

NATIONAL EVALUATION OF THE
NEIGHBORHOOD JUSTICE CENTERS
FIELD TEST

(78NI-AX-0012)

IMPLEMENTATION STUDY

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ADDENDUM

On January 1, 1979, the Washington Office of the Institute For Research became an independent organization, the Institute for Social Analysis (ISA); the NJC evaluation grant and all staff and facilities were transferred to ISA.

ABSTRACT

This report is a summary of the Implementation Study, the first of four studies that comprise the evaluation of the Neighborhood Justice Centers Field Test. It presents information on the implementation activities of the three Neighborhood Justice Centers (NJC) from a point well before grant award to shortly after they became operational. The implementation process for each NJC (Atlanta, Kansas City, and Los Angeles) is described in detail; project activities directed to staffing, mediator selection and training, development of referral sources, and case management are included. In addition to describing the implementation processes and problems, several issues were identified which have implications for future efforts in this area. These issues include: (1) underlying Center philosophy or perspective, (2) the designation of the governing organization, (3) the selection of a Project Director, (4) approaches to mediator training, (5) the development of referral sources, and (6) the degree of coercion used to attract cases.

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PREFACE

The resolution of minor disputes among citizens has traditionally been the province of the courts and other institutions, such as the family and the church. However, most courts are heavily burdened with cases, and the other institutions no longer help to resolve disputes as they once did. In addition, it is thought that the formal, adversarial nature of the adjudication process may be inappropriate for resolving disputes which are largely interpersonal. Thus, in recent years alternative means have been developed for the processing of a variety of minor disputes. This movement has culminated most recently in the Neighborhood Justice Center Field Test.

Neighborhood Justice Centers (NJC) are designed to process minor disputes through mediation and arbitration, rather than through formal court action. Such Centers may be more appropriate forums than the courts for achieving fair and lasting resolutions of disputes among citizens, and they may also help to relieve the court caseload. The NJC concept is being tested over an 18-month period by the establishment of three NJCs located in Los Angeles, Kansas City, and Atlanta.

This Report presents the findings of the Implementation Study. The Implementation Study is one of four major components of the National Evaluation of the Neighborhood Justice Center Field Test. Future reports will present the findings of (1) a process study, (2) an impact study, and (3) a cost study. These other evaluation efforts are now underway and results will yield data related to the NJCs' impact on both the disputants and the criminal justice system.

The study was designed to provide an accurate description of the implementation phase so that future efforts can learn from the experiences of the experimental program. It should be emphasized that the Implementation Study was not intended to provide quantitative information regarding NJC operations or impact, but to document the initial planning and development activities at each of three sites. The later studies will attempt to tie these findings to program outcomes. The Implementation Study covers the period beginning with the early developmental work by the Department of Justice's Office for Improvements in the Administration of Justice and LEAA's National Institute of Law Enforcement and Criminal Justice, and concludes a few months after the opening of the Centers.

This Report includes an Introduction, which describes the historical and methodological context of the study; an account of the early activities involved in developing the NJCs at the Department of Justice and LEAA; and a summary of the implementation process at the three NJCs and a discussion of significant implementation issues. The major portion of the Report provides a detailed description of the implementation process at each Center.

ACKNOWLEDGEMENTS

This report could not have been written without the cooperation and support of several dozen people throughout the country. To those individuals either directly or indirectly involved in the Neighborhood Justice Centers in Atlanta, Kansas City, and Los Angeles, we at IFR extend our sincere appreciation.

We attempt to list below those who contributed most directly to this effort, but in doing so recognize that we probably are omitting some who certainly should be recognized.

Within LEAA's National Institute of Law Enforcement and Criminal Justice, Mr. Martin Lively was consulted on numerous occasions concerning early and on-going work to develop and monitor the NJC field Test sites. In addition, Dr. Richard Rau, Ms. Cheryl Martorana and Ms. Mary Ann Beck also provided useful input.

Mr. John Beal, of Department of Justice's Office for the Improvements in the Administration of Justice, served as an invaluable resource in detailing the involvement of that Office in the development of the NJC program.

In Atlanta, the NJC's Executive Director, Mr. Linwood Slayton, Jr.; his staff; Mr. David Crockett, President of the Neighborhood Justice Center of Atlanta, Inc.; and Mr. James Booker and Mr. Jack Thompson, members of the Board of Directors, all contributed significantly in describing and documenting their early work in that city.

In Kansas City, Mr. Maurice Macey, the project's Director; his staff; Mr. James Reefer; Mr. Alvin Books; and Major William Ponessa of the City took their valuable time to relate their developmental activities.

In Los Angeles (Venice/Mar Vista), Mr. Joel Edelman, the Director of the NJC program, and his staff, along with Mr. Robert Carlson, Chairman of the Board of Directors, and Dr. Earl Johnson from the Board were helpful in describing their implementation activities.

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CHAPTER I: INTRODUCTION

Overview

The process by which an experimental program becomes established is a critical phase of program development and operation, but one which is often neglected in the conduct of an evaluation. Events which occur well before the onset of actual program operations -- selecting a Project Director and staff, locating a project site, etc. -- can have long-lasting effects on the shape and direction of a program. No less important are the establishment and evolution of basic program goals and procedures during the first few months of operation. Information on these early events can serve two important functions. It can provide an accurate documentation and description of the critical implementation phase, so that future efforts can learn from the implementation experiences of the experimental program -- indeed, that is the main purpose of this report. It can also help to identify certain events which may later deserve attention as potential antecedents of program outcomes.

This report presents the findings of the Implementation Study conducted as part of the National Evaluation of the Neighborhood Justice Centers Field Test in Atlanta, Kansas City, and Los Angeles (Venice/Mar Vista). It presents information and data on the implementation activities of the three NJCs from a point well before grant award to shortly after the opening of the Centers. These activities included locating a project site, recruiting and training staff and mediators, establishing relationships with the courts and other elements of the local criminal justice system, developing linkages with community agencies, developing the mechanisms to case flow -- outreach, intake, case assignment and disposition -- and addressing internal organization and management concerns. The Implementation Study began as the Centers became operational and continued for approximately five months. However, much of the study was retrospective, attempting to capture the full history and development of the Centers, throughout the year preceding operations.

Although this study occupies an important role in a comprehensive evaluation, it should be noted that its objectives are rather specific and limited. In particular, the reader should not expect to find detailed information about disputant characteristics, caseloads, or conclusions about the effectiveness of the Centers. The Process Study Report will provide data on disputants and Center operations; outcome data and statements about Center effectiveness will be found in the Impact Study Report. As the initial effort in a series of four studies, the Implementation Study was designed to be more descriptive than evaluative. The objective was to document and record the implementation activities, not to provide conclusions about program impact..

In order to view the findings of the Implementation Study in the proper light, it is important to be aware of the context -- both conceptual and methodological -- in which this study is imbedded. Therefore, this chapter will present a background discussion of dispute resolution and Neighborhood Justice Centers, followed by a description of the overall evaluation approach, ending with a description of the objectives and methods of the Implementation Study.

The next chapter will briefly describe the history of the development of the NJC Field Test, from initial concept to grant award and project preparation. Chapter III will present a description of the implementation process across the three sites, and will discuss some salient issues and implications. The remaining chapters provide separate detailed histories of each Center, including governing board functions, staff recruitment and training, mediator selection and training, administrative policies and procedures, methods for soliciting disputants, and the case management process.

Dispute Resolution: A Brief History

For many citizens, the urban judicial system is a foreboding, somewhat mysterious institution whose costs and arcane workings make it practically inaccessible. If the citizen steps into this system, he may find that the costly adjudication process moves at a disturbingly slow pace and that the control of events falls into other hands. Any sense that justice has been delivered is often overwhelmed by feelings of frustration and powerlessness; that one has been dealt with by strangers rather than served by a segment of the community.¹ Such negative experiences seem particularly frustrating and inappropriate for the handling of disputes among citizens. For minor property disputes, disputes between couples or neighbors, etc., the traditional adjudication routes seem especially cumbersome and alienating, given that the problem is largely interpersonal and somewhat routine.

The courts have not actively sought to become the central institution for dispute resolution; rather the task has fallen to them by default as the significance and influence of other institutions has waned over the years.² Many of the disputes which are presently brought to the courts would have been settled in the past by the family, the church or the informal community leadership.³ While the current role of these societal institutions in resolving interpersonal disputes is in doubt, most individuals take their cases to the courts.

Problems with dispute resolution. The current use of the courts to process disputes presents several problems, including (1) limited access and utilization, (2) delays and dismissals, (3) inappropriate use of adjudication, and (4) the centralized bureaucracy. These problems are discussed below.

Limited access and utilization. The citizen who wishes to use the courts to resolve a dispute must be willing and able to pay for legal fees and court costs and to absorb the loss of wages for court appearance. For a broad

¹Danzig, Richard. Toward the creation of a complementary decentralized system of justice. Stanford Law Review, 26, 1973, 1-54.

²Although the Small Claims Courts in some areas appear to be capable of handling interpersonal disputes in a competent manner, as reflected in the article: Yngvessen, B. and Hennessey, P. Small claims, complex disputes: A review of the small claims literature. Law and Society Review, 9, 1976.

³Sander, Frank. Varieties of dispute processing. Federal Rules Decisions, 70, 1976, 79.

band of the American populace, such an economic sacrifice is unthinkable, particularly if the dispute does not involve substantial property or payment.⁴ However, even if access to courts is improved, there is no assurance that they will be utilized by such citizens for dispute resolution. Many citizens, particularly minorities and the disadvantaged, may perceive the courts as alien institutions, unresponsive or even punishing. These people may prefer not to bring their disputes to the courts even if no costs were involved.

