

THE C-DRUM NEWS

A Publication of The Center for Dispute Resolution
at the University of Maryland School of Law (C-DRUM)

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BULLYING PREVENTION IN THE SPOTLIGHT

Bullying is an insidious and costly international and national problem. Sadly, bullying receives periodic “front page coverage” when senseless tragedies strike. School shootings like Columbine and Virginia Tech underscore the knowledge that those who have been bullied may strike out with horrifying violence against those around them. (In more than 2/3 of the school shootings, the attackers felt “persecuted, bullied, threatened or attacked.”) Senseless incidents like the death of Christopher Jones, beaten to death in Prince Georges County, Maryland and the suicide of Phoebe Prince in Massachusetts may cause peers, family members and educators to wonder how they could have missed the signs or failed to act.

Clearly, bullying has significant impact on attendance, a factor receiving increased recognition for its strong correlation with academic competence—160,000 students skip school each day due to fear of bullies, according to the National Association of School Psychologists. Evidence also suggests that bullying behavior impacts not only the victims, but may also predict future problems for the bully. By age 24, 60% of former bullies have been convicted of a crime.

Fortunately, Maryland is one of the national leaders in supporting the prevention of bullying. In 2005, the Maryland General Assembly passed the Safe Schools Reporting Act which required the development of a form to be used by students, parents, and close family relatives to report incidents of bullying, harassment or intimidation to school administrators. In July 2008, the State Board of Education was directed by the Maryland General Assembly to develop and adopt a model policy to address bullying, harassment or intimidation in consultation with local school system representatives. C-DRUM staff participated on the collaborative committee that developed the Maryland Model Policy, completed on March 31, 2009. The policy required local school systems to draft and submit copies of their

anti-bullying policies to the State Superintendent by July 1, 2009 for review.

Once upon a time, the prevalent belief was that bullying is a normal part of growing up; bullying only takes the form of physical violence; and that growing up involves learning how to stand up to a bully independently. Today bullying can be defined as behavior that occurs when a student or group of students targets an individual over time, using physical or psychological aggression to dominate the victims. Bullying is a repeated and intentional aggression, and may occur when a bully directly personally enacts the behavior against the target or indirectly instigates the mistreatment by getting someone else to engage in the bullying behavior (CRETE Training, developed by Tricia Jones and Madeleine Trichel).

With continually evolving modes of electronic communication and social networking, cyberbullying has exploded into the lives of many young people. Defined as “an aggressive, intentional act carried out by a group or individual using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself” (Smith et al, 2008), cyberbullying poses unique challenges for a variety of reasons: (1) it provides anonymity for the aggressor(s); (2) it goes largely unreported by young people who may fear losing electronic communication privileges; and (3) it can spread rapidly. Educators and parents struggle to identify how to prevent the viral spread of cruel and intimidating messages.

Nancy Willard, Executive Director of the Center for Safe and Responsible Internet Use, suggests that teaching socio-emotional skills is key in the prevention of cyberbullying:

“The prerequisite to addressing cyberbullying is effective social skills education...Social skills instruction should enhance predictive empathy skills and teach ethical decision-making and conflict resolution skills.”

cont'd on page 2

Inside . . .

UMD Law Wins
National Title
in ABA Competition

2010 Conflict Resolution
Fellows
Think Outside the Box

What the Numbers
Don't Say

Student Perspective:
Alternative Dispute
Resolution and Criminality

Bullying

cont'd from p. 1

For eight years, C-DRUM has administered the Maryland Schools Conflict Resolution Grants Program, a collaborative project between C-DRUM, the Maryland Judiciary's Mediation and Conflict Resolution Office (MACRO) and the MSDE. The Grants Program provides funds and support for schools to implement conflict resolution initiatives in their schools. School grant recipients attend an intensive two-day summer training focused on building a school wide approach to conflict resolution. Peer mediation, bullying prevention training, circle meetings and other initiatives are presented as building blocks in the broader structure of a comprehensive conflict management program. Each participant school receives an age-appropriate collection of conflict resolution education lesson plans that can be integrated into the curriculum. The lessons specifically address the socio-emotional skills necessary to tackle tough issues such as bullying while also meeting some of the Maryland curriculum guidelines.

Over the years, some grant recipients have made powerful impacts with regard to bullying behaviors in their school climate worth highlighting. Newport Mill Middle School in Montgomery County established a Peer Leadership Program in 2005-2006 to reduce the teasing and bullying

occurring in their diverse student population. In 2006-2007, the school team expanded the program into a school-wide training with weekly follow-up activities. Year-end data showed a 50% reduction in suspensions, a 39% reduction in office referrals, and survey results indicating that 67% of all sixth and seventh graders believe "they had changed the way they treated people in a positive way since the beginning of school."

