



MARYLAND CAREY LAW CENTER FOR DISPUTE RESOLUTION C-DRUM

Fall 2017 Newsletter

C-DRUM CHAIRS COMMISSION ON SCHOOL-TO-PRISON PIPELINE & RESTORATIVE PRACTICES

For too many students, the overly punitive “zero tolerance” policies have pushed children out of school and into the criminal justice system. Much attention has been focused recently on the overuse of exclusionary punishments like suspensions for relatively minor adolescent behavior. Students who are suspended are more likely to end up in the juvenile or criminal justice systems, fueling what is called “the school-to-prison pipeline.”

continued on pg. 4



POLICE AND PRINCIPALS LEARN CONFLICT DE-ESCALATION

C-DRUM received a grant from the American Arbitration Association – International Centre for Dispute Resolution to develop conflict management and de-escalation training for school police and administrators in Baltimore City Public Schools. To promote school safety, many schools have police or School Resource Officers (SROs). Police and school administrators sometimes have differing approaches to conflicts in the school, which may lead to confusion about how to handle certain situations or exacerbate problems.

continued on pg. 3

IN THIS ISSUE

The Mid-Atlantic Global Pound Conference

ADR Team Update

C-DRUM Supports Landlord-Tenant Dispute Resolution

The First Ronna Jablow Mediation Fellow

Service to Children and Youth

Student Achievements

Faculty Scholarship

C-DRUM News and Notes

TOP 20

U.S. News and World Report ranked Maryland Carey Law among the best law school Dispute Resolution Programs in the country for 2017!



UNIVERSITY of MARYLAND
FRANCIS KING CAREY
SCHOOL OF LAW

SHAPING THE FUTURE OF DISPUTE RESOLUTION & IMPROVING ACCESS TO JUSTICE

How can counsel better serve the needs of their clients? Are adjudicative providers offering diverse, efficient and cost-effective mechanisms to resolve disputes? Are influencers such as educators and governmental agencies doing enough to inform the public at-large about dispute resolution?

These questions and more were explored by approximately 100 attendees during the Mid-Atlantic Global Pound Conference (GPC) at the University of Maryland Francis King Carey School of Law on June 8, 2017, hosted in partnership with the Maryland Mediation and Conflict Resolution Office (MACRO).



Photo Credit: Alex Likowski

“We are tremendously proud of our law school’s commitment to ADR and our state’s commitment to ADR,” said Maryland Carey Law Dean Donald Tobin. “When you see what is happening with our students, it is not just that we are doing these kind of conferences or speaking out around the country, it is also that we are working hard to train the next group of great mediators, but also lawyers who understand ADR.”

The Global Pound Conference Series

The Mid-Atlantic GPC was part of the Global Pound Conference Series focused on “Shaping the Future of Dispute Resolution and Improving Access to Justice.” Coincidentally, the year 2016 celebrates the 40th anniversary of the original GPC, where Harvard Law Professor Frank Sander introduced the concept of the “multi-door courthouse” to encourage the use of alternative dispute resolution. What was originally envisioned as 15 conferences taking place over the course of 2016-2017 quickly blossomed into 29 events in 23 countries.

The Mid-Atlantic GPC

A truly regional gathering, the Mid-Atlantic GPC included attendees from Delaware, Pennsylvania, Virginia, Maryland, New York, and Washington, D.C., among others. With the generous financial, staffing, and logistical support of MACRO, C-DRUM, the American Arbitration Association, and local sponsors, the Mid-Atlantic GPC was born.

The conference format used state-of-the-art voting technology to allow users to vote in real-time on a set of Core Questions. After each panel introduced a topic, attendees voted and the panel discussed the results.

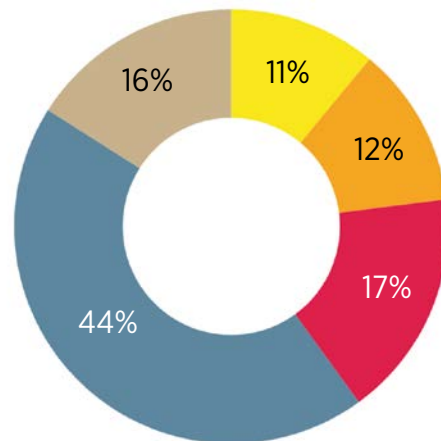
- Panel One: Access to Justice & Dispute Resolution Systems: What do Parties/Users Need & Expect?
- Panel Two: How is the Market Currently Addressing these Party/User Needs and Expectations?
- Panel Three: How can Dispute Resolution be Improved (Overcoming Obstacles and Challenges)?
- Panel Four: Promoting Better Access to Justice: What Action Items Should be Considered and by Whom?

MID-ATLANTIC GPC STAKEHOLDER GROUPS

Results at a Glance

Participants answered 20 questions in five core question categories. The audience favored:

- Non-adjudicative processes such as mediation as the way to shape the future of dispute resolution and provide access to justice
- Education to inform parties about their dispute resolution options – but who?
- Increased diversity so that providers better represent the people they serve



What's Next?