Delays and dismissals. Once in the system, the individual experiences extremely lengthy delays of months and sometimes years for the resolution of disputes, both civil and criminal. These delays can be unbearable for the disputant, but they are also reflective of the severe difficulties which courts experience in attempting to process the dispute cases. Often cases are partially processed through the system only to have the charges dismissed. Even in felony arrests for crimes against the person, a large proportion of charges are dismissed because the complainant had an on-going relationship with the defendant.⁵ After cooling off, the complainant no longer wishes to charge the defendant, who may be a relative or close acquaintance.

Inappropriate use of adjudication. For many disputes, the question is not a simple one of who is right or wrong, but rather which compromises and accommodations each party is willing to make. The conventional adjudication process is highly adversarial in nature, a competitive winner-take-all procedure which is not conducive to compromise and agreement.

The centralized bureaucracy. The average citizen does not view the urban court as an integral, valued element of his neighborhood or community, staffed by recognizable friends and neighbors. Instead the courts are seen as another impersonal government agency, populated by unknown individuals who may have never visited the citizen's neighborhood. He or she may be very reluctant to turn to a collection of strangers with a personal or interpersonal problem.

Alternative dispute resolution techniques. When a dispute arises, there are basically three options which an individual may exercise to settle the dispute: (1) unilateral actions on the part of a disputant, (2) dyadic options in which the two disputants confront one another, and (3) third party techniques.⁶ Adjudication is included in category (3), as are mediation and arbitration.

Unilateral actions include self-help, such as a cognitive redefinition of the problem, but also include inaction and active avoidance. Felstiner points out that complaints by individuals against large organizations are often "lumped" because the average individual has no influence on the organization and, in

⁴Nader, Laura and Singer, Linda. Dispute resolution, California State Bar Journal, 51, 1976, 281.

⁵Vera Institute of Justice. Felony arrests: Their prosecution and disposition in New York City courts. New York: Vera Institute.

⁶McGillis, Daniel and Mullen, Joan. Neighborhood Justice Centers: An Analysis of Potential Models. United States Government Printing Office, 1977.

fact, is somewhat dependent on the organization.⁷ In motivational terms, the probability of payoff and the size of the payoff are not worth the economic and personal costs to the individual. Felstiner distinguishes between inaction, where the relationship between the disputants continues, and "active avoidance", where the individual does not attempt to resolve the dispute, but makes an effort to avoid future disputes by withdrawing from the relationship. He suggests that such responses are often acceptable in technically complex rich societies where there are often alternative relationships, social and economic, available to the individual. If one has a dispute with an employer, a merchant, or a spouse, the individual may simply drop one and choose another. Danzig and Lowy have contended that such a response to disputes exacts high personal and societal costs.⁸ Indeed, one may speculate that inaction encourages the continuance of irresponsible organizational practices toward individuals and that active avoidance erodes the cohesiveness of communities and institutions. Thus, these unilateral actions do not appear to be satisfactory alternatives to adjudication. The dyadic options of coercion and negotiation would appear to be less common responses to disputes. Coercion requires that a disputant can credibly threaten an opponent into compliance. If coercion is attempted, it can flare into a greater dispute and possibly result in injury or damage. Negotiation is a rather attractive avenue for dispute resolution, but it usually requires that the disputants are mutually dependent, willing to compromise, and able to conduct negotiations without the presence of a third party.

It appears that the unilateral and dyadic responses to disputes are unattractive, improbable, or both. In this regard, third party resolution techniques -- short of adjudication -- have been viewed as the most feasible and satisfactory alternatives to the judicial system. Specifically, conciliation, mediation, and arbitration have been proposed (and adopted in a limited fashion) as appropriate techniques for dispute resolution. The major distinction among the three types of strategies is made along a continuum of third party involvement.⁹ In conciliation, the third party has a very limited role, whereas mediation involves the active participation of the third party. In contrast to these strategies, arbitration involves a third party decision regarding the matter in dispute. These strategies appear to fulfill most of the desired attributes of a dispute resolution process. Little formal training is required, so many lay members of a community can be used as mediators or arbitrators. The process itself is rapid, typically requiring no more than 2-3 hours of hearings. Agreements are usually written which involve some compromise from each disputant, rather than attempting to determine guilt or innocence. In short, mediation/arbitration seem to be the most attractive techniques for dispute resolution, seemingly exhibiting advantages over both adjudication and the unilateral and dyadic options.

⁷ Felstiner, William. Influences of social organization on dispute processing, 9 Law and Society Review 63, 1974.

⁸ Danzig, Richard and Lowy, M. Everyday disputes and mediation in the United States: A reply to Professor Felstiner, 9 Law and Society Review 675, 1975.

⁹ McGillis and Mullen, Op. Cit.

Recent approaches to dispute resolution. Mediation and arbitration as methods of dispute resolution have been available and utilized by courts, police, and other criminal justice agencies for decades. Juvenile courts in particular have over the years relied more and more on arbitration and other forms of dispute settlement to assist in handling the tremendous volume of cases brought before them. It was not until the last few years that formal programs have been funded to provide alternatives to traditional adjudication of minor dispute cases, and at least 30 or so of these projects are in operation at this time. These projects, while linked by their use of mediation and arbitration as tools for resolving disputes, have unique characteristics that distinguish themselves from one another. One factor that readily identified these projects is their relationship with the local courts, as partially defined by their sponsoring organizations. These agencies vary in terms of their organizational structures -- from private non-profit corporations to court sponsored programs.

Since the early 1970's several interest groups have been involved in developing and implementing dispute resolution programs.¹⁰ The Night Prosecutor Program in Columbus, Ohio, started in 1971. It was the first formal program with local LEAA funds to attempt to mediate interpersonal and bad check disputes. This project, sponsored by the City Attorney's Office, works directly with the courts in handling its cases. In 1972 the American Arbitration Association was instrumental in establishing a 4-A project in Philadelphia. The project was designed to work directly with the Municipal Court, handling cases of harassment, minor assaults and malicious mischief. Since that time the American Arbitration Association has developed similar projects in such locations as Rochester, New York, and San Francisco, California, each working closely with the courts.

The American Bar Association has demonstrated its interest in mediated resolution of minor disputes by working with the Miami Circuit Court in establishing the Citizen Dispute Settlement Program in 1975 and with a similar project in Orlando, Florida, in that same year. These projects work directly with the courts, as well as accepting referrals from the police and prosecutor's offices. The Institute for Mediation and Conflict Resolution (IMCR) established a dispute resolution center in New York in 1975. This private, non-profit organization developed a project that accepts referrals from the police, the Summons Court, the Criminal Courts, and walk-ins. The project has placed staff members in the courts to insure that cases appropriate for mediation are referred to the Center. Also in 1975, the Boston Urban Court Program was funded by LEAA, through a non-profit organization, the Justice Resource Institute. The project has established a formal relationship with the courts so that a majority of cases are referred from the Bench or Clerk's Office. One project developed within the past year or so has been designed to solicit cases primarily from community sources rather than from the courts. The Community Board Project in San Francisco, funded by private foundations, has devoted much of its resources to working with local neighborhoods so that cases will be mediated within their local communities.

Thus, the dispute resolution projects funded through the early and middle 1970's can be viewed along a broad spectrum representing affiliations with

¹⁰ McGillis and Mullen, Op. Cit.

either the courts and criminal justice agencies, or with the communities in which they are located. With very few exceptions, all the projects accept cases from many different sources of referral including walk-ins, private agencies, as well as those that are court processed. However, as the projects evolve over time they tend to affiliate themselves with a source of clients who will benefit most from the services they have to offer. Projects such as the Columbus Night Prosecutor or the Miami Citizen Dispute Settlement programs are strongly associated with the courts, while the San Francisco Community Board project represents a program with close ties to the community. Most of the other projects mentioned above probably cluster around the end of the spectrum representing affiliation with the courts and criminal justice system; however, they also accept cases from community agencies.

With few exceptions, there has been very little formal evaluation conducted with the dispute resolution programs to date. Since many of the projects were funded with local LEAA block grant monies, there usually was no requirement to perform a comprehensive evaluation of the programs. However, several of these efforts have been evaluated or are currently in the process of being evaluated. The Night Prosecutor Program of Columbus, Ohio, underwent extensive review when it was being considered as an exemplary project by NILECJ.¹¹ An evaluation approach as well as program operations were outlined for those interested in replication. An evaluation was conducted of Philadelphia's 4A project by Blackstone Associates in 1975.¹² The Citizen Dispute Settlement Center in Miami, Florida, was evaluated by members of the Dade County Criminal Justice Planning Unit in 1977,¹³ and the Orlando, Florida, project was reviewed by a team of evaluators funded through the American Bar Association.¹⁴ Two other evaluation efforts, now underway, promise to provide much more data on not only the process of mediation, but also on the comparative effects between community dispute resolution and more formal judicial systems. One of these is a random assignment, control group study of mediated felony cases in IMCR's Brooklyn project, conducted by the VERA Institute; the other involves a comprehensive analysis of the Boston Urban Court Project, conducted by the Social Science Research Institute, University of Southern California.

The development of the Neighborhood Justice Center concept. The dissatisfaction with traditional adjudication as a means of resolving disputes -- reflected in the above projects -- has been led to considerable discussion regarding the nature of the mechanism or body which would most effectively perform the function. The foundation for the concept of Neighborhood Justice Centers was laid down by Danzig in his proposal to establish "community moots",

¹¹ NILECJ, Citizen Dispute Settlement, An Exemplary Project. Washington, D. C., 1974.

¹² Anno, B.J. and Hoff, B.H. Refunding Evaluation Report. Blackstone Associates, 1975.

