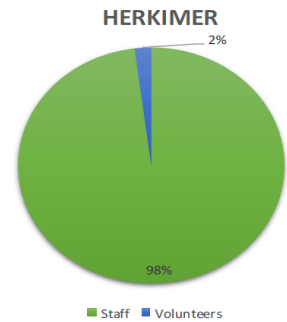
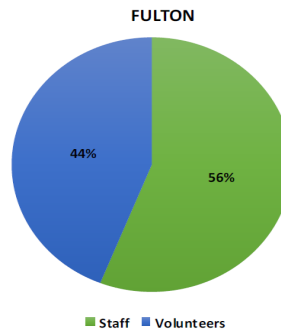
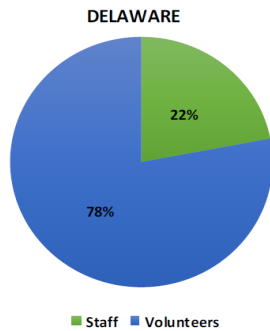
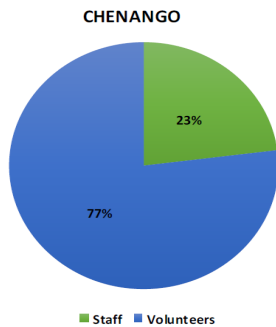
Answer choices/ Responses

Very valuable 74.58% (220)

Valuable 23.73% (70)

Not valuable 1.69% (5)

DRC USE OF VOLUNTEERS AND STAFF IN MEDIATIONS



The ATI & CSR Dispatch (April-June 2019)

This report provides more detailed information to the A.T.I. Advisory Board regarding the number of hours community service ordered and completed, the number of successful and unsuccessful completions, and the reasons why. Included in this report are the referral sources, the defendant's charges and the worksites where the defendants were assigned. My hope is that this report will be useful to all who serve on the A.T.I. Advisory Board. Thank you for all your support in making this program successful in our county.
Ameen Aswad
A.T.I. Chair

Without community service we would not have a strong quality of life. It's important to the person who serves as well as the recipient. It's the way in which we ourselves grow and develop.

Dr. Dorothy Height, Educator & Social Activist (1912-2010)

The Alternatives to Incarceration Dispatch

Demographics: July 2018-June 2019 A.T.I. contract the program received:

- ◆ 46 intakes from the court resulting in 3,481 hours of court ordered community service.
- ◆ 2,791.25 hours of community service were completed.
- ◆ 39 successful completions.
- ◆ 5 were an unsuccessful completions from the Adult Treatment Court.
- ◆ 1 was an Administration Discharge from the Otsego Town Court.
- ◆ 5 pending cases from the Oneonta City Court.
- ◆ 3 pending cases from the Otsego County Court.

Referral Sources: 7 Oneonta City Court ◆ 1 Probation ◆ 2 Otsego Town Court ◆ 2 Otsego County Court ◆ 2 Oneonta Town Court ◆ 4 Treatment Court

College Students: 4 SUNY Oneonta & 1 Hartwick

Worksites Assigned: ◆ Salvation Army Store ◆ The Lord's Table ◆ Habitat for Humanity ◆ SPCA ◆ Boys and Girls Club ◆ Youth for Christ ◆ Turning Point

Charges: ◆ 2 Public Fighting ◆ 1 Urination in Public ◆ 3 Disorderly Conduct ◆ 1 Alcohol Under 21 ◆ 1 Attempt to Commit a Crime ◆ 1 Reckless Driving ◆ 2 Endangerment Welfare of Incompetent Person ◆ 1 Criminal Mischief 4th ◆ 1 Criminal Mischief 3rd ◆ 1 Petit Larceny ◆ 1 DWI ◆ 1 Burglary 3rd ◆ 1 Grand Larceny 4th ◆ 1 Making Graffiti

The Community Service Restitution Dispatch

Demographics: In the fourth quarter of 2018-2019 A.T.I. contract the program received:

- ◆ 14 intakes from the court resulting in 690 hours of court ordered community service.
- ◆ 712.25 hours of community service were completed.
- ◆ 10 successful completions.
- ◆ 1 was unsuccessful in completing their hours.
- ◆ 1 was Administratively Discharged
- ◆ 4 pending cases that were returned to the following courts awaiting a reply: Cobleskill Town Court, Schoharie Village Court, Summit Town Court, Wright Town Court.

Referral Sources: Middleburgh Town Court

- ◆ Schoharie Village Court ◆ Cobleskill Town Court ◆ Schoharie Town Court ◆ Schoharie Drug Court ◆ Richmondville Town Court ◆ Montgomery County Court

College Students: 1 SUNY Cobleskill

Worksites Assigned: Joshua Project ◆ Justin School of Martial Arts ◆ Catholic Charities Store ◆ SUNY Campus Engagement ◆ Town of Blenheim ◆ Boxing Hall of Fame ◆ The Lord's Table ◆ CB Civic Association

Charges: 1 PL 260.10 Endanger Wel. Child ◆ 1 VTL 511 Aggr. Unlic. Oper. 3rd ◆ 5 240.20 Disorderly Conduct

- ◆ 1 PL 240.26 Harassment 2nd ◆ 1 155.25 Petit Larceny ◆ 1 VTL 1180 Speeding ◆ 1 VTL 1192.04 DWI ◆ 1 VTL 1220a Littering on Hwy. ◆ 2 VTL 1192.03 DWI



WANTED: Community Mediators

Do you know someone who might be interested in becoming a professionally trained, community mediator or a volunteer translator? Please contact Tom Pullyblank, Director of Programming, (607) 432-0061, or by email at tpullyblank@charitiesccdo.org.



Visit the Catholic Charities of Delaware, Otsego & Schoharie Counties' website and "like us" on Facebook!
<http://www.charitiesccdos.org/index.html>



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<https://www.instagram.com/charitiesdos/>