The Intermediary

A Bridge between the Dispute Resolution Commission and North Carolina's Certified Mediators

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Commission Members

Judge Sanford L. Steelman, Jr., Chair
NC Court of Appeals
P.O. Box 888
Raleigh, NC 27602

Julius E. Banzet, III, Esq.
Banzet, Banzet & Thompson, P.L.L.C.
P.O. Box 535
Warrenton, NC 27589

Dorothy C. Bernholz, Esq.
P.O. Box 1312
Chapel Hill, NC 27514-1312

Judge John J. Carroll, III
P.O. Box 1134
Wilmington, NC 28401

Jessie M. Conley, Esq.
Pressly Thomas & Conley, P.A.
224 Harrill Street
Statesville, NC 28677

Sherman Lee Criner, Esq.
The Worker's Compensation
Law Firm
P.O. Box 7275
Wilmington, NC 28406

Judge Martha H. Curran
Clerk of Superior Court
P.O. Box 37971
Charlotte, NC 28237-7971

N. Joanne Foil, Esq.
Law Offices of N. Joanne Foil
P.O. Box 3368
Durham, NC 27702-3368

Kenneth J. Gumbiner, Esq.
Tuggle Duggins & Meschan, P.A.
P.O. Box 2888
Greensboro, NC 27402

From the Chair
by
Judge Sanford L. Steelman, Jr.

The past year and a half has been the busiest in the Commission's history. A new program has been launched, the Clerk Mediation Program; major changes were made in the rules for the MSC and FFS Programs, including mandatory referral of both superior court and family financial cases to mediated settlement and mandatory certification of MSC mediators; and the Commission made a technological leap, posting biographical information about mediators on-line. And, this is just a partial list of what has been happening.

I am pleased to report that the response to all this activity has been positive. Commission staff notified Chief District Court Judges that the Supreme Court had mandated mediated settlement for all family financial cases, with those districts that have not yet established a program having until March 1, 2007, to begin referral. To date, Commission and AOC staff have heard from all but a few of the Chief District Court Judges in those districts not yet offering the Program. Commission staff have supplied Judges with rules and forms and offered to recruit mediators to provide an orientation session for their district's family attorneys. AOC staff have offered technical assistance and help with caseload data collection. Members of the Commission will be meeting with Clerks in September to offer training to help acquaint them with mediation and with how the Clerk Program is designed to operate. Mediators have been pleased to see that with on-line posting, information contained in the old Mediator Information Directories is now more accessible to the public.

Though the next few months may be a little less busy, the Commission is moving forward with some new projects. Most recently, I asked Frank Laney to chair an *ad hoc* committee to look at the issue of oversight of mediators working in district criminal court. Judges attending the first meeting of that group also expressed some interest in developing rules for this type of mediation. Frank and others serving on this committee will be very busy the next few months and I am grateful that they are willing to take on this challenge.

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N. Lawrence Hudspeth, III, Esq.
Shore Hudspeth & Harding, P.A.
P.O. Box 639
Yadkinville, NC 27055-0639

Judge W. David Lee
Superior Court Judges Office
P.O. Drawer 829
Monroe, NC 28111-0829

Judge Robert D. Lewis
309 Country Club Road
Asheville, NC 28804

Diann Seigle
Carolina Dispute
Settlement Services
P.O. Box 1462
Raleigh, NC 27602

Judge Kimberly S. Taylor
P.O. 248
Hiddenite, NC 28636

Judge Joseph E. Turner
Guilford County Courthouse
P.O. Box 3008
Greensboro, NC 27402-3008

Commission Staff

Leslie Ratliff, Executive Secretary
Sharon Corey-Laue, Admin. Asst.
Maureen M. Robinson, Admin. Asst.
P.O. Box 2448
Raleigh, NC 27602-2448
Tele. (919) 783-1574
Fax. (919) 788-5322
Web Address: www.ncdrc.org

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The Commission invites its readers to comment on any articles or on any of the information presented in The Intermediary or to write articles for inclusion. Send your thoughts to the editor, Leslie Ratliff, at leslie.ratliff@nccourts.org. We look forward to hearing from you!