¹³ Moriarty, W.F. and Norris, T.L. Evaluation: Dade County Citizen Dispute Settlement Program. Dade County, Florida, 1977.

¹⁴ Conner, R.F. and Surette, R. The Citizen Dispute Settlement Program. American Bar Association, 1977.

neighborhood-based non-coercive forums which would settle a variety of disputes without attempting to establish guilt or innocence.¹⁵ These moots would be accessible -- even attractive -- mechanisms for all classes of citizens. The major criticisms leveled at the concept of community moots is that without some coercive power, they are likely to be unworkable. In recognition of this deficiency, Fisher has proposed "community courts" composed of elected community members who would exercise a variety of sanctions, from restitution to eviction.¹⁶ McGillis and Mullen have suggested that such coercive powers are extreme; that community courts may "readily decline into the legendary forums often associated with Australian marsupials".¹⁷ Recently, Sander proposed the development of Dispute Resolution Centers, which would provide an intermediate option between Danzig's non-coercive community moots and Fisher's highly coercive community courts.¹⁸ These Centers would be similar to community moots but would be a government agency with close ties to the courts and could also provide binding arbitration when mediation failed.

Thus, the Neighborhood Justice Centers can be seen as having roots in both the recent dispute resolution projects and in these influential writings.

The Neighborhood Justice Center Field Test

During 1977, the National Institute of Law Enforcement and Criminal Justice (NILECJ) in coordination with the Office for Improvements in the Administration of Justice (OIAJ) developed a program for an experimental field test of Neighborhood Justice Centers. The Centers, located in Atlanta, Kansas City and Los Angeles (Venice/Mar Vista) were designed to resolve minor disputes among citizens using the process of mediation and/or arbitration in lieu of going to court.

At the 1976 meeting of the National Conference on the Causes of Popular Dissatisfaction with the Administration of Justice, much of the discussion centered around developing alternatives to dispute resolution, in order to relieve the courts of a burden that they are not really equipped to satisfactorily handle. In a follow-up task force to the Conference, chaired by Judge Griffin Bell, a recommendation was made that the development of neighborhood justice centers should be encouraged as a means of providing an alternative mechanism to adjudication.

Soon after becoming Attorney General, Mr. Bell directed that a pilot implementation program for the neighborhood justice center concept be developed. Initial conceptualization of the program was turned over to the newly created Office for Improvements in the Administration of Justice (OIAJ), and the final design and field test implementation was then developed by the National Institute's Office of Development, Testing, and Dissemination.

¹⁵ Danzig, Richard, Op. Cit.

¹⁶ Fisher, Eric. Community courts: An alternative to conventional criminal adjudication. American University Law Review, 24, 1975, 1253-1291.

¹⁷ McGillis and Mullen, Op. Cit.

¹⁸ Sander, Op. Cit.

The staff of NILECJ analyzed existing research and the experiences of six selected dispute centers, identifying several aspects of project operations which guided the structure and development of the NJC model. These key aspects address the issues of the project objectives, community served, sponsoring agency, location, case criteria, referral sources, intake, resolution techniques, staffing, and case follow-up and evaluation.

The overall objectives of the NJCs, as stated by the NILECJ guidelines were (1) to establish a mechanism in the community to resolve minor criminal and civil disputes through the mediation process, (2) to impact court case-loads by resolving disputes which are inappropriate for the adversarial process, (3) to enable the disputing parties to arrive at fair and lasting solutions, and (4) to serve as an information and referral source for disputes which would be more appropriately handled by other services or agencies.

It was also suggested that the grantee be either a public agency or a private non-profit organization with prior experience in managing government grants, and that the Field Test was to operate for a period of 18 months within each site. The specific office location of the NJC was to be within a neighborhood, identifiably separate from the formal court system, and easily accessible to the community population.

The guidelines for case criteria were broad -- the Centers were to focus on a wide range of disputes between individuals residing in the neighborhood, particularly those who have an ongoing relationship. Cases were to be accepted from a wide variety of referral sources, including the courts, prosecution offices, police, other public or private agencies, and self-referrals.

A number of cities were considered as potential locations for the NJC field tests, and three were ultimately chosen -- Atlanta, Kansas City, and Los Angeles. These locations provided the desired variety in terms of geography and size. A potential grantee in each city was identified to develop the application, initiate and coordinate development and implementation activities, and oversee project operations. The three NJCs were structured to be similar but not identical, in order to provide multiple models of dispute resolution for study.

Central Issues for the Evaluation of Neighborhood Justice Centers

In order to assess the strengths and deficiencies of the Neighborhood Justice Centers, a separate evaluation grant was awarded by NILECJ to the Institute For Research (IFR) shortly after the three test sites were funded. It is the National Evaluator's responsibility to conduct an independent assessment of the Field Test. This evaluation is designed to address several key issues and questions, most of which pertain to the effectiveness with which the Centers handle the critical problems of dispute resolution. These issues are discussed below.

Access and utilization of the NJC. Guidelines developed by NILECJ indicated that the NJCs are to be accessible to, and utilized by, a broad range of socio-economic and ethnic groups. The characteristics of disputants who use the NJC should roughly reflect the make-up of the community. Minorities should use the Centers, but so should other ethnic groups; the poor should use the Centers, but so should the more affluent. Access and utilization may be

influenced by the demographic make-up of the Center staff, mediators and advisory board. They may also be influenced by the image which the Center develops in the community and the relationships which it builds with key community agencies and organizations. It will probably not be enough that the Centers are accessible to the broad public. If they are to be utilized, they may also have to project a clear image of accessibility to the public, an image that communicates quality justice, concern for citizens' problems, and openness to all residents. A similar image should probably obtain with those community agencies from which the Centers seek referrals.

A related question concerns the degree to which the Centers build and maintain close ties with established judicial systems, and what effect such ties will have on their ability to attract appropriate cases. If a Center builds close ties with police and courts, will it be seen by community residents as an appendage of the justice system? Would such an image lend an added aura of legitimacy to the Center, thereby increasing self-referrals, or taint its "neighborhood-grass roots" appeal and drive away potential cases?

Efficiency and satisfaction with the dispute process. The NJCs are expected to process disputes relatively rapidly, often scheduling hearings within days of the contact. The service is free, and hearings are to be scheduled so that the disputants will not be required to miss work. Core staff is small (5-6 full-time staff); mediators are volunteers from the community who are typically paid a small stipend (e.g., \$15 per session). Therefore, it is quite possible that the Centers will be a relatively efficient operation -- inexpensive and quick. However, although total budgets are small (about \$135,000 per year) compared to most urban agencies, they can quickly become expensive on a cost per case basis if the caseload remains small. And if disputes which are "resolved" in two hours flare up again in a few weeks, quick "resolutions" may be rather meaningless.

Finally, it is hoped that the disputants are satisfied with both the process and the outcome. Agreements should be long-lasting and should be viewed as just and fair by the disputants. Nearly as important, perhaps, is the impression of the Center which the disputants carry from the NJC. Did they feel that it was a helpful process that enabled them to retain their self-respect and dignity, or did they feel that it was simply another encounter with an impersonal agency?

Impact on the justice system. It has been generally thought that the NJCs will have a beneficial impact on the established justice system, but the extent and nature of the benefit has been the subject of some debate. Some believe that the Centers will handle many cases which would have gone through the courts, thereby reducing the court caseloads. On the other hand, others have suggested that most of such cases would probably have been dismissed anyway. Of course, the savings in time and money to the system would depend upon where and when the case was (or would have been) dismissed.

The police may be aided by the NJC in several ways. They may simply refer a dispute to the Center rather than feeling compelled to take the time to settle the dispute themselves or to take formal action. A referral to the NJC may enhance the likelihood that a previously recurring dispute may be settled with some degree of permanence. An NJC referral may also reduce the

amount of time the officer has to spend in court. However, to the extent that NJC resolutions do not hold, the police may be required to spend more time on a specific case than if it had been brought in for adjudication. The issue of NJC impact on the justice system is not a simple one of caseload reductions or police referrals. Assessing the impact will probably require detailed analysis of system operations supplemented by the careful application of experimental designs.

Degree of coercion. The extent to which the NJCs should have coercive powers has been an issue of much concern throughout the development of the NJC concept. The three models which laid the foundation for the NJCs were perhaps most clearly distinguishable from each other along the dimension of coercive powers. In their present state, however, the coercive powers of all the Field Test sites are almost entirely implicit. Referrals from the police, prosecutor or courts probably have the impression that if they do not settle their dispute at the NJC, there is a strong likelihood that their case will be adjudicated. The degree to which that impression is prevalent and accurate will be assessed in the evaluation, as will the source of such impressions.

Impact on the community. There is some belief that to the extent that justice centers are well integrated into the neighborhood and the community, they will have a broad beneficial impact on community life.¹⁹ If the residents feel some control and ownership of the NJC policy and operations, they will feel that the quality of justice has been enhanced and that the legal-judicial system and perhaps other community institutions are more responsive to the needs of citizens. Similarly, if minor disputes can be settled before they become serious, the NJCs may contribute to an overall reduction of conflicts in the community.

Contrary to this belief is the point of view that Neighborhood Justice Centers are limited in scope and resources to a degree that any broad beneficial impact on the community is not likely to be significant or measurable. NJCs deal with a relatively restricted range of community problems and can have little impact on the broad economic and social condition of residents. Furthermore, the Pilot NJCs do not have the large outreach staff which is probably required to generate and sustain broad resident support and participation.

NJC policies and procedures. In addition to the major issues discussed above, there are a number of questions to be addressed pertaining to the relative effectiveness of particular NJC policies and procedures. How will type of sponsorship affect NJC success? Which types of dispute cases will be most effectively attracted to, and processed by, the NJCs? What outreach and intake and screening procedures will be most effective? To the extent that there is variation in these policies and procedures within and among NJCs, such questions will be addressed by the evaluation.

