



THE PENNSYLVANIA COUNCIL OF MEDIATORS REPORT

For Members and Friends

Summer 1999

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A Message from the President

By Brenda Wolfer

On behalf of the PCM board and Conference Committee, I would like to thank the members of the Wilkes-Barre Peace Center for their able assistance in making the 1999 Conference a huge success. The facilities were excellent, the attention to details was extraordinary, and everyone felt most welcome. We look forward to future conferences in the area.

As many of you know, PCM has been very involved in trying to initiate legislation to create a state office for mediation. On May 3, 1999, Senator Greenleaf introduced Senate Bill 907 (see page 8 for complete text) which was immediately referred to Judiciary to "Establish the Commission on Dispute Resolution and Conflict Management and providing for its powers and duties...." The 16-person Commission will be made up of various persons including a representative of PCM.

At the June 1999 Board Meeting, all members present voiced strong support of the Bill. We will be contacting Senator Greenleaf and we urge you to contact your State Representative to encourage him/her to support the Bill. We would like to help establish an office that supports and promotes quality mediation service for the residents of Pennsylvania, specifically the adoption of PCM's Standards of Mediator Practice, Qualifications, and Ethics. In addition, PCM would like to encourage and support uniform standards of training and trainer qualifications which, we hope, would be an integral part of the duties of a state office.

In essence, we are now looking at the professionalization of a field that has been developing for the last three decades through the grit and determination of a small number of practitioners. The time has come for us to take our place as both a recognized and organized profession.

Recently, I conducted a HIPPP (Help Increase the Peace Project) workshop for middle school and high school students for the

(continued on page 2)

Board Meetings for 1999-2000

September 10, 1999

Friends Meeting House, 6th & Boas Streets, Harrisburg

November 5, 1999

York (site to be determined)

January 14, 2000

YWCA, G Street, Carlisle

March 10, 2000

Lancaster Mediation Center, 225 W. King Street, Lancaster

May 19, 2000

Annual Meeting, Conference Site, Pittsburgh

June 16, 2000

State College (site to be determined)

Directions, specific locations and addresses are included in previous meeting minutes and upcoming meeting agendas which are mailed to the Board Meeting mailing list. If you are interested in receiving the meeting notices on a regular basis contact Phoebe Sheftel.

For more information on the **Pennsylvania Council of Mediators**, write to PCM, PO Box 465, State College, PA 16804, or call one of our regional contacts:

Pittsburgh 412-371-9884
Philadelphia 215-563-7860
State College 814-355-6768
Harrisburg 717-233-8255

<http://www.libertynet.org/pcounmed>

A Message from the President (continued)

Delaware County Housing Authority. One of the participants said that she likes to write poetry, and I asked her if she would like to write a poem and bring it in to share with the rest of the group. I'd like to share it with our readership.

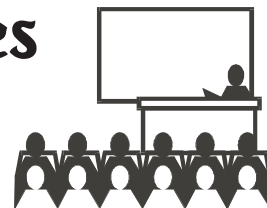
IN A PEACEFUL WORLD

In a peaceful world, we would be able to sniff clean air,
 And treat someone that needs help with tender care.
 We won't have to worry about races; if we just understood we could look in their faces.
 And we could be a good influence and teach 'lil kids how to tie their laces.
 In a peaceful world, we won't have to fight,
 We will be too busy learning how to fly a kite.
 In a peaceful world instead of killing because you're bored,
 Open up the Bible and read chapters of the Lord.
 In a peaceful world there would be Non-Violence.

Antoinina Bennett (age 12)

Training Opportunities

PCM will publish training opportunities offered by members or member organizations. When submitting training information, please use the following format.



October 5 & 6, 1999

Negotiation: Skills for Obtaining Better Solutions

Offered by Winsor Associates. Contact Laureen DuFrayne at 1-800-861-9292.

October 8-12, 1999

Divorce and Custody Mediation Training

Offered by Montgomery County Mediation Center. Contact Kathryn Mariani at 610-277-8909.