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As with every spring, the Commission's office is in the midst of its annual certification renewal effort. I want to thank all of you who served as certified mediators this past year for your hard work and dedication. For those of you who have already renewed, I want to welcome you back and to tell you that the Commission looks forward to your continuing contributions to the success of our court-based mediated settlement conference programs. I hope that everyone will take a little time off mediating this summer to travel to an exotic location, to read a good book, or to explore a new interest or activity. Whatever your plans, I wish all of you a safe and enjoyable summer!

New Member Joins Commission Staff

This past month, the Commission welcomed a new staff member, Maureen McCarthy Robinson. Maureen replaces Karen Griffith. Maureen grew up in Boca Raton, Florida, and worked in law offices there before relocating to North Carolina. Maureen has been a stay-at-home mom the past decade while raising three children, the oldest of which just became a teenager. Maureen proudly declares that she is a cancer survivor and volunteers her time in the effort to defeat the disease. In her spare time she enjoys gardening, exercising, and reading.

Maureen will be working 20 hours per week in the Commission's office from Tuesday to Friday. If Maureen answers your call, I hope that you will join the Commission and its staff in welcoming her.

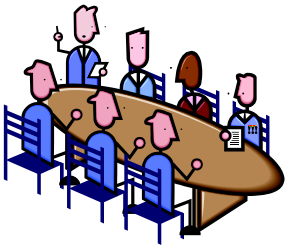
** * * Upcoming Commission Meetings * * **

The commission's next meeting is scheduled for Friday, August 25 at UNC Greensboro, beginning at 10:00 A.M. All mediators are welcome to attend, but we ask that you notify the Commission's office so that staff can insure adequate seating. The Commission thanks our host for the August meeting, Dr. Cathie J. Witty, Director of UNC-Greensboro's new Master's Degree Program In Conflict Resolution.

The Commission will also meet on Friday and Saturday, November 3-4 at the Green Park Inn in Blowing Rock.

Minutes of Commission meetings may be viewed on the Commission's web site at www.ncdrc.org. Agendas are posted approximately two weeks before meetings.

Commission Establishes New Ad Hoc Committee



Judge Sanford Steelman, the Commission's Chair, has appointed Frank Laney to lead a new *Ad Hoc* Committee. The Committee is charged with considering whether to establish a pilot program to provide for the training, certification, and regulation of mediators providing services in the district criminal courts. Three mediation centers whose staff and volunteers mediate in this venue have volunteered to participate in the new pilot: Carolina Dispute Settlement Services (serving Wake, Franklin, Granville, Vance and Warren Counties); Blue Ridge Dispute Settlement Services (serving Alleghany, Ashe, Avery, Madison, Mitchell, Watagua, Wilkes, Yadkin and Yancey Counties); and Piedmont Mediation (serving Alexander, Davidson, Davie and Iredell Counties). It was these centers that approached Judge Steelman about establishing the Committee.

Members of the new Committee include District Court Judges Ed Gregory, Kristen Ruth, and Sam Cathey; proposed pilot center directors, Melissa Johnson, Terri Masiello, and Diann Seigle; representatives of the Mediation Network of North Carolina and its member Dispute Settlement Centers; Commission members; and certified mediators. The Committee recently held its first meeting in Statesville and discussed certification and regulation of district criminal court mediators and also considered whether rules were needed for the operation of pilot site district court criminal mediation programs.

Once it has completed its discussions and drafting, the Committee will make its recommendations to the Dispute Resolution Commission. Frank Laney, the Committee's Chair, is an ex-officio member of the Dispute Resolution Commission and serves as a mediator for the United States Court of Appeals for the Fourth Circuit. Establishment of this Committee marks the first effort that has been made to consider State certification and regulation of mediators working in either district criminal court or in Dispute Settlement Centers. Historically, Centers have operated as independent non-profits. Each Center was responsible for qualifying and overseeing its own staff and volunteer mediators.