¹⁹ Shonholtz, Raymond, Review of alternative dispute mechanisms and a government proposal for Neighborhood Justice Centers. San Francisco: Community Board Program, 1977.

The Evaluation Approach

The evaluation of the Neighborhood Justice Centers Field Test has the following major goals:

1. Determine to what extent the NJCs have established an effective alternative in the community to resolve minor disputes. This incorporates project objectives related to speedy and long-lasting resolutions of disputes and creating a beneficial impact on the courts.
2. Determine how well the Centers are attracting a variety of cases from both criminal justice and community sources of referral.
3. Explore whether or not the mediation process contributes to a reduction of conflict in the community.
4. Assess the responses to the NJCs from the community and the criminal justice system.

A set of 24 specific evaluation objectives has also been developed and weighted.²⁰

These goals and objectives are to be achieved through the conduct of four studies during the Field Test. These studies include (1) the Implementation Study, (2) the Process Study, (3) the Impact Study and (4) the Cost Study. The Implementation Study is, of course, the focus of the present report. The Process Study will involve an assessment of the characteristics of Center cases -- client types, referral sources, and case disposition -- as well as a documentation of dispute resolution procedures. The Impact Study will assess the impact of the Centers on disputants, elements of the criminal justice system, and the community. The Cost Study will provide estimates of program costs and, to the extent possible, will compare program costs with those of traditional dispute resolution mechanisms such as the courts.

The four studies are being conducted somewhat chronologically, with a great deal of overlap during the study development phases. The Implementation Study just completed was first. An Interim Report for the Process Study is currently being developed so that this information will be available for review by the staffs of NILECJ, OIAJ, and the Centers. Final reports for the Process, Impact, and Cost Studies will reflect accumulated data gathered throughout the duration of the 18-month demonstration period of the field test. The entire effort is being guided by an evaluation perspective which is characterized by the following features:

- Decision-making utility. The evaluation process is designed to provide information to program administrators which aids in

²⁰For further information on the derivation of goals and objectives and other details regarding the evaluation methodology, see National Evaluation of Neighborhood Justice Centers Field Test: Work Plan, May, 1978, Institute For Research, Reston, Virginia.

making both short and long-term policy decisions.

- Participation and feedback. Until recently, it was felt that the evaluator should be separated from the operational aspects of a program in order to maintain objectivity. Currently, however, an increasing number of both program managers and evaluators themselves are supporting the concept of participatory evaluation research. This implies a closer involvement of the evaluator in program development and greater use of feedback results by the program. In conducting an evaluation of a developing program, an interactive, responsive feedback relationship between the evaluator and program staff is especially appropriate.
- Evaluation Analysts. To insure that program data were collected and fed back to project management as described in the above point, local evaluation analysts were hired by IFR and placed in each of the three NJC project sites. They worked on a full-time basis and were responsible for developing, maintaining and extracting data related to project operations and outcomes. They provided that needed link between the National Evaluation project and the local realities and constraints under which these programs functioned.
- Emphasis on implementation and process data. Because of the developing nature of the programs, a large proportion of the evaluation resources is devoted to the collection and feedback of process and implementation data. This focus is seen as being particularly important if replications of the concept are anticipated; future NJCs should have detailed information on the problems and successes of implementation and operations.

Implementation Study Objectives

The specific objectives of the Implementation Study were the following:

1. A description of the historical and developmental events which preceded the establishment of the Center. This description includes the processes and procedures of grant development and application, the initial contacts with local organizations and agencies, and staff and mediator selection and training.
2. A documentation of the outreach activities. Outreach activities will include contacts with potential justice system referral agencies, social service agencies, and public relations activities directed toward the community at large.
3. The development and evolution of Center policy and procedures during the first months of operation. Activities and policies of the Center are described as they became established during the first few months of project operations. These descriptions

include broad policy formulations as well as the more specific procedures such as staff roles and responsibilities.

Implementation Study Methods

The basic approach used for the Implementation Study may perhaps be best described as a combination of conventional interview techniques with participant-observation methods. Most of the historical information about how the Center was developed and established was elicited through interviews with those individuals who participated in the development of the Centers. Supplementing these techniques were reports based upon the experiences and observations of the on-site Evaluation Analysts, interacting with the staff virtually every day during the first months of Center operations. Finally, assessment of training and mediator characteristics was accomplished through the administration of instruments to the mediators. The major data collection activities and topics included the following:

- Interviews with governing board members and sponsors: Initial grant development; process of grant and project formation, including selection of Project Director and Board members; perspectives on the role and purpose of the NJC.
- Interviews with LEAA and DOJ Officials: Initial site selection and grant development; pre-operational technical assistance and on-going monitoring of grantees.
- Evaluation Analysts' observations and recordings: Description of processes and procedures in the Center and how they developed -- intake, screening, and hearing scheduling, etc.; description of staff roles and responsibilities, how they develop or change over time; perspectives on policy formulations and changes over time; description of overall assessment of mediator training through the use of training effectiveness questionnaire.
- Analysts' interviews with the Project Directors: Staff and mediator recruitment and selection; staff and mediator training -- design, purpose, effects; initial contacts with local agencies and organizations -- types of agencies, purpose of contacts, results, etc.; initial general orientation, guiding philosophy on role of NJC; development of case processing procedures -- intake, hearing, referral.
- Analysts' interviews with center staff: Reactions to staff training experiences, including technical assistance training, mediator training, other in-service training; perceptions of role and purpose of NJC, reactions to basic structure and processes; type of staff activities and responsibilities, reactions to assigned tasks.
- Collection and analysis of memos and documents on program development, policies, and procedures: Description of processes and procedures in the Center (intake, hearing, referrals, etc.) as contained in memos and documents;

written statements of Center policies and goals; written agreements with community agencies and organizations; job descriptions delineating staff duties and responsibilities.

With the exception of the interviews with LEAA and DOJ officials, all the data collection tasks were performed by the on-site Evaluation Analyst. As interviews were completed, they were forwarded to IFR's Washington Office for content analysis and interpretation. Questionnaires for training assessment were administered by the Analysts and forwarded to Washington as well.

Approximately seven to twelve individual interviews were conducted at each project site. The Project Director's interview, for example, generally took two or more sessions to complete. In addition, historical documents had to be located. Individual appointments were made with each staff member as well as key governing Board members. Much of the required information (e.g., lists of outreach activities) had to be specially prepared. Other documentation (e.g., referral procedures) had to be located and updated if necessary. In IFR's Washington area office, the interview results, questionnaires, and personal observations were content analyzed, and a report outline was developed. Considerable verification and clarification took place before findings were incorporated into this report.

CHAPTER II: EARLY DEVELOPMENT OF THE NEIGHBORHOOD JUSTICE CENTERS PROGRAM

Although the NJC grants were awarded in November of 1977, developmental activities at the Department of Justice and at LEAA began almost a full year before that time. And as described in Chapter I, forces contributing to the NJC program had been gathering momentum for several years. In this chapter the early significant events of planning and development -- most of them based in Washington with the Department of Justice and LEAA -- will be described.

It should be noted that Attorney General Griffin Bell played an important supportive role throughout this early period. In February of 1977, shortly after his appointment as Attorney General, Judge Bell announced plans for the creation of the Neighborhood Justice Center Program. In July, 1977, he announced that three sites had been selected and that final grant applications were being prepared. At a press conference in January 1978, he responded to criticisms that the planned NJC program would not permit equal access to the judicial process. He stated that the program was developed not to deny access but to increase access by providing a means of alleviating the logjam in court caseloads. In addition, he affirmed that the program was being run by LEAA as an experiment, to see if it can work. His support of the program has been further demonstrated by his personal attendance to the official openings of two of the Centers.

It appears that the Attorney General's support of the developmental and experimental approach has helped to foster a professional atmosphere for NJC operations and has helped to underscore the importance of the evaluation. At the same time, his interest and support has placed the Centers under the spotlight of both the federal government and the press. While this attention has encouraged the program planners, sponsoring agencies, and project staffs, it has also put some pressure on those responsible for program operations since public attention has been focused on them from the beginning.

Initial Activities

Upon his appointment as Attorney General, Mr. Bell instituted the Office for Improvements in the Administration of Justice (OIAJ) and appointed Daniel Meador as Assistant Attorney General to direct its activities. The purpose of this unit was to initiate programs dealing with the structure and organization of the entire judicial system and with its processes in both civil and criminal cases, and to develop viable alternatives to courts. One of the first responsibilities OIAJ was given was to pursue the development of the neighborhood justice center concept as proposed by the Pound Conference Follow-up Task Force. OIAJ was asked to help develop the concept, provide a general focus, and coordinate activities within the Department of Justice.

By April, 1977, the general scope of the NJC program had been outlined by the Attorney General. On April 26, a memo from Attorney General Bell was

sent to the Acting Administrator of LEAA, Mr. James Gregg, asking him to assist in the development of the Neighborhood Justice Center Program, and to use LEAA resources to fund and evaluate the effort. In addition, a brief program description was included which had been prepared. Mr. Gregg assigned the developmental work to LEAA's National Institute, and Acting Director, Mr. Blair Ewing. The program was to use LEAA resources to fund, on an experimental basis, three Neighborhood Justice Centers in separate geographic sections of the country. Original estimates of each Center's budget were proposed at \$150,000, but that was later raised to \$200,000 in order to accommodate start-up time and to provide technical assistance.

