



Mediate Ohio

SUMMER

2018

2018 Annual OMA Conference Motivates Members to Think Outside of the Box

On April 27, 2018, the OMA convened its Annual Conference at the event center of the Bob Evan's national headquarters in New Albany, Ohio. Our speakers were crisis negotiator, Detective Terrence Kelley, and nationally renowned mediator, Zena Zumeta. Each speaker de-toured away from traditional mediation topics to present useful insights for mediators from a different route.

Morning Session - Detective Kelley gave a dynamic presentation about what he has learned on the front lines of crisis negotiation. He entranced our audience with stories from police barricades and audio/video clips of crises that he helped deescalate. In his experience, people in crisis are inwardly focused. They are triggered by an event that had occurred 24-48 hours before the police are called, and resolving the crisis is about finding the trigger and talking the person through it. The average negotiation is 4.5 hours, with many people burning out after 90 minutes (when stress hormones are depleted).



Detective Kelley's presentation showed the similarities between crisis negotiation and mediation techniques. Hostage negotiators use active listening skills to help calm subjects down until they are ready to surrender. Key takeaways were: never let an emotion go unlabeled; find and build from positive emotions (e.g., pride, commitment, devotion); use effective pauses to draw attention to important things just said; use open-ended questions that defy a one-word answer (e.g., "Tell me about..."); and use voice to slow and soften the conversation. Being persistently respectful while using active listening skills employed by mediators, aids crisis negotiators to diffuse deadly situations.

Listening to subjects hang up on Det. Kelley multiple times before eventually surrendering suggested that mediators might give high-stress disputants a "walk-out" option. In their openings, mediators might point out a "walk-out room" where parties can go if they are feeling overwhelmed or suggest a signal that a party needs to take a break. This would allow parties to exit a situation in the mediation that is stressful without terminating the entire mediation. An apt metaphor is that of a pressure valve: many of the subjects *(continued on page 3)*



KNOW YOUR BOARD

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Vacancy Your name goes here!

(Linda Norris and Jim Petas not pictured; and Ed Krauss—3rd right—Immediate Past-President has retired from the Board)

OMA NEXT GENERAL MEETING

August 3, Noon

Speaker: Dr. Suzanne Bartle-Haring

Family Sciences, specializing in marriage
and family therapy

LEADERSHIP

ADVOCACY

PROFESSIONALISM

EDUCATION



Hats Off for OMA Member and Better World Award Recipient Tammy Martin-Kosier

In this issue we take our collective hats off for Tammy Martin-Kosier for her pioneering work with ADR in Toledo and Ashtabula County. Tammy is one of an early core group of “early adopters” who, like Terry Wheeler in our last newsletter, got involved with mediating in a court program while still in law school and jumped the fence to become a long-time advocate for mediation. For her, it was serendipitous that she got ill and could not begin the internship she had elected during her last year in law school. Instead she went into a juvenile diversion program for status offenses in 1993. The Restorative Justice movement was barely under way at that time but thanks to the luck of working with a Psychology Professor completing a research program and a magistrate who became her mentor, Tammy took to ADR like a bird to flight. She spent 13 years at the Toledo Juvenile and Domestic Relations program, developing curriculum for training and helping to design and implement new programs.

Eventually, she moved to Ashtabula County where she took a position as Mediation Coordinator, working for Wendy Howebaker, a past-president of OMA. In that capacity of the general services division, she worked with a variety

of courts and used her mediation skills for all types of cases. She now is working with the Mediation and Conflict Management Service program and will be working to implement a pilot program for parent coordinating which she also hopes to be doing soon.

Part of the attraction to ADR for Tammy has been the challenge of continuous learning: how to do it better

and how to apply it in new areas. She feels ADR helps to minimize the damage that conflict can cause families, neighbors, businesses, etc. In mediation, mediators focus on the individuals and tailor practice to go with the needs of the clients, rather than running them through a one-size-fits-all process. Another part of what she finds challenging is the constant necessity of educating other professionals

about ADR and Ashtabula’s program offerings. She feels that mediation makes the justice system user-friendly, humane, accessible and empowering for individuals.

As a long-time member of OMA, Tammy said that one

thing she values about OMA is that it promotes the profession of mediation, bringing together people who embody the same skills and talents while using the strength of OMA to take the mediation message to

the public, the courts, and other professional groups. She feels that OMA helps keep us all connected and aware of what is happening with mediation across the state.

One piece of advice she would give to new mediators is to try to find the right fit where it’s possible to be part of a support system. She said that the beauty of what we do

is that it touches everything and is “cross-applicable,” so that it’s important to go with your strengths and to keep at it if this is what you really want to do.

For mediators who have been at it awhile, she says “don’t lose sight of the basics. One of our challenges is to “normalize conflict” and “promote conflict management” so that clients and the general public begin to understand that they have the power to resolve their disputes and that disputes aren’t giant hurdles to overcome by hiring big guns to fight a war for them. Instead, by normalizing conflict, people can realize the value of talking it through and working with a skilled mediator to provide assistance. Again, to rise to this challenge, OMA is central to giving voice to these critical messages.