In 2009-2010, Southern Middle School in Garrett County focused on bullying as a component of its character education curriculum. The school used the grant to bring in speakers for students, staff and community members; infused conflict resolution lessons into the curriculum; and integrated multiple activities including the design of an anti-bullying logo for t-shirts, stationery and posters during National Bullying Prevention Week in October. The school identified significant impacts on discipline data, noting a 79% annual reduction in office referrals and a 69% reduction in suspensions. That same year students showed improvement in academic achievement through increased performance on the Maryland School Assessment Exams.

Maryland is also tackling the issue of bullying of gay, lesbian, bisexual and transgender (GLBT) youth. Early in 2010, the American Civil Liberties Union approached MSDE about convening a conversation regarding bullying in the GLBT student community. As a result, a diverse committee of educators and interested parties, of which C-DRUM was a member, was formed to consider the necessary actions to curb bullying of young people based on sexual orientation and physical appearance. The committee decided to plan a statewide training for teams from each local school jurisdiction to take place on November 17, 2010. In the months following the event, each local county or regional team will be tasked with offering appropriate training to the local schools.

Bullying and cyberbullying are widespread problems that require ongoing and continued attention and education. MSDE and its partners continue to explore effective methods to create safe schools and maximize academic and social learning for all Maryland students. For those who are interested, there are a host of bullying prevention and cyberbullying web resources available, some of which can be accessed on the C-DRUM website under the subsection School Grants Program (www.cdium.org).

Barbara Grochal is the Deputy Director of C-DRUM's School Conflict Resolution Education Programs, and through her work on various state-wide committees, promotes anti-bullying initiatives.

Ideas for addressing bullying in your school:

- Consider the use of Community Conferencing, a restorative practice in which those involved in a conflict such as bullying come together in a facilitated circle process. Participants include targets, bullies and supporters, such as friends, family members, educators and sometimes law enforcement. The participants share what happened, how they felt, and how they have been affected. Through discussion the group may collaboratively reach an agreement regarding how the bully can repair the harm. www.communityconferencing.org.
- Conduct training for students or staff addressing issues of diversity using an interactive program such as "Flash Judgments" or "Let's Get Real", a film with curriculum specific to bullying prevention. "Flash Judgments" and "Let's Get Real" are available on loan to Maryland schools through C-DRUM by emailing cdium@law.umaryland.edu.
- Try the following exercise as a means of launching a discussion. At a staff meeting or with students in class, divide into groups of 4- 8 people. Have participants draw a physical map of the school and identify all of the places where bullying occurs. The small groups share their map with the larger group. (from Bullying Prevention, CRETE training).

UMD LAW WINS NATIONAL TITLE IN ABA COMPETITION

The team representing the University of Maryland School of Law was named the best in the country by topping 100 teams from 54 law schools across the nation to win the 2010 American Bar Association Section of Dispute Resolution Representation in Mediation Competition. The Maryland team of David Pantzer 2L and Jacob Lilien 2L proved triumphant during the championship round held in conjunction with the ABA Section of Dispute Resolution Spring Conference in San Francisco from April 7-8. "The judges said that the Maryland team had the foundation needed so that they could be flexible and effective at analyzing their strategy," said Clinical Law Instructor Toby Treem Guerin '02, Deputy Director of C-DRUM, who coached the team with Nicholas Scull '10.

Prior to advancing to the finals two teams from the law school competed regionally at Georgetown University against other teams representing law schools from Maryland, District of Columbia, Delaware, and New Jersey. In the National Competition, Maryland then defeated teams from Texas Wesleyan School of Law, and Washington and Lee School of Law in the semi-final rounds, before defeating Seton Hall Law School during the championship round.

"This is only the third time that the Maryland team has competed in this competition overall. It's exciting to see students recognize that there are separate skills needed in mediation than in other parts of litigation and other roles that lawyers play," said Guerin. "The University of Maryland School of Law has been represented well by its students in this and numerous other competitions this year. We should all be proud."

The championship team was strongly supported by their fellow team members Nicholas Scull '10 and Sylvester Cul-lum Jr. 1L, as well as mooted with mediators from the Law School's Mediation Clinic. Three out of the four competitors of the 2010 team will continue as members of the school's ADR Team and may return to compete in 2011 at the regional competition at American University Washington College of Law, and, potentially, the finals in April 2011 in Denver, Colorado.



(from l to r) Nicholas Scull '10, David Pantzer, Jacob Lilien and Toby Treem Guerin '02

SAVE THE DATE!

40-HOUR BASIC MEDIATION TRAINING
MARCH 14-18, 2011

University of Maryland School of Law
500 West Baltimore Street
Baltimore, MD 21201

More information on this training and other trainings offered by C-DRUM forthcoming at www.cdrum.org.

