



Message from the President of the Indiana Association of Mediators

SPRING RENEWAL AND GROWTH

As the vibrant colors of spring surround us, it's a natural time for renewal and growth. The trees are budding, flowers are blooming, and the world feels fresh and full of potential after the dormancy of winter. It's the perfect season to focus on our own growth and development as professionals in the field of conflict resolution.

Just as nature rejuvenates itself this time of year, we have an opportunity as practitioners to reinvigorate our skills and knowledge through continuing education and training. I recently attended the American Bar Association's Dispute Resolution Annual Conference held in San Diego. The theme of the conference was "Mastering the Future: Revolutionizing Dispute Resolution in a Dynamic World". It was an eye-opening experience, highlighting the rapid advancements and transformations occurring in our field.

From cutting-edge research on neuroscience and its implications for negotiation strategies to the integration of artificial intelligence in mediation processes, it is clear that the field of conflict resolution is constantly evolving. Keeping our skills sharp and staying abreast of these developments is crucial for effectively guiding parties through mediations and negotiations in an ever-changing landscape. Most practitioners agree that AI will not replace human mediators, but mediators that embrace and use AI will replace mediators that do not.

Recognizing the need to focus on mediation skills and providing training opportunities to our members became one of the Board of Directors' top priorities in 2024. Through our Lunch and Learns, Reflective Group Meetings, Skills Workshops, and our Annual Conference, IAM is committed to ensuring that our members are keeping up to date with new technologies and honing their skills as mediators.

Spring represents rebirth, renewal, and possibility. It is a time of growth and transformation, both in nature and in our professional lives. I encourage all of our members to embrace this spirit of growth wholeheartedly. Invest in yourselves through our educational offerings. Stay curious about emerging trends and technologies like AI, and how they can enhance our ability to resolve conflicts effectively. The more we nurture our professional development, the more we can help parties resolve conflicts and cultivate agreements that will thrive and endure in this rapidly changing world.

As the world around us blossoms with new life, let us too blossom as professionals, embracing change and growth with open minds and hearts. Wishing you all a rejuvenating spring season filled with learning, growth, and the pursuit of excellence in our noble field!

Matthew Carroll

President,
Indiana Association of Mediators

Bylaw Update

At our recent Board of Directors' meeting held on Thursday, May 9, 2024, the board approved revisions to IAM's Bylaws. We are including the bylaws as revised in this edition of the mediation minute! Click [here](#) to view the revised IAM's Bylaws.

Data Privacy

Also established at this board meeting was a new policy that addressed the use of member's and non-member's data that we collect.

Members can obtain minutes from previous board meetings here: <https://indianamediators.org/board-files/>

New Committee

ADVANCING MEDIATION IN INDIANA

The board has formed a new committee dedicated to promoting the use and adoption of mediation practices across the state. The Mediation Advocacy and Legislative Influence Committee will spearhead several key initiatives in the coming months.

Data Collection on Current Mediation Practices: The committee is developing surveys to gather insights from Judicial Officers on how mediation is currently being utilized in Indiana courts. This effort may be conducted in partnership with the IndyBar to ensure comprehensive data is obtained.

Mediation Database: A centralized database is being created to allow IAM's members to report data from completed mediations. This objective data will provide valuable metrics to support advocacy efforts for mediation-friendly legislative changes.

The board recognizes the immense value mediation can bring to dispute resolution processes. By combining data-driven research with strategic advocacy, the goal is to increase awareness, acceptance, and ultimately, the effective use of mediation across all sectors in Indiana.

Members are encouraged to participate in these initiatives as opportunities arise. Together, we can elevate mediation as an efficient, cost-effective, and constructive means of conflict resolution for the betterment of our legal system and communities.



Q and A with Hillary Sharpnack

IN THE SPOTLIGHT



For our latest mediator profile, we sat down with Hillary Sharpnack, Board Secretary and skilled mediator with Resolution Mediation located in Zionsville, Indiana who draws from her background in human resources. Her HR acumen translates seamlessly into the conflict resolution arena, honing her communication abilities and impartial approach. With her mixed professional talents and appetite for continuous learning, Hillary Sharpnack exemplifies the empathetic expertise needed to guide parties through conflicts productively.

