



PENNSYLVANIA  
COUNCIL OF MEDIATORS

**2016**  
**29<sup>th</sup> Annual Conference**

**Expanding Access  
To Mediation**

**April 15-16, 2016**

**Hilton Harrisburg**

**Conference Co-Sponsors**  
**ACR – Greater Philadelphia Chapter**  
**Mediation Council of Western PA**

**Host Organization: Good Shepherd Mediation Program**

**Attorney PA-CLEs (including Ethics) &**  
**Social Worker CE Credits Available**

# Expanding Access To Mediation

## Conference Co-Sponsors

**ACR-Greater Philadelphia Chapter** offers networking, advocacy and educational opportunities for professional and volunteer practitioners in any form of conflict resolution in the Southeastern Pennsylvania, Delaware and Southern New Jersey region. (<http://ACRPhilly.org/>)

**Mediation Council of Western PA** is the only association of professional mediators in Western Pennsylvania that promotes public understanding and use of mediation, provides a directory of qualified mediators, and presents in-service training for professionals. (<http://mediationwp.org>)

## FRIDAY, APRIL 15<sup>th</sup>

## PRE-CONFERENCE TRAINING

**8:00 - 8:30 am**

**Registration and Continental Breakfast**

**8:30 am – 4:00 pm**

**Pre-Conference Training (continental breakfast & lunch included)**

### Understanding Communication Challenges in Conflict and Mediation



*Dr. Tricia S. Jones is Professor of Strategic Communication in the School of Media & Communication at Temple University, as well as CEO/Owner of Conflict Coaching Matters. She is a leading conflict resolution scholar and practitioner. Her consulting work has focused on training programs for government agencies, higher education, health care and state offices of dispute resolution. She is the author of eight books and over 70 articles on conflict management and has received \$3.5 million in external funding for her work in conflict management scholarship. Tricia has been honored with awards by the Association for Conflict Resolution and the International Association for Conflict Management. Her training sessions are known for their depth of information and her lively and engaging presentation.*

Mediators and coaches understand that poor communication skills create and escalate conflict and can impede the success of conflict resolution processes. Everyone who participates in a mediation or a facilitation has varying capacities to communicate – both in presenting their point of view, as well as listening to and understanding the other. In addition to these varying capacities in communication, almost 10% of the population deals with a nonverbal social skills deficit known as dyssemia.

This session will help mediators and conflict coaches learn more about dyssemia and other dysfunctional communication challenges that, if better understood, can help mediators and conflict coaches work more effectively with parties.

Cultural bias also affects our ability to take the perspective of another through emotional expression and awareness. This workshop will present insights into about our tendencies to misread others and how mediators and coaches can avoid this through increased perception-checking, clarification, and constructive engagement.

We will also look at ethical concerns that arise when working with participants who have serious communication challenges. Through case examples and interactive exercises, workshop participants will be encouraged to reflect on their own style and the parameters within which they are willing to be more flexible to meet the needs of participants.  
(6 PA CLEs or NASW CEs, including 1 PA-CLE ethics)

# CONFERENCE SCHEDULE

## FRIDAY, APRIL 15<sup>th</sup>

**4:30 - 5:30 pm** PCM Annual Meeting & Election of Board Members and Officers

**5:30 - 6:30 pm** Wine & Cheese Networking Reception

**6:30 - 7:45 pm** Dinner

**7:45 - 9:00 pm** **2016 Most Valuable Peacemaker (MVP) Award:**  
**Kerry Voss Smith**



Kerry Voss Smith, Esq., is the director of the Pennsylvania's Office for Dispute Resolution (ODR). The state's program has been nationally recognized as one of four with an exemplary special education dispute resolution system. Kerry has degrees in special education, law, and conflict analysis and engagement. Before law school, she worked with disabled adults being transitioned into the community as a result of the well-known *Pennhurst* litigation. Upon joining ODR, she became increasingly committed to non-litigious ways to resolve disputes. She serves on the advisory board of the national Center for Appropriate Dispute Resolution in Special Education (CADRE), funded by the U.S. Department of Education. She is a frequent trainer on conflict resolution in special education.

We are pleased to honor Kerry for her significant role in establishing mediation as a positive force in special education in Pennsylvania. Kerry will describe the evolution of special education dispute resolution, from the 1960s, when children with disabilities often were excluded from schools altogether, to the current system that offers a variety of dispute resolution choices for parents of children with disabilities and for educators.