October 22, 1999

Advanced Mediation Training (2 sessions):

Screening for Domestic Violence and *Dealing With Anger in Mediation*

Offered by Montgomery County Mediation Center. Contact Kathryn Mariani at 610-277-8909.

October 29-31, 1999

Basic Mediation Training

Offered by Lancaster Mediation Center. Contact Karin Gingrich Weaver at 717-293-7231.

November 10-12, 1999

Basic Mediation Training

Offered by Community Dispute Settlement Programs. Contact Brenda Wolfer at 610-566-7710.

1999 PCM Conference a Rousing Success

*Reprinted with permission from
Pittsburgh Mediation Center
Newsletter*

The Pennsylvania Council of Mediators held its annual conference at Kings College in Wilkes Barre, PA, on April 16 & 17, 1999. The theme of this year's conference was "Building Bridges Across Pennsylvania." Along with the conference workshops, there were three speakers: Captain Pat Rushton from the Wilkes Barre Police Department, Lorraine Stutzman Amstutz from the Menonite Central Committee on Crime and Justice, and Nancy Welsh, Alternative Dispute Resolution (ADR) Professor at the Dickinson School of Law.

Captain Rushton kicked off the conference on Friday evening with a discussion of community oriented policing and mediation. He saw mediation as offering police departments a unique tool for community problem solving. He encouraged community mediation centers to be aware of the particular limitations facing police departments that want to utilize mediation, including time and resource constraints.

Lorraine Stutzman Amstutz discussed the implications of restorative justice for both victim offender mediation and community mediation. She also noted the move within the community mediation field toward transformative models. (See interview on page 4.)

Nancy Welsh presented the lunchtime keynote address on Saturday. As a newcomer to Pennsylvania from Minnesota, she shared her initial observations of the mediation community. While she has found a vibrant community



Annual Membership Meeting — We saw some new faces



Can you identify any of the workshop participants?

of mediators involved in many exciting initiatives, she also noted a sense of isolation (different professional communities, distance) and a sense of frustration that Pennsylvania is behind the times. She discussed how Minnesota's mediation community moved from a reactive to a more proactive posture and suggested that conference attendees look for

ways to continue building bridges and advocate together at the state level for change.

All in all, it was an exciting conference. Many thanks to the organizing committee and the Wilkes Barre Resource Center for Peace and Justice, who hosted the conference.

Year 2000: Pittsburgh to Host PCM Conference

The Pittsburgh Mediation Center (PMC) has agreed to host the Pennsylvania Council of Mediators (PCM) Annual Conference to be held on **May 19 & 20, 2000**. Mark your calendar and plan to attend. If you would like to be on the Conference Committee contact Gale McGloin at (412) 381-4443 or Dick Conrad at (215) 750-7220.

An Interview with Lorraine Stutzman Amstutz

By Sue Gerber, Pittsburgh Urban Leadership Service Experience intern

Reprinted with permission from Pittsburgh Mediation Center Newsletter

SG: What is your experience in Victim Offender Mediation (VOM)?

LSA: My undergraduate degree is in social work from Eastern Mennonite College, where I completed two internships within the area of criminal justice (one in probation and one in a diversion program for juvenile offenders). Once I completed my degree I began working for Mennonite Central Committee (MCC) where the MCC Office on Crime and Justice is housed. It is there that I met Howard Zehr in 1981 and read about Mennonite involvement in VORPs (Victim Offender Reconciliation Programs). I realized that this was a particular area of justice where I wanted to put my energy.

SG: Compare and contrast VOM with traditional mediation models.

LSA: Community mediation models arose from more of a grassroots community response separate from any involvement with the criminal justice system. That is changing as mediation becomes more prominent within the system as the courts refer more cases related to divorce and child custody. VOM, on the other hand, has traditionally had a different relationship to the criminal justice system. VOM programs need to maintain a fairly close relationship with people in the system such as judges and probation officers in order to have the program run effectively and to get referrals. That may not be necessary within a community mediation model. In community mediation the assumption is that the parties involved come into mediation on equal ground to settle a "dispute." **In VOM, there is a clear distinction made about a harm committed by one person toward another.**

Participants are not referred to as "disputants" since the harm committed has already been established by an outside entity, the criminal justice system.

