

# The UCCR News

Volume 18

Winter 2007

## *Hold the Dates!*

### *UCCR Symposium, April 24-25, 2007*

The symposium theme this year is “*Opening Doors to Different Perspectives*”. Once again we will host the symposium at the Salt Lake Community College, Gail Miller Conference Center. We have a wonderful line-up of speakers and subjects, which promise to create a lively and interesting event.

Back by popular demand is Ken Cloke! He is returning for a plenary address on April 25th. Some of the other topics to be covered will be Motivational Interviewing, Brain Responses to Conflict, Kay Pranis will be presenting on a topic in the Domestic arena, and many more. The Symposium Committee is busily finalizing plans right now.

Each year we receive feedback time for networking at the symposium. This year, for the first time, we will be hosting a UCCR Social the evening of the 24th, directly following the symposium.

It will take place at the Marriott Courtyard and there will be drinks and snacks in addition to the great auction items. Keep your eye on the website for auction updates in the near future. Everyone is welcome to come to the social...whether you attend the Symposium or not.

Later in this issue you will find a nomination ballot for the Peacekeeper Award. Take a moment to think about whether you know someone deserving of this distinction. You can also find the ballot on the website home page at [www.uccr.net](http://www.uccr.net).

Hope to see you there!

***UCCR Social &  
Silent Auction  
April 24, 2007***

that there is not enough space for the first time with a Silent Auction on the close of the conference.

Courtyard and there will be great auction items. Keep your eye on the website for auction updates in the near future. Everyone is welcome to come to the social...whether you attend the Symposium or not.



*See page 4 for  
Legislative  
Updates!*

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## Chapter and Section Updates

### *Changes are afoot...*

The **Workplace Mediation Section** has changed their meeting time and date. They now meet the 3rd Thursday of each month at 5:30 p.m. Meetings are being held at the Matheson Courthouse.

The primary emphasis of the section is education and each month offers a very interesting and informative discussion. Recently James Christensen of ARUP Laboratories spoke about the implementation of a mediation program at ARUP.

The **Family Section** has been meeting at 5:30 p.m. on the first Thursday of each month at the law offices of Durham, Jones and Pinegar (111 Broadway, Suite 900) Parking is validated for those who park in the lot next door.

The Section has provided the opportunity for domestic mediators to discuss timely issues at the monthly meetings. Some of the topics discussed were: Debt and Divorce, Reframing, Parties who No Show, and more. We invite all mediators to join us for future discussions.

The Section is hosting a Fishbowl Divorce Mediation Seminar February 22, 2007. (See notice in this newsletter).

The **Utah County Chapter** is represented on the UCCR Board by John Pace. He can be reached at [John\\_Pace@byu.edu](mailto:John_Pace@byu.edu). The Utah County Chapter hosts Brown Bag lunches about 3 times a year and the next one is coming up soon.

Down South in our **Southern Utah Chapter** Bart MacKay is the new Board representative! He is anxious to get some things going down there...but he and his wife Angela gave birth to twins last week...so give him a minute to adjust before things start to happen. Bart can be reached at [Bartm@email.utcourts.gov](mailto:Bartm@email.utcourts.gov).

Anyone wishing to join either a Chapter or a Section must also be a member of UCCR.

Please contact Barbara O'Brien at (801) 685-UCCR (8227) or [info@uccr.net](mailto:info@uccr.net) and she will help you to sign up. Or, visit the website at [www.uccr.net](http://www.uccr.net) and register online.

## UCCR Brown Bag Lunch Meetings!

Brown Bags continue to be held the last Wednesday of each month 12:00 noon to 1:00p.m. at the Utah Law and Justice Center located at 645 South 200 East, Salt Lake City.



***The Brown Bag in January 2007 will take place in Ogden at the new Utah Dispute Resolution Office! In February the Law and Justice Center is unavailable due to Bar exams...so we will meet at the Matheson Courthouse. We resume at the L&J Center in March.***

***Reminder notices will be sent.***

***There will no longer be a charge for Non-UCCR Members to attend.***

If you or someone you know would like to present at a Brown Bag, or if you have a topic you would like us to address and want us to find a speaker, please let us know. Email [info@uccr.net](mailto:info@uccr.net) or call 801-685-8227 (UCCR).



*We are always looking for a good book review and interesting content for the newsletter! If you've read something lately or have something to share, please contact UCCR at [info@uccr.net](mailto:info@uccr.net) or 801-685-8227.*

## UCCR Family Section to host *Fishbowl Seminar* February 22, 2007



The UCCR Family Section will be hosting a "Fishbowl" Seminar, February 22, 2007, from 9:00 am sharp until approximately 3:00 pm. The cost is 30.00 for UCCR Family Section members, 40.00 for UCCR members not in the Family Section, and 50.00 for non UCCR members. It will be held at the Utah Law and Justice Center at 645 S 200 E, SLC. Lunch will be provided.