Renewal Process Goes High Tech

The Commission crossed an important technology threshold this spring when it notified mediators that they could complete at least part of their certification renewal process on-line. Mediators wishing to renew could provide contact, district or county availability, and biographical information on line. With the process now well underway, on-line renewal has apparently presented few problems for most users. Early on, some users did report that the DRC's e-mail containing the link allowing them to access the Commission's listing for the mediator was rejected by spam blockers operating on certain internet service providers, including Yahoo and AOL. AOC technology staff addressed the problem by posting instructions on how to temporarily disable spam blockers. **Any mediator who is having problems accessing his/her DRC listing or who cannot otherwise complete on-line renewal, should contact the Commission's office before June 30, 2006, the close of the renewal period.**

AOC technology staff worked for nearly three years developing software and enhancements to the system to enable the Commission to both conduct on-line renewal and to enable the public to have access to on-line biographical information about mediators. (In effect, on-line posting of biographical information replaces the old Mediator Information Directories containing loose leaf profile forms that were maintained in the offices of judicial officials. The Directories had no index and were difficult to use.)

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Clerks to Order Mediation

J. Anderson Little

"Mom can't care for herself anymore, but refuses to leave her home and go to an assisted living facility. She needs a guardian." "I am concerned about how my brother is administering my father's estate. We need to find someone to do the job that can be trusted." "My neighbor and I used to be close friends and help each other out -- that is…until he put his fence on my land."

This past spring the General Assembly enacted new legislation that provides for mediation of these sorts of disputes and others pending before Clerks of Superior Court. N.C.G.S. § 7A-38.3B provides that Clerks may order any matter to mediation in which the Clerk has exclusive or original jurisdiction, including estate, guardianship, partition, and boundary disputes. Matters in which the Clerk's jurisdiction is ancillary or that are filed pursuant to Chapters 45 or 48 of the General Statutes are not eligible, *e.g.*, foreclosures and adoptions.

Last year, Frank Laney and I had the pleasure of co-chairing an *ad hoc* committee charged with developing rules to implement the new legislation. A joint creation of the Dispute Resolution Commission and NCBA Dispute Resolution Section, the committee's membership included Clerks, estate and elder lawyers, mediators, and AOC staff. The Committee concluded its work in the fall of 2005 and made its recommendations to the Dispute Resolution Commission. The proposed rules reached the Supreme Court this past winter and were considered and adopted on January 26, with an effective date of March 1, 2006. Forms were adopted a short time later.

Both the new statute and rules track those for exiting court based mediation programs, including the Mediated Settlement Conference (MSC) and the Family Financial Settlement (FFS) Programs, and all are designed to function similarly. All three programs essentially create a framework for a court-ordered mediation process that is designed to operate with minimal court involvement and no additional expenditure of tax dollars. Mediators, who are paid by the parties, are responsible both for scheduling mediations and conducting them. Attorney participation is integral to the process as is the use of caucusing as a tool to move the negotiations process along.

A copy of the rules and forms for the new program can be viewed on the Dispute Resolution Commission's web site at www.ncdrc.org. Click on "Clerk Mediation Program" from the left-hand menu and then click on either the rules or forms button. (Forms for the new Program have been given a "T" number, meaning that they are considered to be in the test stage. Eventually Clerk forms will be assigned a "G" number in that they are being treated as General Forms that will be used for both estate and special proceedings matters.) Brochures describing the Program are available from the Commission's office at no charge.

Differences in the New Clerk Mediation Program

Though they are very similar, there are some significant differences between the new program and its predecessors. First, recent revisions to the rules for the MSC and FFS Programs provide for mandatory referral of all eligible cases effective March 1, 2006, with a one-year grace period for district court districts that have not yet begun referring family financial matters to mediated settlement. The operative language in the new Clerk Rules remains "may". Nationwide, there is not a lot of experience with the mediation of some matters that North Carolina Clerks routinely handle, particularly guardianships. With important liberty interests sometimes at stake in such disputes, everyone agreed that Clerks should have flexibility in addressing these matters.