Issues within VOM cases are often more clearly defined since the participants are often strangers to one another prior to the criminal act. Within community mediation, participants generally have some kind of prior relationship, which provides a different kind of challenge given the history they bring to the mediation.

In VOM, there is a clear distinction made about a harm committed by one person toward another.

In VOM, the satisfaction of the participants (particularly the victim) does not necessarily come about as a result of "settlement" but rather through the opportunity to tell their story and to have their questions about the crime answered. It is often gratifying for the victim to see the offender face-to-face and have them take responsibility for their behavior. In traditional community mediation, more emphasis may be placed on settlement whereby both parties agree to settlement between them.

Another difference may be the preparation meetings held by those conducting victim offender mediations. Preparation meetings are generally not done in community mediation. The preparation meetings held separately with victims and offenders are a key component of the process and provide a further screening mechanism and opportunity for trust building and safety before bringing participants together.

SG: Is victim offender conferencing different from victim offender mediation?

LSA: The term "conferencing" is not significantly different than the term "mediation" in terms of process. There is

much confusion simply because of the different terms being used for a process that remains, at the heart, much the same. The original term used for the first program was, as I mentioned earlier, VORP (Victim Offender Reconciliation), which victims in particular found to be troubling given the connotations of the "reconciliation." Many programs began using "mediation" as a substitute but some programs still felt uncomfortable because of the connotations associated with it (negotiation, dispute) which are terms not

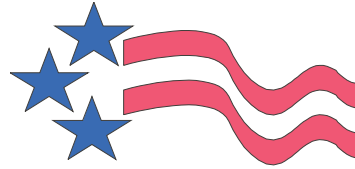
used in VOM. There was then the introduction to the term "conferencing" through the New Zealand model of Family Group Conferencing whereby more people are involved in the restorative justice process of bringing together victims, offenders and members of their respective community.

SG: Anything else you would like to add?

LSA: The issue of training is one that has garnered a great deal of interest in more recent years as many more community mediation programs began implementing victim offender conferencing as part of their services to the community. I think it is critical that there is indeed a separate training for those mediators doing victim offender cases to understand the differences between the two processes. It is also critical to have a working knowledge of the criminal justice system in order to know the legal implications of the meeting between the victim and the offender. It is also important for mediators to be aware of the unique needs and issues when working with victims and offenders.

PCM Member Receives National Honor

By Stanley Marshall



The National Conference on Peacemaking and Conflict Resolution (NCPCLR) awarded the Margaret Herrman Award for 1999 to Paul Wahrhaftig. The award is given each year to an individual who has shown outstanding leadership and service to the worldwide conflict resolution field and the NCPCLR.

Paul is a former member of PCM's Board of Directors. His contributions to the field of conflict resolution span more than three decades. In 1981, he founded the Conflict Resolution Center International (CRCI) in Pittsburgh, Pennsylvania, as a worldwide resource for mediators and conflict resolution practitioners.

"Peacemaking takes place at multiple levels," says Wahrhaftig. "In order to make any kind of negotiations work, there must be a strong supporting infrastructure that begins at the grassroots. We believe the process must begin with families, communities and schools—and then grow from there to create a true culture of peace."

Wahrhaftig has helped the conflict resolution community explore such issues as cross-cultural conflict resolution, ethics, professional standards, journalism, conflict analysis and the relationship between peace-making and social justice. His work has taken him to three continents, and he has been involved in peace efforts in countries such as Chad, Turkey, Northern Ireland, Columbia and the former Yugoslavia.

Wahrhaftig's early work in conflict resolution continues to influence his activity in the field today. In the 1970s, he helped popularize the new concept of community dispute resolution programs—with a strong emphasis on community-based organizing. His book, *The MOVE Crisis in Philadelphia: Extremist Groups and Conflict Resolution*,

has become a standard text on handling complex community issues.