Results from the Mid-Atlantic GPC are available at: <http://baltimore2017.globalpoundconference.org>.

Worldwide, more than 2,000 stakeholders heeded the call to join the conversation to help shape the future of dispute resolution and provide access to justice. A full report comparing results from the GPC Series in its entirety will be reviewed and analyzed by a committee of independent academics and made available on the GPC Series website: <http://globalpoundconference.org>. The compiled global data will provide stakeholders with a snapshot of the current state of commercial dispute resolution and engage them in shaping its future.

About the Author

Bryan J. Branon is currently the Director of ADR Services for the American Arbitration Association (AAA) in Seattle, Washington and was previously employed by the AAA and their International Centre for Dispute Resolution where he helped launch the International Mediation Institute. He can be reached at BranonB@adr.org.



C-DRUM Trains Baltimore City School Police and Principals in Conflict De-escalation

... continued from pg. 1

This training will equip SROs and administrators with the same conflict de-escalation training modules that can be used to enhance the conflict resolution capacity of all adults who interact with youth during the school day. The project seeks to address inconsistencies in the way individuals, SROs, administrators, and teachers handle conflicts at the school. By getting school leadership and the

SROs assigned to their schools “on the same page” they will better understand their respective roles and support each other in responding to conflicts in appropriate, effective, and trauma-responsive ways.

C-DRUM is partnering with the Positive School Center at the University of Maryland School of Social Work and the Baltimore City Public Schools School Police to develop and deliver the trainings. The first training took place on August 15, 2017 and was attended by 10 SROs and 11 principals.



Training participants consider strategies for effectively handling conflicts

C-DRUM CHAIRS COMMISSION ON SCHOOL-TO-PRISON PIPELINE & RESTORATIVE PRACTICES

CONTINUED FROM PG 1

To address the problem, Delegate Alonzo Washington (D-P.G.) introduced a bill, passed by the legislature and signed by Governor Larry Hogan, to establish a Commission on the School-to-Prison Pipeline and Restorative Practices. The bill appointed C-DRUM to head the 22-member Commission, Barbara Grochal, director of C-DRUM's School Conflict Resolution Education Program, who will chair the Commission's work, states: "The Commission's mission dovetails with the work C-DRUM has been doing in schools for fourteen years. In our experience, schools that use positive discipline models and conflict resolution tools like mediation and restorative practices are more likely to support a learning climate for all students."

The Commission will study disciplinary practices in Maryland public schools and examine national best practices for training educators and principals in restorative practices and eliminating the school-to-prison pipeline.

The Maryland General Assembly directs the Commission to:

- 1) Study and analyze the current disciplinary practices in Maryland public schools
- 2) Investigate potential implementation options regarding incorporating restorative practices, including strategies that prioritize prevention and consider overall school climate
- 3) Document the relationships between educational histories of Maryland students, including

suspensions, expulsions, retention rates, and dropout rates and their involvement in the criminal justice system

4) Examine national best practices for training of administrators, teachers, principals, and other personnel in restorative practices and eliminating the school-to-prison pipeline

5) Examine national best practices for engaging parents in restorative practices and eliminating the school-to-prison pipeline.

C-DRUM's Faculty Director, Professor Deborah Eisenberg, observes: "This is an extraordinary Commission, bringing together a wealth of expertise and diverse perspectives from educators, policy makers, conflict resolvers, and youth advocates. With the Commission's careful study and recommendations, Maryland can develop a thoughtful approach to positive school climate that can serve as a national model." The Commission will develop strategic recommendations for the legislature to support the learning success of all young people in a report due in January 2019.



In addition to C-DRUM, the Commission includes members from the following:

- State Senate
- State House of Delegates
- Maryland State Department of Education
- Maryland State Board of Education
- Department of Juvenile Services
- Maryland Association of Boards of Education
- Maryland State Education Association
- Maryland Association of Student Councils
- Maryland Association of School Resource Officers
- Maryland PTA
- Maryland Equity Project
- Positive Schools Center
- American Civil Liberties Union of Maryland
- Maryland Public Defender
- Advocates for Children and Youth
- Community Mediation Maryland
- Community Conferencing Center
- Arc of Maryland
- Youth Leadership and Advocacy Network
- A Maryland school principal
- A Maryland teacher that utilizes restorative practices

Del. Alonzo Washington and C-DRUM's Barbara Grochal testify at the Maryland General Assembly.

ADR TEAM UPDATE

Maryland Carey Law's Alternative Dispute Resolution (ADR) Team provided students with many opportunities over the past year to test their ADR skills in simulated settings.

ADR Team students Trey Hilberg '17 and Sydney Fortmann '17 qualified for the national finals when the ADR team hosted the regional round of the ABA Law Student Division Negotiation Competition in fall 2016. The team, coached by adjunct professor Barry Gogel, advanced to the national semi-finals in the highest result to date.