2010 CONFLICT RESOLUTION FELLOWS THINK OUTSIDE THE BOX

With downtown Baltimore as the backdrop, 24 Maryland leaders set aside their daily responsibilities to engage in two and a half days of interactive training designed to improve their abilities to explore alternative processes and collaborative solutions for addressing the many public policy issues facing Maryland. In April 2010, the third class of Maryland Public Policy Conflict Resolution Fellows gathered at the University of Maryland, Baltimore (UMB). In keeping with the diversity of previous classes, the 2010 Fellows represented all levels and branches of state and local government, public and private sector leaders, and members of the faith community.

The Fellows Program is a combined effort of the Maryland Judiciary's Mediation and Conflict Resolution Office (MACRO), UMB, and C-DRUM. The Fellows are invited by the program sponsors, the Honorable Robert M. Bell, Chief Judge of the Maryland Court of Appeals; Dr. E. Albert Reece, Acting President of UMB; and Phoebe Haddon, Dean of the University of Maryland School of Law, who view the institutional partnership as an opportunity to build a cadre of Maryland leaders with the skills to achieve better

and sustainable solutions throughout the state. The Fellows benefited from the knowledge and experience of national trainers in collaboration and negotiation: Senator David Landis, Instructor at the University of Nebraska College of Law and Department of Public Administration and 28-year veteran of the Nebraska Legislature, and Larry Susskind, Ford Professor of Urban and Environmental Planning at MIT and Vice Chair of the Program on Negotiation at Harvard Law School.

The Fellows found that being a part of the program provided them with the opportunity to gain a unique understanding of conflict resolution processes, to interact with other Maryland leaders, and to spend time "thinking outside of the box." The Program encourages Fellows to explore and discuss some of the real public policy challenges being faced in Maryland. The recent graduates have already begun to identify potential opportunities for collaboration including legislative efforts, cooperation among non-profits, outreach efforts on public health issues, and involvement of community members in decisions that impact the community.



*The Public Policy Conflict Resolution Fellows Program
Class of 2010 and hosts.*

2010 FELLOWS

Karl S. Aro

Executive Director
Maryland Department of Legislative
Services

Elizabeth Bolton

Rabbi
Congregation Beit Tikvah

Janet Dudley-Eshbach

President
Salisbury University

Hon. Adelaide Eckardt

MD State Delegate, District 37B

Kirby Fowler

President
Downtown Partnership
of Baltimore, Inc.

Mark Furst

President & CEO
United Way of Central Maryland

Johnny Golden

Pastor
New Unity Church Ministries

Yahya Hendi

Imam, Office of Campus Ministry,
Georgetown University and Islamic
Society of Frederick, Clergy Beyond
Borders

Rev. Debra Hickman

President & CEO
Sisters Together and Reaching, Inc.

Hon. James Ireton, Jr.

Mayor, City of Salisbury, MD

Hon. Victoria Jackson-Stanley

Mayor, City of Cambridge, MD

Debbi Jarvis

Vice President
Corporate Communications
Pepco Holdings Inc.

Christian S. Johansson

Secretary
Maryland Department of Business
& Economic Development

Hon. Francis X. Kelly, Jr.

Chairman & CEO
Kelly & Associates Insurance Group

Hon. Diane Leasure

Circuit Administrative Judge
5th Judicial Circuit
and Chair, Conference of
Circuit Court Judges

Gary D. Maynard

Secretary
Maryland Department of Public Safety
& Correctional Services

Hon. Thomas "Mac" Middleton

MD State Senator, District 28

Hon. William D. Missouri

Circuit and Prince George's County
Administrative Judge
7th Judicial Circuit
and Chair, Judiciary Legislative
Committee

Hon. Craig Moe

Mayor, City of Laurel, MD

Phillip Nelson

President
Columbia Association

Hon. Barbara Robinson

MD State Delegate, District 40

Michael Sarbanes

Head of the Department, Office
of Partnerships, Communications
and Community Development
Baltimore City Public School System

Dr. Steven S. Sharfstein

President & CEO
Sheppard Pratt Health System

Mary Ellen Vanni

Executive Director
Fuel Fund of Central Maryland



WHAT THE NUMBERS DON'T SAY

Buzzwords such as “data-driven” and “results oriented” appear everywhere these days, but nowhere more often than in our public conversations about school reform. The focus is well-placed; we want our limited public and foundation dollars spent on initiatives that demonstrate progress and ensure accountability. As public and private dollars shrink, funders look for programs that can prove effectiveness and efficiency. Technological advances have made data collection and analysis easier and results are accessible at the touch of a button. Quick access to information offers many advantages, such as immediate opportunities for program modification. However, focusing just on numerical data paints a myopic picture of any program.

