



# Dispute Resolution Center Newsletter

## January & February 2018

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**New York State “Raise the Age” Law**  
by April Rando, DRC Coordinator

On April 10, 2017, Governor Andrew Cuomo signed into law legislation to “Raise the Age,” which set into motion reforms to the juvenile justice system. The legislation is based on a 2014 report by the Governor’s Commission on Youth, Public Safety and Justice recommending changes in the way youths are prosecuted in the juvenile and criminal justice systems.

Currently, offenses committed by youths ages 16 and 17 are prosecuted through the adult criminal court regardless of the severity of the crime. At the time of an arrest, there are no requirements for the police to notify the youth’s parents or legal guardians or request their presence during questioning. Youths are booked, fingerprinted, and their records are sent to the Division of Criminal Justice Services. If the offense is a misdemeanor or a lower-level felony, the youth may be released with an appearance ticket to court. For more serious felony offenses, the youth can be held in an adult lockup until their arraignment before the criminal court judge. During the arraignment, the defendant will be informed of the charges, their right to have an attorney, and will be asked how they plead to the offense. The outcome of the case can take many directions- it can be dismissed, the defendant can plead guilty to the charges and receive a sentence, or proceed to trial. The youth may be detained in an adult facility during trial, and if found guilty, will receive the same consequences as an adult.

According to “Raise the Age-NY”, juveniles held in adult facilities are more likely to be sexually and physically abused, 50% more likely to report being attacked with a weapon, at increased risk of being placed in solitary confinement, 36 times more likely to commit suicide, and less likely to receive appropriate interventions than if they were

held in a juvenile facility. Juveniles transferred or released from an adult prison are 80% more likely to reoffend, or commit more serious, violent crime. Black and Latino youth are 70% more likely to be arrested, and of those 80% more likely to be incarcerated.

“Raise the Age” legislation took effect as of October 6, 2017 as it pertains to the sealing of records for certain types of crimes, excluding sex offenses and Class A felonies. The first stage for raising the age of criminal accountability to age 18 begins on October 1, 2018 for 16-year-olds, and then for 17-year-olds a year later. Parents will now be notified when their children have been arrested, and questioning of the youth must take place in an age-appropriate setting for a developmentally appropriate period of time. Misdemeanors- except vehicle and traffic law misdemeanors- will be heard in Family Court, whereas felonies will begin in the Youth Part of adult criminal court. Non-violent felonies will be transferred to the Family Court unless the District Attorney files a motion within 30 days showing “extraordinary circumstances” for why it should remain in the Youth Part of criminal court. In addition to moving many of these cases to Family Court, youths will no longer be sentenced to or detained in an adult facility, but rather in an OCFS-operated and licensed facility.

Probation departments will now be able to refer cases for appropriate interventions during the adjustment phase of the Family Court proceedings. Community Dispute Resolution Centers have an opportunity to provide various types of interventions, including parent/ child and pre-PINS mediations, dialogue circles, restorative conferences, conflict coaching, school-based interventions, re-entry services, and training. For more information about “Raise the Age,” go to <http://raisetheageny.com/>



### From the Program Director

The Catholic Charities Dispute Resolution Center came together as one seven-county region last year at this time. It has been a busy year getting staff trained and certified to mediate, learning about our new territory and reaching out to the courts, agencies, institutions, schools and governments in each county to hear their concerns and the needs for services for each county. We are growing and changing, which is wonderful but change doesn't happen without some loss. Both the program and the agency have grown and were in need of additional staff for positions that we were able to add with an addition of funding.

The Dispute Resolution Center was in need of additional supervisory help because my position within the Oneonta office included other duties that I had not been able to give the amount of attention necessary when I was traveling so much for the DRC program and to allow for my position to take on additional responsibilities within the agency. I will continue to oversee the Catholic Charities Dispute Resolution Center as a whole but we were able to hire a Director of Programming in October who will be responsible for the day to day oversight of the mediation program. In addition, we were able to hire a Director of Planning and Outreach. The Director of Planning and Outreach will work with the Director of Programming to develop outreach plans for the program and will assist the Case Managers in creating and implementing outreach in each of their counties.