The team also competed in the ABA Section of Dispute Resolution Regional Representation in Mediation Competition in spring 2017 at Antonin Scalia School of Law. After three rounds of competition the team advanced from the regional finals to the National Representation in Mediation Competition. This is the fifth year in a row that a Maryland Carey Law team competed in the regional finals. Recent graduate and former Mediation Clinic student

Molly Boyd '16 coached the team along with team advisor Toby Guerin '02.

In only the second year of competing in the Financial Industry Regulatory Authority ADR triathlon (negotiation, mediation, and arbitration), the team of Matthew Sarna '17, Meagan George '18, and Alex Chiang '18, placed second in mediation. The students were coached by recent graduate and former ADR Team member Sue DuMont '16 and assisted with arbitration preparation by attorneys from Miles and Stockbridge.

The ADR Team also delivered notable performances at the International ADR Competition at the University of Massachusetts Lowell, receiving first place in attorney-client team and third and tenth place for individual mediator. Following the spring intra-school negotiation competition, in April the ADR Team welcomed 16 new members and said farewell and congratulations to 15 graduating students.

Notable 2016-2017 Competition Results

Negotiation:

- ABA Law Student Division National Negotiation Competition: Semi-finalists

Mediation:

- FINRA ADR Triathlon: Second Place Mediation
- International ADR Mediation Tournament: First Place Attorney-Client Team; Third and Tenth Place Individual Mediator
- Regional ABA ADR Representation in Mediation Competition: Second Place

New Members for 2017-2019

Nneka Adibe
Hei Ying Chan
Katie Flowers
Jackie Fonteyne
Nathaniel Gajasa
Virginia Giannini
Tory Klein
Rebecca Lineberry
Behnam Parvinian
Alec Prechtel
Mac Routh
Sarah Shepson
Nick Vogt
Marty Welch
Rebecca Wells
Amelia Whiting



ADR Team members (above left to right) Matthew Sarna '17, Meagan George '18 and Alex Chiang '18 at the FINRA ADR triathlon. Sydney Fortmann '17 and Trey Hilberg '17 at the 2017 American Bar Association Law Student Division Competition in November 2016, hosted by Maryland Carey Law.

C-DRUM SUPPORTS GROWTH OF LANDLORD-TENANT DISPUTE RESOLUTION

The demand for affordable housing—a national problem exacerbated by an aging population, declining housing stock, stagnant incomes, and climbing rent—often thrusts Maryland’s neediest residents into the courtroom. More than 580,000 cases for failure to pay rent were filed in the District Court of Maryland in 2016, 150,000 of which were filed in Baltimore City. Because of high docket demands, these cases are typically heard in a dedicated courtroom, commonly referred to as “Rent Court.”

Rent Court ADR Pilot

“Courthouse constraints, docket pressures, and the impact of an adverse judgment for a tenant have led the Judiciary and landlord and tenant advocates to consider mechanisms to improve the litigant experience in Rent Court” (Rent Court ADR Pilot Report, 4). The expansion of alternative dispute resolution (ADR) services into Rent Court was proposed as one tool, among others, to improve the current Rent Court structure. Under the leadership of Mark Scurti, Associate Judge in Charge, Civil Division, District Court for Baltimore City and the District Court ADR Office a Rent Court ADR Pilot was developed. The ADR Pilot expanded the existing day-of-trial mediation and settlement conferencing services available at the courthouse to Rent Court.

In 2016, C-DRUM received a Conflict Resolution Project Grant from the Maryland Mediation and Conflict Resolution Office to evaluate the 23-week Rent Court Pilot ADR Program. C-DRUM staff and Mediation

Clinic students observed rent court proceedings, collected and recorded docket data, and analyzed agreements reached in mediation.

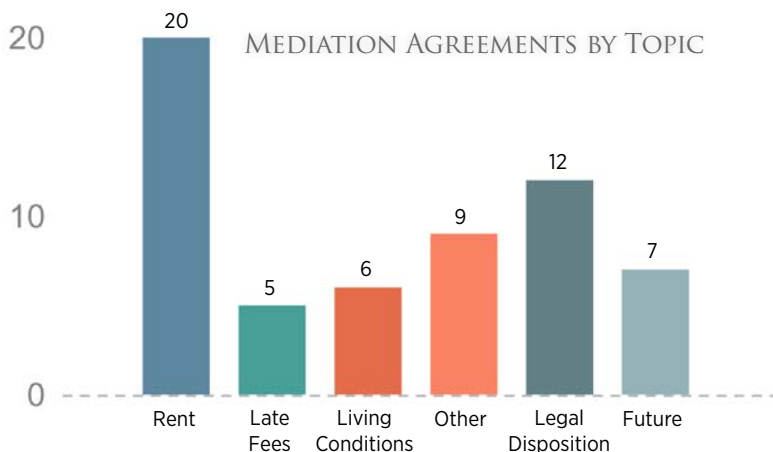
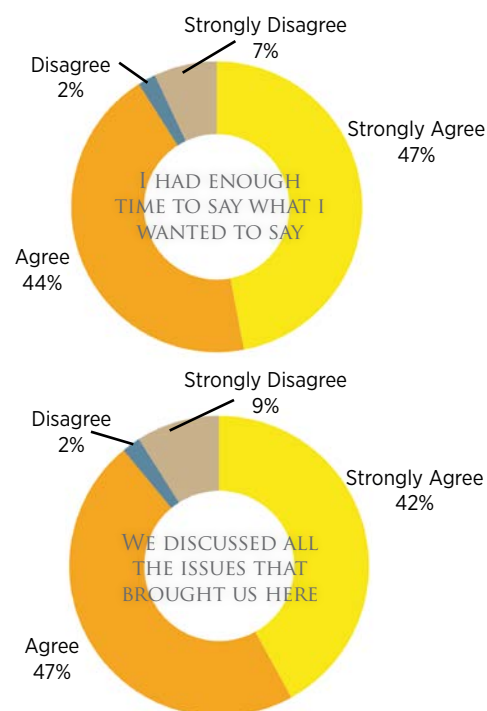
ADR Pilot practitioners conducted 37 mediations resulting in 30 agreements. Analysis of the cases that went to mediation found that most mediation requests came from tenants (94%). On average, a mediation occurred each day that a mediator was present, and all of the mediations involved at least one self-represented litigant.

