



## Message from the President

This Bulletin is our primary means of communication and I'd love your help with its expansion-as an internal and external communication tool. Nancy Markowitz, Editor, and I are looking for people interested and willing to "do" a piece of the Bulletin every month. Some possible ideas-interviews (either inside or outside our membership); a monthly "from the Facilitator's Section"; a column that features a different "style" of mediation or facilitation (John Alfano has kicked this off with his "One Person's Thoughts" found in this bulletin; a book review; articles from other newsletters and any other ideas you might have. Please send your own ideas on what you'd like to see in the Bulletin and/or what you might be willing to contribute. I'll convene a virtual (yes, I think we could do this via email) meeting to get organized. It could even be fun! Please respond by August 31<sup>st</sup> to: [susanna@bartongingold.com](mailto:susanna@bartongingold.com) Hope you're all having a good summer.

—Susanna—

**Whatever you do will be insignificant and it is very important that you do it.**

**Mohandas Gandhi**

## Building the Peace after Conflict:

Presented by: Frederick D. Barton

Rick Barton, founding partner of Barton and Gingold and current Senior Advisor at the Center for Strategic and International Studies and Co-Director of the AUSA-CSIS Post Conflict Reconstruction Project in Washington, D.C was featured at MADRP's August 4th membership meeting. Rick has helped with the rebuilding of many war-torn nations and most recently with Iraq.

Despite the lack of a working air conditioner on the hot, humid day, over sixty attendees listened attentively as Rick spoke of his challenges and successes working in the Philippines, the Sudan, Guatemala and Iraq. He has learned through his experience that after a major conflict, peace building requires the creation of stability and trust in four major areas he calls 'pillars.' These include: security and public safety; governance and participation; justice and reconciliation; and economic and social well-being. He believes that the most important pillar is security and public safety since human nature drives us to feel secure in our person before we can even begin to think about other aspects of our lives. Rick suggested that citizens' lack of personal security is a major issue in Iraq and the reason for the continued unrest.

The organization Rick works in builds peace through a specific method that includes extensive interviews with people to understand their fears and needs. Then using the 'pillars' as a focus and addressing the needs specific to different places and cultures, peace be found. Cultural sensitivity is crucial in these attempts to rebuild, and the imposition of an outside opinion of what safety and security means can undermine the process.

As dispute resolution professionals, we received many pearls from Rick's presentation- perhaps most importantly that giving participants ownership over the process is the key to being proactive in building peace. Instead of just picking up the pieces after conflict occurs, even "impossible" situations, such as genocide, may be movable with a peaceful end.

*This event was sponsored by: The Maine Association of Dispute Resolution Professionals (MADRP), the Muskie School of Public Service, University of Southern Maine, and the World Affairs Council of Maine*

**"Deep listening attends not to the momentary faltering, not the stammer, but to the poem being born."**

**Mary Rose O'Reilley in Radical Presence.**

# MADRP NEWS

## September 1st membership meeting "Getting to Yes"

At the Advanced Mediation program on Civil Trial Mediation held earlier this summer many controversial ways of "getting to yes" were presented. Techniques such as the 'Silver Bullet' approach used during impasse, raised some eyebrows and proved to be a hot topic of discussion for those at the conference. How does our diverse group of ADR professionals feel about these same techniques? Tracy Quadro will present the approaches taught at the conference, followed by a rich sharing among our membership. Come join us in Bangor at Penquis Cap for what's sure to be a "hot" discussion.

## Brown Bag Discussion Group

Identify a "sticky situation" and briefly describe the demographics, identify characteristics of the case (type of case, relationship of parties, purpose of the mediation, current status of the conflict etc.) that often holds clues to explain why the case is challenging. We will examine "What is troubling or interesting about this situation, what you seek- information, advice or confirmation? Join us immediately after the membership meeting- and bring your bag lunch.

Watch your email for "Sticky Situation" Discussion Groups in your area- the Professional Development Committee is organizing groups in Bangor, Augusta, Brunswick, York and Portland. Kathy Leen is looking for help finding a location, spreading the word in your area or co-convening a group. Contact Kathy at 563-5235 or [leeninn@tidewater.net](mailto:leeninn@tidewater.net).