Program Design

By May 3, 1977, an outline of proposed activities for the Centers had been developed and in a memo to Mr. Meador, Mr. Gregg presented recommended program elements along with an activities schedule. This outline had been prepared by a Task Force that had been formed by Mr. Ewing. The Task Force, chaired by Ms. Cheryl Martorana, head of the Courts Division, was to review the dispute resolution field and develop the design of the NJC Field Test. Other members of the Task Force from NILECJ included Mr. Martin Lively, Dr. Richard Rau, Ms. Mary Ann Beck, and Mr. John Carney.

The NJC Task Force asked the Criminal Justice Reference Service to pull together all the available information on dispute resolution, and Ms. Mary Ann Beck wrote a short paper on work in this field. The group then reviewed all of these resources, sharing their information with OIAJ, and began to discuss program development. Mr. Daniel McGillis and Ms. Joan Mullen were commissioned to study existing dispute resolution programs and recommend options for an NJC model. The Task Force worked with Mr. McGillis on the report findings which he had gathered from on-going projects in less than four weeks.

During the period of April to July, 1977, OIAJ staff worked on the NJC program description. In doing so they met with the American Bar Association's Committee on Resolution of Minor Disputes and other experts in the field. Numerous documents were reviewed including the descriptive report by McGillis and Mullen. Frequent consultation was maintained with LEAA's National Institute as various drafts of the NJC program description were being developed. Finally, in July, 1977, agreement was reached with the National Institute concerning OIAJ's version of the NJC description (Appendix A), and further work on the project's implementation was turned over to the National Institute's Office of Development, Testing, and Dissemination.

Using input from the above sources, the National Institute Task Force determined the scope and focus of the NJC Field Test. A program design was then finalized in mid-summer of 1977. During August, Mr. Martin Lively developed the final grant guidelines for the selected sites to use as they prepared their applications (Appendix B). The guidelines were reviewed and approved by the Task Force and OIAJ and sent to the three sites in late August. The Task Force then participated in reviewing the draft applications from the test sites as they were received and made recommendations for changes.

Selecting the Test Sites

During the April-July, 1977, period, OIAJ completed the selection of the three test sites. There were four informal criteria for selecting the sites:

1. The NJCs were to reflect a variety of geographic characteristics.
2. They were to have a diversity of sponsoring groups and/or agencies -- public or private.
3. The cities were to be receptive to the idea of an NJC program -- offering effective and cooperative administrative support.
4. The sites were to permit rapid establishment of the project.

Two of the project sites, Los Angeles and Atlanta, were identified relatively soon, since they fit the general criteria established by OIAJ. In May, 1977, the staff of OIAJ learned of efforts in the Los Angeles County Bar Association to develop a somewhat similar dispute resolution program and submit it to LEAA for funding. After meeting with representatives from the Bar Association, both OIAJ and the National Institute staff felt that Los Angeles would be an appropriate site.

In Atlanta, Judge Jack Ethridge and a group of interested citizens had indicated their interest in linking a neighborhood justice center project to the courts, and had formed a sponsoring group to operate the project. Thus, in late May, 1977, both Los Angeles and Atlanta were submitted to the Attorney General's Office by OIAJ as potential sites because of their geographic and sponsoring agency diversity. In early June, Attorney General Bell approved both sites for development, and a search for the third city continued.

In order to complement the two NJC sites already tentatively selected, OIAJ felt that the third site should either be in the midwest or north-east, and should be sponsored by a city government. When Kansas City was visited by an OIAJ representative, the City Manager, Mr. Robert Kipp, was enthusiastic about the concept, especially since the City, through the auspices of the Police Department, had operated a similar program a few years earlier. The private foundation funds that had been used to support that effort had run out and the project was terminated, but the City has remained interested in the concept. As a midwestern site with potential city government sponsorship, Kansas City was selected as the third site.

Mr. Martin Lively from the National Institute's ODTD, together with Mr. John Beal of OIAJ, visited the three sites in June, 1977. In Los Angeles they made a presentation to the L.A. County Bar Association, discussing program development, and assessing the preparedness of the Bar Association to sponsor the project. Later in June, visits were made to the remaining two sites, Kansas City and Atlanta.

In Los Angeles and Kansas City the sponsoring organizations were already formed and appeared able to handle the grant awards and fiscal

management. In Atlanta, however, an ad hoc group worked with the NILECJ and OIAJ in developing a sponsor organization that could meet the programmatic and fiscal requirements. After unsuccessful attempts to make the Judicial Council and the State Court Administrator's Office the sponsor, a private, non-profit organization was formed.

OIAJ worked closely with the National Institute during the early site selection and grant application phases of the NJC program. By late June the three sites had been selected and approved. The sites had been visited frequently by OIAJ, the National Institute and consultant representatives to insure that sponsoring organizations were responding and that the grant application process was moving along. On July 28, 1977, the Attorney General held a press conference in which he discussed the progress toward the creation of the Neighborhood Justice Center program.

During August and September, NILECJ sent two technical assistance experts to the three sites to assist them with the grant application. By September 15, the draft applications were submitted.

Between September and the middle of November, the NJC Task Force of the National Institute and OIAJ staff reviewed the grant applications three times. NILECJ and OIAJ maintained constant contact with the potential grantees, including recommendations regarding the choice of dispute resolution techniques (mediation or arbitration) to be used in the Centers, the selection of target areas, and the selection of project directors. On November 15, 1977, the National Institute awarded the grants to the three field test sites.

NJC Training

An important element of the NJC program design included the provision of training to both the sponsoring agencies and to the project's governing boards and staffs. On September 15 and 16, 1977, an NJC Planning Conference was held in Washington to design the agenda and curriculum for the National Institute's Executive Training Program workshops to be held in Washington and Reno. Conference participants represented a broad range of experience and knowledge in the area of minor dispute resolution. Major issues that were discussed included: (1) the NJC's emphasis on community or criminal justice linkages; (2) the recruitment of mediators; (3) the nature and size of caseload; (4) relationships with referral sources; (5) local and national evaluations; (6) legal issues; and (7) staff and governing board composition.

The Washington Workshop. The first training workshop was held in Washington, D.C., on December 12 through 15, 1977 (Appendix C). It was designed to help the NJC project directors and Board members implement their projects and establish communication links among the three projects. A total of 25 participants attended the training from the three sites, along with representatives from LEAA, the Department of Justice, and the national evaluation firm, the Institute For Research. Several trainers were used during the four-day program, and they made presentations on such diverse topics as mediation skills, legal sanctions, and public relations. In the "Evaluation Report" on the December Workshop it was noted that such

topics as case administration comprised some of the weaker areas of the training. The presentation on the legal implications of the NJCs was considered a highlight of the program.

The Reno Workshop. The second training session was held in Reno, Nevada, February 6-8, 1978 (Appendix D). This session was intended to provide useful input for the project staffs since almost all of them were hired after the December training was conducted. Results from a preliminary survey sent out by the Executive Training Program indicated that the participants saw the Workshop as an opportunity to interact with other NJC staffs and meet some recognized experts in dispute settlement.

In the "Evaluation Report" from the second Workshop it was reported that the participants thought that they had a high level of understanding in most of the core subject areas. These areas included such topics as the mediation process, the evaluation process, referral sources, case flow, mediator training, and legal problems.

Key Aspects of Early Activities

This early development period was marked by several key characteristics which deserve additional comment and which may warrant attention in the future.

As noted at the outset of this chapter, the NJC program received close personal attention from the Attorney General throughout this early period. Such attention has helped to insure that events moved expeditiously and that the full resources of the agency (DOJ and LEAA) were marshalled in support of the effort. On the other hand, the publicity and visibility which accompanied this attention has placed pressure on the project staffs and board. On balance, the Attorney General's concern with the NJC program has probably been beneficial -- the program certainly has not languished in bureaucratic backwaters, as federal programs too often do. From an evaluation standpoint, the only significant concern on this matter is that certain events and effects might occur mainly as a function of the high level of attention rather than as a result of direct program operations. For example, the presence of the Attorney General at a Center opening can be a powerful legitimizing force which might be helpful when attempting to establish referral sources in the community.

A related issue is the amount of time and effort which was devoted to these early developmental activities. The program was forged through the multiple efforts of NILECJ and OIAJ staff with important contributions from the American Bar Association, the American Arbitration Association, and several experts in the field of dispute resolution. Many different perspectives were represented among these several groups. This pluralistic approach resulted in a program design that does not represent only the narrow view of a handful of individuals, but is a reflection of a variety of major groups and viewpoints. Such pluralism should aid the utility and generalizability of the field test results.

On the other hand, the careful, deliberative attitude which characterized much of the Washington-based events did not always obtain as

activity moved to the field. As site development began, some existing state and local mechanisms for planning and receiving LEAA funds were overlooked. For the most part these oversights had little effect, but in a few instances local criminal justice planning organizations raised some criticisms regarding the manner in which the NJC program was being developed. As a result, some of the project directors and sponsoring agency staff members had to mend fences at the local field test sites.

A similar problem involved a reduction of the site development schedule from the original six months to about four months so that the Centers would be operational by the opening of the second Williamsburg Conference on the Nation's Judicial System. This reduced schedule hindered the Center's policy planning and their development of the case management procedures. Even after the NJCs opened and began to receive referrals and mediate cases, procedures, forms and policies were being revised to accommodate both internal and external (LEAA) reporting and documentation requirements. This took place over a period of two to three months following the opening of the Centers. Although project staff managed to resolve these problems without serious difficulty, four months appeared to be too brief for the many preparatory activities.

Finally, it should be noted that the NJC program offered the first opportunity for project planners from LEAA and OIAJ to work together. Efforts by the staff of both OIAJ and NILECJ to identify and develop the sponsoring agencies, complete the grant applications, and provide general technical assistance appeared somewhat confusing to the potential grant recipients. However, given the complex nature of NJC program development -- considering the various levels of federal and local government -- the coordination between the two agencies was effectively handled. And, more importantly, both OIAJ and NILECJ appear to have a clear and common understanding of what roles they are to assume for the remainder of the field test period -- OIAJ as close observers and reviewers, and NILECJ as monitors of the field test and evaluation efforts.