So, overall Tammy attests to having a passion for what she does and that she will be eternally grateful for those early days when she got sick, missed the internship of her choice, met and worked with two powerful role models and learned about the many benefits of ADR, not just for clients but for professionals, the courts, and even more importantly for herself as well.



Left to Right: Teresa Cusma, OMA Vice President and Tammy Martin-Kosier

OMA Members Pays Tribute to Dr. Judith Thomas, 1938—2018

Charlotte Parsons

Ohio lost a passionate mediation pioneer with the June death of Dr. Judith Wayne Thomas, 79, of Newark and Granville. Professionals, families and individuals have benefited from her gift for conflict resolution since she channeled her energies to mediation in 1991, beginning with her training at Community Mediation Services in Columbus.

Previously, Judith hailed from professional work advocating for women’s, LGBTQ, and marriage rights as well as teaching. Judith also served as a missionary in the era of Chiang Kai Shek’s (1949-1987) “White Terror,” for which she was deported back to the U.S. in 1971. Eventually she was invited back to Taiwan and honored as a foreigner who fought for Taiwanese democracy. Later, she earned her Doctorate in Sociology from Columbia University. (Continued on p. 3)

(OMA Conference Cont'd from P. 1)



Afternoon Session - Zena Zumeta's presented information and techniques for a new niche in Conflict Resolution - conflict coaching. Conflict coaching was originally developed by mediators when one disputant did not show up for the mediation session and the disputant who did appear still wanted advice on dealing with conflict. Conflict

coaching is an interesting skill that private practice mediators could put to use when one disputant refuses to come to the table, between mediation sessions, or in caucus.

Conflict coaching is predicated on the idea that people think and talk in stories. Conflict coaches help clients understand their situation and craft the best possible story. This could be used by mediators in caucus to help disputants think deeply about their side of the conflict. Exploring their stories is a way to step back and analyze actions from a more-objective, outside perspective. Usually, people

want to craft a story in which they are the heroes; and, presumably, because heroes do not squabble, an outside perspective may bring the parties to adopt a conciliatory stance from which conflicts are more likely resolved. Thus, the next a disputant gets the bad news that the other party is avoiding mediation, the mediator can guide them to conflict coaching where they will create the best possible story to take forward as they continue to interact with the other person.

Overall, both participants delivered high quality, interesting,

and useful presentations. Having split sessions has proven successful. As with Tanya Menon at last year's conference, learning from practitioners in other professions who use many of the same techniques and strategies as dispute resolution practitioners, has been, in effect a cross-pollination venture. An intra-disciplinary approach to learning expands our perspective on what we do and provides us with valuable tools and methods of enriching our practice and assisting our clients.

OMA Board Works for You

On June 16, 2018, the Board held a retreat to set goals, complete a mission statement, discuss priorities, and delegate some action steps.

Major priorities include membership building and engagement; marketing; communication/outreach/networking; program planning; and sustainability. It was decided to establish committees and recruit members to serve on them once guidelines are in place. A membership committee has been formed and soon a membership drive will begin so stay tuned for that one.

Marketing is a major concern. Taking the message of alternative dispute resolution to the public and other professionals, particularly the Ohio courts, is critical to increasing the use of mediation state-wide. Social media marketing is a relatively inexpensive and highly effective way to connect with a wide variety of groups and individuals; but there is quite a learning curve involved. To this end, the Board hopes to provide an internship for a marketing student to get us up and running on Facebook, Twitter, Boo, and Linkdin. Hopefully, also, that individual will hold a training for all Board members to learn how to use these powerful tools successfully. Any member who is up to speed on social marketing is encouraged to join our marketing committee asap and help us launch this new undertaking.

Many ideas for engaging members were discussed. Attendance at meetings and our annual conference is critical to the viability of OMA. We hope to beef up our member meetings by providing dynamic speakers and continuing education credits. Getting members to read, comment on, and write blogs is another key to staying active. Blog topics have been planned and Board members will be reaching out to key individuals to write articles/blogs for our website and general distribution. Soon, a calendar page will be added to our website to help members keep track of upcoming speakers and other events/activities. (Continued on p.4)

(Continued from p. 2) Licking County Domestic Relations Court Program Coordinator, Jay Patterson said, "Judith was one of the founders of this program, and she had a profound effect on its success,". He added, "She was highly respected by the attorneys and was a mentor to many of the mediators who followed in her wake. I know she will live on through the impact she had on me and on countless others."

Before she retired one year ago, I had the pleasure of joining Judith at her office. I could never thank her enough for that, or for the River Road coffees, the Polumbo sandwiches, and the wisdom she so generously shared with me. I will never forget her gentle Texan accent, her adoration for her family, or her drive to help all families.

Judith's husband, Jerry Griffin, told me in a recent conversation that a thought hit him "like a ton of bricks" after Judith died that, frankly, can apply to us all. "It's clear to me," he said, "that Judith left me with a model for living: listen, be curious, and connect." Thank you, Judith, for everything!