After much interest and discussion, Tom Pullyblank was promoted from Case Manager to Director of Programming and April Rando was promoted from Coordinator to Director of Planning and Outreach. April will continue with her original duties and add planning and coordination of outreach to her daily duties. Lois Hubbard will remain a supervisor and Coordinator for Chenango, Delaware, and Otsego Counties.

Youth services are becoming more of a need and focus. In Delaware County we currently have a mentoring program and are in discussions with several of our counties to provide needed services for at-risk youth, including restorative practices. As this will likely continue to be an area of focus and growth, we anticipate further changes in the future. At this time, Diana Halstead, our current Mentoring Coordinator and Case Manager in Delaware County has become so busy, she is unable to do everything she needs to do and be everywhere she needs to be, so we are reassigning her case management duties to another staff person which will allow her to focus completely on developing our services for youth. In addition, we have

been able to add extra time to case management in the Herkimer County Family Court. I fully expect with this team and the great work that they do, that we will continue to grow programming.

Unfortunately, we have also had some loss in our program. Two of our Case Managers left the program. Melissa Capone from Fulton and Montgomery Counties left the program in September. Melissa moved south to be closer to her extended family and the warmer weather. John Graham from Chenango, Delaware and Otsego Counties made the decision to leave in October when he decided that the program was no longer a good fit with the goals he had for himself. We are in the process of filling the positions.

We have currently filled three case management positions. Brittany Ward has been hired as the Case Manager in the Herkimer County Family Court. Miranda Smith has been hired as the Herkimer County Case Manager. Jodi Bell has been hired as a Case Manager. Jodi is currently helping in Fulton and Montgomery County but will be working in the Oneonta office as a Case Manager when the position for Fulton and Montgomery County Case Manager is filled. Beginning with the next newsletter, I will ask Tom to take over the *From the Director* article. I may occasionally write a piece or submit necessary information. My contact information will remain the same. If anyone has questions, comments or needs to speak with me for any reason, you can always reach me at my e-mail address [chouck@charitiesccdo.org](mailto:chouck@charitiesccdo.org) or by telephone at (607) 432-0061.

Regards,  
*Christy*

***In Memory of Tom Nielsen*** by Lois Hubbard,  
DRC Coordinator

*"A BEAUTIFUL LIFE"*

*A beautiful life  
that came to an end,  
He died as he lived, everyone's friend.  
In our hearts a memory will always be kept,  
of one we loved,  
and will never forget.*

This was in the card for Tom Nielsen's funeral. Tom and Ria became mediators in 2009. They were very active in the mediation program. Tom was also helpful with computer issues that we would have. They both participated in the trainings held and also assisted with training when we needed mediator coaches. Tom was an encourager to mediators and the staff. He had great stories of their life. He will be missed. Remember Ria and family at this time.



## **Save the Date!**

*Catholic Charities Dispute Resolution Center  
of Delaware, Otsego, and Schoharie Counties  
Training Opportunities:*

