



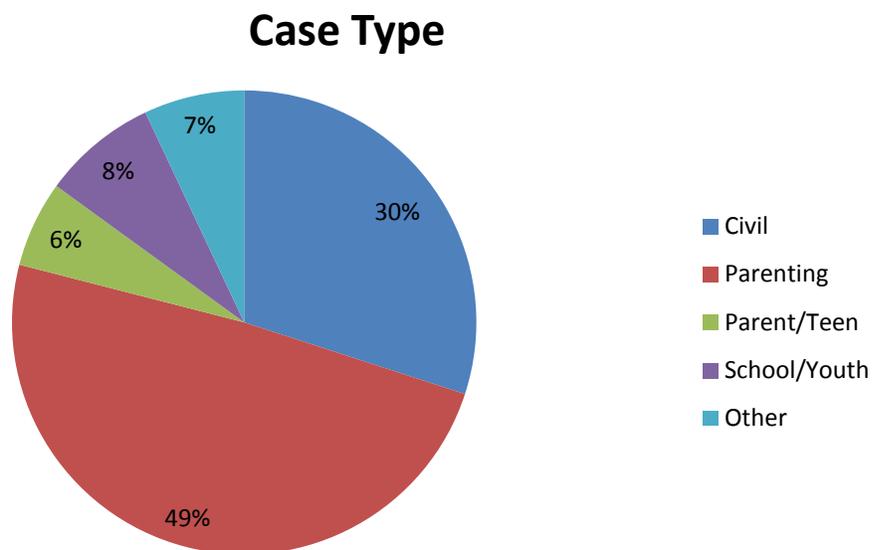
## ANNUAL REPORT 2013

### Introduction

Mediation Matters has had an exciting 2013! In April of this year, Mediation Matters grew to incorporate Schenectady County into its service area. This allowed many things to happen. For one, mediation is now coordinated out of a central location for the entire Capital Region. This is a more efficient operation and helps us to maximize the skills and talents of all involved in this profession throughout the region. Mediators from all 6 counties can now mediate wherever they feel comfortable and they have access to the full Mediation Matters staff and training opportunities; funders have the benefit of reduced overhead and administrative expenses as things are centralized; and clients do not have to determine which center can support their needs. The transition was smooth as the staff from both organizations had partnered previously. The staff that had served in Schenectady County joined the Mediation Matters team and the mediators all followed, as well. We are using the strength of a full organization serving this entire area to expand and deepen our programming to all 6 counties. As we continue to evolve we find ways to further deepen our commitment to the community through our reflection on our mission: *In recognition of the value of a peaceful community **Mediation Matters** provides the skills and processes that help people handle conflict in a constructive way.*

## Referral Types

Cases arise from a number of different subject matters. Our largest caseload includes: civil matters largely referred from small claims courts and parenting matters referred from individuals or the family courts. Our newest initiatives are working with youth and families through the schools. One of the programs that we were fortunate to add to our Center is the peer mediation program in Schenectady High School. Through that and other connections, we have also mediated cases arising in the school but involving family members or community members outside the school building. Other cases mediated involve parent/teen cases referred from county offices such as probation or social services, or other non-profit centers or individuals.



## Civil Matters

Civil Matters largely include those referred from City, Town, or Village Courts with small claims actions though a court case is not required before mediation services can be offered. Participants interested in seeking mediation can speak to the court where their case is filed or contact one of the offices directly. We welcome all civil matters into mediation. Landlords and tenants can discuss security deposits or repairs; contractors and clients can discuss the quality of the work or payment for services; banks and borrowers can discuss loan repayment terms; or any other issues that might arise. It is always an option to contact the office to explore whether a matter is appropriate for mediation.

## Parenting Matters

Parenting matters largely involve discussions about how the family will care for the children of the family when the family lives in separate households. Matters can involve parents, grandparents, extended family, or any other guardians for the children. They can be issues filed in family court or people who wish to develop their own solutions prior to engaging the judicial system. The family can discuss detailed plans for schedules down to every holiday; or they can discuss a short term schedule to overcome an immediate issue. Families are welcome to return to mediation as issues or lives change and children grow up. The goal of a parenting plan mediation session is that the family finds the right solutions for them that put the children in their lives in the best possible situation for their future.

## Parent/Teen Matters

Parent/Teen matters involve families where there is a communication issue between a parent/guardian and a teen or pre-teen in the family. This can involve discussions about curfew, social activities, relationships, school attendance, drug and alcohol use, communication, responsibilities within the home, privileges within or outside the home and school, extracurricular activities or any issue of importance to any participant in the mediation session. Mediation is best used at the earliest sign of an issue between the family members. Some matters are referred by probation but parents/guardians are welcome to call an office prior to that being necessary.