The Fish Bowl will model a divorce mediation from start to finish. Several different experienced mediators will conduct separate parts of a divorce mediation in a role play. The observers (you) will be able to experience the different styles and ways divorce mediation can be approached. Brian Florence and Natalie Threlkeld will be the divorcing couple. The separate parts of the mediation to be observed will include:

1. Opening Statements including Agreement to Mediate (demonstrated by Michelle Hawes and Marcie Keck)
2. Dealing with the high level of emotion that can be present in a divorce (demonstrated by Kathy Elton)
3. Parenting Roles and Responsibilities (demonstrated by Bill Downes)
4. Child Support & Alimony (demonstrated by Josh King)
5. Property and Debt issues (demonstrated by David Hamilton)

A debrief period will be provided after each part for questions and observations.

**Please register on the website at [www.uccr.net](http://www.uccr.net) or by calling 801-685-8227.**



*2007 Bills before the legislature that affect our community are:*

*SB 23, by Senator Bell seeks to amend Child Support Guidelines.*

*HB 37 by Representative Frank, Expedited Parent-Time Enforcement seeks to take the Co-Parent program at the Court Statewide.*

*HB 44 Motor Vehicle Insurance Arbitration Amendments by Representative Urquhart.*

*We'll keep you updated as the session progresses. You can track this legislation at <http://www.le.state.ut.us/session/2007/bills.htm>*



*Dan Becker receives Warren Burger Award from Mary McQueen and Chief Justice Christine Durham.*

Utah State Court Administrator Daniel Becker has been named recipient of the National Center for State Courts' (NCSC) Warren E. Burger Award. This award, which bears the name of the former Chief Justice of the United States who helped found the NCSC, is one of the most prestigious awards presented by the National Center. The Burger Award is presented annually to an individual who has made significant contributions to court administration, management, education, training, research, or consulting.

"Dan Becker is an outstanding leader in the nation's court community," said NCSC President Mary C. McQueen. "Dan's knowledge of the courts, combined with his administrative experience and unwavering dedication to improving the justice system has positively impacted courts around the country."

*Those who say it cannot be done should not interrupt the person doing it.*

*Chinese Proverb*

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**KUDOS!**

*To David Dominguez, professor at Brigham Young University J. Reuben Clark Law School, won the Utah Minority Bar Association's Jimi Mitsunaga Excellence in Criminal Law or Pro Bono Award.*

*ℒ*

*Judge Paul Iwasaki, Utah 2nd District Juvenile Court, won the Utah Minority Bar Association's Distinguished Lawyer of the Year Award.*

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## *UCCR Board Makes Composition Changes!*

The UCCR Board has been growing and changing. In the last four years there have been some significant changes. For example, UCCR hired a part-time Administrator, two Sections have been formed, two Chapters have been formed, a community mediation center has formed in Park City, and the Utah Valley State College has begun offering courses in mediation.

In light of these changes, the UCCR Board found itself needing to reevaluate its composition in order to best represent the entire dispute resolution community and to be able to gather input effectively. The Board has approved the following composition.

### **12 Standing Seats for ADR organizations:**

**State Court** - currently occupied by ADR Director, Kathy Elton

**Federal Court** - currently occupied by ADR Administrator, Michelle Roybal

**Utah State Government/Executive Branch** - currently occupied by Palmer DePaulis

**Community Mediation Centers** - currently occupied by Utah Dispute Resolution—Nancy McGahey (Community Dispute Resolution Center in Provo and the Mountain Mediation Center in Park City will

be contacted for their input)

**Higher Education Community** - currently occupied by U of U (Michelle & Len Hawes sharing one seat) (BYU, UVSC, Weber & Utah State will be contacted for their input)

**Law School Community** - currently unoccupied (representing the S.J. Quinney College of Law at the University of Utah and the J. Reuben Clark College of Law at Brigham Young University )

**Utah State Bar** - currently occupied by the DR Section of the Bar - Nathan Alder

**Two Practice Sections of UCCR** - Family and Workplace - currently occupied by Natalie Threlkeld and Mary Ann Erickson (NOTE: All practice sections will be granted seats on the Board)

**Collaborative Family Lawyers of Utah (CFLU)** - currently occupied by Brian Florence (NOTE: individual seat to be given to this organization due to uniqueness of ADR process in collaborative law. Other organizational seats to be assessed on one-on-one basis in relation to maximum allowable seats on Board)

**2 Standing Seats** to be geographically assigned (one for Northern Utah and one for Southern Utah) - currently unoccupied

**2 At-Large Seats on the UCCR Board**

These at-large seats will have a three-year term with one seat coming open each year - currently one is occupied by Kent Scott who is due to rotate off in 2007

**Optional 2 At-Large Seats** (2 seats held open that can be filled at any time) (May be filled by a Board member who is due to rotate off, but is an Officer whose term is not complete).

**Chapters of UCCR** - Utah County and Southern Utah - to have non-voting seats on the Board, but will attend meetings to lend input - currently held by John Pace and Bart MacKay.

**Board Officers** - an Executive Committee of the Board will be composed of the Officers. The Officers will be Chair, Vice-Chair and Past-Chair. The Officer positions rotate on a one-year basis with the Vice-Chair moving into the Chair position and the Chair moving into the Past-Chair position. Each year a new Vice-Chair is chosen. If the Past-Chair and Vice-Chair are the same person, the third member of the Executive Committee will be chosen by a majority vote of the Board for a one year term.

