

# The Supreme Court of Ohio

## MEMORANDUM

---

**TO:** Chief Justice Maureen O'Connor

**CC:** Michael Buenger, Administrative Director  
Stephanie Elliott Hess, Deputy Administrative Director  
Stephanie Graubner Nelson, Director of Court Services Division  
Catherine Geyer, Manager, Dispute Resolution Section

**FROM:** Magistrate Richard Altman, Chairperson

**DATE:** January 3, 2018

**RE:** Commission on Dispute Resolution 2017 Annual Report

---

Pursuant to Sup.R. 16.10, Magistrate Richard “Dick” Altman, Fulton & Henry Counties, Chairperson of the Commission on Dispute Resolution (hereafter Commission), with assistance from Magistrate Marcie Patzak-Vendetti, Mahoning County Juvenile Court, Vice Chairperson, hereby submits the Commission on Dispute Resolution’s 2017 annual report. The Commission greatly appreciates all of the work and leadership that has been provided to it by Catherine Geyer and the members of the Dispute Resolution Section. Without their work and leadership the Commission would not have been in a position to have successfully conducted the trainings that took place in 2017 nor would we be in a position to conduct, what we hope to be, an outstanding Dispute Resolution Conference coming up in March of 2018. Additionally, without their assistance the work of the various subcommittees, the draft of the Temporary Rules of Superintendence relating to the mediation of certain Civil Stalking Protection Orders; the proposed Rules of Superintendence relating to GCRS, and the School Attendance Tool Kit would not have been completed.

### **Purpose of Commission on Dispute Resolution**

The purpose of the Commission is to advise the Supreme Court and its staff on the promotion of statewide rules and uniform standards concerning the use of dispute resolution in Ohio courts; the development and delivery of dispute resolution education and professional development activities for judges, magistrates, court personnel, attorneys, and court-affiliated dispute resolution professionals; the development and delivery of dispute resolution services for disputes arising among state, county, and local public officials throughout Ohio; and the consideration of any other issues the Commission deems necessary to assist the Supreme Court and its staff regarding the development and delivery of dispute resolution programs and services.

### **2017 Activities and Accomplishments**

The Commission met at the Thomas J. Moyer Ohio Judicial Center in January, April, and November and via a teleconference in July. The Commission’s subcommittees also met via in-person meetings and conference calls throughout the year. The Commission’s activities and accomplishments include the following:

- *The Subcommittee for Government Conflict Resolution Services (GCRS)* provided recommendations regarding the use and growth of the dispute resolution program for disputes among public officials. We developed

and delivered training for mediators and public officials to serve as third party neutrals for the GCRS program. We proposed and presented Rules of Superintendence that, if adopted, would govern the GCRS program and strengthen the administration of this nearly 30-year-old program. We presented program information at the Ohio Council of County Officials Fall meeting, met with Ohio Municipal League members, updated the roster of GCRS neutrals, and had 591 views on the recently-created [Dispute Resolution Section GCRS web page](#).

- *The Subcommittee for Process and Procedure* continued its work on the revision of Sup.R. 16 with the goal of ensuring quality programs and skilled mediators throughout the courts of Ohio. With the collaboration of members of the Advisory Committee on Domestic Violence, the Commission created a pilot program to mediate certain types of civil stalking protection orders. The Commission proposed and presented, and the Court adopted, temporary Rules of Superintendence allowing mediation in 12 designated pilot courts around Ohio. The Commission created program documents and provided training, with technical assistance from the Center for Court Innovation, to pilot sites and administered the pilot program which runs from June 1, 2017 through December 31, 2018. We have been invited to present information on the mediation pilot program at the [American Bar Association's ADR Spring Conference](#) in Washington, D.C. April 4-7, 2018.
- *The Subcommittee on Strategic Planning* set priorities to:
  - Work with the Dispute Resolution Section to develop the Court's first statewide Dispute Resolution Conference titled "[Integrating Contemporary Dispute Resolution Processes into Today's Courts](#);"
  - Develop advanced trainings and roundtables for courts and court-connected dispute resolution professionals;
  - Pilot mediation in qualified civil stalking protection orders;
  - Create educational videos on court-connected dispute resolution options to enhance access to justice for self-represented litigants;
  - Support the creation of a Dispute Resolution Oral History project and Documentary
  - Identify faculty to deliver training to court-connected dispute resolution professionals consistent with Sup.R. 16 Mediation, Sup.R. 90.05 Parenting Coordination, and Sup.R. 90.07 Continuing Education;
  - In response to HB410, develop a School Attendance Toolkit for youth at risk of becoming involved in the Juvenile Justice System, and apply for a private grant to assist in developing dispute resolution options and conflict management skills; and
  - Support three local courts in [Eldercaring Coordination](#) ("EC"), a national pilot program focusing on the care, needs, and safety of older adults. EC is the first dispute resolution program in the country for probate courts and is modeled after Parenting Coordination. EC projects an increase in probate court cases nationwide as the elderly population grows.
- *The Subcommittee on Education, Training and Experience of Mediators*:
  - Worked with the Dispute Resolution Section and the Judicial College to develop the first eLearning mediation course to meet part of the basic mediation training required by Sup. R.16. The eLearning went online July 1, 2017 and by year-end 215 individuals had completed the course. A new Fundamentals of Mediation Training was created and the subcommittee added content to address safety, security, implicit and unconscious bias, and appreciating differences.
  - Worked with Dispute Resolution Section staff and the Ohio Channel to create video vignettes to enhance access to justice by self-represented litigants. The educational videos will be available to local courts to demonstrate differences in settlement conferences, mediation, early neutral evaluation, and collaborative law.
  - Worked with the Dispute Resolution Section to begin updating the curriculum and course content of the Specialized Family and Divorce Mediation Training required by Sup.R. 16 for Domestic Relations and Juvenile Mediators.

- *The Subcommittee on School Attendance*
  - Created a School Attendance Toolkit to assist schools and juvenile courts in providing dispute resolution options for school-aged students at risk for involvement with the juvenile justice system. The Toolkit addresses the legislative requirements of HB410 (eff. April 6, 2017);
  - Supported the Dispute Resolution Section in applying for a grant from the JAMS Foundation administered by the Association for Conflict Resolution. The grant was awarded in December 2017 and will be used to develop a mobile web application for delivery of resources and provide evidence-based research measuring reductions in truancy and juvenile court referrals. The grant will be piloted in Greene County because it has one of the highest truancy referrals in the state. The mobile web application will be developed in partnership with, and maintained by, the Ohio Department of Education. Resolution Systems Institute out of Chicago will provide evidenced-based research for the pilot project.
  
- We conducted 21 rule-required training events over 44 days, with 514 attendees, nearly 300 of whom were attorneys, and conducted 13 roundtables for mediators, appellate mediators, and parenting coordinators.

The Commission would be pleased to welcome you to our meetings in 2018: January 26 (teleconference), April 13, July 20, and November 2.