## SATURDAY, APRIL 16<sup>th</sup>

**8:00 - 8:45 am** Continental Breakfast

**8:45 - 9:45 am** Plenary Session

### **Americans with Disabilities Act: What Mediators Need to Know**



*Lewis Dabney is Executive Director of the Key Bridge Foundation, a non-profit ADR practice. He has been active in the Conflict Resolution field since 1996, with degrees in Anthropology and Religious Studies from the University of Virginia, and an MS in Conflict Resolution, focused on ethnic and religious conflict, from George Mason University's Institute for Conflict Analysis and Resolution. Lewis is a nationally recognized leader in the mediation of disputes pertaining to the Americans with Disabilities Act and, with his colleagues at Key Bridge, has managed the US Department of Justice's national ADA Mediation Program under contract for over 15 years.*

Lewis will present an overview of the disability rights movement, disability law, the ADA, and Department of Justice's ADA Mediation program. He will describe the differences between the Titles of the law, the range of cases mediators may encounter when focusing on this area of practice, and how issues that arise in ADA cases can be relevant to many other mediation contexts. Using case stories and their creative solutions, he will explain what mediators need to know about their responsibility to provide access to the mediation process and how to support the competencies of all mediation participants. (1 PA-CLE and NASW-CE)

# WORKSHOPS

**10:00 am - 12:00 pm MORNING SESSION (2 PA-CLEs or 2 NASW CEs)**

- A1 Tower of Babble: Language & Communication in Multilingual Mediation**  
*David S. Willig, Attorney, admitted to practice in Florida and Paris, France, certified by the Florida Supreme Court as a Mediator for the Circuit Civil Courts, and fluent in multiple languages*

This workshop will sensitize attendees to the ways mediation may be impacted when one or more parties to the mediation primarily use a language other than English. What can the mediator do to render the mediation effective under such circumstances when the mediator is bilingual, and when the mediator is not? Included will be suggested strategies and best practices to address obstacles resulting from cultural and linguistic differences, and ethical issues that may present from language issues. (1 PA-CLE ethics)

- A2 Power and Invitation: Beyond Balancing Power**  
*Bernie Behrend, Behrend Mediation Services*

Most mediators are trained to balance power between the parties so they can have a “fair fight” and arrive at a fair agreement. This approach is based in a competitive worldview where negotiation is seen as a battle and where the mightier wins. In viewing mediation as a collaborative process, the concept of balancing power becomes an inappropriate metaphor because of its indifference to the multitude of options that can be available for any particular situation. This presentation seeks to provide an integrated view of power and conflict and the resulting implications for collaboration. The discussion will include both the theoretical base for collaboration and the practical application, so that mediators are better equipped to understand and deal with power issues and enhance the potential for resolution.

- A3 Bringing Your Presence to the Room: Emotional Intelligence in Mediation**  
*Allyshia Rheta, MA, Peace and Conflict Resolution, facilitator & Drew Dycus, MA, Peace and Conflict Resolution, public health facilitator*

As a mediator, I am about to assist my clients in addressing their conflict. How am I reacting to them? How are they reacting to me? How do I generally react to this conflict in my own life? What qualities am I bringing into the midst of the conflict that will support its resolution? The personal qualities we bring to the table consistently impact the parties and the mediation process. This interactive workshop will explore the basic components of Emotional Intelligence: empathy, self-awareness, self-regulation, motivation, and adeptness in relationships. This skill set requires mediators to be aware of their own and others’ emotions, to use this information to guide their thinking and actions, and to have the motivation to develop and enhance these skills through continuous reinforcement.

- A4 Initial Separate Meetings: A Technique to Enhance Settlements**  
*Zena D. Zumeta, president of the Mediation Training & Consultation Institute, Zena Zumeta Mediation Services, and The Collaborative Workplace (Ann Arbor)*

Recent research findings show that initial separate meetings with the parties increase the probability of settlement, as long as the meetings are for the specific purposes of creating trust and rapport, educating the parties about mediation, and opening the minds of the parties toward listening and generating options, rather than starting negotiation. This workshop will discuss the research and specific skills needed in handling initial separate meetings. A video of a business partnership dispute will be shown including the initial separate meetings and the subsequent joint sessions. Discussion will include working with lawyers in the mediation, as well as in pre-mediation conference calls.