A second important difference between the new Clerk program and those established previously involves attendance requirements. Typically, only the named parties and their attorneys attend FFS mediations. The same can be said for MSC mediations, except that an insurance adjuster may be present in person or by telephone if the dispute involves an automobile accident. It quickly became apparent in the process of drafting N.C.G.S. § 7A-38.3B that Clerks needed much more flexibility with respect to ordering attendance. For example, in a typical guardianship dispute, the respondent's children are arguing either between themselves or with Mom over whether she is still capable of caring for herself and remaining in the family home. Though the kids were the ones to initiate proceedings before the Clerk, they may not have the best information about Mom's ability to care for herself, especially if they don't reside in North Carolina or even in the same community as their Mother. Rather, it may be a next-door neighbor, a minister, a housekeeper, or some extended family member who can provide the most reliable information about how well Mom is really doing. Clerks needed the flexibility to order such persons to attend and participate in the mediation.

The statute and rules for the Clerk Mediation Program (CMP) provide for Clerks to order the participation of named parties; interested persons, *i.e.*, those who have some right, interest, or claim at stake in the dispute; fiduciaries; and non-party participants, *i.e.*, any other person or entity identified by the Clerk as possessing useful information about the matter and whose attendance would be beneficial at the mediation. In addition, CMP Rule 4 provides for others, who were not ordered to attend, to participate in the mediation at the mediator's discretion. Rule 4 contemplates that mediators may sometimes

need to be significantly more involved with in-take issues than they have been with either the MSC or FFS Programs. Mediators may very well get calls from neighbors, ministers, cousins, and others who have learned about proceedings and feel that they have important insights to share. In some instances, mediators may need to be proactive and question parties in an effort to find out about such persons or about possible heirs that have not surfaced in an estate matter, for another example. In addition, in guardianship disputes, in particular, a mediator may need to inquire prior to the mediation about the physical or mental health of the respondent. Is he or she physically or mentally able to meaningfully participate in the mediation process? Is he or she taking medication that might inhibit his or her ability to follow the discussion or to consider his or her options? Does the meeting place need to be accessible to someone in a wheelchair?

A third difference relates to payment of mediators for their services. In the established programs, rules provide for the mediator to be paid at the conclusion of mediation. Payment will be handled differently in the new Clerk Mediation Program, at least with regard to estate, guardianship, and other matters pending before the Clerk that, as a matter of law, may not be considered settled until the Clerk has reviewed and approved the agreement. In such matters, the Clerk will first review the agreement, then apportion the mediator's fee, taking into account whether the fee should be paid by the parties or assessed against the estate of a decedent, a trust, a guardianship, or against a fiduciary or interested person. In no event will fees be assessed against the neighbors, ministers, or cousins discussed above who are attending only, in effect, as witnesses.

A fourth and last distinction between the new program and its predecessors involves the effect on confidentiality of laws requiring the Clerk to review agreements reached by the parties in certain types of disputes. Confidentiality is one of the hallmarks of mediation. Mediators do not talk with judges about what occurs in mediation or share copies of the parties' agreement with the court. As noted in the paragraph above, however, agreements reached in certain kinds of matters pending before Clerks are required by law to be reviewed and approved by the Clerk. As such, mediators must, when an agreement is reached in these disputes, forward it to the Clerk for review. It is expected that Clerks will give considerable weight to such agreements, but are not, by any means, bound to approve them. Since delicate issues and significant rights can be raised in estate and guardianship cases, in particular, safeguards are absolutely essential. A Clerk would be remiss, for example, in not carefully reviewing and perhaps questioning the parties and witnesses about an agreement that requires an elderly individual to relinquish his or her independence and move to a nursing home.