- **Saturday, February 17, 2018, 9:00 AM-5:00 PM, Advanced Regional Training: "Incorporating Circle Components in Multiparty Mediation Cases"**, Elm Park Methodist Church, 401 Chestnut St., Oneonta, NY; Trainer: Kim Reisch, Director for the Center for Dispute Settlement. Participants will identify mediator challenges during multiparty mediation, understand how circle process values align with mediation values, identify opportunities to use circle components in multiparty mediation, and demonstrate the ability to use selected circle components in the mediation setting. RSVP Lois Hubbard at (607) 432-0061, ext. 126, or by e-mail at [lhubbard@charitiesccdo.org](mailto:lhubbard@charitiesccdo.org).
- **Friday, March 9, 2018, 12:00-5:00 PM and Saturday, March 10, 2018, 9:00 AM-5:00 PM: Two-Day Divorce Mediation Training**, Calvary Hill Retreat Center, 290 Chestnut St., Oneonta, NY. Trainer: Dan Burns, Esq. Cost \$200. Registration & payment due no later than March 1, 2018. For more information, please contact Christy Houck, DRC Program Director at (607) 432-0061, [CHouck@charitiesccdo.org](mailto:CHouck@charitiesccdo.org).
- **Friday, April 13, 2018, 9:00 AM-4:00 PM: "Motivational Interview Training"**- More information will be coming. The training is free. To register, please contact Diana Halstead, Delaware County Mentoring Program Coordinator, at (607) 353-2198, or by email at [dhalstead@charitiesccdo.org](mailto:dhalstead@charitiesccdo.org). The registration deadline is April 6, 2018.
- **Saturday, January 20, 2018, Advance Regional Training: "Multi-party Mediation and Facilitation Skills,"** Binghamton, NY; Trainer: Jeff Shephardson, NYS UCS Certified Mediation Trainer. To register or for more information, contact Kacey Ellsworth, ACCORD, (607) 724-5153.
- **Saturday, February 3, 2018, (inclement weather date, Feb. 10, 2018) 9:00 AM-4:00PM, Advanced Mediation Workshop: "Navigating High Emotional Conflict in Mediation: Keeping Personal Biases Off the Table,"** Columbia County Chamber of Commerce, 1 N. Front St. Hudson, NY 12534; Trainer: Duke Fisher. To register, contact Dawn Wallant, (518) 943-0523, or by email at [dwallant@commongroundinc.org](mailto:dwallant@commongroundinc.org).
- **Saturday, February 3, 2018, Advanced Regional Training: "Intense Emotions and Conflict,"** Brooklyn, NY; Trainer: Rebecca Price, NYS UCS Certified Trainer and Peter Miller. Skills for managing intense emotions and behaviors in conflict. To register or for more information, contact Toni Yost, NYPI, (718) 834-6671, ext. 219.
- **Saturday, February 3, 2018, Advanced Regional Training: "Mindful Interventions- What, When and How,"** Montour Falls, NY; Trainer: Judy Saul, NYS UCS Certified Mediation Trainer. Interactional cues that guide mediator choices and applied skills supporting party communication. To register or for more

information, contact Gina Tinker-Williams, CDRC, (607) 273-9087.

- **Friday, February 9, 2018, Advanced Regional Training: "Good Solutions Fast- Court Based Mediation,"** Hempstead, Long Island, NY; Trainer: Mark Leuthauser. Skills for effectively meeting the challenges of party issues and court capacity in small claims mediation. To register or for more information, contact Judy Axelrod at EAC Long Island Dispute Resolution Centers, (516) 486-7733, ext. 161.
- **Monday, February 12, 2018, Advanced Regional Training: "Impartiality- Implicit and Explicit Bias,"** Rochester, NY; Trainer: Sherry Walker-Cowart, NYC Certified Mediation Trainer. Understanding and applications informing conscious awareness and control of mediator bias. To register or for more information, contact Frank Liberti, Center for Dispute Settlement, (585) 546-5110, ext. 106.
- **Friday, February 16, 2018, Advanced Regional Training: "Core Competencies and Values in Mediation,"** Saratoga, NY; Trainer: Elena Sapora, NYS Certified Mediation Trainer. Skill building and reflections that focus mediator awareness, intentions, and interventions. To register or for more information, contact Brennan Frazier, Mediation Matters, (518) 446-0356, ext.12.
- **Saturday, February 24, 2018, 8:30 AM-4:30 PM, Advanced Workplace Mediation**, Mediation Center of Dutchess County, 147 Union St., Suite 102, Poughkeepsie, NY; Trainer: Jeff Shephardson. To register, contact Claudia Abbott-Barish at (845) 471-7213, ext. 201, or by email at [cabbott-barish@dutchessmediation.org](mailto:cabbott-barish@dutchessmediation.org).
- **Friday, March 2, 2018, Advanced Regional Training: "Good Solutions Fast- Court- Based Mediations,"** Middletown, NY; Trainer: Mark Leuthauser. To register or for more information, contact Donna Ramlow, DRC, (845) 372-8771.
- **Saturday, March 3, 2018, Advanced Regional Training: "Core Competencies and Values in Mediation,"** Albany, NY; Trainer: Elena Sapora. To register or for more information, contact Brennan Frazier, Mediation Matters, (518) 446-0356, ext. 12.
- **Saturday, March 10, 2018, Advanced Regional Training: "Intense Emotion and Conflict,"** Ithaca, NY; Trainer: Jody Miller, NYS Certified Mediation Trainer. To register or for more information, contact Paula Wright, CDRC, (607) 734-9087.
- **Tuesday, March 19, 2018, Advanced Regional Training: "Cultural Humility for Mediators,"** Queens, NY; Trainer: Jasmin Brandow and Rebecca Koch. To register or for more information, contact Leslie Funk, CMS, (718) 523-6868.
- **Wednesday, March 20, 2018, Advanced Regional Training: "Core Competencies in Mediation,"** Buffalo, NY; Trainer: Brad Heckman, NYS Certified Mediation Trainer. To register or for more information, contact Julie Loesch, Center for Resolution and Justice, (585) 546-5110.