Wahrhaftig has organized numerous conferences around the world and has served on task forces of the U.S. Department of Justice and the National Institute of Dispute Resolution. Most recently he has turned his focus to bridging the gap between conflict resolution and the news media. He is working with a diverse team of professionals to develop a prototype website for journalists to more effectively report on conflict in their communities.

"Paul has shown real insights and devotion to find common pathways for journalists to resolve conflict," says Maggie Patterson, Associate Professor of Journalism at Duquesne University. "We live in a time when communities too often feel hopeless when faced with

serious conflict. The website is an important resource for helping journalists find their place in the democratic process—and cover these stories in a way that helps communities find a resolution."

With the growth of the Conflict Resolution Center International, Wahrhaftig will continue to help conflict resolution practitioners around the world communicate with and learn from each other. The depth of his work ranges from, most recently, participation in The Hague Appeal for Peace, a world-wide meeting to set the peace agenda for the 21st century, to helping a Sheriff's Department in Texas learn skills for resolving hostage situations.

Wahrhaftig also maintains an active divorce mediation practice in Pittsburgh, PA.

VOMA Conference Coming to Harrisburg

The 16th Annual Victim Offender Mediation Association International Training Institute and Conference will be held **September 14-18, 1999**, at the **Holiday Inn Harrisburg East, Harrisburg, PA**. Mark your calendar and plan to attend. John Paul Lederach, Director of Eastern Mennonite University's Conflict Transformation Program, will be the keynote speaker on Friday, September 17th.

The Pennsylvania Commission on Crime and Delinquency and the Victim Advisory Council have each provided VOMA with funds toward the costs for speakers and trainers at the Conference. PCM has donated funds to the PA site committee to help with hospitality.

For full conference information and registration form contact VOMA:

4624 Van Kleeck Drive, New Smyrna Beach, FL 32169

904-424-1591 (voice)

904-424-6129 (fax)

www.voma.org web site

voma@voma.org e-mail

Mediation Policy: Theory Matters

By Dorothy J. Della Noce¹

Mediation policy-making appears to be a growth industry. Numerous legislatures, state courts, agencies, membership organizations and other institutions are occupied with structuring their corners of the mediation field, whether it is through the regulation of mediator qualifications, referrals, training, ethics, confidentiality, immunity, boundaries of practice or other issues. Consider just these few policy initiatives that are currently underway. The American Bar Association and the NCCUSL have embarked on a joint project to draft uniform laws for mediation. The CPR Institute for Dispute Resolution and Georgetown University Law Center are collaborating on the ADR Ethics Project, and have assembled a 65-member Commission on Ethics and Standards of Dispute Resolution Practice for lawyers. The Mediator Skills Project, in cooperation with The State Justice Institute, is trying to articulate operational definitions of mediator skills, tactics and strategies in order to define "competence" for court-connected mediators. The Academy of Family Mediators is cooperating with the Mediator Skills Project to develop the first written mediator certification test in the nation, and in an unrelated project, is revising its training standards. The State of Maryland is preparing legislation and ethical standards to govern mediation. The State of Virginia is considering standards to regulate mediation training.

Each of these projects, and many others not cited, will in some way shape how mediation is defined and practiced. In most cases, some form of standardization of practice is the goal. But a challenge facing each of these projects, and in fact all policy efforts in the field, is how to accomplish standardization when there is immense variation in mediation practice. I believe the primary question is whether standardization is desirable, let alone possible, and suggest that differences in practice must be taken

into account by policy-makers. Differences matter, and it is only by understanding where differences in practice come from, and where they lead, that policy-makers can make informed policy decisions.

"Difference" in practice and in policy

It is by now no secret that there are many different approaches to mediation practice. The field has seen a proliferation of adjectives that try to capture these differences, including transformative mediation, client-centered mediation, facilitative mediation, problem-solving mediation, muscle mediation, med-arb, arb-med, humanistic mediation, naturalistic mediation, evaluative mediation, therapeutic mediation, rights-based mediation and interest-based mediation (to name but a few!). While these adjectives indicate a growing awareness among mediators that mediation is not a single homogenous process, policy in the field does not appear to have kept pace with the adjectives.