Currently the Chair is Nancy McGahey; Vice-Chair is Brian Florence; and Past-Chair is Michelle Roybal.

All terms rotate in September.

**UTAH STATE COURT  
MEDIATION PROGRAMS:  
VOLUNTEER MEDIATOR  
OPPORTUNITIES**

**RESTORATIVE DIALOGUE PROGRAM:**

- Juvenile Court Program is available in areas throughout the state.
- Volunteer mediators provide mediation sessions between perpetrators of crime and their victims.
- The purpose of the program is to give victims of crime the opportunity to meet their offenders, express the impact the crime had on their life, and ask questions related to the crime. The program also provides victims of crime the opportunity to become more actively involved in the justice process, they become involved in determining restitution for the offenders and the community service the offender should complete to restore the community.
- **To become involved in this program contact Bart MacKay (435 986-5754) bartm@email.utcourts.gov at the Administrative Office of the Courts.**

**LANDLORD-TENANT MEDIATION PROGRAM:**

- This program is available in Third District (Salt Lake County).
- Provides mediation services to landlords and tenants involved in eviction proceedings on Monday, Wednesday and Friday at 1:30 p.m.
- This program is a collaboration between the Community Action Program and the Administrative Office of the Courts.
- **To become involved in this program contact Josie Turner at the Community Action Program (359-2444 ext. 225).**

**LAW AND MOTION PROGRAM:**

- Volunteers mediate landlord tenant and debt collection issues.
- Program located at the West Jordan Courthouse, the Matheson Courthouse, and at the Layton Courthouse.

- To become involved in this program contact Kathy Elton for West Jordan and Layton (801 578-3982) kathye@email.utcourts.gov. Contact Russ Osguthorpe for the Matheson program at Utah Dispute Resolution (801 532-4841) or UDR@utahstatebar.org.

**TRUANCY MEDIATION PROGRAM:**

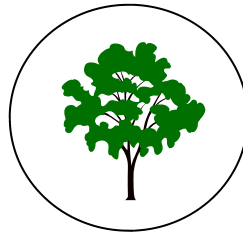
- Implemented in school districts across the state.
- The purpose of the program is to divert truancy cases from entering the juvenile court system.
- The program utilizes trained volunteer mediators from the community to complete the mediation sessions at the school.
- The program is a collaboration with the Juvenile Court and the participating school districts.
- **To become involved in this program contact Bart MacKay (435 986-5754) bartm@email.utcourts.gov or Sherri Hannon (801 578-3974) at the Administrative Office of the Courts.**

**SMALL CLAIMS MEDIATION PROGRAM:**

- This program is available in the Third (Salt Lake County) and Fourth (Utah County) Judicial Districts.
- Disputants in small claims cases are given the opportunity to mediate the case prior to a court hearing.
- The program utilizes volunteer mediators who are available at the time of the court hearings.
- This program is a collaboration between the Administrative Office and Utah Dispute Resolution (3rd District, Salt Lake County) and The BYU Law School (4th District).
- **To become involved in this program contact: Russ Osguthorpe at Utah Dispute Resolution (532-4841) for Third District (Salt Lake County); Susan Bradshaw at BYU Law School {(801) 378-2159} for Fourth District.**

*Understanding and love are values that transcend dogma.*

*Thich Nhat Hanh*



## *UCCR 2007 Peacekeeper Nomination Ballot*

***Please take a moment to consider whether you would like to nominate someone for this honor. Deadline for submissions is March 9, 2007. Mail Ballot to UCCR at PO Box 521656, SLC, UT 84152.***

**Criteria for Nomination:** An individual who has made a significant contribution to the ADR community of Utah and who fulfills the mission statement of UCCR. (See below.)

**Name of person being nominated:**

*Please Use an Additional Page if Necessary*

Why do you think this person deserves this Award?

Please describe your nominee's professional and community service contributions to the ADR field.

**Name of person submitting nomination:**

Phone:

Address:

Date:

### **MISSION STATEMENT**

*The Utah Council on Conflict Resolution (UCCR) is a statewide umbrella organization for all persons interested in enhancing the network of professionals performing or promoting conflict resolution in the state of Utah. The UCCR is committed to serving the community by strengthening the professionalism and integrity of the practice of conflict resolution in Utah. This will be conducted through education and participating in related public policy making.*

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*Character—the willingness to accept responsibility  
for one’s own life—is the source from which self-  
respect springs.*

*Joan Didion*

**The Utah Council on Conflict Resolution**

P.O. Box 521656  
Salt Lake City, UT 84152-1656

**UCCR Board of Trustees**

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Michelle M. Roybal, Past-Chair  
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Kathy Elton	Kent Scott
Mary Ann Erickson	Natalie Threlkeld
Leonard C. Hawes	

***Check out the UCCR  
Calendar and more at  
[www.uccr.net](http://www.uccr.net)***

If you would like to join UCCR, please  
contact Barbara O'Brien  
at (801) 685-UCCR (8227) or  
[info@uccr.net](mailto:info@uccr.net)  
Visit [www.uccr.net](http://www.uccr.net) for more information.