CHAPTER III: THE NJC IMPLEMENTATION PROCESS

Overview

This chapter presents an overall description of the Centers' implementation process -- the sequence of events by which the three Neighborhood Justice Centers became operational. It describes such processes as Center organization and staffing, the development of sources of case referral, and mediator selection and training. However, it should be noted that in the full report (of which this report is a summary) each Center's implementation process is described in detail in separate chapters. This description also provides a review of the similarities and differences among the three Centers as they have implemented operations. The discussion of similarities and differences is not done in order to make judgments regarding relative Center effectiveness, but simply to illustrate the range of approaches and the options available to beginning justice centers. Although no conclusions can yet be drawn regarding the ultimate impact of particular implementation processes on program effectiveness, several important issues were identified which have distinct implications for the shape and direction of the Centers. These issues and their implications are also discussed.

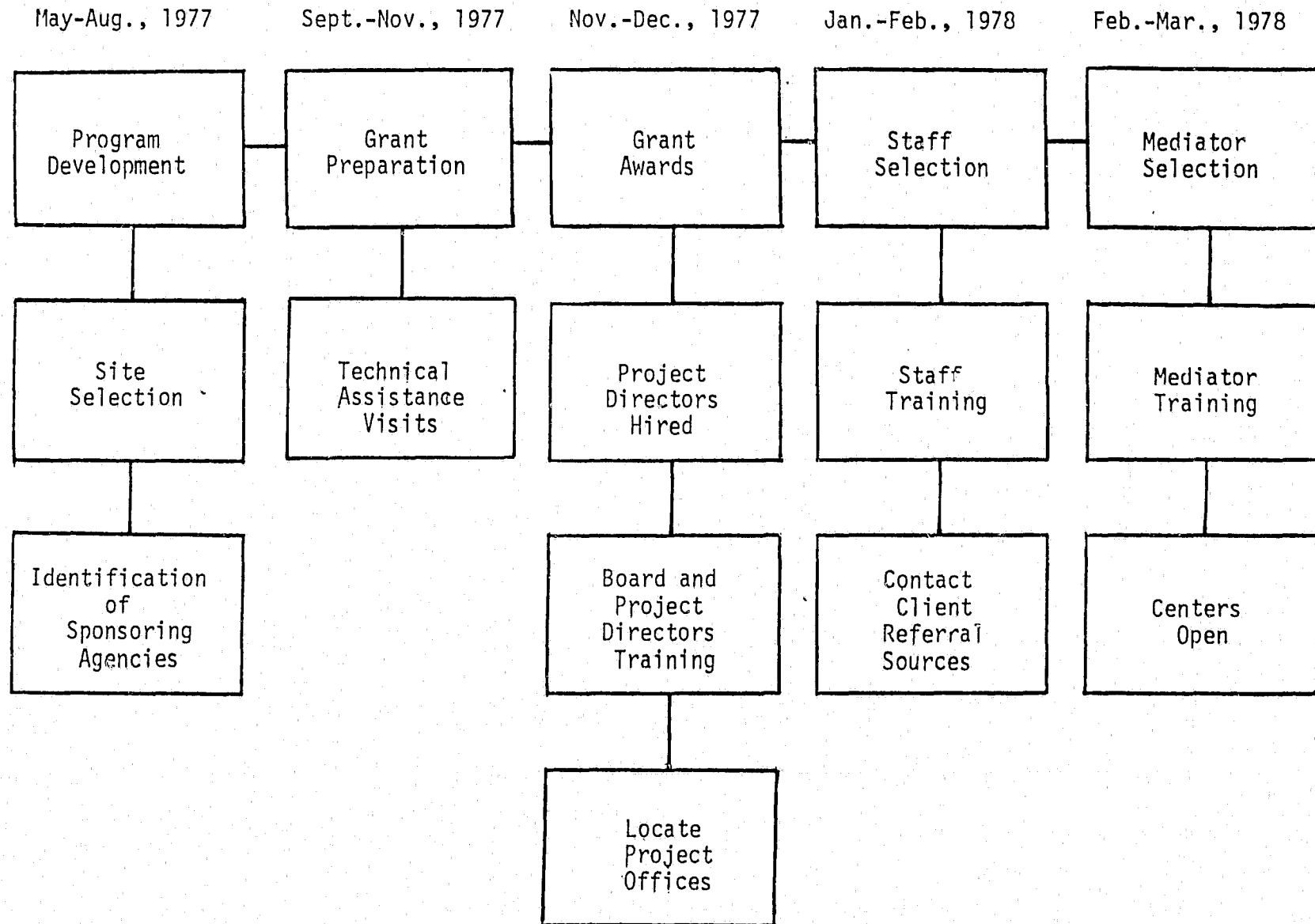
The Sequence of Implementation Events

The basic sequence of the overall implementation process is depicted in Figure III-1. Until grants were awarded on November 15, 1977, there was not a great deal of activity at the three sites. Up to that point, the implementation activities were based (or at least initiated) largely in Washington, as described in Chapter II. Upon grant award, the project directors were hired, project offices located, and a training workshop was given for the projects' board members and directors.

In December it was decided that instead of allowing six months of preparation to get the projects operational, only four would be needed. This decision resulted in doubling up many of the preparation tasks that had been originally scheduled over a longer time. Thus, the period, January through March, 1978, was a time of somewhat hectic activity, including the following:

1. Staff selection. The remaining staff members for each Center were recruited and hired. In many cases individual staff roles and responsibilities were not clearly defined, and some personnel had to redefine their jobs in light of the projects' planned modes of operation.
2. Staff training. A staff training workshop was sponsored by NILECJ and held at the National Judicial College in Reno, in February.
3. Development of referral sources. The sources of client referral had to be identified and a mechanism developed to receive

FIGURE III-1: THE SEQUENCE OF IMPLEMENTATION EVENTS



disputants from the prosecutors, courts, and the police. In addition, a great amount of time and effort was spent on community outreach to develop awareness of the program and encourage self-referral clients.

4. Mediator selection. The hiring of the volunteer mediators was also completed during this busy period. One of the conditions for their participation in the program was their immediate availability to attend the mediator training classes.
5. Mediator training. The training program for each Centers' group of mediators had to be developed in a very short time. Training consultants were hired, facilities located, and schedules had to be developed.
6. Centers' openings. During March, 1978, each NJC hosted opening ceremonies that were designed to generate interest and support in their local communities.

Although the NJC implementation process covered approximately nine months, relatively little activity occurred on site until grant award, and most of the implementation events were accomplished in the 2½ month period from January to mid-March. The process appeared to become somewhat harried as the opening date of the Centers approached, and the project directors found themselves contacting referral sources, attending mediator training, remodeling the office facilities, and developing operational procedures with their staffs -- all at the same time.

NJC Characteristics

Each of the Centers proceeded through the same sequence of events -- hiring staff, training mediators, etc. -- but each Center approached these tasks in different ways and with varying results. The resultant characteristics of the Centers are displayed in Table III-1. The descriptive elements of the sites reflect many of the similarities and differences that can be found among the three test sites. Overall, the projects appear to have much in common, especially regarding the way in which they are organized, staffed and the methods of resolving disputes. These similarities reflect their adherence to the National Institute's grant guidelines as the applications were being developed. However, important differences in program operations are noted, the most significant of which is probably the orientation the projects have regarding their relationships with the criminal justice system and the community.

Thus, while the three test sites have proceeded through similar implementation tasks, they also have created their own unique styles of operation. These characteristics are explored in more detail below.

NJC grantees and boards. The three project sites vary greatly according to the agency or organization identified to be their sponsor, or the LEAA grantee. In Atlanta, a private non-profit organization was formed; in Kansas City, the City itself is the grant recipient; and in Los Angeles, the County

TABLE III-1
PROJECT SITE CHARACTERISTICS

	Neighborhood Justice Centers		
	Atlanta	Kansas City	Venice-Mar Vista
Grantees	Neighborhood Justice Center of Atlanta, Inc., a private non-profit corporation	City of Kansas City, Mo., Department of Community Services	Los Angeles County Bar Association
Boards	14 member policy-making Board of Directors - up to 23 members have been authorized to increase community membership.	23 member Advisory Board with 5 from target community agencies.	16 member policy-making Board of Directors with 1/3 from community and 2/3 from Bar Ass'n. and other public agencies.
NJC Staff	Executive Director and four full-time personnel, plus volunteers and student interns.	Director and four full-time staff, plus a VISTA worker and volunteers.	Director and five full-time personnel, plus mediator volunteers.
Target Areas	Located in central eastern section, near central business district; population 67,081	Located on western border just below central business district; population 53,278	Located in Venice/Mar Vista community in western section of Los Angeles; population 90,000
NJC Location	Remodeled two-story house near business area in target community.	Bank building offices on major commercial street in target area	Store-front offices on major residential and business street in center of target area.
Mediators	34 were selected and participated in a 2 weekend, 40 hour training program plus an 8 hour follow-up session.	33 were recruited and participated in a 48 hour, 2 weekend training effort.	20 were selected and were involved in a 70 hour, month-long training program.
Referral Sources:	Formal, written agreements with state and municipal courts, involving NJC representatives located in the courts to help refer cases.	Formal proceeding with a full-time staff member located in City Prosecutor's Office to refer clients to NJC.	Informal, but developing a more direct approach to place NJC representatives in Small Claims Court.
• Courts			
• Police	Referral procedure whereby notice is given to parties to report to NJC - officer discretion.	Elaborate referral process with a training-orientation of target area police - officers complete part of the intake forms, but use their own discretion.	Referral process in which local police officers can give parties a card informing them of NJC services - officer discretion.
• Community	Outreach presentations to community agencies and local publicity of NJC activities.	Some public presentations and media coverage of NJC.	Active program of outreach involving many different segments of community; work with youth groups and other agencies in target area; notice of NJC activities given to local radio and TV stations; public presentations and participation in community meetings, etc.
Dispute Resolution Methods	Mediation, single mediator.	Mediation and/or arbitration, two mediators for first few cases.	Mediation, single mediator, but with observer if approved by parties.