Typically, policy statements simply address "mediation" in the generic, as if it is a homogenous process. Differences in the practice of mediation are being ignored or minimized by policy-makers. With few exceptions (e.g., DellaNoce, 1998; Toben, 1998), the field has not addressed the question of whether the differences among mediation practices are so fundamental as to require different policy positions for different practices. This is an important question, foreshadowed by Bush & Folger in 1994, when they stated in *The Promise of Mediation* that mediator differences are deeply ideological, rooted in the mediators' fundamental beliefs about people and conflict, and that these ideological differences have consequences for practice and policy. As Toben recently put it:

I, for one, think that there are indeed fundamental incompatibilities in our

methods of practice, grounded in ideology, and that this has enormous implications for public policy. We'd better get a hold of these implications before the regulators apply uniform standards that make none of us happy. The key... is to articulate our differences openly and precisely, so that we can educate consumers to make informed choices and so that we can help policymakers achieve the best result.

The field as a whole is minimizing the importance of difference. A notion has taken hold that differences in practice are merely a matter of mediator "style." The very use of the word "style" implies that mediator practices are no more consequential than a whim, and as easily donned, shed, changed, and mixed and matched as the day's clothing. A corollary to this image is the notion that mediators are the ultimate chameleons, able to sense the style appropriate for any case, client, and context, and alter their style accordingly. Such an argument can be appealing for any number of reasons. It neatly sidesteps any issues of best practice. It avoids the politically-charged definitional arguments which are prevalent in the field, and appears to claim a politically-correct neutral or "all-inclusive" standpoint. Most importantly, it appears to be consistent with the rhetoric of mediator neutrality, which has somehow come to mean that mediators have no plan, no values, no agenda, no goal, no premises, no *theory*, beyond doing the clients' bidding.

But, there's always a theory, if we think of theory as the *explanation* for what mediators do when they intervene in someone else's conflict. Some theories are highly developed, coherent, and based on research, such as Bush & Folger's transformative theory (1994); Rubin, Pruitt & Kim's dual concern model (1994), and Pearce & Littlejohn's model of transcendent discourse (1997). Or, practitioners may have their own

¹ This paper is part of a Working Paper Series prepared on behalf of the Practice Enrichment Initiative (PEI), led by R.A. Baruch Bush and Joseph P. Folger, and funded by grants from the William and Flora Hewlett Foundation and the Surdna Foundation. I would like to acknowledge the comments and contributions of all members of the PEI, and in particular those of R.A. Baruch Bush, Joseph P. Folger, and Paul Charbonneau.

intuitive theories-in-use for what they do. Theories, no matter how sophisticated or naïve, shape what the mediator attends to and ignores as the parties interact, as well as the nature of the mediator's intervention. These theories are powerful and consequential, because they are embedded in even broader ideological assumptions about the world (or "worldviews"): assumptions about what motivates people, what causes conflict, how people should behave in conflict, what people are capable of, what an effective or successful resolution of conflict looks like, and what it takes to resolve conflict (Bush & Folger, 1994). Mediator practices vary a great deal as a result of the theories mediators rely upon and the worldviews underlying their theories. Worldviews, or ideologies, can be thought of as the mediator's preferred moral and social order. And, there is little or no evidence that mediators change their worldviews, or fundamental assumptions about people and conflict, on the basis of the case, client or context.

What about policy?

Differences in mediator practice, and in particular the theories which shape those differences and the fundamental assumptions upon which they are based, do indeed matter for policy and policy-makers.

Referring again to the many adjectives used to describe mediation, you can see they reflect a variety of roles for mediators, from that of facilitator of the parties' communication and decision-making process to quasi-judicial roles. We cannot assume that the same policies should apply to each of these processes. For example, there may be sound reasons for confidentiality in a process which encourages parties to communicate openly with each other in an attempt to resolve their dispute, while those reasons may be overshadowed by a need for outside review and oversight in a process in which a mediator provides case evaluations and legal opinions. Concerns about mediators engaging in the practice of law will be paramount in evaluative processes in which the mediator gives opinions as to the best outcome or how the law would apply to the case, but may be negligible in processes that emphasize inter-party communication and informed decision-making.

