

Indiana Association of Mediators
7th Annual Midwest Mediation Conference
September 8-9, 2017

Day 1: Friday, September 8, 2017

“Conflict Coaching Conversations in Mediation: Expanding Your Tools as a Mediator” by Tricia S. Jones, Ph.D.

Tricia S. Jones is a Full Professor at Temple University (Philadelphia, PA), past President of the Temple University Faculty Senate, and recently served as Vice-President and Member of the Board of Directors of the Association of Conflict Management, the nation’s largest professional association for dispute resolution and conflict management specialists. Her research and teaching focuses on communication, conflict, and change processes.

Her scholarship has received more than \$3,500,000.00 in external funding from federal and state agencies and private foundations. She has authored 8 books and over 75 articles and book chapters and has given more than 250 presentations at national and international conferences. Her books on conflict and conflict resolution education include: Intercultural Communication: A Peacebuilding Perspective (Waveland Press, 2015); Conflict Coaching: Conflict Management Strategies and Skills for the Individual (Sage, 2008), New Directions on Mediation (Sage, 1994), Does It Work? The Case for Conflict Resolution Education in our Nations Schools (CRENet, 2000), Kids Working It Out: Stories and Strategies for Making Peace in Our Schools (Jossey-Bass, 2003), Interpersonal Communication through the Life Span (Allyn & Bacon, 2008) and. She is currently working on The Heart of Conflict: Emotion Theory and Impact in Conflict Processes (Sage, 2017 in process) and development of a book and series on Media and Social Conflict (Rowman Littlefield).

Dr. Jones is currently heading the research on Conflict Coaching Efficacy in New York State Community Dispute Resolution Centers (CDRCs), a statewide project infusing conflict coaching into the 62-county CDRC network overseen by NYUCS. In 2011-2013 she worked with Israeli and Palestinian mediators in mixed cities disputes and her model of intervention has been adopted as a national focus to increase peacebuilding efforts in those areas.

Dr. Jones is the Project Director of the Conflict Resolution Education in Teacher Education (CRETE) project funded for a total of \$2,200,000 million dollars by the U.S. Department of Education’s FIPSE program (Fund for the Improvement of Postsecondary Education).

Dr. Jones served as a member of the Peace Education Reference Group for the Global Partnership for the Prevention of Armed Conflict (GPPAC) and co-chaired the Peace Education and Conflict Resolution Education work group of the United Nations conference at the UN Headquarters in New York attended by over 1,000 government and NGO representatives from more than 60 countries. Dr. Jones was a member of the facilitation team for International Summits on Conflict Resolution Education that were hosted by

national and international partners including the Organization of American States and the United Nations Development Program.

Her conflict consulting work has focused on training and intervention programs for government agencies, higher education, health care and state offices of dispute resolution. In 2009-2011, she designed the Department of Veterans Affairs' conflict coaching program as a component of the VA ADR Office of Resolution Management. She has trained conflict coaches for federal agencies including Department of Defense, Department of State, Environmental Protection Agency, Federal Emergency Management Association, National Institutes of Health, Department of Justice, United States Air Force, Federal Deposit Insurance Corporation, Federal Bureau of Printing and Engraving, National Mediation Board, and others. Her recent consulting work focuses on delivering ADR and Conflict Management training throughout the Department of Veterans Affairs and conducting online conflict management webinars for Department of Defense Educational Administration's Conflict Education and Dispute Resolution program and the Federal Aviation Administration. She also consults for corporate and non-profit organizations such as the Organization of American States, the Global Partnership for the Prevention of Armed Conflict, The United Nations, Pfizer, and Georgia State University system, Sierra Club, the American Occupational Therapy Association, and American Baptist Churches – USA.

Agenda Day 1: Friday, September 8, 2017

- 9:00 AM Welcome/Introductions/Overview
 Defining Conflict Coaching
 The Development of Conflict Coaching (Origins and Relationship to
 Other Conflict Processes)

- 9:15 AM Introduction to the Comprehensive Conflict Coaching Model (CCCM)
 Theory and Research Foundation
 Key Assumptions
 Stage Overview

- 9:45 AM The Preparatory Conversation
 Explanation and Participant Exploration of Main Concepts
 Video Demonstration
 Critical Questions
 Participant Role Plays

- 10:00 AM Stage 1: Discovering the Story
 Explanation and Participant Exploration of Main Concepts
 Video Demonstration
 -Initial Story
 Overview of Refining and Testing the Story
 Video Demonstration
 -How to Refine and Test?