## MADRP Reading Group

Interested in reading more about the practice and theory of mediation? Want to discuss it with other MADRP members? Come to MADRP's first Book Group on October 5th. Bring your favorite book or one sitting on your bookcase waiting for group motivation before you dive in. Look for details on the MADRP website and in the next bulletin. For more information contact Diane Kenty at [dkenty@maine.rr.com](mailto:dkenty@maine.rr.com)

## Maine Family Law from A to Z

Presented by Cushman Anthony Esq. and June Zellers, Esq.  
**Thursday and Friday, October 21, 22 9:00-3:00**

Learn the basics of the law and court procedures that enable mediators to successfully handle family law cases and fulfill the required 10 hours of family law training to qualify for listing on the CADRES domestic relations roster. This course also qualifies for continuing education credits for retention on CADRES roster. To register contact:

Cushman Anthony at 775-3091 [mainemedi8@aol.com](mailto:mainemedi8@aol.com)  
June Zellers at 582-9007 [jzellers@prexar.com](mailto:jzellers@prexar.com).

*As the rain falls on the just and unjust alike, let your heart be untroubled by judgments, and let your kindness rain down on all. -- Buddha --*

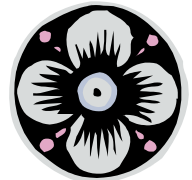
## MADRP's Fall Conference and Annual Meeting

WEDNESDAY, NOVEMBER 10, 2004. 8:30 am-4:00 pm at the SENATOR INN in Augusta. The Conference will include skill building and practice workshops along with a business luncheon. Stay tuned to the website and bulletin for more details.

Questions or suggestions contact Jeff Croft, Events Chair, at [jeff@solidecisions.com](mailto:jeff@solidecisions.com)

## MADRP CALENDAR OF EVENTS

September 1st:	8:30-11:30	Membership Meeting at Penquis Cap, 262 Harlow Street, Bangor
September 1st:	12:00- 1:30	Brown Bag Lunch and Discussion at Penquis Cap, Bangor
October 5th:	12:00-1:30	Book Group USM library 5th floor
October 6th:	8:30 to 11:30	Board of Governors meeting, 11 King St. Augusta
November 10th:	8:30 am-4:00 pm	Annual Conference and Meeting Augusta



## August Bulletin Sponsors:

**Community Mediation Center (CMC)**, located in Portland is a private nonprofit center established in 1996, provides services, regardless of clients' ability to pay. Committed community volunteers, provide mediation, facilitation, victim/offender conferencing and training in conflict resolution skills to people in southern Maine with a goal of increasing public understanding and acceptance of ADR. CMC salutes its talented roster of dedicated volunteer mediators. "You are our foundation and inspiration, thank you!"

For more information contact: Karen Tucker at [cmckaren@maine.rr.com](mailto:cmckaren@maine.rr.com)

**Community Mediation Services (CMS)** is a private nonprofit center located in Hallowell. CMS serves the nine counties in central Maine and mediates workplace, landlord/tenant, school, family and neighborhood conflicts. Newly trained mediators co-mediate with experienced practitioners and earn "chair time" to apply for the CADRES roster. CMS works with DHHS, DOC, the Office of Substance Abuse, the U.S. Department of Agriculture, the Maine State Housing Authority and the Maine Long Term Care Ombudsman Program. This is CMS's tenth year of serving the community and all are invited to visit our new office and say hello!

For more information contact: Tracey Quatro at [medi8@maine.rr.com](mailto:medi8@maine.rr.com)

**Penquis Dispute Resolution Center**, a service of Penquis Community Action Programs in Bangor, covers Penobscot, Piscataquis, Aroostook, Washington and Hancock Counties. The center provides mediation, conflict coaching, facilitation, conflict resolution and communication training to parents, teens, clients with mental health and mental retardation, businesses, organizations and the community. Our services are free and we come to you. For more information contact Mark Sevigny at 888 497 3500, 973 3585, hearing impaired 973 3520 or [msevigny@penquiscap.org](mailto:msevigny@penquiscap.org)

**Youth Alternatives Family Mediation** strives to bring quality mediation services to every Maine family. Mediation services are *free to all* families in Cumberland, York and Sagadahoc counties. With the assistance of skilled, trained volunteer mediators, families have the opportunity to get clear about what is important to them, hear what is important to another, generate options together and make decisions everyone can live with. Case managers are available throughout the year to speak with groups wanting to know more about our program.