**12:00 - 1:30 pm      LUNCH (included in registration fee)**

**1:45 - 3:45 pm      AFTERNOON SESSION (2 PA-CLEs or 2 NASW-CEs)**

**B1      Using On-Line Mediation in Your Practice**

***Giuseppe Leone, founder and project manager of Virtual Mediation Lab, & facilitated by Ellen Morfei, Progressive Conflict Solutions***

Building on the Introduction to On-Line Mediation workshop offered at last year's conference, Giuseppe Leone will lead this workshop exploring practical applications for on-line mediation. Topics include: how to do online what you are used to doing face-to-face, how to add online mediation to your existing practice, how to blend face-to-face and online mediation, and how online mediation creates new business opportunities for experienced mediators. Ellen Morfei will host the workshop on-site, while Leone presents virtually. *Although there are no pre-requisites for this workshop, participants may wish to attend Leone's introductory 2-hour online webinar, which includes a simulation role play. This is being offered to PCM conference participants for a separate fee of \$100 (a 35% discount). Please register by February 29 at <http://www.virtualmediationlab.com/contact/>. Be sure to indicate in the message field that you are planning to participate in the workshop at the PCM conference.*

**B2      Orphans' Court Mediation**

***Neil Hendershot, Esq., & Hon. Jay Hoberg, Co-Chairs of the PA Bar Association's Orphans' Court Mediation Subcommittee***

Effective September 1, 2016, new statewide Orphans' Court (OC) Rules provide for private or court-supervised mediation. The presenters will review the PA Bar Association's Model Local OC Rules in anticipation of the development of new local OC rules by June 1, 2016. The workshop will look at potential mediation opportunities as they relate to estate and trust administration, capacity issues (such as personal decision-making by the elderly), powers of attorney, and surrogate health care decision-making.

**B3      The Art of Framing Questions**

***Cheryl Cutrona, Executive Director, Good Shepherd Mediation Program***

"Mediators speak in questions" (Zena Zumeta). Framing questions in the right way and asking them at the right time is an art. Skilled mediators are adept at strategic questioning, whether to elicit facts or feelings, engage in perspective-taking, overcome obstacles or evaluate options. Enhance your repertoire of questioning skills and techniques. Learn tips to help you frame productive questions that bring clarity, test reality, turn repetitive complaints into identified needs, and break impasse.

**B4      Dealing with Ethical Dilemmas and Difficult Cases**

***Deborah Gaber, attorney, mediator and conflict resolution consultant; Ed Blumstein, attorney and mediator; & Hon. Stephanie Klein (ret.)***

Three mediators with over 50 years of combined experience in mediating community, family, education, business and labor issues for private, corporate and governmental clients will examine ethical challenges mediators face. Situations will be considered in light of the ethical standards of the American Bar Association and Association of Family and Conciliation Courts. Bring your scenarios, quandaries and questions to share in this workshop. (1 PA-CLE ethics)



# Conference Site and Room Accommodations

## Hilton Harrisburg

One North 2<sup>nd</sup> Street (GPS Friendly Address is 200 Market Street)  
Hotel parking at Walnut Street Garage (215 Walnut St.)  
Telephone: 717-233-6000

To book a reservation, go to directly to the PCM group page for the Hilton Harrisburg  
[http://www.hilton.com/en/hi/groups/personalized/M/MDTHHMF-COUNC-20160414/index.jhtml?WT.mc\\_id=POG](http://www.hilton.com/en/hi/groups/personalized/M/MDTHHMF-COUNC-20160414/index.jhtml?WT.mc_id=POG)

You can also go to [www.harrisburg.hilton.com](http://www.harrisburg.hilton.com) or  
call 1-800-HILTONS; use the group code PACM

A limited number of rooms are reserved for conference attendees at \$134, plus tax.

**Reservations must be made before March 15<sup>th</sup> to receive the special rate.**

**From Philadelphia or Pittsburgh:** I-76 (PA Turnpike) to Exit 247 (Harrisburg East). Merge onto I-283 N toward PA 283/Harrisburg/Hershey. Take Exit 3A on left to merge onto I-83 S toward Harrisburg. Take Exit 43 toward Capitol/2<sup>nd</sup> Street. Turn left/north onto S 2<sup>nd</sup> Street. Hotel is on corner of 2nd St and Market Street.