Bar Association is the sponsor. These widely different forms of supportive structure were planned in part by the NJC program developers in order to determine what impact, if any, these organizations would have on Center direction and effectiveness.

In Kansas City, for example, the City provided much of the needed administrative and financial structure that was needed and enabled the NJC project to begin its implementation activities (i.e., recruiting staff, site location, mediator selection and training, etc.) with a minimum of problems. On the other hand, the City bureaucracy also delayed the process of hiring staff and getting office equipment because of the "open", competitive methods used in conducting these activities. Overall, however, the City as a sponsoring organization has facilitated the development of the project in Kansas City, especially during the early program phases.

At the other two sites the sponsoring grant recipients have provided support in the areas of staff and mediator recruitment and in the location of a project facility, but they tended to lack the financial accounting capability to handle a large federal grant. As a result, in both Los Angeles and Atlanta, fiscal control and reporting had to be improved or developed. The L.A. County Bar Association did provide temporary office facilities while the project was getting underway and its Director, Mr. Robert Carlson, is also Chairman of the Venice/Mar Vista NJC's Board of Directors. In Atlanta, members of the sponsoring agency -- a non-profit corporation formed to operate the grant -- have helped the NJC gain access to the courts quickly and assisted in placing project representatives in the local courthouses to identify potential cases for the Center.

The composition and areas of responsibility found among the three projects' governing or advisory boards varies considerably from site to site. In Kansas City there is a 23 member advisory board, which was expanded from an original group of 18 when five members were added to represent the target community more directly. This advisory body was appointed by the Mayor, after being recommended by the Community Services Office. Their responsibilities tend to be advisory in nature rather than policy-making.

In Atlanta the 14 member Board of Directors for the NJC Corporation sets broad policy but leaves day-to-day operations to the Executive Director. The Board expanded from its original 11 members with the addition of three new representatives, including a community person. In order to infuse more neighborhood representation into the Board, an increase of nine additional members has been authorized but has not yet been implemented.

The Venice/Mar Vista NJC project has a Board of Directors composed of 16 members with policy-making responsibilities. The Board was created by the L.A. County Bar Association as a six-person group appointed by the President of the Bar. They then voted to expand their membership to incorporate both community interests and other public agencies' representatives. The Board has been very active in nearly all phases of the project, and numerous subcommittees have been created (most for only a short duration) to handle special issues such as mediator selection and training, outreach activities, etc.

Project staffing. The three Centers used different approaches in recruiting and selecting their permanent, full-time staff.

In Atlanta the Executive Director was selected by the project's Board of Directors after several candidates had been reviewed. For the most part informal procedures were used to recruit and hire not only the Director but the remaining four staff members as well. Local publicity generated interest among potential applicants, and resumes were sent to Board members. The Executive Director, together with some Board input, had the responsibility for filling the other positions.

The selection of NJC staff in Kansas City was conducted by the City's civil service system, and was therefore much more formal than the Atlanta selection process. This process involved creating a job description for each position, establishing minimal qualifications, and developing an eligibility list from public notices of the job openings. The fact that the City handled this task eased the burden on the Director (who had been selected earlier by a similar process) but also caused long delays in hiring personnel. In addition, it is difficult to replace staff quickly when there is a turnover.

The Venice/Mar Vista project took a slightly different approach from both Atlanta and Kansas City. They advertised for the NJC positions in the local newspapers and also used informal networks in legal and academic circles. The selection of the Director and Assistant Director had been accomplished earlier by the Board of Directors, and these two individuals reviewed resumes and conducted interviews to fill the remaining four positions. Their approach was informal and flexible, with emphasis on those candidates who could work in the Venice/Mar Vista community and were enthusiastic about the NJC concept.

In each city care was taken to have the staffs represent a social and racial cross-section of their communities. Table III-2 illustrates the racial composition of the staffs as well as that of their respective target areas and cities. The data indicate that at each site the ethnic compositions of the cities and target areas are reflected in the staffing patterns.

TABLE III-2
RACIAL COMPOSITION OF THE ORIGINAL NJC PROJECT STAFFS
COMPARED WITH TARGET AREA AND CITY COMPOSITION

	Atlanta			Kansas City			Venice/Mar Vista		
	Staff (N)	Target Area	City	Staff (N)	Target Area	City	Staff (N)	Target Area	County
Black	60% (3)	54%	59%	40% (2)	45%	73%	17% (1)	6%	11%
White	40% (2)	46%	41%	40% (2)	50%	24%	50% (3)	76%	71%
Spanish-Speaking and/or Mexican-American	--	--	--	20% (1)	5%	3%	33% (2)	18%	18%

Target areas and Center locations. The target areas as described by the National Institute's grant guidelines indicated that the community to be served should have a population of between 50,000 and 200,000 and be located completely within a larger metropolitan area. The target community was to be an area that is recognizable by its residents as a neighborhood or as a group of neighborhoods. In addition, the target areas were to be heterogeneous, incorporating many different segments of the larger community.

For the most part, the target communities of each NJC project met the National Institute's guidelines. The populations were well within those recommended, with a range between 53,000 in Kansas City to 90,000 in Venice/Mar Vista. In addition, the racial composition of the target neighborhoods closely paralleled that of the larger communities, as seen in Table III-2.

The location of the Centers themselves reflects the nuances in perspective and approach that each Center has developed. The Atlanta NJC is located in an older remodeled, two-story home near the center of the target area. The facility has several rooms available for both office space and for conducting mediation sessions. The atmosphere is both business-like and informal, with most of the administrative offices located on the second floor.

The Kansas City NJC is located on an upper floor of a bank building in a commercial zone of the target area. The office space is somewhat cramped and the hearing rooms are small. There is a professional and authoritative (court-like) atmosphere in the program which the project staff feels facilitates the conduct of the mediation sessions and encourages the disputants to reach an agreement.

The Venice/Mar Vista NJC is located in a remodeled store-front facility on a residential street near the center of the two target neighborhoods. With the project's emphasis on soliciting cases from the community, the atmosphere is more casual and relaxed. Citizens are encouraged to come in or phone in and find out more about the program and in some cases receive referral assistance to other community service agencies.

Mediator selection and training. The process that was used to select mediators among the three Centers varied as much as that for selecting staff. In general, the projects' governing or advisory boards provided a great many of the mediator candidates, as well as those who were identified during the selection of the full-time staff. In many cases, individuals who were not selected for staff positions applied for positions as mediators.

At each Center, the mediators were to be paid a small stipend, either by the hour or by each case they were to mediate, to defray any personal expenses involved in participating in the program. While they were to be considered volunteers, as such, the payment of a stipend (anywhere from \$15 to \$20 per case) did not make them volunteers in a strict definition of the term. Moreover, some of the "volunteer" mediators were unemployed at the time they were selected, and the anticipated additional income from the stipend must have been an incentive to become a mediator. However, most of those selected as mediators were employed, and several held professional jobs. Thus, while there may have been some mediators who took the job as an income supplement, most did not appear to do so.

The mediators were also selected to reflect the social and racial composition of their target areas and larger communities. The data in Table III-3. points out the similarity in racial composition of the NJC mediators and their local communities. While some differences do exist, it must be realized that with small numbers the percentages can vary greatly.

TABLE III-3
RACIAL COMPOSITION OF THE NJC PROGRAM MEDIATORS
COMPARED WITH TARGET AREA AND CITY COMPOSITION

	Atlanta			Kansas City			Venice/Mar Vists		
	Mediators (N=34)	Target Area	City	Mediators (N=33)	Target Area	City	Mediators (N=20)	Target Area	County
Black	41%	54%	59%	51%	45%	73%	30%	6%	11%
White	59%	46%	41%	42%	50%	24%	50%	76%	71%
Spanish-Speaking and/or Mexican-American	--	--	--	7%	5%	3%	20%	18%	18%

The grant guidelines specified a minimum of a 40-hour training program be given to the mediators in those resolution techniques that were to be used in the Centers (i.e., conciliation, mediation, or arbitration). The three grantees each developed unique approaches to conducting the training. Venice/Mar Vista created their own 70-hour curriculum package utilizing local mediation training consultants and drawing on some nationally recognized resources such as the American Arbitration Association (AAA). Kansas City contracted jointly with the Institute for Mediation and Conflict Resolution and AAA to conduct their training effort over a 48-hour, two-weekend period. Atlanta worked with a local mediation training organization, The Bridge, and AAA to conduct the program in a 40-hour, two weekend period. In addition, The Bridge held an 8 hour follow-up session about 60 days after the initial training.

Establishing referral sources. The one facet of the implementation process that best illustrates the different perspectives and directions of the three Centers is probably the sources of case referral which they have sought and established. In Atlanta and Kansas City the Centers have developed a formal working relationship with the local courts and prosecutor's offices. The courts are viewed as the primary source of clients by these two projects, and in order to facilitate the referral process staff members or program volunteers are stationed in the courthouses or in the prosecutors' offices. In Kansas City there is perhaps a greater focus on the prosecutor's office as a referral source, with a senior Center staff member located permanently in that office.