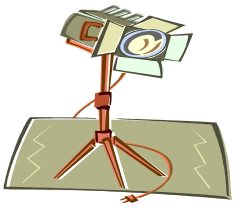
Progress To Date

Mediators will, of course, be needed for this new effort. Any certified MSC or FFS mediator is eligible to mediate matters referred by Clerks with the exception of estate and guardianship disputes. Certified mediators need only contact the Dispute Resolution Commission's office at (919) 783-1574 and express their interest in participating. Certified MSC or FFS mediators interested in conducting mediations in estate and/or guardianship matters must complete ten additional hours of training specifically designed to prepare them to mediate such disputes. Two such training programs were held this winter and, as of June 12, 53 mediators had qualified to conduct mediations in estate and guardianship disputes. To view a list of these mediators visit www.ncdrc.org and click on "List of Mediators" from the left-hand menu, then click on "Clerk Program Mediators". The second of the two trainings was taped and that tape is now available through Mediation, Inc./Carolina Dispute Settlement Services. It is anticipated that video replays will be shown in group sessions to enable attendees to receive CLE credit. The Commission is currently considering the issue of whether copies of the tape will be available for individual viewing by mediators interested in certification but not CLE. Any mediator interested in either a live or taped training program may contact trainers certified by the Commission to conduct Clerk Program training. Go the Commission's web site and click on "Approved Trainers" from the left-hand menu, then click on Clerk Mediation Program Trainers". Currently two trainers have been certified by the Commission, The Community Mediation Center in Wilmington and Mediation, Inc./Carolina Dispute Settlement Services.

This coming September, members of the Commission and experienced mediators will be meeting with Clerks around the State to provide them with an orientation session on the mediation process in general and the Clerk Mediation Program statute and rules in particular. This training will be designed to familiarize Clerks with the Program and to encourage referrals.

The Commission expects that the new Clerk Mediation Program will ultimately be successful. That the population of our State is aging is no secret and Clerks in busy urban areas are already struggling to keep pace with the numbers of estate, guardianship, and partition disputes already coming before them. Such filings will only grow in the coming years and, as everyone recognizes, these are not easy conflicts to address. Very often they involve important legal rights and difficult family dynamics. Mediation will be an important tool in helping Clerks and their staffs manage the workload. I also think the mediation process will be of benefit to those involved in these disputes. Mediators will not only be helping parties make important decisions, but will be working to insure that some of the most vulnerable members of our society are protected and encouraging families and others to resolve their disputes amicably and whenever possible preserve their relationships and family ties.

J. Anderson "Andy" Little of Chapel Hill is a certified superior court and family financial mediator. He is former Chair of the Dispute Resolution Commission and currently serves as an ex-officio member.



IN THE SPOTLIGHT!!!

Professor Mark Morris

From time-to-time The Intermediary features a certified mediator, judge, or educator who is making a mark in the dispute resolution arena. In this edition, we turn the spotlight on Professor Mark W. Morris of North Carolina Central University School of Law.

Turner School of Law at North Carolina Central University has announced plans to establish a Dispute Resolution Institute at its campus in Durham, with courses and professional training to be offered beginning this summer. The Institute is one of several initiatives that have taken shape since the arrival in August of Raymond Pierce, the new Dean of the School of Law. Recently, we talked with Professor Mark Morris, who is leading the effort to get the Institute up and running.

Q: Why is the Law School starting this institute? Where did the idea come from?

A: The faculty and administration at the Law School recognized early on the important role alternative dispute resolution, particularly mediation, would play in the practice of law, especially in North Carolina. In 2000, we partnered with Carolina Dispute Settlement Services to start the only mediation clinic in the state that trained law students as mediators and gave them real cases to mediate. Diann Seigle, who is the Executive Director at CDSS, was excited from the start about bringing law students to her center. Since then, the Clinic has become one of the very best of its kind in the country, so the idea for an institute grew out of that successful partnership.