For more information contact Deb Bopsie, 8741175 or [dbopsie@youthalternatives.org](mailto:dbopsie@youthalternatives.org)

### MEDIATING FOR OUR CLIENTS "One Person's Thoughts" By John Alfano

When we are hired to mediate, we should ask our clients what they want from the mediation. The answer should guide us in the style we will use to get them to their goal. For example, if they want the matter settled and out of their lives, as most of my clients do, then we should do our best to get it settled in mediation. We mediate to meet our clients' needs for a fee, which in many cases is quite high, and in return, we offer them our skill, expertise and experience. Many of my fellow mediators find my labor learned style distasteful and unethical, but I would be doing a disservice to those clients if I did not aggressively help to settle their dispute. After all, they have hired me because they can't settle the matter themselves, and they know that a protracted and escalating dispute hurts them and the employers' business. Worse yet, the parties may be planning for a strike which causes the ultimate pain to people on both sides of the issues, and their families and the public. If the mediation is not orientated toward settlement, it will guarantee that the matter will not settle and a strike will occur; a strike that the mediator could have and should have helped avoid. That would be unethical!

The situations are similar in non labor mediation. Many times, we have parties, who only have a law suit in common, and who want and need to get the matter settled so that they may get on with their lives. A pending lawsuit drains energy from the parties and puts stress on their personal relationships as it dominates their lives. If they are in mediation to settle the matter, then we have an ethical responsibility to mediate toward settlement. We as mediators need to focus on settling their dispute, and to help them avoid the uncertainties and the expense of a trial. We should actively participate in the mediation by offering ideas and alternative proposals to help them find their solution. We need to do what is in our means to help them settle.

The most common complaints I hear from people who have participated in a failed mediation is that the mediator did nothing to help them. *He did not offer any suggestions or ideas. I didn't know if I wanted too much and was being unreasonable. She did not participate. He left it all up to us. We expected to have the advantage of the mediator's experience and expertise, instead she offered us nothing.*

If we want people to think of mediation as their first choice to settle their problems, then we must be ready and willing to do what is necessary to make their mediation successful.

Your thoughts?

**Give in to the urge to write: send responses, opinions, poems inspirational thoughts to  
[nmark@usm.maine.edu](mailto:nmark@usm.maine.edu)**

**MAINE ASSOCIATION OF DISPUTE RESOLUTION  
PROFESSIONALS (MADRP)**

P.O. Box 8187  
Portland, ME 04104

Phone: (877) 265- 9712  
Website: www.madrp.org

"Speech is civilization itself. The word, even the most contradictory word, preserves contact- it is silence which isolates."  
--Thomas Mann

**2003 MADRP Officers**

Susanna Liller, President  
Diane Kenty, Vice President  
Carol Corwin, Treasurer  
Tracy Quadro, Secretary

**2004 Committee Chairs**

Expansion: Bambi Magaw/ Marc Sevigny  
Meetings & Events: Jeff Croft  
Practice Quality: Jack Erler  
Public Policy: John Selser  
Public Info: Sheila Mayberry  
Membership: Lisa Levinson  
Profession Development: Kathy Leen  
Resource development: Anita Jones  
Advertising: John Alfano  
Facilitator Section: Anita Jones  
Maine Residential Real Estate Mediation Program (MRREMP) Jack Erler  
Bulletin: Nancy Markowitz  
Nominating Committee: Anita Jones  
At-large Board members: Karen Tucker, Dan Eichorn



**MADRP MISSION**

MADRP is a non-profit organization of diverse professional interests seeking to broaden public understanding and acceptance of alternative forms of dispute resolution. MADRP strives to enhance professional skills and qualifications of mediators, arbitrators, and other neutrals through training, educational development and promotion of standards of professional conduct.