Review of the written mediated agreements revealed that every agreement addressed the issue of the rent owed and at least one other topic (late fees, living conditions, legal disposition, future, or other). “This outcome is consistent with the principle of mediation that permits participants to address a broad range of topics including those not before the court” (Rent Court ADR Pilot Report, 17).

The Report also analyzed the results of participant surveys to determine whether the Rent Court ADR Pilot provided a “positive experience” for both participants and practitioners. The fast pace of the courtroom and limited jurisdiction of Rent Court are often cited as challenges faced by litigants.

Analysis of these issues among users of mediation services found that 91% agreed or strongly agreed that they had enough time to “say what I wanted to say” and 89% strongly agreed or agreed that they could “discuss all the issues that brought us here.”

The Report concluded that the docket volume and pilot experience supported continued viability of the Rent Court ADR program during the early morning docket.



Mediation Clinic Gets Involved

The Mediation Clinic has a long standing partnership with the District Court ADR Office, providing day of trial and pre-trial mediation services. During the spring semester, several Mediation Clinic students were at the courthouse on a weekly basis and extended their conflict resolution expertise beyond the courtroom.

In early spring, C-DRUM facilitated a meeting of the Rent Workgroup—a group of stakeholders representing both landlord and tenant interests—in an attempt to develop consensus on draft legislation impacting landlords and tenants.

The Mediation Clinic also worked with Maryland Legal Aid to assist tenant council representatives participating in the Housing and Urban Development Rental Assistance Demonstration (RAD) program. Under the RAD program, Section 8 buildings are owned and managed by private companies rather than the local housing authority. These ownership changes have altered the relationship between the residents and their landlords.

As Clinic student Adam Davey '18 reflected, “the RAB representatives get a lot of the blame for the problems not being fixed and they really do not have the power to actually fix things. This makes it all the more important

for the representatives to be able to effectively communicate with the managers and listen to the issues of the residents so that they feel heard.”

To support these skills the Mediation Clinic students developed and presented a two-hour communication training for RAB leaders to help them successfully address the difficult demands from their new landlords and fellow tenants.

To date, ADR services continue in Baltimore City’s Rent Court. The Mediation Clinic will resume its mediation services in Rent Court in the 2018 spring semester.

FACULTY SCHOLARSHIP (continued on p. 11)

Condlin: Online Dispute Resolution: Stinky, Repugnant, or Drab

Professor Robert Condlin’s article in the *Cardozo Journal of Conflict Resolution* explores the role of online dispute resolution in the administration of justice. Scholars, judges, and lawyers have begun to see Online Dispute Resolution (ODR) as a partial answer to the “access to justice” problem faced by people of limited means, and even the “wave of the future” for most, if not all, forms of civil dispute resolution.

ODR prioritizes deep and efficient processing of disputes. But is ODR a capitulation to the conditions of a modern society or a superior system for administering justice? Most ODR programs require parties to describe their claims in fixed, predefined

categories that may or may not capture all of the claims’ dimensions, limit the discussion of merits of the claims, and resolve differences on the basis of unique software algorithms, which raise fairness issues not present in systems run principally by humans. It’s a little too soon to know whether this “wave” of the future breaks on the beach or the rocks.

Condlin’s article, *Online Dispute Resolution: Stinky, Repugnant, or Drab*, discusses the foregoing issues beginning with a brief overview of ODR systems. The article continues by describing certain legal, political, and moral concerns yet to be addressed in the ODR literature, and identifies some of the unintended consequences



ODR systems might produce. Finally, Condlin poses the questions ODR proponents must answer, and the refinements they must make to existing models.