Dean Pierce is very much committed to this idea, too. He wants the Institute to help distinguish our law school from others in the area. Students have a lot of choices about where to go to law school, and soon they will have even more, and we would like this Institute to give students interested in ADR another reason for coming to school here.

Q: What is the purpose of the Institute? What kind of work will it do?

A: Our vision is that the Institute will have three main components: a certificate program in Dispute Resolution, which would be open to both students and professionals; research, scholarship, and publication in the field of conflict resolution; and lastly, public events such as a biennial symposium, lecture series, and other events that will address important topics in the field.

Q: The are similar institutes or centers at other law schools – Pepperdine has the Strauss Center, Hamline has a successful program – how will the one at NCCU be different?

A: Because of our heritage and our history, no law school in the country is better positioned to address two of the most important issues in the field of ADR. First is the question of protecting weaker parties in a justice system that relies increasingly on private processes to resolve important legal issues. This is a potential problem, especially in areas such as civil and consumer rights. The second issue is the under-representation of minorities in the profession. We are not trying, however, to reinvent the wheel. I would be happy to replicate the success of others. Both the programs you mentioned have national reputations for excellence in teaching and scholarship.

Q: Tell me more about the certificate program.

A: We would like our law students to have an opportunity to concentrate on this area, if that is there interest. There will be a core curriculum, clinical opportunities, elective courses, and a scholarship and service component. A student who completes the program will receive a certificate in Dispute Resolution from the Institute. We would like to open the Certificate Program to students at other law schools, students in other graduate programs, as well as to lawyers and other professionals.

Q: How will the Institute help mediators and lawyers in the state?

A: I think the Institute can serve North Carolina practitioners in many ways. First, there is the area of professional training. Our court programs, particularly the Superior Court mediation program, have made mediation a regular feature of the litigation process. We have very capable trainers in this state who have provided a sound basic education to people becoming certified in our court programs. But the forty-hour course is just the beginning of wisdom, so to speak. I think that there are a lot of people who would welcome the opportu-

nity to increase their mediation skills and deepen their knowledge, beyond what they get in a basic 40-hour course. Also, most of the professional training now available is focused on producing mediators. We think that greater energy and effort should be directed at lawyers representing clients in mediation. Presumably, effective advocacy in a non-adversarial process draws on a somewhat different skill set than is required to try a case well. We want to help lawyers do better in mediation and in other kinds of dispute settlement procedures. The Institute will try hard to serve lawyers and mediators by offering high quality classes that blend theory and practice in formats that are convenient to working professionals. We are planning courses for next summer and looking at things like weekend and evening offerings as well. We also have people in the state who are very experienced, very knowledgeable, very thoughtful practitioners. I'd like to bring them to the Institute to help teach some of these classes.

Q: Is the focus going to be exclusively on law, lawyers, and legal disputes?

A: No. I expect that the Institute will create opportunities for collaboration with other graduate programs, other professional groups, and people interested in all aspects of dispute resolution. We are a law school and we are training lawyers, but conflict management and dispute resolution are not uniquely legal projects. I hope to see multidisciplinary courses and scholarship in conflict resolution coming out of the Institute, along with our work in the legal arena.

The Commission thanks Professor Morris for taking to time to visit with us about this new development at Central and commends the University for taking a leadership role in educating dispute resolution practitioners.

Mark W. Morris, J.D. is Professor of Law at North Carolina Central University School of Law, where he teaches Alternative Dispute Resolution and supervises the ADR Clinic. He also teaches Torts and Employment Law. Professor Morris is a graduate of the University of North Carolina at Chapel Hill (B.A. '72); North Carolina Central University School of Law (J.D., *summa cum laude*, '82); and Harvard Law School (LL.M. '83). He has been a certified superior court mediator since 1994 and has mediated a broad range of civil cases, including employment matters, land condemnation, professional malpractice, personal injury and workers' compensation cases. Professor Morris is an active member of the Dispute Resolution Sections of the American Bar Association and the North Carolina Bar Association. He is the co-author of *North Carolina Law of Torts, 2d Edition* (Lexis, 1999) and has written widely on tort liability and risk management.

