

The Supreme Court of Ohio

MEMORANDUM

TO: Chief Justice Maureen O'Connor
Jeffrey Hagler, Administrative Director

CC: Magistrate Marcie Patzak-Vendetti, Vice-Chairperson, Commission on Dispute Resolution
Stephanie Elliott Hess, Deputy Administrative Director
Stephanie Graubner Nelson, Director of Court Services Division
Catherine Geyer, Manager of Dispute Resolution Section

FROM: Magistrate Richard Altman, Chairperson of the Commission on Dispute Resolution

DATE: December 14, 2020

RE: Commission on Dispute Resolution 2020 Annual Report

Pursuant to Sup.R. 16.09, Magistrate Richard “Dick” Altman, Fulton County Court of Common Pleas, 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 2020 annual report. The Commission appreciates the work of Catherine Geyer and the staff of the Dispute Resolution Section, Court Services Division, and the Judicial College for their assistance.

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.

2020 Activities and Accomplishments

The Commission met at the Thomas J. Moyer Ohio Judicial Center in January, and then via video-conference in April, and July. The Commission’s subcommittees also met via in-person meetings and conference calls throughout the year. The Commission worked with the Dispute Resolution Section to accomplish the following activities:

- *Dispute Resolution Training and Education:*
 - Prepared to host the second statewide Dispute Resolution Conference with a record-setting 517 participants expected, national plenary speaker Kenneth Feinberg, and 36 breakout sessions;
 - Converted all in-person mediation training from March to December into online platforms without the need to cancel a single training event;
 - Developed and hosted Foreclosure and Evictions Mediation Training and Settlement Events Training to help courts address backlogs;

- Created mediation content, templates, and forms for the Supreme Court of Ohio’s “Foreclosure and Civil Justice Report” and “Evictions Report”;
 - Added a video-conference roundtable to teach mediation best practices on Zoom and hosted mediator roundtable events for general civil mediators, family law mediators, and appellate mediators;
 - Researched and developed mediation guidelines for using Zoom and produced a mediation simulation on Zoom.
 - Developed safety and security tips for online mediation, tips for mediating online, and hosted individual Zoom mediation skills trainings;
 - Conducted national dispute resolution presentations at the ABA Section of Dispute Resolution’s Spring Conference on *Innovative Practices in Family Court Dispute Resolution and Handling Mediator Unruliness*.
 - Conducted 17 dispute resolution training events for court professionals over 38 days (including 36 via Zoom), with 230 attendees, about half of whom were attorneys;
 - Developed and hosted online learning in OhioCourtEDU for mediation fundamentals, advanced family/divorce mediation, and domestic abuse issues in mediation. 685 individuals completed the courses and there was a 28 percent increase in the number of people who took the Mediation Fundamentals online course; and
 - Began development of online learning for mediation in abuse, neglect and dependency cases.
- *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;
 - Prioritized strategic outreach and education to public officials throughout Ohio about GCRS;
 - Received 2145 views on the [Dispute Resolution Section GCRS web page 2017-2020](#); and
 - Sought public official input on training needs for dispute resolution programming.
- *The Subcommittee for Process and Procedure:*
 - Developed temporary rules for foreclosure and evictions mediation training and mediation training standards to assist with backlogs;
 - Created recommendations to update Parenting Coordination in Ohio consistent with national changes in 2019 to parenting coordination guidelines;
 - Initiated development of rules for a dispute resolution process called “Neutral Evaluation” also known as “Early Neutral Evaluation” in response to local court need;
 - Implemented amendments to [Sup.R. 16 Mediation](#) with the goal of ensuring quality programs and skilled mediators throughout the courts of Ohio. The proposed amendments were effective January 1, 2020; and
 - With the collaboration of members of the Advisory Committee on Domestic Violence, and following the successful 18-month pilot program to mediate certain types of civil stalking protection order (CSPO) cases, recommended the program be implemented on a statewide basis.
- *The Subcommittee on Strategic Planning:*
 - Planned the Court’s second statewide [Dispute Resolution Conference](#) to take place March 10, 2020 titled “*Civility and Solutions: Dispute Resolution for Today’s Courts;*”
 - Worked with the Dispute Resolution Section to develop and implement a statewide pilot program for Online Dispute Resolution (ODR) in foreclosure, evictions, small claims and family cases;
 - Developed advanced trainings and roundtables for courts and court-connected dispute resolution professionals;
 - Recommended permanent adoption of mediation in qualified civil stalking protection orders;
 - Created educational videos on court-connected dispute resolution options to enhance access to justice for self-represented litigants;

- Identified 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;
 - Implemented a second year of grant funding from the JAMS Foundation to continue development of a Web Application (an “app”) containing conflict resolution education for school-aged students at risk for becoming involved in the juvenile justice system; and
 - Supported local courts in implementing eldercaring coordination, the first dispute resolution program in the country for probate courts focused on the safety and needs of older adults.
- *The Subcommittee on Education, Training and Experience of Mediators:*
 - Recommended podcasts to share content from cancelled March 10 Dispute Resolution Conference;
 - Adopted new training program standards for mediators in family and divorce cases;
 - Implement online learning for domestic abuse issues in mediation hosted on OhioCourtEDU;
 - Developed and piloted updated curriculum for domestic abuse issues in mediation;
 - Created educational mediation videos to enhance access to justice by self-represented litigants. The educational videos explain concepts such as child protection mediation, school attendance mediation, peer mediation, limited scope representation, and dispute resolution programs for public officials; and
 - Worked with the Dispute Resolution Section and the Judicial College to develop online education for abuse, neglect and dependency cases, including an online module to complement the classroom learning.
- *The Subcommittee on School Attendance;*
 - Supported the Dispute Resolution Section in developing a school attendance pilot program, including the development of a Web Application (an “app”) through grant funding from the JAMS Foundation administered by the Association for Conflict Resolution. Rolled out the app in Delaware and Sandusky Schools which was in place when schools closed due to the coronavirus pandemic. The mobile web application was developed in partnership with, and will be maintained by, the Ohio Department of Education. Resolution Systems Institute in Chicago is providing evidenced-based research for the pilot project; and
 - Worked with the Dispute Resolution Section to develop a podcast on School Attendance dispute resolution in light of the coronavirus pandemic.

The Commission will meet four times in 2021: January 22, April 12, July 16, and November 19.