As the BSMART program transitions out of its pilot phase, we take the opportunity to look beyond the hard numbers to reflect upon the full impact of a truancy mediation intervention. BSMART, a mediation model, was designed to not only reduce student absences in a specific time period but also to improve the relationship between the parent/guardian and the school. Consequently, we collect data pre- and post-mediation to assess the implementation of BSMART and the quality of the process. We also examine the end-of-year attendance numbers to see if a referred students' attendance rate has improved. The results show an impact. In the 2009-2010 school year 76% of all students who had a mediation improved their attendance, and 88% of those referred at 6-10 days absence improved.

But are we missing something when we focus our analysis on attendance rate improvement? Our experience and participant surveys indicate that we might be. Some aspects of improved attendance will not appear on a strict “present/absent” calculation and some improvements to attendance recordkeeping will not show increased attendance. Most notably, many positive aspects of the mediation process, such as engagement with the school, might be missed entirely.

Schools focus on the number of days absent. Every student is marked as absent (excused or unexcused) or present. And tardy students are marked as absent unless the attendance monitor changes the notation later in the day. This system often fails to correctly record a late student if the record is not updated, and always fails to capture improvements in tardiness. There can be a big difference between arriving at 8:20 a.m. and arriving at 9:20 a.m., but they are documented the same way. Because we see truancy mediation as a truancy prevention tool, BSMART encourages schools to refer students showing patterns of tardiness in addition to absence. Not surprisingly, tardiness can be a

Initiated in 2006, C-DRUM's truancy mediation program, BSMART, is funded by the Charles Crane Family Foundation. The goal of the program is to use the process of mediation to intervene early when attendance issues arise and encourage communication between the family and school. The mediation sessions involve the student's parent or guardian, the student's teacher, and a trained mediator. Unlike many other truancy intervention models, BSMART mediation is available before the family has been referred to the court system. The mediations are free, voluntary and private. Law students enrolled in the UM School of Law Mediation Clinic are trained in truancy mediation and participate as observers and mediators. In the three years since the program began it has worked with 12 schools, received 643 referrals and conducted 158 mediations.

precursor to chronic absences, and very often lateness has an enormous impact on a child's academic success. In elementary school the first period of the day is often reading or math, and regularly missing the morning lesson can affect the student the rest of the day and throughout the year.

In addition to missing crucial instruction, lateness to school has other impacts. Children who are late also miss the opportunity to eat breakfast at school, and may find it hard to learn because they are hungry. Children who are late may have difficulty joining the class routine when they arrive, and this impact is compounded in children who are reluctant to ask about missed instruction, possess learning disabilities, or are already behind academically. Children who arrive late also interrupt instruction, possibly drawing the teacher away from the lesson to assist the student in getting settled, detracting from the instruction of the other students.

Many parents do not fully understand the impact of missing the first 30-40 minutes of school. Truancy mediation provides a safe setting for the school to share this information and to have a conversation about how to get to school earlier. Although the attendance numbers may not show the impact, we know that mediation can help. As one attendance monitor recently told a mediator, “You've really made a difference this year. I see children who used to come at 10:00 a.m. now come closer to 8:15 a.m. I tell them to “keep it up!” I wish you could do twice as much.”

When marking attendance there is no place to show “not too late”, but when it comes to education, better late than never, and better late than later.

In contrast, there are a few different ways to record an absence and recording it accurately can matter. Absences can be excused—there is a legal reason for the absence—or unexcused. Parents are legally responsible for ensuring that their children attend school daily, and may be subject to criminal prosecution if the children are found truant without a lawful excuse. The legal and academic consequences create two good reasons to ensure the accuracy of a student’s attendance record. First, parents won’t be referred to court if the record shows only excused absences, although the student and family may need other support. Second, the school system can design more appropriate policies for addressing chronic absence if the causes for the absence are known. For example, new policies will be different if most children miss school because they are sick, rather than because they lack safe transportation.

Focusing on the number of total absences only provides part of the story. In truancy mediation we explore the reasons for excused and unexcused truancy. Commonly, the result involves correction of the attendance record. For example, if the student has been ill but the parent did not bring in a note when returning to school, the recorded absences could be changed from unexcused to excused when the note is received.

Finally, changes in attitudes and improved communication cannot be fully captured by numbers. Numbers don’t show the appreciation for the opportunity to meet:

“I want to thank you for taking the time to meet with me. When I got the letter I realized I needed to do better and pay more attention to attendance. I appreciate it.”

—parent of first grade student

Or gratitude for being put at ease:

“Past meetings I’ve had with the parent have been very hostile. This was a productive conversation. That speaks well for the program.”