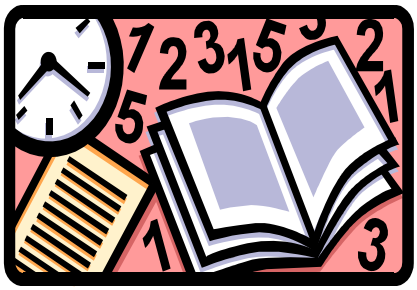
(Central University's newly renovated Turner School of Law)

The Commission congratulates Central Law School, Dean Pierce, and Professor Morris on the establishment of the school's new Dispute Resolution Institute. Central and its ADR Clinic have established a reputation for excellence in this State and the Commission fully expects the Institute to enjoy the same level of success.

The Commission also congratulates Mediation, Inc./Carolina Dispute Settlement Services and the Community Mediation Center in Wilmington. Clerk Mediator Training Programs submitted by these organizations were recently certified by the Commission.

These trainers will be providing the 10-hour training program required to be completed by those interested in conducting mediations of estate and guardianship disputes. To be eligible to mediate estate and guardianship disputes, a mediator must: 1) already be a certified MSC or FFS mediator, 2) complete at least ten additional hours of approved training on estate and guardianship matters, and 3) become certified by the Commission as a Clerk Program Mediator.

Mediators may find contact information for both training programs on the Commission's web site at www.ncdrc.org. Click on "Approved Trainers", then select the button for Clerk Program Trainers. Mediators should contact trainers directly to learn of dates, locations, and costs of training programs. There is no additional certification fee assessed by the Commission for Clerk Program certification.



Upcoming Mediator Training

SUPERIOR COURT TRAINING

Beason & Ellis Conflict Resolution, LLC: 40-hour superior court mediator training course, August 23-27, 2006, and November 8-12, 2006, in Durham, NC. For more information or to register, call (919) 419-9979 or (866) 517-0145 or visit their web site: www.beasonellis.com.**:** 40-hour superior court mediation training course, August 14-18, 2006, in Durham, NC. For more information or to register, contact Janice Johnson at the Legal Clinic, NCCU School of Law at (919) 530-7166.

Intercede Mediation/ADR Services: 40-hour superior court mediator training course, none scheduled at this time, TBA. (A Mecklenburg County Bar, 26th Judicial District CLE Course. For information, call (704) 375-8624 or go to www.meckbar.org.) Web site: www.intercedemediation.com.

Mediation, Inc: 40-hour superior court mediator training course, August 17-21, 2006, in Asheville, NC and November 8-12, 2006, in Chapel Hill, NC. For more information or to register, contact Beth Adkins at (919) 967-6611 or (800) 223-5848 or visit: www.mediationincnc.com.

Dispute Resolution Institute at NCCU School of Law and Carolina Dispute Settlement Services: 40-hour superior court mediator training course, August 14-18 at NCCU School. For more information or to register information, contact Janice Johnson at the Legal Clinic, NCCU School of Law at (919) 530-7166.

FAMILY FINANCIAL TRAINING

Atlanta Divorce Mediators, Inc: 40-hour family mediation training course, July 20-24, 2006, in St. Simons Island, GA.; August 10-14, 2006 and October 19-23, 2006 in Atlanta; October 26-30, 2006, in Murphy, NC; November 30-December 4, 2006, in Atlanta, GA. For more information, contact Dr. Elizabeth Manley at (404) 378-3238 or (800) 862-1425. Web site: www.mediationtraining.net.

Dispute Resolution Institute at NCCU School of Law and Carolina Dispute Settlement Services: 16 hour family mediation training course, July 27-28, 2006, in Durham, NC. See above for contact information.

Mediation, Inc: 40-hour family mediation training course, October 11-15, 2006, in Greensboro, NC. See above for contact information.