OMA is a professional organization of mediators and Alternative Dispute Resolution practitioners throughout Ohio, dedicated to giving a collective voice to the diverse business and professional needs of its individual members. Founded in 1989, OMA provides leadership, training, professional development, networking opportunities, business advertising, a mediator registry, advocacy, and information for its members. Through regular meetings, conferences, newsletters, email blasts, committee activity, regular blogs, and reciprocity with other organizations, OMA is constantly working to increase the use of ADR in both the public and private sectors. As an information clearing house, OMA provides information about employment and training opportunities as well as links to other ADR organizations and activities.

(OMA Continued from p. 3) Services to members is important. Our agreement with Zoom which we are using to allow remote participation in meetings and discussions is also available for members to use for their on-line mediations. We are now offering a student membership rate of \$30.00 for annual membership and \$50.00 for the annual conference. The "find a mediator" offering on the OMA website is great advertising, especially for people who cannot afford their own website or don't want to go to all that trouble. (If you haven't already done so, go online and update your profile. Many members have gotten business this way.) We hope to be able to offer CLE and CEU credits for upcoming speaker meetings for our general meetings. A search is on for speakers for our next annual meeting, which will be held in early March next year. Proposed topics are dealing toxic people and communication traps. Overall, member engagement is an area of concern, but particularly for members living in more rural or remote areas. Efforts will be developed to address this issue of engagement. Everyone is busy, but a strong organization needs active members not just to carry the message, but to carry the load as well. Hopefully, innovation and dedication will make OMA more responsive to the needs of members.

Sustainability, while an issue that certainly embraces membership building and engagement also includes developing a cadre of members who will take on leadership positions to carry on major activities and to be the "go getters" who will stay open to technological advances, who will have the skills to mobilize the membership to support activities that promote alternative dispute resolution to the public and courts, and who will have the ability to connect with a wide variety of individuals and groups to strengthen the role of OMA within the dispute resolution community.

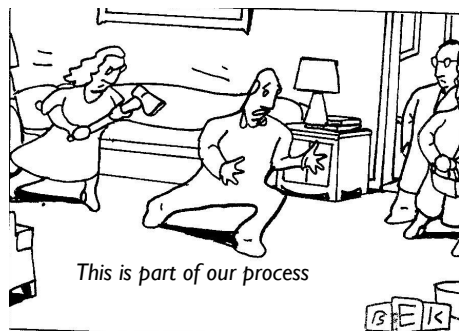
And, finally, credentialing: efforts are being undertaken by Tom McGuire and Teresa Cusma with assistance from Shirley Cochran to establish an independent, non-profit group to provide mediator credentialing services. Such an independent organization was originally proposed in 2016, but the OMA Board was more inclined to keep the profits and risks from this venture in-house. The Credentialing Committee was going to go in this direction but abandoned the idea in favor of keeping these activities within OMA. However, after the defeat of the credentialing proposal, many members have still expressed a need this service. Although OMA will not implement mediator credentialing, an independent organization is free to do so. The by-laws and the non-profit application were all previously drafted, by non-OMA Board members so it will not take too much effort to move forward. The hurdle will be in finding funding, and a search has begun to identify potential resources. Contact Teresa if you want to help.

Considering that the Board also staged another successful annual conference this year, quite a bit has been and is being done to make OMA a strong voice for dispute resolution and a unique service to its members. Please, if you can spare some time, contact a Board member to see what tasks need to be done. We have a lot of great ideas, but we need more people involved with implementing them.

Parent Coordinating a "Hot" Topic

Board Member Charlotte Parsons of "Listen Parenting" published an article in the Columbus Bar Lawyers Spring 2018 Quarterly about "Post-Decree Co-Parenting." She writes that mediators who work as parent coordinators are "like an anti-inflammatory to co-parent conflict, and a cardiac bypass to clogged communication." Anyone who has dealt with high conflict parents clearly understands this statement. Charlotte's article highlights how mediators serve a new and much-needed function for the courts. The use of conflict coaching discussed by Zena Zumeta at the annual conference couldn't be more appropriate for these parties.

Charlotte talked with Franklin County Magistrate David Black who stated, "I tell attorneys and litigants that PCs are a tool available to the court to help certain families avoid repeated rounds of



litigation by providing them with a third party who is capable of helping them negotiate resolutions, but with the authority to make decisions should the negotiation process stall."

For more information, check out Charlotte's complete article or attend the next Supreme Court Training for Parenting Coordinating.

OMA Board Member Retires

Sadly Ed Krauss, who has served OMA for many years as President and Immediate Past-President, has retired. Ed's cheerful, positive, and industrious approach to getting things done and working with people will be missed. He has consistently delivered on all his commitments, and has given a great deal of his time to OMA.

We know he will continue to serve in some capacity because he also has a passion for dispute resolution and a strong desire to see the profession of mediation be the go-to option when people need to resolve their conflicts. We all salute, you, Ed. And, thank you, thank you, thank you!