IAM: *Hillary, thank you so much for sitting down with us today and agreeing to be interviewed for the Mediation Minute!*

HS: I have my coffee and I am ready to go!

IAM: *Tell us about your HR background and experience.*

HS: I used to work in HR for Caterpillar, Inc. My years in HR handling escalated complaints really helped sharpen my skills in remaining neutral and tackling sensitive issues.

IAM: *That sounds tough! How did focusing on these skills lead you to mediation?*

HS: These skills have been invaluable as a mediator, especially in highly emotional cases like divorce or co-parenting disputes. Using these skills help to create a safe space for parties to openly express themselves.

IAM: *What has been most rewarding for you being a mediator?*

HS: Definitely helping people craft resolutions that prioritizes, defines, and establishes boundaries in their relationships; which is so important when the children's well-being is involved. Over my four-year mediation career, facilitating co-parenting agreements in a child-centric manner has been very fulfilling.

IAM: *What wisdom can you share about excelling as a mediator?*

HS: A key principle, at least for me, is that just because something is stated, doesn't make it objectively true.

Effective mediators act as impartial peacemakers - using important skills like active listening, thinking creatively, and not taking sides. Your career background as an attorney, as a therapist, or with life experiences matters less than having these skills.

IAM: *It sounds like skills and training are important to you. Have you received any impactful mediation training that you would recommend?*

HS: Two stand out. First, Northwestern University's in person 40-hour Divorce Mediation course which focused deeply on skills involved with divorce and post-divorce cases. This class is currently being taught by IAM's Preseident, Matthew Carroll along with Sandra Crawford, JD. Second, the Maple Tree Mediation Retreat - a multi-day conference immersing you with top mediators across disciplines in a truly relaxing environment. This retreat is hosted by fellow IAM members, Marsha Hackenberg and Marla Hylton, both well-established mediators.

IAM: *How do you balance your mediation practice with other pursuits?*

HS: Outside the office, I enjoy biking, hiking, British mysteries, coffee (genuinely for the taste!), and most importantly, being a wife and mom to my two kids.



Resolution
Mediation

Divorce **without** Destruction

RESOLUTION MEDIATION

With 17 years combined experience and hundreds of satisfied clients in family mediation, Hillary, Tess and Marli decided to pool their shared vision and individual strengths into Resolution Mediation in August, 2023. We are dedicated to empowering couples to take hold of the decisions that shape their lives and helping them plan the best outcome for all affected.

Learning to be a Mediator: 'It's Not Judge Judy'

Alexa Shrake

IN THE NEWS



Vanessa Romero, center, is the director of the Indy Center for Conflict Resolution. She works with volunteer David Remondini and conflict resolution manager Angela Richie. (IL photo/ Alexa Shrake)

From neighborhood disputes to landlord-tenant quarrels, the Indy Center for Conflict Resolution works to solve issues in Indianapolis before they escalate.

Vanessa Romero, the center's director, said the program began pre-COVID-19 pandemic in 2018. It was originally a pilot program and has since become part of the Indy Public Safety Foundation, which is funded by the City-County Council.

"It really was about two people that worked alongside of IMPD just running data to see how much crime or how many calls IMPD was getting, that weren't actually crime, they were more complex. That data grew to show that there was a need for a conflict resolution center," Romero said.

Community-Based Mediation

The center has volunteer mediators who take cases on a referral basis from IMPD, Indiana 211 and people coming to them with their conflict. Attorney David Remondini was in the first group of volunteers. The program takes on a class of volunteers who go through 20 hours of training, shadow a mediator, and then co-mediate before taking on a case on their own.

Remondini said he felt a connection with the center because it was initially named the James E. Waters Jr. Conflict Resolution Center. Remondini said he knew James Waters's dad when he was an Indianapolis Metropolitan Police detective and Remondini was a reporter at The Indianapolis Star. He later met Waters, who was an IMPD deputy chief while he was working for the Indiana Supreme Court.

"I immediately felt a connection to the work that we're doing, and because of my respect for this captain," Remondini said.

Angela Richie serves as the conflict resolution program manager but before that, she attended a neighborhood meeting where she learned about the program. The next day she was attending a training to become a community mediator.