6-HOUR FFS/MSC COURSE

(Covers North Carolina legal terminology, court structure, and civil procedure)

Community Mediation Center of Cape Fear, Inc. (Wilmington): 6-hour course, on eptember 15, 2006, and on October 19, 2006, in Wilmington, NC. For more information or to register, contact John J. Murphy at (910) 362-8000 or e-mail at johnm@wemediate.net or visit: www.wemediate.net.

Judge H. William Constangy (Charlotte): For more information, contact Judge Constangy at (704) 807-8164.

CLERK OF THE COURT TRAINING

Mediation, Inc./Carolina Dispute Settlement Services, 10-hour course, June 16, 2006, NCCU in Durham. For more information or to register contact Beth Adkins at (919) 967-6611 or (800) 223-5848 or visit: www.mediationincnc.com. See page 8 for additional information.

Community Mediation Center of Cape Fear, Inc. (Wilmington): 10 Hour course, August 3-4, 2006, in Wilmington. For more information or to register, contact John J. Murphy at (910) 362-8000 or e-mail at johnm@wemediate.net or visit: www.wemediate.net. See page 8 for additional information

CME and Other Training Opportunities

Dispute Resolution Institute at NCCU School of Law/Carolina Dispute Settlement Services is presenting a course on "Collaborative Divorce: Basics and Beyond," on July 13-14, 2006, in Durham. For additional information, contact Janice Johnson at the Legal Clinic, NCCU School of Law at (919) 530-7166.

North Carolina Bar Foundation is presenting "Gain the Edge! Negotiation Strategies for Lawyers," on August 24 in Charlotte, NC and August 25 at the NC Bar Center, in Cary, NC. For additional information contact the NC Bar at (919)677-8745, (800) 228-3402 or www.ncbar.org/CLE.

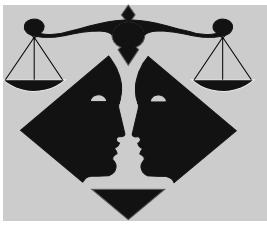
(Renewal Process Goes High Tech
Continued from page 3)

The Commission very much appreciates the assistance of the Andrew "Andy" Stockert an AOC programmer who was charged with making on-line certification renewal and on-line posting of biographical information a reality. The Commission would also like to the mediators who helped to "test-drive" the system prior to the renewal period.

This coming year, the Commission and AOC will begin the design work and programming necessary for Phase II of on-line renewal. Phase II will incorporate continuing mediator education (CME) and ethics reporting into the on-line renewal process. Eventually, all paperwork associated with renewal will be completed on-line. At the end of that process the mediator will need only print an invoice as confirmation of the completed on-line paperwork and then return that invoice to the Commission with a check for his/her certification fees.

On-line completion of paperwork is important in that Commission staff can take the information the mediator supplies, quickly review it, and then "at the press of a button" forward it to the database for posting. Commission staff no longer need take what the mediator supplies on hard copy and transfer it key stroke by key stroke to the database. Given that what the mediator him or herself types is what is posted, the possibility of transcription errors is virtually eliminated. In addition to minimizing errors, on-line completion assists Commission staff in managing the workload, thereby reducing the need for additional hires.

Little Wins Peace Award

On May 11, Chapel Hill mediator and former Dispute Resolution Commission Chair, J. Anderson "Andy" Little received the NCBA Dispute Resolution Section's Peace Award. The award is presented in recognition of the recipient's contributions to the advancement of dispute resolution in North Carolina. Frank Laney, who chaired the Section Committee that selected the winner, presented the award to Mr. Little. In his remarks, Mr. Laney noted Mr. Little's significant contributions over the years, including his fundamental role in crafting the Mediated Settlement Conference, Family Financial Settlement, and, most recently, Clerk Mediation Program Rules. Mr. Little, he noted, had been a very early, if not the first proponent of court-ordered dispute resolution in North Carolina, and was still helping to lead the way.

Other recipients of the Peace Award have included Carmon Stuart, Jackie Clare, and Mr. Laney. The Award is presented each year at the Section's Annual Meeting.