10:45 AM	Break
11:00 AM	Stage 2: Exploring Three Perspectives Overview Connecting Between Perspectives
11:30 AM	Stage 2: Exploring Three Perspectives - Identity Explanation and Participant Exploration of Main Concepts Video Demonstration Participate Role Plays Debrief
12:00 PM	Lunch
1:00 PM	Stage 2: Exploring Three Perspectives –Identity – continued
1:30 PM	Stage 2: Exploring Three Perspectives—Emotion Explanation and Participant Exploration of Main Concepts Participate Role Plays Debrief
2:15 PM	Break
2:30 PM	Stage 2: Exploring Three Perspectives—Power Explanation and Participant Exploration of Main Concepts Video Demonstration Participate Role Plays Debrief
3:00 PM	Stage 3: Crafting the Best Story Explanation and Participant Exploration of Main Concepts Video Demonstration Participate Role Plays Debrief
3:45 PM	Stage 4: Enacting the Best Story - Introduction Explanation and Participant Exploration of Main Concepts Wrap up and questions.
4:00 PM	Adjourn Day 1

Agenda Day 2: Saturday, September 9, 2017

- 9:00 AM General overview of Mediation by **Mark Roscoe**
- I. Why I became a Mediator.
 - II. Preparation for Mediation.
 - III. Building rapport, credibility and confidence during initial contact with the parties.
 - IV. Establishing a decorum of respect.
 - V. Building Momentum
 - VI. Maintaining energy levels and control over the parties.
 - VII. Joint sessions versus private caucus.
 - VIII. Drafting the final agreement.

Mark Roscoe received a Bachelor's Degree in Psychology in 1980 from Valparaiso University and a Juris Doctorate Degree from Valparaiso University School of Law in 1983. He served as a Deputy Prosecuting Attorney in Porter County from 1983 through 1986 before entering private practice. Mr. Roscoe is an active member of the Indiana State Bar Association, the Porter County Family Law Bar Association and served on the Advisory Counsel of the Porter County's Family Court Project. He served as the Secretary of the Indiana State Alternative Dispute Resolution Section of the Indiana State Bar Association in 2005 and has been a certified Family Law Mediator since the year 2000. Family Law Mediation has become the primary focus of his law practice.

Mr. Roscoe has also been actively involved in the fashion industry for the past 30 years. He recognized a market for distinctive, one-of-a-kind pieces that evoke a feeling of timeless elegance, grace, and style. He created the Make a Statement Collection.

- 11:00 AM Update on Family Law Rules and ADR Rules by **Tess Worrell & Megan Wells**

This hour will include a general update on Indiana statutes and case law applicable to family law plus an overview of the ADR Rules and applying them to your mediation practice.

Tess Worrell, as former Executive Director of the Indiana Commission for Continuing Legal Education, was tasked by the Indiana Supreme Court with implementing Court ordered mediation. Tess oversaw the development and adoption of training requirements for mediators to be listed on the Supreme Court's list of approved mediators. She worked with members of the Court, the Commission's Board of Directors, and attorneys to advance mediation in Indiana. She then stepped into private practice—concentrating on family mediation. Tess currently works at The Resolution Center, LLC, offering a holistic approach to resolving family conflicts which ensures the legal issues are fully resolved while protecting the relationships. She also speaks and

writes for a variety of publications on family dynamics. She serves on the Board of Directors for the Indiana Association of Mediators.

Megan Wells is an attorney with Duffin Hash & Coates, LLP where she practices family law litigation and mediation. Ms. Wells is a 1999 graduate of Indiana University and a 2004 graduate of Indiana University School of Law. She is a family law litigator, certified domestic mediator, Collaborative law professional, and guardian ad litem. Ms. Wells represents individuals and families in transitional phases in their lives in the family law practice. She understands that family law issues are often sensitive ones, and has the compassion, experience, and legal knowledge to provide representation to individuals at what can be the most difficult or the most exciting time in their lives. Megan handles each case individually knowing that each family is unique as are the circumstances in each family law case.