—elementary teacher

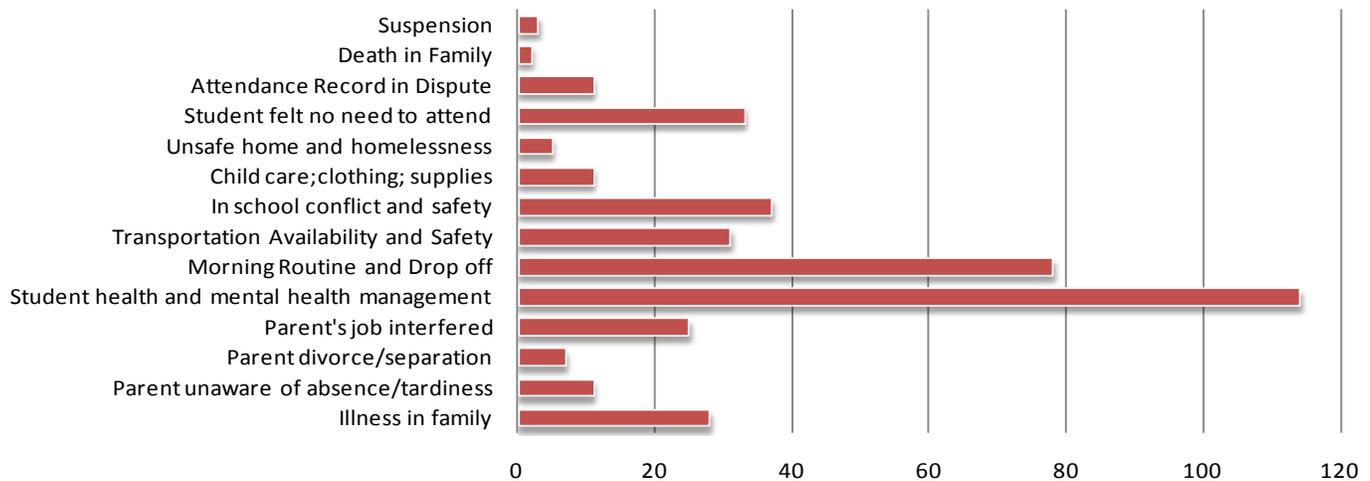
“You guys were great. You made me feel very comfortable.”

—parent of elementary student

Bare numbers do not reveal future changes in behavior other than attendance. Even though attendance may not always improve after mediation, the relationship between the school and the family might. Next time the child is sick, maybe the parent will ask the teacher for missed work. One afternoon the teacher might provide extra encouragement in after-school basketball because through mediation he learned that the child is dealing with the death of his grandfather and a recent relocation. Where do you mark on the attendance record that the parent understands better how to help his child practice sight words, or set a bed time, or get a referral to a speech therapist? All of these items have been listed in truancy mediation agreements with BSMART. These changes in how teachers and parents interact cannot always be quantified, but they are real and they are meaningful. Fundamentally, BSMART is not just about attendance. It’s about improving communication between families and schools and using mediation to bridge that gap—a formula that adds up to success for everyone.

Stacy Smith is the BSMART Truancy Mediation Coordinator. This article reflects her experiences from tracking BSMART mediations and their impacts over the past three years.

BSMART Program Identified Causes of Truancy (2007-2010)



STUDENT PERSPECTIVE: ALTERNATIVE DISPUTE RESOLUTION AND CRIMINALITY

Maggie T. Grace is a rising third-year law student enrolled in the Mediation Clinic. Further thoughts on this topic can be found in her article "Criminal Alternative Dispute Resolution: Restoring Justice, Respecting Responsibility, and Renewing Public Norms," 34 Vermont Law Review 563 (2010).

Substance abuse. Aggressive behavior. Low parental involvement. Broken homes. Low socioeconomic status. Neglect. Gang violence. Academic failure. Might these pervasive, environmental risk factors negatively influence a child's behavior, judgments, and choices? Should it be a personal or governmental cause for concern? Should this cast doubt on common notions of free will, blame, responsibility, or punishment? As an undergraduate sociology major, I grappled with these questions and never found a satisfactory answer. It wasn't until I was exposed to ideas in a law school jurisprudence seminar course and literature on alternative dispute resolution (ADR) procedures that I discovered the beginnings of answers to my questions.

The Surgeon General and others have identified certain factors that are highly correlated with, and may predict, criminality. This data casts doubt on our traditional western concepts of criminal liability based on free will and assumption that individuals have control over their actions. Accepting that these factors might control or predict action challenges these traditional notions. On the other hand, blaming actions wholly on the influence of these risk factors treats citizens as objects of social control.