"I think that's one of the benefits of having community mediation as a service and an opportunity is it fills a gap where maybe

the legal system doesn't have something in place that is accessible for everyday citizens or their conflicts and their issues and concerns can't be resolved through other space services," Richie said.

Romero said the goal of the program is to serve all 99 neighborhoods in Indianapolis. Currently, the program has 34 active volunteers and a new class coming up next month. They take on two classes per year. "We want to have at least one person representing each neighborhood. So that's kind of what we're shooting for," Romero said.

According to the ICCR website, 301 Indianapolis residents have been trained. Once people become trained community mediators, they are asked to commit to a full year. Richie added that volunteers who commit to the year receive continuing education with once-a-month classes that are on a more in-depth topic. The website also lists 82 cases that have been heard, and it has received 154 referrals.

Program leaders have said that in connection with their work they aim to reduce gun violence in the city, tamping down disputes before they erupt. Romero said as time has passed, they have experienced less resistance to the idea and have had more people calling and wanting to have a conversation.

"The feedback has been, it's been an uphill climb. I think, just in introducing this to not just residents and community members, but also our city leadership, what this is and why it's important, why they should invest in this. That's been one of our main focuses," Romero said.

Initially, the group taught the transformative model of mediation, which involves just four questions. But now they teach all the models to volunteers.

"We just want to give them every tool that they have in their tool belt because you know, things are going to happen in mediation that we don't expect," Romero said. Remondini added that the transformative model is one he finds his students at Butler University often gravitate to.

"I've seen some of my students, when they roleplay, the mediations they gravitate towards those four questions because it just seems more intuitive to them, more conversational," Remondini said.

Businesses and corporations use mediation to avoid lawsuits and court time, Remondini added. He said most people need to be educated on the process first.

"We still go over it at the mediation and make sure they understand that the mediator is not a judge. It's not Judge Judy. And really, they were just there to help a conversation," Remondini said.

Olive Branches

One case Remondini mediated was between two neighbors over a walnut tree.

"It was really, really beautiful," Remondini said.

Romero explained in the case one neighbor was concerned about all these walnuts falling off branches from her neighbor's tree into her yard.

"It was a nuisance, it was causing, I think, safety concerns for little ones that were in her house. And she had had previous communication with that individual. And they said that they would take care of it, but nothing was ever done," Romero said.

But then things changed after mediation.

"You really saw all of the anger, all of the confusion, all of the defense that the complainant was having and it just went away. There was understanding, there was empathy. And there was a relationship that was kind of mended during that mediation," Romero said. Remondini added that afterward, the neighbor who complained wanted to help her neighbor once she understood the challenges he was going through.

This article is adapted from Learning to be a mediator: 'It's not Judge Judy' by Alexxa Shrake [copyright 2024; used by permission of The Indiana Lawyer] and posted on theindianalawyer.com

Navigating Workplace Mediation: A Comprehensive Guide

Carolyn Roper

IN THE KNOW



In the dynamic landscape of workplace conflict resolution, mediation stands out as a vital tool for fostering understanding and finding common ground. Whether it's navigating disputes within a union setting or addressing grievances in a non-union environment, the mediation process offers a structured approach to facilitating constructive dialogue and reaching mutually beneficial resolutions. Especially for small businesses that lack a Human Resources department to help manage conflict in the workplace, mediation can be an effective tool to help resolve the issues at the workplace and to allow for the workplace to be more productive. Below, we delve into the core components of effective workplace mediation, providing insights and strategies for professional mediators to navigate with finesse.

Initiating Contact and Preparation:

The journey of mediation begins with a simple yet crucial step – initiating contact with the conflicting parties. As a mediator, it's essential to convey a message of neutrality and voluntary participation, ensuring that each party feels empowered to engage in the process. Establishing clear communication channels and setting expectations early on lays the groundwork for a productive mediation journey. During these initial contacts, gathering key information about the issues at hand and assessing the willingness of parties to participate sets the stage for informed decision-making.

The Mediation Process:

With the groundwork laid, the mediation process unfolds, providing a structured platform for parties to express their perspectives and explore potential solutions. Central to this process is the art of active listening – allowing each party to share their narrative without fear of judgment. Through empathetic responses and skilled reframing techniques, mediators create an environment conducive to understanding and collaboration. Encouraging reflection and brainstorming fosters a spirit of cooperation, guiding parties towards meaningful resolutions.