Each month we feature articles about our staff and volunteer mediators.

**Welcome our new DRC Case Managers!** The Dispute Resolution Center has added new staff to our Herkimer and Amsterdam offices. Please welcome Brittany Ward and Miranda Smith (Herkimer), and Jodi Bell (Amsterdam)!



**John Sapovits, Volunteer Mediator**

My name is John Sapovits and I have been a volunteer mediator since 2013 when I received my training at Mediation Matters in Albany. I believe I stumbled across the concept of mediation while looking for an area where I could invest some volunteer

time and energy.

As I began to understand mediation better I also realized it could help me in my career as a nurse practitioner. So many times I see conflict between patients and providers, patients and families and between providers – healthcare is just full of conflicts where the principles of mediation could be helpful in helping to at least ease some of the tensions.

The most rewarding aspect of being a mediator is seeing people being able to at least discuss the conflict which surrounds them when they enter mediation. Of course not everyone reaches a settlement but sometimes just getting people to sit down and talk helps. Plus I am a believer that sometimes the results are often only seen far down the road, like a spring that does not see the wide river that it eventually becomes.

All types of mediation interest me and I have been through both custody/visitation and special education training (sadly I have not been able to do any of the latter due to the very few number of cases). In March I will be attending the divorce mediation training. Most of my mediations have been done in the court setting which can be a challenge due to the time constraints. My long-term goal is to somehow use my mediation background to help alleviate the conflicts I see in healthcare.

Besides mediation I enjoy spending as much time as possible with a certain special Irish lassie who is also my fiancée. Being the primary care giver for six crazy cats keeps me quite busy. Baking Bundt cakes while I listen to a baseball game or classical music is my idea of relaxation.



**Mediation at the Movies (A glimpse at what good films can teach us about the art of mediation)** by Tom Pullyblank, Director of Programming

*Creed* (2015) tells the story of Adonis Johnson, a young boxer who, with the help of the long-retired Rocky Balboa, achieves renown in the ring through hard work and determination. It is also a film about family relationships- Adonis and the woman who raised him, Adonis and the man who becomes his surrogate father, Adonis and the father he never knew. It is a well-written and well-acted film. If you know the earlier Rocky movies you'll find a lot to appreciate in this one. If you don't like boxing, don't worry: *Creed* also tells a beautiful story that tugs at the heartstrings.

A viewing of the film with a mediator's eye reveals several important themes that we often encounter in the mediation room. What does Adonis want? What does his mother want? How can we understand the initial conflict between Adonis and Rocky? How can we understand a later conflict between Adonis and Rocky concerning the older man's health? There's a dispute between neighbors early in the film. Can you articulate what the positions and interests of each neighbor are? Finally, for Adonis, what's in a name?

I hope you have a chance to watch *Creed* and find it both enjoyable and instructive.



Visit the Catholic Charities of Delaware, Otsego & Schoharie Counties' website and "like us" on Facebook!

<http://www.charitiesccd.org/index.html>  
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<https://www.instagram.com/charitiesdos/>

**WANTED: VOLUNTEERS!**

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



If you have something you would like to share for the newsletter, please email your article by Friday, February 19, 2018 to April Rando at [arando@charitiesccdo.org](mailto:arando@charitiesccdo.org). Thank you!