12:00 PM Lunch

1:00 PM Overview of Special Education by **Traci Tetrick**

This presentation provides an overview of the procedural safeguards offered to parents of students with disabilities under both the Individuals with Disabilities Education Act (IDEA) and Article 7. We will examine who qualifies as “parent” under Article 7 and the unique challenges that accompany more than one party acting as the parent in case conference committee (CCC) meetings. Attendees will also become familiar with key statutory language to consider in mediating and writing effective written agreements in family law situations involving parents of students with disabilities.

Traci Tetrick, Esq., is currently a complaint investigator on the “Due Process Team” at the Indiana Department of Education, Office of Special Education. Ms. Tetrick also serves on the school boards for both the Indiana School for the Blind and Visually Impaired and the Indiana School for the Deaf. Prior to working full-time for the IDOE, Ms. Tetrick served as a Special Education Mediator. She has taught grades K, 1, 5, and 6 in Brownsburg and Plainfield, and also served as a Flight Director at the Challenger Learning Center.

Ms. Tetrick earned her B.A. in elementary education from Purdue University and her J.D., *cum laude*, from Indiana University McKinney School of Law. While in law school, Tetrick served on the Executive Board of the Dean’s Tutorial Society, both as the Student Director of LARC (legal writing) and as a tutor. She also participated in Moot Court, Order of the Barristers, and interned at the Indiana Supreme Court, in former Chief Justice Shepard’s chambers.

2:00 PM Ethics in Mediation by **Carolyn Roper** and **Lea Shelemey**

“Good behavior” is a matter of these questions: Is it moral? Is it ethical? Is it legal? The presenters will provide frameworks for ethical decision-making, from Aristotle’s philosophy to What would your mother think? Participants will apply the frameworks and compare their answers.

Carolyn Roper is Associate Professor of Leadership and Human Resources in the College of Business at Purdue Northwest. Her major teaching and research fields are change management and conflict management. Dr. Roper has taught a graduate MBA course in Business Ethics and published two book chapters and made several conference presentations on ethical behavior. She is a mediator for the Indiana Education Employment Relations Board and registered as a domestic relations mediator.

Lea Shelemey is a mediator and family law attorney in Valparaiso, Indiana. She received her Juris Doctor from Valparaiso University School of Law in 2001, with a concentration in Alternate Dispute Resolution. She is a registered Mediator, a Collaborative Law Attorney, a Guardian *ad litem*, and a Parenting Coordinator. She has been appointed by the Court to serve as Guardian *ad litem* and as a parenting coordinator representing the interests of children. Lea’s practice philosophy favors negotiation and settlement as opposed to confrontation and litigation.

3:00 PM Mediation Research Project by **Victor Quintanilla**

The Indiana ADR Study will reveal whether Indiana judicial officers prefer some dispute resolution procedures over others—for example, mediation over formal legal hearings—in particular family law case contexts and situations, and the reasons for these judicial preferences. Moreover, this project will reveal the ADR preferences of Indiana attorneys and Indiana residents, along with the reasons for their preferences.

The Indiana ADR Study consists of four phases. In Phase I, we conducted pilot studies with a nationally representative sample of the public that revealed the public’s preference for mediation in family law matters. Phase II draws on these insights and the methods refined in Phase I to investigate Indiana judicial officers’ procedural preferences for ADR resolution procedures in family law cases. Phase III will be conducted with Indiana attorneys. Lastly, Phase IV will be conducted with Indiana residents.

Victor Quintanilla is the Director of the Center for Law, Society and Culture, an Associate Professor of Law at the Indiana University Maurer School of Law, and an Adjunct Professor of the Indiana University Department of Psychological and Brain Sciences.

Mr. Quintanilla's research investigates civil justice systems and processes, alternative dispute resolution, access-to-justice, and legal education by drawing on theory and methods within the field of psychological science, including experiments conducted with judges, lawyers, law students, and members of the public. He is currently serving as a PI for a research line that seeks to design interventions to nourish the value of access-to-justice, collaborative problem solving, and service among law students; a second research line that seeks to design interventions that promote productive mindsets, diversity, and enhance performance in the LSAT, bar exam, and in law school; and a third research line that seeks to conduct a legal needs and legal aid system scan across Indiana. Mr. Quintanilla is developing an interdisciplinary approach to improve and innovate institutions known as human-centered civil justice design.

4:00 PM Adjourn Day 2