HONORING A LIFE DEDICATED TO MEDIATION: THE FIRST RONNA JABLOW MEDIATION FELLOW

By Eric Mondesir, '18



Eric Mondesir '18 on site at Community Mediation Maryland

About the Ronna K. Jablow Mediation Fellowship

The Ronna K. Jablow Mediation Fellowship was established in 2016 to provide annual fellowship support for Maryland Carey Law students to work with a community mediation center. The Fellowship, established in loving memory of mediator and attorney Ronna Jablow, continues her legacy of advancing alternative dispute resolution in the community and the courts.

For more information on the Ronna K. Jablow Mediation Fellowship, visit law.umaryland.edu/ronnajablowfellowship.

As the first Ronna K. Jablow Fellow, I had the honor of working at Community Mediation Maryland (CMM). My work over the summer was twofold, with a research component and a hands-on component. I spent half of my time researching how the services offered by CMM (Youth-Police Dialogues, Police Complaint Mediation, and Collaborative Policy Development) impacted community/police relations across the country, and the other half actually doing work in the community (mediator and facilitator). This was an invaluable opportunity that allowed me to gain a better understanding of the impacts community mediation has across the state and allowed me to be present as people worked out their issues through alternative dispute resolution.

In my role as a prison re-entry mediator and as a facilitator in the Youth-Police Dialogues, I had the opportunity to see the impact of community mediation and how it demonstrably improves people's lives. My work in the community mainly

focused on prisoner re-entry mediation and the associated case management. Prisoner re-entry mediation provides the opportunity for an inmate and family members or other support people to meet and have a conversation prior to the inmate's release from prison. I often served as the mediator in the prison or jail whenever possible, and arranged the mediations themselves. I found this aspect of my work to be most rewarding because I had the opportunity to see face-to-face the positive impact of community mediation on people's lives.

CMM advances collaborative conflict resolution in Maryland through educating the public, training and quality assurance, conducting research, and creatively applying mediation to social challenges. My work as a fellow allowed me to contribute meaningfully in supporting people working through their issues with alternative dispute resolution. As a result of this work, I gained a different perspective on how certain individuals perceive things and go about their day-

to-day activities. It also gave me an opportunity to interact with individuals with whom I would not have otherwise interacted. In all, I gained a new understanding and insight into the human condition.

Overall, this fellowship has been a truly rewarding experience. Seeing individuals who would never interact in another setting getting together to discuss conflicts and leave with greater clarity and understanding of each other has been invaluable. The fellowship allowed me to hone my own mediation skills, identify the challenges and potential solutions in my community, communicate with a wide array of stakeholders in the community and put my research skills to use. My experience with CMM and its members positively influenced my future in the legal field and I have no doubt that the relationships I formed will continue throughout my career.

EXEMPLARY SERVICE TO CHILDREN AND YOUTH

Lillian Simmons '17, a student in the School-to-Prison Pipeline Legal Theory and Practice (LTP) course, received the Anne Barlow Gallagher Prize for Service to Children and Youth. As a student-attorney, Simmons worked on a variety of projects to improve public school disciplinary policies, procedures, and practices so that school children remained in school and out of the juvenile justice system.

Over the course of the year, Simmons collaborated on a letter to the Department of Justice (DOJ) in response to the DOJ's Findings Report on Policing in Baltimore, provided public comment at a Baltimore School Board of Commissioners regarding changes to school disciplinary policies, and lead the LTP's written testimony in support of legislation that aimed to prevent suspensions and expulsions of students from pre-kindergarten to second grade.

In addition, Simmons led a team to teach the class "Conflict Resolution and Community Justice" at Frederick Douglass High School. The law students engaged youth on

legal matters impacting them, their education and their communities. For example, they helped the Douglass students tell their stories to the Baltimore City School Board and provided written comments and testimony about the proposed consent decree between the Baltimore City Police Department and DOJ.

Simmons' extracurricular activities in law school reinforce her dedication to children. She served as the president of Parents Attending Law School and was also active in the Youth Empowerment Program and the Community Impact Program. In the greater community, Simmons served as a tutor at Paul's Place and as a

mentor with CLIO Legal Inspired Cohort, which helps diverse students enter the legal profession. Upon graduation, Simmons will continue to serve the city as a law clerk for Judge Videtta Brown in the Circuit Court for Baltimore City.

Early intervention is critical for underserved populations and for those with individualized needs. Advocating for those who have limited or no voice serves to improve legal outcomes for children and youth.

Simmons embodies the qualities of persistence, sensitivity, compassion, intelligence, and creativity that symbolize the spirit in which the Anne Barlow Gallagher award was intended - seeking justice in the service of others.



(Left to Right) Dean Donald Tobin, Lillian Simmons '17 and Prof. Renee Hutchins

“

What more can we do to see that children are well represented?

- Anne Barlow Gallagher

The Anne Barlow Gallagher Prize for Service to Children and Youth is awarded annually to a graduating clinic student who has performed outstanding work benefiting youth and children.