Policy-makers, too, draw on their theories about conflict and their own assumptions about human beings in conflict as they shape policy. These theories and assumptions, in turn, shape how mediation is ultimately practiced. Seldom is it apparent that policy-makers examine their theories and the assumptions upon which they are based. This is especially true when we consider how common it is for policy-makers to simply adopt a "package" from another source, such as codes of ethics, or standards for certification, or performance-based assessment standards. A consequence of policies which are built on unstated assumptions about the nature of mediation is that the policies themselves make certain types of practice normative, and others marginal. For example, there are policies on mediation training which require mediators to learn about "stages" of the process, which favor a linear, directive form of practice over more organic, communication-based approaches. There are policies requiring mediators to possess and employ substantive and legal expertise, which presume an evaluative or even quasi-judicial role for the mediator and devalue process facilitation. Questions of the wisdom of such policies aside, the more fundamental question is whether the natural consequences of such policies are deliberate. We will only know if the assumptions upon which policies are based are made explicit.

In conclusion, it is time for the differences in mediation practice to be taken into account by policy-makers. An important part of every policy conversation should be a discussion of what "mediation" is, what theories of practice are being (or should be) privileged, what assumptions underlie those theories, and how those assumptions will shape practice. This will probably require policy-makers who are not fully informed about the various theories of practice to consult with professionals in the field who have such familiarity. It also speaks for the importance of hiring consultants who can articulate their own theory and are conversant with other theories in the field. Beware the consultant who suggests that he or she can build programs for "generic" or "normal" mediation in a field abounding with adjectives. Such claims may obscure difference, but they don't do away with it. Ultimately, thoughtful, fully-informed policy-making depends upon acknowledging and dealing with the differences in the field.

What are *your* experiences with policy?

In its effort to clarify the links between policy and practice, the Practice Enrichment Initiative is asking practicing mediators to share their experiences. Has a policy adopted in your locality, area of practice or membership organization caused you to change or modify your practice? In what way? Would you have made these changes if the policy had not been adopted? What effect have the changes had on you and your clients? Have you questioned the assumptions underlying the policy? If you have an experience you'd like to share, contact PEI Policy Workgroup Chairs Paul Charbonneau and Dorothy Della Noce, at pgcharbo@midcoast.com, or dellanoce@ezonline.com, or by fax to Dorothy Della Noce at (717) 728-0248. Thanks!

References

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Legislative Corner

The following Senate Bill was referred to in the President's Message.
The Policy Committee invites you to work with them to make a Commission a reality.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL No. 907 (Session of 1999)

INTRODUCED BY GREENLEAF, MAY 3, 1999

REFERRED TO JUDICIARY, MAY 3, 1999

AN ACT

Establishing the Commission on Dispute Resolution and Conflict Management and providing for its powers and duties; establishing the Dispute Resolution and Conflict Management Commission Fund; and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the Dispute Resolution and Conflict Management Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Commission." The Commission on Dispute Resolution and Conflict Management established in section 3.

"Dispute resolution and conflict management." Any process that assists persons in a dispute or a conflict to resolve their differences without unnecessary litigation, prosecution, civil unrest, economic disruption or violence.

"Dispute resolution and conflict management program." A program that provides or encourages dispute resolution and conflict management, including, but not limited to, mediation, arbitration, conciliation and facilitation. The program may serve the legal

community, business community, public sector, private sector or private individuals or any combination thereof. The term shall also include a program that provides education or training in the primary and secondary schools and in the colleges and universities of this Commonwealth, as well as in other appropriate educational forums, about the elimination, prevention, resolution and management of disputes and conflicts.

"Fund." The Dispute Resolution and Conflict Management Commission Fund established in section 6.