Progression and Challenges:

As mediation progresses, mediators navigate various challenges, from managing emotions to addressing impasses in communication. Balancing rational discourse with emotional expression is key, allowing parties to voice their concerns while maintaining a focus on constructive dialogue. When tensions rise, mediators step in to defuse conflicts, employing strategies such as separating parties or introducing alternative topics to redirect focus. Flexibility and adaptability are paramount as mediators navigate the ebb and flow of the mediation journey.

Reaching Agreements and Follow-Up:

Ultimately, the goal of mediation is to reach agreements that satisfy the interests of all parties involved. Documenting these agreements and securing consent marks a significant milestone in the mediation process. Yet, the journey doesn't end there – follow-up is essential to ensure that agreements are upheld and any outstanding issues are addressed. By maintaining open lines of communication and offering support where needed, mediators lay the foundation for lasting resolution and positive workplace dynamics.

In the intricate tapestry of workplace dynamics, mediation emerges as a beacon of hope, guiding conflicting parties towards resolution and reconciliation. Through effective communication, empathy, and strategic intervention, professional mediators wield the power to transform conflict into opportunity. As we navigate the complexities of the modern workplace, let us embrace the principles of mediation, fostering understanding, and forging pathways to harmony and collaboration.

CAROLYN ROPER, MEDIATOR

Dr. Roper teaches conflict management, change management, labor/management relations, business negotiations and supervision at the undergraduate and graduate levels. She has been a mediator for the Indiana Education Employment Relations Board since 2007 and has qualified as a Registered Mediator with the Indiana Supreme Court in the area of domestic relations, mainly divorce and child custody. In 2016, she was elected to serve on the Board of Directors of the Indiana Association of Mediators.



Indiana Association of Mediators 2024 Annual Conference

November 7 and 8, 2024
via Zoom



Featured Presenter:

Larry Bridgesmith, J.D.

Listed as one of America's Best Lawyers among the Leading Lawyers for American Businesses and SuperLawyer, Bridgesmith has been practicing civil litigation and mediation for over 40 years. He founded Lipscombe University's Institute for Conflict Management and served as its inaugural Executive Director. In addition, he is an adjunct professor at Vanderbilt University School of Law, an honorary member of International Mediation Society, and a member of ABA Dispute Resolution Section.

Key Takeaways:



Insights from
Neuroscience on
How Brains Process
Conflict and the Effect
on Mediation



Generative AI -
A Mediator's
Essential Assistant



How to Use
Appreciative Inquiry
to Increase Effectiveness
in Mediation



Ethical Issues
in Mediation

Please join us for the virtual conference and consider becoming a member of Indiana Association of Mediators.



IAM Calendar of Events 2024

May

June

UPCOMING EVENT ICLEF Civil Mediation 40-Hr Training

WHEN

Wednesday, June 19th
through
Thursday, June 23rd

WHERE

ICLEF Conference Facility
230 E. Ohio Street, 5th Floor
Indianapolis, IN 46204

ICLEF's 40-Hour Civil Mediation course provides an excellent learning environment with practical experience in mediation. Each program has a professional & informative approach to the psychological, legal, and business aspects of mediation.

This course provides the 40-hour instruction certified as appropriate for mediation training by the *Indiana Commission for Continuing Legal Education* under the *Indiana Trial Rule - ADR*.

Attendees will earn 40 Civil Mediation, 20 CLE, and 6 Ethics credits. This course is limited to 42 attendees.

To join, visit www.iclef.org and click on "Calendar of Events" or click [here](#).

4
MAY Star Wars Day

6
MAY National Nurses Day
National Teachers Day

9
MAY IAM Board Meeting

12
MAY Mother's Day

16
MAY IAM Reflective Group Meeting

15 – **19**
MAY ICLEF Domestic Mediation
40-Hr Training

25
MAY National Wine Day

27
MAY Memorial Day

8
JUNE Best Friends Day

14
JUNE Flag Day

16
JUNE Father's Day

19
JUNE Juneteenth

19 – **23**
JUNE ICLEF Civil Mediation
40-Hr Training

26
JUNE Forgiveness Day