STUDENT ACHIEVEMENTS

Mediation Clinic Students & C-DRUM's Stacy Smith

(Left to Right) Stephen Demos '17, Joey Damiano '17, Samriti Madan '17, and Stacy Smith



Commitment to Community

Mediation Clinic students Joseph Damiano '17, Stephen Demos '17 and Samriti Madan '17 received the Community Scholar Prize for their outstanding conflict resolution and mediation work in Baltimore City over the past two years.

The Community Scholar Prize is presented to a graduate who provides outstanding assistance to a Maryland community or neighborhood. During their two years with the Mediation Clinic, the trio went above and beyond in assisting residents of Baltimore City to resolve disputes.

They performed both day-of-trial and pre-trial mediations for Baltimore City residents, promoting peaceful resolution of claims and helping lower-income residents settle on their own terms and avoid judgments.

Damiano, Madan, and Demos also worked tirelessly in several Baltimore City schools to develop conflict resolution programs. Madan led efforts to teach and build a peer mediation program at Dickey Hill Elementary/Middle School. Damiano introduced mediation and led a restorative conference at Callaway Elementary.

Demos used his mediation skills and Spanish language knowledge to initiate a Spanish-English peer mediation program at Benjamin Franklin High School.

The three served as mentors to other students in the Mediation Clinic, demonstrating effective skills in harnessing emotionally intense and non-scripted situations. They embodied the purpose of the Community Scholar Prize through their consistent treatment of all community members with empathy, patience, skill, and compassion.

What Difference Does ADR Make? Comparison of ADR and Trial Outcomes in Small Claims Court

Many courts offer litigants alternative dispute resolution (ADR) processes like mediation prior to trial. Does ADR have any benefits for the parties and the court, beyond the possibility of settling the dispute? Few rigorous empirical studies examined this question. Until now.

The Maryland Judiciary, which has integrated ADR at every court level, conducted a study of the costs and benefits of ADR as compared to trial. The results are analyzed in an article written by Professor Deborah Thompson Eisenberg with co-authors Lorig Charkoudian, PhD and Jamie Walter, PhD, in the peer-reviewed *Conflict Resolution Quarterly*.

The study confirms that ADR has significant benefits, even if the parties do not settle the case. Generally, ADR improves party attitudes toward and relationship with each other, increases their sense of empowerment, voice, and responsibility for the dispute, and increases their overall satisfaction with the judiciary and durability of outcomes.

The research is groundbreaking and unique for several reasons. First, the study had a control group, comparing those who participated in ADR to those who went to trial without ADR. Second, the study surveyed participants at three different points: immediately before ADR or trial; immediately after ADR or trial; and 3-6 months later (most prior studies

survey ADR participants only once, after the session, which cannot account for attitudes prior to the intervention). Third, the study applied regression analysis to control for a variety of factors, reporting only those results that were statistically significant to a 95% confidence level.

In the short-term, ADR participants were more likely than the trial group to indicate that: (1) they could express themselves, their thoughts, and their concerns; (2) all of the underlying issues came out; (3) the issues were resolved; (4) the issues were completely resolved rather than partially resolved; and (5) they acknowledged responsibility for the situation. Remarkably, this was true even if the parties did not settle in ADR.

Those parties who reached agreement in ADR were more satisfied with the judiciary overall than those who went to trial. This is consistent with prior research which shows that, by providing parties with greater voice in the process, ADR can increase a sense of procedural justice and public confidence in the courts more generally.

The study also found significant long-term benefits for the ADR group. ADR participants were more likely than trial participants to report that the outcome was working and that they were satisfied with the outcome and the judicial system 3-6 months later. Finally, parties who settled in

ADR were less likely to return to court for an enforcement action twelve months later as compared to all other groups (including cases that received a judge verdict, those that negotiated a settlement without ADR, and those who did not settle in ADR).

The research is connected to a broader study of ADR in Maryland, funded by the State Justice Institute, conducted by the Maryland Judiciary Administrative Office of the Courts in collaboration with Community Mediation Maryland; Bosserman Center for Dispute Resolution at Salisbury University; the Institute for Governmental Service and Research, University of Maryland, College Park; and the Center for Dispute Resolution at the University of Maryland Francis King Carey School of Law.

Lorig Charkoudian, Deborah Eisenberg & Jamie Walter, "What Difference Does ADR Make? Comparison of ADR and Trial Outcomes in Small Claims Court," 34 Conflict Resolution Quarterly 7 (2017).



Professor Deborah Thompson Eisenberg

STUDENT ACHIEVEMENTS

Clinic Students Develop Bilingual Peer Mediation Program

This year, Benjamin Franklin High School in South Baltimore presented a unique opportunity. The school social worker, Chip Hall, wanted to improve the school's peer mediation program by training student mediators for whom English is a second language. Several Mediation Clinic students, including those with Spanish language abilities, partnered with the school to create a truly inclusive, bilingual peer mediation program.



To support the selection peer mediators, the law students drafted questions and conducted interviews of potential peer mediators in both English and Spanish. Once selected, the law students developed lesson plans and conducted joint training

sessions involving all the peer mediators together.