Section 3. Commission.

(a) Establishment.—The Commission on Dispute Resolution and Conflict Management is hereby established as an independent administrative agency.

(b) Purposes.—The commission shall have the following purposes:

(1) Developing, coordinating and supporting dispute resolution and conflict management education, training and research programs in this Commonwealth.

(2) Consulting with, educating, training, providing resources for and otherwise assisting persons and public or private agencies, organizations or entities that are interested in dispute resolution and conflict management as potential parties or engaged in the field as practitioners.

(c) Members.—The commission shall consist of 16 members. Four members shall be appointed by the Governor; two members each shall be appointed by the President pro tempore of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate and the Minority Leader of the House of Representatives; and four members shall be appointed by the Supreme Court of Pennsylvania. Of the four members appointed by the Governor, one shall be a member of the Pennsylvania Council of Mediators, one shall be a member of the bar of the Supreme Court of Pennsylvania, and two shall be nonlawyer citizens. At least one of the two members appointed by the President pro tempore of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate and the Minority Leader of the House of Representatives shall be a nonlawyer citizen. Of the four members appointed by the Supreme Court, one shall be a judge of an appellate court of Pennsylvania, one shall be a judge of a trial court of Pennsylvania, one shall be a judge of the minor judiciary, and one shall be a member of the Pennsylvania Bar Association. The commission shall include men and women and should reflect the geographic, ethnic and racial diversity of this Commonwealth. The commission shall elect a chairman and other necessary officers during its first meeting each calendar year.

(d) Terms.—Members first appointed by the Governor shall serve a

term of four years, members first appointed by the General Assembly shall serve a term of three years and members first appointed by the Supreme Court shall serve a term of two years. Thereafter, all members shall serve a term of four years. Members may be reappointed and shall remain in office until a successor is qualified.

(e) Expenses.—The members of the commission shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of official duties.

Section 4. Powers and duties.

The commission shall have the power and duty to:

(1) Serve as an information and referral clearinghouse for dispute resolution and conflict management programs services, including, but not limited to, mediation, arbitration, conciliation and facilitation.

(2) Establish a dispute resolution service available to the General Assembly, Commonwealth and local agencies to address public policy controversies and other disputes involving the public. This service shall be provided through referrals to providers of dispute resolution services or through commission staff.

(3) Establish and collect fees for dispute resolution services provided by commission staff. Any fees collected shall be deposited into the fund.

(4) Administer a funding program for the establishment and operation of community dispute settlement centers.

(5) Encourage and support the establishment of peer mediation programs in school districts.

(6) Support the development of court programs, in cooperation with the court and the bar, for referral of appropriate cases to dispute resolution processes.

(7) Monitor and evaluate the program effectiveness of the programs

funded in whole or in part by the Commonwealth through the commission.

(8) Advise and assist, upon request, the executive and legislative branches of the Commonwealth and local governments in developing policies, plans and programs related to dispute resolution and conflict management.

(9) Employ an executive director and such other staff as necessary.

(10) Issue regulations necessary for the proper administration of this act.

Section 5. Report.

The commission shall submit an annual report to the Governor and to the General Assembly concerning the work of the commission during the preceding fiscal year.

Section 6. Fund.

There is hereby established in the State Treasury a separate fund to be

known as the Dispute Resolution and Conflict Management Commission Fund. All fees for dispute resolution and conflict management programs or services provided under this act shall be deposited into the fund. The moneys from this fund shall be appropriated as necessary to fulfill the purposes of this act and to provide for any grants made by the commission.

Section 7. Appropriation.

The sum of \$1,000,000, or as much thereof as may be necessary, is hereby appropriated to the Commission on Dispute Resolution and Conflict Management for the fiscal year July 1, 2000, to June 30, 2001, to carry out the provisions of this act.

Section 8. Effective date.

This act shall take effect July 1, 2000, or immediately, whichever is later.

