



COURT ADR

the eNewsletter of **Resolution Systems Institute**

CONNECTION

THIS MONTH AT RSI

RSI To Develop Child Protection Mediation Program

Recognizing that children who are removed from their home by the state due to abuse or neglect are at a critically fragile point in their lives, RSI is excited to announce that **the Illinois Equal Justice Foundation has provided RSI a grant to develop and administer a new child protection mediation program in Kane County, Illinois**. The new child protection program will offer families and the myriad professionals involved in these cases a more collaborative forum to plan for the safety and well-being of children.

This new program will be built on strong foundations that RSI has been laying for a long time. In 2010, RSI conducted an [evaluation of the Cook County Juvenile Court's Child Protection Mediation Program](#). Then in 2012, RSI developed a foreclosure mediation program in Kane County as part of a statewide initiative, supported by the Office of the Illinois Attorney General, to develop, administer and evaluate foreclosure mediation programs in Illinois. Together, RSI's expertise in child protection and experience with the Kane County Court will enable us to develop a quality program that responds to the needs of this particular community.

This program is being developed because stakeholders in Kane County sought it out. Judge William Parkhurst, who hears the abuse and neglect cases, has been a leading proponent of the program, as have the current and former presiding judges in juvenile court. RSI is working with stakeholders to draft and promulgate new court rules to govern the program. We are currently looking to hire a program assistant to support the administration of the program, as well as a professional in charge of mediator training and continuing education. We will need to implement software to manage cases and evaluate outcomes. RSI will recruit, train and provide malpractice insurance for a pool of dedicated and capable volunteer mediators, utilizing peer review, survey data and continuing education to ensure these mediators meet the high standards that are required of our programs.

It would be easy for us, being the data nerds we are, to get lost in

PROGRAM UPDATES

Congratulations to Kevin Malone on New Role!

RSI's Kevin Malone, formerly Program Coordinator for Illinois' 16th Circuit (Kane County) Mortgage Foreclosure Program, is now the Kane County Mediation Program Manager. In this new role, he will oversee the administration of both the mortgage foreclosure and newly-announced child protection (see "RSI to Develop Child Protection Mediation Program") mediation programs. Congratulations Kevin!

New Lake County Rules in Effect

On January 4, the 19th Judicial Circuit Court of Lake County, Illinois, [enacted new rules](#) for its Residential Mortgage Foreclosure Mediation Program. RSI worked with the Court to develop these rules as a way to improve the performance of the program.

Radio Stations Air Public Service Announcement for Foreclosure Mediation

the weeds when we discuss this new project. Thankfully, we are grounded in the real-world, family-level impact the Child Protection Mediation Program will bring to the people of Kane County. Children will hopefully spend less time in the foster care system and end up more quickly in stable homes. Families going through turmoil and hardship will be given the tools to work through the healing process and come together. All parties involved will have an opportunity to voice their concerns and work toward outcomes based on coordinated plans they work out together, with the help of a pair of trained co-mediators.

Our mission has always been to strengthen justice through court ADR, and we believe the new Child Protection Program will do just that for the Kane County families served by the program, and for everyone willing to learn from the lessons this program will teach. However, this is just the beginning, and we will need your help to bring the whole of our vision to life. Currently, we are seeking funds to help develop the training, evaluation and continuing education components of our mediator quality support system.

Please consider [making a tax-deductible donation](#) to support the Kane County Child Protection Mediation program. We greatly appreciate your support, and look forward to sharing future updates about our progress.

COURT ADR NEWS

Florida Courts Commit to ADR in 5-Year Plan

The [Florida judicial branch](#) has released its [2016-2021 Long-Range Strategic Plan](#). Of particular interest to ADR practitioners, court administrators and those concerned with legal reform, the plan provides for the “promot[ion of] the use of innovative and effective problem-solving courts and alternative dispute resolution processes” as a means to “identify and remove real or perceived barriers to better provide meaningful access to the courts.” The tie between ADR and access to justice is in line with calls from [RSI](#) and [Richard Zorza](#).

San Diego Renews Juvenile Diversion Program

Last month, the [San Diego County Board of Supervisors voted to extend funding](#) for a juvenile restorative justice pilot program. A joint initiative between the District Attorney, Probation Department, Public Defender and the [National Conflict Resolution Center](#), the City Heights Restorative Community Conference Pilot Project allows youths, many charged with battery, theft or vandalism, to avoid the juvenile justice system by working with their victims to

Program

In Boone and Winnebago Counties, local radio stations are airing a public service announcement to inform residents about the 17th Circuit’s Foreclosure Mediation Program. The 15-second radio spots will play throughout the month of January. Click to listen [in English](#) or [in Spanish](#).

FROM OUR BLOG

[Designing Access Part One: How RSI Used Outcome Measures to Reach Homeowners in Lake County](#)

Director of ADR Programs Hanna Kaufman describes how RSI utilized data acquired from program monitoring to develop a new plan of action for one of RSI’s foreclosure mediation programs.

[“The Big Short”: Meshing the Gears between Micro and Macro Forces that Drove the Housing Crisis](#)

Executive Director Susan Yates analyzes the fallout of the mortgage crisis, big picture and at the individual level, through the lens of the Oscar-nominated film.

QUICK TIPS

Fifty Shades of Court ADR

The CourtADR.org Resource Center’s Court ADR Across the U.S. (CADRATUS for short) has information and resources for all 50 states, as well as Washington, DC. [Click here](#) to find out what’s going in your state, or any other for

develop a customized plan for making amends. Over the first several months of its existence, [the program boasted 100% agreement and satisfaction rates](#) through 24 cases. The December vote established appropriations in the amount of \$200,000, with options to renew for each of the following four years.

Federal Judge Appoints Former FBI Director in Volkswagen Settlement

US District Court [Judge Charles Breyer has appointed Robert Mueller](#), who served as Director for the Federal Bureau of Investigations from 2001-2013, as Settlement Master in negotiations over class action suits brought against Volkswagen in connection with last year's [emissions scandal](#). Although Mueller has never served as a mediator or arbitrator and neither party included him among the names they submitted to the court, [neither side objected](#) to Judge Breyer's [January 11 order](#).

RESEARCH

Maryland Study Finds ADR Participants Feel Greater Empowerment and Satisfaction

In case you missed it, back in 2014, Maryland published findings about the effect of ADR on participants' taking of responsibility, empowerment and satisfaction with the judicial system. The preliminary report, [*The Impact of ADR on Responsibility, Empowerment, Resolution, and Satisfaction with the Judiciary: Comparison of Self-Reported Outcomes in District Court Civil Cases*](#), found several significant differences between those who participated in ADR and those who did not. The study looked at the impact of day-of-trial small claims mediation conducted by volunteers. In order to limit the effect of selection bias, it compared those who went through the mediation process to those who attended the court call when no mediator was present.

The study found that those who participated in mediation were more likely to say they could voice their concerns, that their issues were resolved and that they took responsibility for the situation. They also showed a greater shift toward disagreement with the statement that the "other people needed to learn that they are wrong" from before to after the process. Those who reached agreement in mediation rather than on their own were also more likely to be satisfied with the judicial system than any other group. This contrasts with those who reached agreement through unassisted negotiation, who were not more satisfied than those who did not reach agreement.

For more information, see the [two-page summary](#).

that matter.

HOW CAN WE HELP?

How Can We Help You? RSI offers a clearinghouse of information on CourtADR.org and also responds to requests for information. Do you have a question about court ADR?

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