**From North:** Take Exit 66 (Front Street - South) off I-81. Follow Front Street approximately 5.5 miles to Market Street. Take a left on Market Street. Hotel is on next corner at 2nd St and Market Street.

**Overnight Self Parking** is available in the Walnut Street Garage located next to the hotel. Please inform the Front Desk at check in to receive the Hilton parking rate (\$10/night).

**From the train station:** Walk five blocks (7 minutes) south on Market Street to the hotel.

# REGISTRATION FORM

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone (day) \_\_\_\_\_ (evening) \_\_\_\_\_ Email \_\_\_\_\_

## SPECIAL COMBINATION PACKAGE: PRE-CONFERENCE & CONFERENCE

PCM Member \* \$295 \_\_\_\_\_; after April 1: \$325 \_\_\_\_\_  
Volunteer Mediator \$225 \_\_\_\_\_; after April 1: \$250 \_\_\_\_\_  
Full-time student \$200 \_\_\_\_\_ (Enclose copy of student ID.)

### PRE-CONFERENCE ONLY: Friday, April 15

Pre-Conference training, continental breakfast and lunch

PCM Member \* \$150 \_\_\_\_\_; after April 1: \$165 \_\_\_\_\_  
Non-Member \$165 \_\_\_\_\_; after April 1: \$180 \_\_\_\_\_  
Volunteer Mediator \$120 \_\_\_\_\_; after April 1: \$130 \_\_\_\_\_  
Full-time student \$110 \_\_\_\_\_ (Enclose copy of student ID.)

### CONFERENCE ONLY: Friday Evening, April 15, and Saturday, April 16

Friday MVP presentation, Saturday plenary & workshops, continental breakfast and lunch

PCM Member \* \$175 \_\_\_\_\_; after April 1: \$185 \_\_\_\_\_  
Non-member \$190 \_\_\_\_\_; after April 1: \$200 \_\_\_\_\_  
Volunteer Mediator \$125 \_\_\_\_\_; after April 1: \$135 \_\_\_\_\_  
Full-time student \$115 \_\_\_\_\_ (Enclose copy of student ID.)

**\*Applies only if "Current Member" appears above your name on the mailing label.**

Friday Wine & Cheese Reception & MVP Dinner Buffet \$40 \_\_\_\_\_

PA CLEs Pre-Conference – 6 CLEs \$35 \_\_\_\_\_ Conference – 5 CLEs \$25 \_\_\_\_\_  
Social Work CEs NASW member \$20 \_\_\_\_\_ Non-member \$30 \_\_\_\_\_

**TOTAL ENCLOSED: \$ \_\_\_\_\_**

### Please indicate your preference for Saturday Workshops

#### Morning Session

#### Afternoon Session

1<sup>st</sup> Choice A1 \_\_\_\_\_ A2 \_\_\_\_\_ A3 \_\_\_\_\_ A4 \_\_\_\_\_ 1<sup>st</sup> Choice B1 \_\_\_\_\_ B2 \_\_\_\_\_ B3 \_\_\_\_\_ B4 \_\_\_\_\_

2<sup>nd</sup> Choice A1 \_\_\_\_\_ A2 \_\_\_\_\_ A3 \_\_\_\_\_ A4 \_\_\_\_\_ 2<sup>nd</sup> Choice B1 \_\_\_\_\_ B2 \_\_\_\_\_ B3 \_\_\_\_\_ B4 \_\_\_\_\_

### Join PCM now and register at the Member rate

Includes a listing in the Find A Mediator section of the PCM web site ([www.pamediation.org](http://www.pamediation.org))  
Individual/Organizational membership, add \$60 \_\_\_\_\_ Volunteer membership, add \$35 \_\_\_\_\_

**A 25% cancellation fee will be applied after April 8, 2016.**

### Payment Options

- Check: Send this form and your check made out to "PCM" to:  
Phoebe Sheftel, 414 Barclay Road, Rosemont, PA 19010, 610-526-1802 or [pasheftel@gmail.com](mailto:pasheftel@gmail.com).
- Credit card: Register on the PCM web site [www.pamediation.org](http://www.pamediation.org).

**Conference Questions:** Call Barbara Foxman at 215-620-4218 or [bef423@mindspring.com](mailto:bef423@mindspring.com)