PCM Officers, Board Members, and Committee Chairs

President	Brenda Wolfer	610-566-7710
Vice President	Richard Conrad	215-750-7220
Secretary		
Treasurer	Phoebe Sheftel	610-527-3795
Board Members	Winnie Backlund	610-277-8909
	Joan Lentzner	717-389-4112
	Pat Marcus	717-852-7272
	Gale McGloin	412-381-4443
	Steve Roy	717-233-8255
	Gregg Schaaf	800-242-4412

Committee Chairs:

<i>Membership</i>	Phoebe Sheftel	610-527-3795
<i>Ethics</i>	Lauren Zaccarelli	717-787-3055
<i>Newsletter</i>	Winnie Backlund	610-277-8909
<i>Policy</i>	Steve Roy	717-233-8255

If you are interested in serving on a PCM committee, please contact the committee chair or a Board member. Your involvement is encouraged.

New Members

AnnDrea M. Benson, Esq.

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Dr. Catharine Toso

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Philadelphia PA 19106
Work Phone: 215-829-5524*
Fax Number: 215-829-6684

* Please note correct work phone number for Catharine Toso; it was listed incorrectly in the PCM membership directory.

MEMBERSHIP APPLICATION for New Members

Name/Organization Name: _____

Designated Representative (for Organization Member only)*: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Work Phone: _____

Fax Number: _____ E-mail Address: _____

Mediation Employment: _____

Mediation Volunteer Work: _____

County/Counties where you work/volunteer: _____

Areas of Mediation Practice (check all that apply):

- | | | |
|--|--|---|
| <input type="checkbox"/> 1. Community/Neighborhood | <input type="checkbox"/> 8. Special Education | <input type="checkbox"/> 15. Employment |
| <input type="checkbox"/> 2. Family/Divorce/Child Custody | <input type="checkbox"/> 9. Victim–Offender/Corrections | <input type="checkbox"/> 16. Religious Institutions |
| <input type="checkbox"/> 3. Landlord/Tenant/Fair Housing | <input type="checkbox"/> 10. AIDS | <input type="checkbox"/> 17. Real Estate |
| <input type="checkbox"/> 4. Groups/Organizations | <input type="checkbox"/> 11. Training Adults | <input type="checkbox"/> 18. Health Care |
| <input type="checkbox"/> 5. Environmental/Land Use/Public Policy | <input type="checkbox"/> 12. Training Schools | <input type="checkbox"/> 19. Securities |
| <input type="checkbox"/> 6. Small Claims | <input type="checkbox"/> 13. Training, Cultural Bias/Awareness | |
| <input type="checkbox"/> 7. Labor/Business/Civil | <input type="checkbox"/> 14. Farm Credit | |

Mediation Category: ☐ General/Professional \$50 ☐ Student \$30 (enclose copy of student ID)
☐ Organization \$50 ☐ Volunteer \$30

Web Page Listing: ☐ \$15 additional

Please indicate your interest in involvement in the work of PCM:

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> Steering Committee | <input type="checkbox"/> Newsletter | <input type="checkbox"/> Conference Planning | <input type="checkbox"/> Membership Committee |
| <input type="checkbox"/> Policy Committee | <input type="checkbox"/> Qualifications Committee | <input type="checkbox"/> Organizational Committee | <input type="checkbox"/> Ethics Committee |

I agree to abide by the Ethics and Standards of Conduct of the Pennsylvania Council of Mediators.

Signature _____

*Organization members should designate one person as their representative; this person is entitled to the Member Rate for conference registration.

**Completed applications should be mailed to
Phoebe Sheftel at 41 Barclay Road, Rosemont, PA 19010.**

Contributing to the Newsletter

The Pennsylvania Council of Mediators publishes its Report to members four times a year. As a regular publication, we are able to share information about current issues in mediation across the state of Pennsylvania and the United States on a timely basis.

We welcome your input and ideas! Please send training information, program highlights, educational articles, book reviews, or any other information useful to our readers. Submissions will be printed as time and space allow.

The deadline to submit articles for the next issue of the newsletter is September 30, 1999. Looking forward to hearing from you.

Winnie Backlund, Editor
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