As I immersed myself in ADR literature, I began to see how ADR presents an alternative to criminal punishment and responds to the determinists' arguments and the influence of risk factors. ADR can track a crime and a criminal's social history, while also teaching acceptable norms of behavior and offering economic and educational opportunities. Victim-offender panels, victim assistance programs, community crime prevention programs, sentencing circles, ex-offender assistance, community service, school programs, specialist courts, and other programs give the victim a voice in the process, reduce litigation costs and delays, and focus on rehabilitating and restoring offenders with the community. Criminal ADR recognizes that blame might be inappropriate because of the risk factors, but it does not claim that blame is impossible.

Instead, ADR utilizes the offender's victims and his community to restore the offender to a condition of blameworthiness by employing a connection to public norms that allows for future assignments of culpability. As forms of restorative justice, these procedures view the offender's crime as a violation of relationships; the solution, therefore, seeks to reconcile the offender with the victim and his com-

munity. The offender must take responsibility for his act, but ADR uniquely focuses on attending to the risk factors through rehabilitation and reintegration. Rehabilitation uses psychiatrists, psychologists, sociologists, or social workers to displace the impact of risk factors through corrective avenues like education or vocational training. Reintegration focuses on changing society's attitudes towards the offender. The cooperative dialogue allows for transformation—not only must the offender reexamine public values and norms personal to him and confront the consequences of his action, but society must calibrate reactive attitudes and reaffirm public norms.

Traditional criminal punishment often abandons these restorative ends as it views the crime as a violation against the state. Utilitarian approaches use the criminal as a means and retributive approaches may assign excessive weight to moral responsibility, neither respecting an offender's autonomy. Conversely, ADR's restorative approach confronts the reality of social conditions to achieve a fully functioning social relationship between all parties.

An often unexplored aspect of ADR is its potential as a tool of political accountability and reform. Transitional justice literature provides a rich parallel that highlights this promise. The South African Truth and Reconciliation Commission (TRC), a South African project led by Archbishop Desmond Tutu to help an apartheid-torn country heal its wounds, was designed to promote a democratic dialogue to restore the larger political community. To simultaneously restore confidence in the rule of law and bring closure to the country, Tutu used a different procedural avenue that mirrors the restorative aspects of ADR procedures. The TRC traded prosecution and revenge for amnesty and truth-telling—outside of the courtroom—as a basis for transitioning forward. ADR in our local communities can (on a smaller scale) provide the government with an avenue to address the role of risk factors, enforce its statutory and constitutional ideals, and promulgate acceptable norms. ADR can be the means to inculcate the necessary cognitive and moral skills that underlie public norms and make law-abiding behavior natural instead of a response to potential punishment.

My new found knowledge in criminal ADR continues to develop and I look forward to exploring my views and theories further during my involvement with the Mediation Clinic this year.

UMDLAW FORMALIZES ALTERNATIVE DISPUTE RESOLUTION TEAM

After several years of competing in various Alternative Dispute Resolution (ADR) related law student competitions, UMD Law students and alumni have coordinated efforts to form the University Maryland School of Law ADR Team. The team, comprised of 16 students, will focus on the attorney's role in resolving cases prior to trial through participation in negotiation and representation in mediation competitions. As with other student competitions, the focus is to create an environment for students to utilize the legal skills of advocacy, problem solving, legal reasoning and analysis, and quick thinking in a more realistic setting.

In the spring of 2010 an Intra-school Negotiation Competition was held to identify the 2010-2011 members of the ADR Team. A total of 76 students participated in the intra-school competition, resulting in a selection of 11 additional ADR Team members. In the coming year the students anticipate representing the School of Law in two negotiation and one representation in mediation competitions.

Building upon the foundation provided by last year's negotiation and representation in mediation coaches, Adjunct Faculty Nina Schichor '08 and Clinical Law Instructor Toby Guerin, the ADR Team will benefit from the return of Professor Guerin and the addition of two law school alumni coaches. Barry Gogel '97 of the Law Offices of Arnold M. Weiner, and Nicholas Scull '10 of Sachitano, Strent, Hostetter LLC and former negotiation and representation in mediation competitor, look forward to supporting the ADR Team in their learning, writing, and mootings. According to Mr. Gogel, "The ability to successfully negotiate is one of the most important skills a practicing lawyer needs. I look forward to bringing the benefit of the real world perspective to the ADR Team's experience."