According to Clinic student Dana Blech '18, "Rather than providing separate English and Spanish instruction, we offered the students the opportunity to speak in whatever language they preferred. We provided translation and customized

instruction only when necessary." The law students' efforts helped bridge the language divide and built a more representative peer mediation program at the school.

A video about the Bilingual Peer Mediation Program can be viewed at: bit.ly/peermediationumcl

GIVE TO C-DRUM

Support our ongoing work by contributing to the Center for Dispute Resolution (C-DRUM). Your generous donation will expand our ability to promote the power of conflict resolution to build a more just society. Every gift is deeply appreciated and supports our teaching, community engagement, and research.



There are two ways to give to C-DRUM:

1. Online at <http://www.law.umaryland.edu/CDRUMgift>
2. Mail, by sending a check made payable to UMBF, Inc./C-DRUM to 500 West Baltimore Street, Baltimore, MD 21201-1786.

Funds for the Center for Dispute Resolution are administered by the University of Maryland, Baltimore Foundation, Inc.

Pictured Left: 2016 School-to-Prison Pipeline clinic students

C-DRUM NEWS AND NOTES 2016-2017

Professional Trainings

“Strategic Negotiation,” DLA Piper, Baltimore, Md., Oct. 21, 2016

“Introduction to Restorative Practices” and “Using Circles Effectively,” Worcester County Public Schools, Sept. 21-22, 2016; Pikesville Middle School, Jan. 17 and Feb. 17, 2017; Education Association of Charles County, Mar. 20-21, 2017; Baltimore County Public Schools, Jul. 17 and 20, 2017; Charles County Public Schools, Jul. 27-28, Jul. 31-Aug. 3, 2017

“40-hour Basic Mediation Training,” Judges and Magistrates of the Maryland Judiciary, Annapolis, Md., Dec. 12-16, 2016

“Strategies for Conflict Management,” Strong City Baltimore Adult Learning Center, Dec. 20, 2016 and Jan. 7, 2017; Year Up Baltimore, Apr. 10, 2017

“Restorative Practices in Frederick County Middle Schools,” Frederick County Public Schools, Mt. St. Mary’s College, Frederick Campus, Frederick, Md., Mar. 8, 2017



“Keeping Conflict at Bay: Conflict Resolution in Interprofessional Teams,” Center for Global Health, University of Maryland, Baltimore, Md., Mar. 28, 2017

“Dialogue Across Divides,” Maryland Carey Law, Baltimore, Md., Mar. 30, 2017

“Restorative Practices Workshop for School Leaders,” Maryland Carey Law, Baltimore, Md., Jul. 25-26, 2017

“Conflict De-escalation and Management Training” for Baltimore City School Police and Principals, University of Maryland, Baltimore, Baltimore, Md., Aug. 15, 2017

“Advanced Facilitating Formal Conferences Training,” Baltimore County Public Schools, Towson, Md., Aug. 24 and Sept. 29, 2017

“Making Conflict Work for You,” University of Maryland Medical Center Preceptor Conference, University of Maryland, Baltimore, Md., Sept. 22, 2017

Publications

Donald Gifford

“Legal Negotiation: Theory and Practice,” (with Robert J. Rhee) (3d ed. 2017) West Academic.

Deborah Thompson Eisenberg

“Against School Suspensions,” 16 U. MD. L.J. RACE, RELIG., GENDER & CLASS 163 (2016)

“What Difference Does ADR Make: Comparison of ADR and Trial Outcomes in Small Claims Court,” 34 CONFLICT RESOLUTION Q. 7 (2017) (co-authors Lorig Charkoudian and Jamie Walter)

Robert Condlin

“Online Dispute Resolution: Stinky, Repugnant, or Drab,” 18 CARDOZO J. CON. RES. 717 (2017)

Toby Treem Guerin and Barbara Sugarman Grochal

“The Restorative Neutral,” 15 ACResolution (Winter 2017)

Presentations

Deborah Thompson Eisenberg

Presenter, “What Works in Mediation,” AALS ADR Section Works-in-Progress Conference, Marquette University Law School, Milwaukee, Wis., Sept. 22, 2016

Presenter, “Building the Attorney-Client Relationship and Overcoming Factors that Might Get in the Way,” Clinical Law Program Orientation, Maryland Carey Law, Baltimore, Md., Jan. 5, 2017

Presenter, “The School-to-Prison Pipeline,” University of Maryland, College Park, Md. Mar. 6, 2017

Moderator, Women’s Bar Association Bench-to-Bar Program, Maryland Carey Law, Baltimore, Md., Apr. 4, 2017

Panelist, “Integrating Research-Based Skills into Your Regular Mediation Practice and Teaching,” ABA Dispute Resolution Conference, San Francisco, Calif., Apr. 22, 2017

Panelist, “All Roads Lead to Rome: Paths to Advancing and Teaching Social Justice,” AALS Clinical Law Conference, Denver, Co., May 7, 2017