## Other Matters

Other types of matters that Mediation Matters handles include such things as: workplace issues where an employee and supervisor or two employees have an issue that they need to overcome. Mediation Matters also manages contract programs for the Capital Region. These programs are the New York State Education Department funded special education mediation program where guardians and school officials meet to discuss matters impacting the school experience of a special needs student; agricultural mediation where a producer meets with neighbors, vendors, or others impacted by the farm work; and Lemon Law arbitration dealing with new or used cars that are malfunctioning. Mediation can be used in any circumstance. Conflict is universal throughout our society and Mediation Matters is working hard to provide opportunities for people to find alternative ways to resolve their concerns.

## **New Programming**

Mediation Matters has explored new programs in a number of different areas. We continue to support our court referred cases and those will forever be the foundation upon which we do all our work. But, as we assess the needs of our community we know that we must do more.

## Community Reentry Mediation

Mediation Matters has trained a core group of our mediators who are already experienced at doing family mediations in awareness about how to engage with those who were incarcerated and are returning to their community. The unique needs of these individuals and their families must be addressed with sensitivity to their situation. Mediation Matters is partnering with a number of county offices and non-profit organizations to add our services to those offered to these individuals.

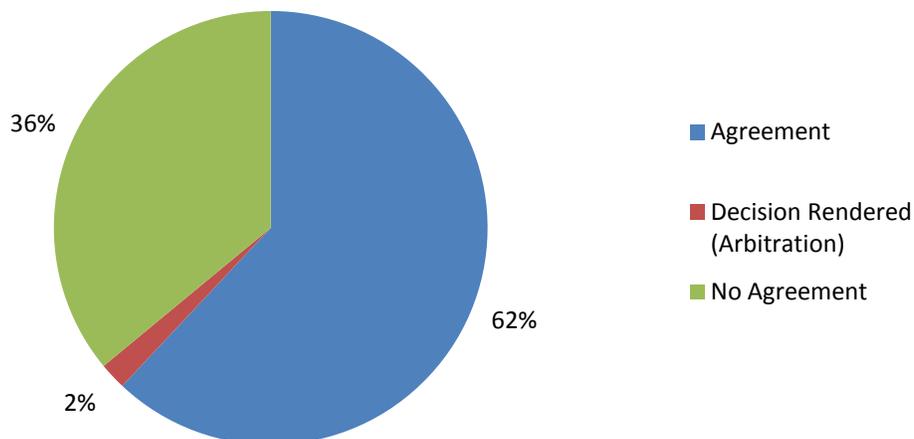
## School-based Mediation

Mediation Matters has long mediated special education mediation cases through a contract program with the New York State Dispute Resolution Association. We have staff that have been trained in Truancy Mediation, working with students who are at an appropriate age and/or their families, and school personnel to explore the reasons behind attendance issues.

## **Disposition**

We have heard from many that when participants at least attempt mediation, even when no agreement was reached, their approach to the conflict changes. For the first time they are seeing the issues more clearly and are considering alternative solutions than originally thought possible. It is possible that even without an agreement issues are narrowed and positions are explained. Mediators want to help participants explore creative ways to reach closure and in a majority of cases that closure is captured in a written agreement. Though we do not measure success or failure based on the agreement rate – we believe that a transformed relationship may not be codified on a piece of paper – we do track those numbers for analysis.

## **Disposition**



## **Mediators**

Those that provide the vast majority of our direct delivery of services are our volunteer mediators and arbitrators. This talented group of people start by taking a basic training which consists of 30 hours of intensive skills development on how to host a conversation between parties in conflict. Following that basic training they are able to apply for an apprenticeship with the Center during which they observe and then co-mediate cases with a senior mediator. If they wish to do cases beyond the civil matters described above they must take additional advanced training beyond their basic training and continue an apprenticeship in those new subject matter areas. After becoming a full roster member, mediators must continue to take training and mediate cases to remain in good standing.

Over the past year, our incredible roster of mediators have donated over 1,150 hours just mediating cases. During that time they offered time and space for others to have meaningful conversations. That calculation does not include the hours spent traveling to sites, sometimes in remote locations, or sitting in City Court waiting for a case. It is challenging to quantify the extent to which these individuals have given of themselves. This incredibly generous support has allowed the work of the Center to continue even through significant financial obstacles.

## **Conclusion**

Mediation Matters is stronger than ever. After the funding cuts of 2011 and staff lay-offs we reduced to focusing on core programs and had a staff of 4 people most working part time. In the less than 2 years since those cuts were implemented, we have 10 people actively working for Mediation Matters and are filling an open 11<sup>th</sup> position, a jurisdiction of 6 counties, and multiple new contracts and partners. Our funding is becoming more and more diversified as is our programming within the Center. We are assessing the needs of our community and are implementing procedures accordingly. The future is bright and we are excited about even more unique opportunities in the future!

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