2010-2011 UMD Law ADR Team

Natalie Amato 3L
Jessi Cates-Bristol 3L
Sylvester Cullum Jr. 2L
Keith Ferguson Jr. 3L
C. Tattiana Goluskin 2L
Beth Grasso 3L
Brittany Harvey 3L
Ranjit Hatti 2L
Fahim Hemani 2L
Jacob Lilien 3L
Nancy C. Lineman 2L
Jaquin Milhouse 3L
Rebecca Peters 3L
David Pantzer 3L
Jessica Russell 2L
Max Siegel 2L

ADR Group Hosts Career Panel, 40-Hour Mediation Training

On March 9, 2010 the Alternative Dispute Resolution (ADR) Group hosted a panel of esteemed ADR practitioners to provide information to the student body of the various roles of ADR in the resolution of conflicts and cases. The panelists from the fields of collaborative law, mediation, and arbitration provided students with a greater understanding of the various processes and shared their path to involvement in ADR. Students had the opportunity to ask questions and learn about the skills necessary to serve as a mediator, arbitrator, or collaborative lawyer. Toby Treem Guerin '02, faculty advisor to the ADR Group, served as the moderator for the panel:

- Judge Joyce Baylor-Thompson '86, Chief Judge, Baltimore City Orphans Court
- Julie Janofsky '82, Partner, Brocato, Price, and Janofsky, LLC
- Erik Johnson, Founder, Creative Dispute Resolutions, LLC
- Sarah Novak Nesbitt '08, Attorney at Law, Weinberg & Schwartz, LLC

In addition, the ADR Group co-sponsored a screening of the movie "Blood Diamond" with the student group, Mediators Beyond Borders, and hosted several networking sessions with professionals in the field. Under the stewardship of President Elizabeth Shaner 3L and member Amanda Leatherman 2L, the group hosted a 40-hour Beginner Mediation Training for law students over winter break, providing an opportunity to students unable to take a mediation course during the academic year to receive mediation information and training.



ADR CONCENTRATION LEADS TO DIFFERENT PATHS FOR RECENT GRADUATES

The School of Law provides a great deal of exposure to many areas of law and creates opportunities for students with a particular subject matter interest to concentrate their course load. The ADR Concentration provides specialized experience in the field of conflict resolution and the relationship between traditional and alternative forms of dispute resolution. Students pursuing the ADR Concentration must complete a total of 17 credits from an approved list of courses and fulfill specific writing, experiential, and survey course requirements. These ADR Concentration graduates recognized the role of ADR in any attorney's practice and expanded their skill sets through ADR courses and internships.

Milana Vayner (Fall '09) recently completed the July bar examination and serves as a law clerk for Judge Emanuel Brown, Baltimore City Circuit Court. Prior to clerking for Judge Brown, Ms. Vayner clerked for John N. Prevas, Chief Judge, Baltimore City Circuit Court. Committed to ADR throughout law school Ms. Vayner completed an externship with the District Court of Maryland ADR Office during the spring semester of 2009. During her externship she had the opportunity to observe a variety of mediations and settlement conferences, screen cases for Peace Order mediations, and research other court connected ADR programs. This exposure confirmed her perceptions of mediation as "a very efficient process that leaves the litigants in a much better place than if their disputes were resolved by a judge." Ms. Vayner truly perceives the true potential for ADR in criminal matters and devoted her seminar paper in Professor Keith Seat's Alternative Methods in Dispute

Resolution course to the subject. Upon completion of her clerkship with Judge Brown, Ms. Vayner hopes to begin working for the Baltimore City State's Attorney's Office.

Laila Said-Alam (Spring '10) is currently engaging in the accreditation process to become barred in Ontario, Canada. During this process she is working for a candidate in the Toronto mayoral election and volunteering in the community. Her goal is to use her law degree and life background to continue mediating while pursuing a job in policy and research, inspired by her internship at C-DRUM. Reflecting upon her law school experience, Ms. Said-Alam found that "concentrating in ADR through law school gave me a very different understanding of how to approach legal disputes. In legal practice I will have the skills to separate out the underlying issues and make suggestions based on what I believe my client really needs, and those suggestions will be broader ranged because of my background in ADR". During her internship with C-DRUM, Ms. Said-Alam drafted a survey of ADR legislation, executive orders, and court rules in Maryland; participated in the planning of the Maryland Public Policy Conflict Resolution Fellows Program; and contributed to the final report of the Maryland Program for Mediator Excellence's Mentoring Task Group.

Both graduates feel that they will be better lawyers due to their ADR experiences. Not only have they gained increased listening and communication skills, but also they have a broader understanding of the options available for the appropriate resolution of legal disputes.



Susan Leviton
Acting Director

Toby Treem Guerin
Deputy Director & Clinical Law Instructor

Barbara Sugarman Grochal
Deputy Director
School Conflict Resolution Education Programs

Anastasia W. Smith
Truancy Mediation Program Coordinator

Teresa A. Barrett
Paralegal

Roger C. Wolf
Founder & Professor Emeritus

NEWS AND NOTES

General News

ADR in Maryland, a presentation to the Jiangsu Executive Development Program on High Court Administration, Baltimore, Maryland (August 9, 2010).