Moderator, “How Can Dispute Resolution Be Improved? (Overcoming Obstacles and Challenges),” Mid-Atlantic Global Pound Conference, Baltimore, Md., Jun. 8, 2017

Presenter, "Negotiation 101," Women in Neurology Retreat, University of Maryland, Baltimore, Baltimore, Md., Jun. 10, 2017

Presenter, "Integrating Research-Based Skills into Your Regular Mediation Practice," Center for Alternative Dispute Resolution Annual Conference, Greenbelt, Md., Jun. 16, 2017

Presenter, Mediation Skills for Judges, Maryland Judicial Institute, Annapolis, Md., Jul. 27, 2017

Toby Treem Guerin

Participant, "Interprofessional Education Collaborative Fall Institute," Reston, Va., Oct. 5-8, 2017

Panelist, "Does Our Practice Match How We Define Ourselves," Maryland Mediator Convention, Linthicum, Md., Dec. 9, 2017

Panelist, "Negotiation and Consensus Building," Maryland State Bar Association Leadership Academy Fellows, Baltimore, Md., Jan. 18, 2017

Presenter, "Negotiating from a Place of Nice," Leadership and Ethics Initiative, Maryland Carey Law, Baltimore, Md., Feb. 14, 2017

Keynote, "Embedding IPE: It's Easier Than You Think," Fifth Annual Interprofessional Education Faculty Development Day, University of Maryland, Baltimore, Md., Mar. 8, 2017

Presenter, Brazilian Judiciary Delegation, Maryland Carey Law, Baltimore, Md., Apr. 7, 2017

Presenter, "Integrating Research-Based Skills into Your Regular Mediation Practice and Teaching," ABA Dispute Resolution Conference, San Francisco, Calif., Apr. 22, 2017

Presenter, "ADR Systems in the United States" and "Using ADR to Resolve Family Disputes in Maryland," Chinese Delegation, Maryland Carey Law, Baltimore, Md., May 9, 2017

Presenter, "ADR at Maryland Carey Law," ABA Nigerian Fellows, Annapolis, Md., May 16, 2017

Moderator, "The Cost of Conflict," American Bar Association Section on Dispute Resolution Mid-Atlantic Chapter, Washington, DC, May 25, 2017

Emcee, "Mid-Atlantic Global Pound Conference," Baltimore, Md., Jun. 8, 2017

Presenter, "Integrating Research-Based Skills into your Regular Mediation Practice," Center for Alternative Dispute Resolution Annual Conference, Greenbelt, Md., Jun. 16, 2017

Trainer, "Public Sector Mediation: Skills and Drills," Straus Institute for Dispute Resolution Professional Skills Program, Malibu, Calif. Jun. 22-24, 2017

Presenter, "The Pain(less) Power of Feedback," United States Department of Agriculture, Washington, DC, Aug. 30, 2017



Barbara Sugarman Grochal

Presenter, "Restorative Practices: Strengthening Relationships for Safe and Supportive Schools," Frederick County Educational Symposium, Frederick, Md., Oct. 21, 2016

Presenter, "Rolling Out Restorative Practices in Baltimore," 11th International Conference on Conflict Resolution Education, The Ohio State University, Columbus, OH, Mar. 17, 2017

Presenter, "Restorative Justice and the School to Prison Pipeline: Fundamental Concepts and Critical Issues," University of Baltimore, Baltimore, Md., Apr. 21, 2017

Presenter, "Building Community For All," Matapeake Elementary School, Stevensville, Md., May 17, 2017

Presenter, "Restorative Practices: Support and Accountability," Middle River Middle School, Baltimore, Md., Aug. 28, 2017

Anastasia Watson Smith

Facilitator, Summer Work Group on Housing Court, Baltimore, Md., Feb. 2, 2017

Trainer (with Mediation Clinic), "Communication Techniques for Tenant Council Representatives," Resident Advisory Board/Resident Advisory Council Meeting, Baltimore, Md., Apr. 10, 2017

Presenter, "Gridlock in Mediation," Anne Arundel County Circuit Court, Annapolis, Md., Jun. 21, 2017

Media

Aarti Sardana '18

Author, "MSDE School Discipline Proposal Fails Students," Baltimore Sun, Mar. 20, 2017

Accolades

Jana Singer was honored with an investiture as the Jacob A. France Professor of Law, Jan. 19, 2017.

Toby Treem Guerin will serve as chair of the Maryland State Bar Association Section of Alternative Dispute Resolution for the next year.



UNIVERSITY of MARYLAND
FRANCIS KING CAREY
SCHOOL OF LAW

CENTER FOR DISPUTE RESOLUTION

500 West Baltimore Street
Baltimore, MD 21201-1786
410-706-4272
fax: 410-706-4270
cdrum@law.umaryland.edu
www.cdrum.org

The Center for Dispute Resolution (C-DRUM) at Maryland Carey Law promotes the power of conflict resolution to build a more just society.

**RESOLVING CONFLICT
BUILDING CAPACITY
PROMOTING JUSTICE**

Information on upcoming training and events is available at: www.cdrum.org.