40-hour Basic Mediation Training, Maryland Office of Administrative Hearings, Hunt Valley, Maryland (July 19-23, 2010).

Summer Conflict Management Training for Schools, Catonsville, Maryland (June 26 - 27, 2010) and Annapolis, Maryland (June 28 - 29, 2010).

Schools Conflict Management Winter Training, Annapolis, Maryland (March 4, 2010).

40-hour Beginner Mediation Training, ADR Group at the University of Maryland School of Law, Baltimore, Maryland (January 7-13, 2010).

Advanced Peer Mediation Train-the-Trainers Workshops, Annapolis (November 5, 2009) and Baltimore (May 20, 2010).

Peer Mediation Train-the-Trainers Workshop, Annapolis, Maryland (October 28-29, 2009).

Toby Treem Guerin

Co-presenter, "MPME's Mediation Skills Based Mentoring Program", MPME Members Only Synergy Session, Annapolis, Maryland (April 23, 2010).

Trainer, "Mediation for Agricultural Conflicts Workshop", Hughesville, Maryland (April 13, 2010).

Co-presenter, "A Web of Learning Opportunities: How ADR Programs Can Weave Together Legal Instruction, Research, and Service to the Community", American Bar Association Section on Dispute Resolution 12th Annual Spring Conference, San Francisco, California (April 10, 2010).

Facilitator, "How Can Queen Anne's County Prepare for Coastal Flooding and Sea Level Rise?", Maryland Eastern Shore RC&D, Grasonville, Maryland (March 8, 2010).

Barbara Sugarman Grochal

Co-presenter and Planning Team Member, 3rd International Conference on Conflict Resolution Education, "Advancing Conflict Resolution at the School and Systems Levels", Cleveland, Ohio (March 26, 2010).

Co-facilitator in World Café, "Developing Peace and Conflict Studies Related Courses, Degrees, Certificates, and Related Programming", Cleveland, Ohio (March 25, 2010).

Facilitator, "How Can Queen Anne's County Prepare for Coastal Flooding and Sea Level Rise?", Maryland Eastern Shore RC&D, Grasonville, Maryland (March 8, 2010).

Trainer, Baltimore City Public Schools Hall Monitor Training, "Dealing with Difficult People", Baltimore, Maryland (January 29, 2010).

Presenter, Tri-area Pupil Services Administration Committee, "Maryland Conflict Resolution Education Grants Program", Baltimore, Maryland (January 28, 2010).

Presenter and Planning Team Member, "Communication," Peer Helpers' Conference, Ocean City, Maryland (December 9 - 11, 2009).

Presenter and Planning Team Member, "Bringing Restorative Methods to Maryland Schools: Restorative Methods Seminar," Catonsville, Maryland (May 27, 2009).

Co-presenter, School Safety Summit Action Planning Committee, "Restorative Methods and Relationship Management in Schools", Maryland State Department of Education, Baltimore, Maryland (April 20, 2009).

Roger C. Wolf

Panelist, "May the Mediator Invoke Mediation Confidentiality as a Shield in the Face of Participant Waivers During Litigation?", Maryland State Bar Association Annual Meeting, Ocean City, Maryland (June 11, 2010).

Co-presenter, "Analyze This! and do it Ethically", American Bar Association Section on Dispute Resolution 12th Annual Spring Conference, San Francisco, California (April 10, 2010).

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EXECUTIVE DIRECTOR JOINS UMDLAW FACULTY

Jonathan Rosenthal, Executive Director of Alternative Dispute Resolution (ADR) Programs at the District Court of Maryland, joins the UMDLaw faculty for the 2010-2011 academic year as a Visiting Law School Assistant Professor. He brings his extensive background in ADR to teach the Mediation Clinic. A 1991 graduate of the School of Law with bachelor degrees in political science and public relations from Syracuse University, Rosenthal practiced law with Rosenthal, Kaufman & Ries in Baltimore from 1991 to 1994 and in his own law office in Baltimore from 1994 to 2002. He joined MACRO in March 2002 as the Director of Court ADR Resources, prior to moving into his current position in 2006. Welcome, Jonathan!

CONFLICT RESOLUTION EDUCATION LENDING LIBRARY NOW AVAILABLE!

A small collection of books on conflict resolution in schools is now available at the University of Maryland School of Law's Thurgood Marshall Law Library (www.law.umaryland.edu/marshall). The books purchased with support from the Maryland Mediation and Conflict Resolution Office, may be borrowed through the standard interlibrary loan channels at your local school or public library. For a complete list of titles see www.cdrum.org.