In Los Angeles (Venice/Mar Vista), the target community and its service agencies are seen as the primary source of clients. The project staff have conducted extensive outreach efforts to locate disputants and develop referral mechanisms with agencies in the target neighborhoods in order to solicit citizen participation in the NJC program. While the Venice/Mar Vista project

has not actively sought referrals from the local courts, to the extent established at the other two project sites, they anticipate developing this source of referrals in the near future. Their orientation during the implementation phase has been to work in the community to establish themselves as a viable resource for resolving disputes.

In the following sections the referral sources activities of each of the NJCs are discussed:

Courts. As noted above, both Atlanta and Kansas City have developed a referral process whereby potential cases for mediation that come to the attention of either the prosecutors' offices or the courts themselves, can be transferred or passed on to the NJC projects.

In Atlanta the primary emphasis has been placed on developing formal written agreements with the local courts. Citizen-initiated cases (those in which no charges have been filed) are referred to an NJC intake worker by the court clerk at the time the case is brought to the clerk's attention. For court-initiated cases in which a formal complaint has been filed, the referrals generally come from the bench and the case is continued until it can be cleared by a mediation hearing at the Center. The following have been contacted to implement this procedure:

- Municipal Court of Atlanta
- Small Claims (Warrants Desk)
- Criminal Warrants Desk
- Juvenile Court
- State Court of Fulton County

In Kansas City the tie to the Municipal Court is through the City Prosecutor's Office and, in this case, a full-time NJC staff member is located in this office when disputants come in to file a complaint. After an initial meeting with one of the Assistant City Prosecutors, the NJC intake worker can be called over to screen the case for possible referral to the Center. If the case appears suitable, then an intake form is completed and the client is referred to the program. The Municipal Court may make direct referral from the bench, through the NJC staff member in the Prosecutor's Office, or the disputant may be told to report directly to the Center. In either instance the case may be continued by the judge until the results of the mediation hearing are known.

The Venice/Mar Vista project has not developed a formal working arrangement with the courts, although lines of communication have been kept open and a committee of five judges in the West Los Angeles Court have been kept informed of the NJC's activities. More recently, steps have been taken to establish a referral procedure with this Court, including the placement of project representatives in the Courthouse. A formal agreement has been reached with the City Attorney's Office to refer those cases not helped by their own dispute settlement program -- the Hearing Officer Program. These referrals

would be for non-criminal cases in which the Hearing Officer Program was inappropriate.

Prosecutor and court referrals have been significant sources for most of the previously existing dispute resolution projects -- prior to the NJC effort. These experiences indicate that unless there are strong ties to the courts, the programs have to depend on police and community referrals which have not proven to be a consistent source of clients. The courts, and especially the local municipal courts where minor disputes are typically brought, have provided the highest number of cases meeting the criteria developed in the NJC grant guidelines.

Police. Although the police have not provided the greatest number of cases to existing dispute resolution programs, they are seen as an important source of client referral. The police should be able to identify those individuals who would benefit from mediation of minor disputes; therefore, all three NJCs have actively sought local law enforcement participation in the program.

The most elaborate and formal referral system for the police was developed in Kansas City. The Central Patrol Division covers all of the NJC's target area; the active participation by officers in that Division was planned for during the project's implementation phase. Since there had been a similar dispute resolution project operated by the Kansas City Police Department a few years earlier, their support and cooperation were sought. The Commanding Officer for the Central District was placed on the project's Advisory Board and a three hour training-orientation session was developed to present to each of the 150 police officers in the District. There were 14 training sessions conducted at which time small groups of officers (8-15) were given descriptive material about the NJC. The officers were encouraged to ask questions and to become thoroughly familiar with the referral process. Officers were to refer eligible cases to the Center by completing a voluntary submission form on which they were to describe their account of the dispute between the parties. Thus, when the disputants came to the Center, there would be additional background information to assist the mediator.

In Atlanta the referrals from local police districts are more informal than in Kansas City. NJC staff met with local police administrators and worked out a mechanism for officers to initiate a referral to the Center. A referral form was developed which the officer completes, and the parties are told that a representative of the Center will be contacting them. The officer then sends one copy of the referral notice to the Center so that the disputants can be contacted.

In Venice/Mar Vista the police can provide potential disputants with a small card describing the program and providing information on how to contact the Center. In this sense the referral by the police officer is much more informal and less pressured than at the other sites. The disputants have the option of going to the Center or pursuing some other means of solving their problem. However, the NJC staff did attend a series of roll-call meetings in which the program was described in detail as well as the available services.

Community referrals. At all three NJCs there has been a concerted effort to solicit disputants from the community, since this was a central

theme of the NJC program. Not only were the Centers to provide an alternative for the courts and other criminal justice agencies, they also were to be a community resource for citizens to use when conflicts arise in their local neighborhoods. In order to establish themselves as a community-based project, outreach activities were planned at each test site. The varying degree of these efforts and the project resources devoted to this function again reflected differences in operating philosophy among the Centers.

In Kansas City and Atlanta community referrals were to be solicited primarily from the project's contacts with community agencies and presentations by Center staff at public meetings, etc. In addition, local publicity concerning the openings of these Centers was expected to generate a lot of interest in the projects. At these two sites there was a great deal of interest created by the opening ceremonies and the resulting news stories in the local press. Public presentations by staff members at service organizations and community groups also stimulated a lot of inquiries regarding available services. The net impact of these outreach efforts will have to be analyzed as the test sites receive referrals.

The Venice/Mar Vista NJC decided early that public outreach was to be one of their primary functions. In order to accomplish this goal, the Center designated certain staff members as outreach workers to go into the target community and meet with neighborhood organizations. Their tasks were to work with local community leaders and organizations in order to identify sources of conflict in the area and develop a mechanism for referring clients to the Center. In addition, an extensive "public service announcement" campaign was initiated with several local radio stations to stimulate interest in the program. These announcements were broadcast several times a day in the Venice/Mar Vista area.

The opening of the NJC in Los Angeles was seen as a good opportunity to get the community interested and involved in the project. Thus, a "street party" was planned to help celebrate the event. Entertainment and food were included in the activities, as well as brief presentations by the Director and visiting public officials.

The net impact of this concentrated effort to solicit community referrals in the Venice/Mar Vista Center cannot be assessed at this time. Given the difficulty other dispute resolution projects have had in developing cases from the community, it may be difficult to assess the results of these outreach activities until the project has devoted substantial time and resources to this process.

Methods of resolving disputes. The methods by which disputes are to be resolved also differ somewhat from site to site. Differences are to be found not only by the process used -- mediation vs. mediation/arbitration -- but also the number of mediators and observers who will be involved in the hearings.

In Atlanta the staff has decided to operate with a single mediator for each case, and that mediation will be the preferred method of resolving disputes. A written agreement is to be secured whenever possible. The

project's Board of Directors decided that arbitrated agreements will not be attempted during the early phases of NJC's operations but will keep the option of incorporating this method if it is thought desirable.

In Venice/Mar Vista mediation with an observer present (usually a staff member or another mediator) is the initial procedure used in the hearing sessions. While mediation is preferred, the project's Board has left open the possibility of using arbitration.

The Kansas City NJC allows for either mediation or arbitration (or some combination) in hearing cases. The disputant parties sign an agreement prior to the hearing which permits an arbitrated resolution should it be deemed appropriate. In addition, it was felt that in some cases, one or both parties might prefer an arbitration procedure.

None of the Centers excludes observers and/or additional mediators from the hearings. Moreover, at a couple of the sites it was thought useful to allow observer-mediators to sit in on the first few cases in order to give the mediators maximum exposure to the process.

Issues and Implications

Our analysis of the implementation process across the three Centers has identified several issues that could have implications for the eventual direction of these Centers and -- perhaps more importantly -- for the implementation of future dispute centers. These issues also carry significant implications for the evaluation effort itself, in that they will bear scrutiny during the process and impact studies as well. We cannot yet judge whether these issues will significantly determine the effectiveness of the Centers in any broad or ultimate sense, but it seems evident that they have contributed to the present shape and direction of the Centers.

The central issues for NJC implementation are (1) underlying Center philosophy or perspective, (2) the designation of the governing organization, (3) the selection of a Project Director, (4) approaches to mediator training, (5) the development of referral sources, and (6) the degree of coercion used to attract cases.

Before discussing each of these issues and their implications, it should be noted that the underlying Center philosophy¹ seems to be the most amorphous and pervasive of the issues. All the other issues discussed below may be interpreted as either specific manifestations of an underlying philosophy or as visible elements of the implementation process which, when viewed together, give the appearance of an underlying philosophy. Causal direction here is not clear: Does the philosophy shape the implementation procedures or vice-versa? In some fashion, however, the philosophy of the Center represents an umbrella issue, operating at a different, more global level than the others.

¹The use of the term "underlying" indicates a philosophy which is not necessarily explicit or articulated as such by the Center; the term does not imply any hidden agenda or secretive intentions on the part of a Center.

Underlying philosophy of the NJC. This issue appears to exert considerable influence on the implementation process at each site, and may contribute to the ultimate direction of the Center. The underlying philosophy may not be articulated by the Center's Board or Director -- even in its stated goals and objectives -- but at each NJC a discernable philosophy seems evidenced in the rather consistent ways in which the implementation tasks are undertaken. It is probably not coincidental that the Center which takes care to avoid coercion in attracting cases also employed a rather humanistic approach to mediator training and has concentrated on the community at large (rather than the criminal justice system) as a source of referrals. Nor is it by chance that the Center which utilized the more established resources for mediator training also conducts its operations in a formal manner and setting.

More specifically, Center philosophy appears to influence the goals and objectives of the NJC, the mediator training methods, the development of referral sources, and the methods of dispute resolution. To some extent, it also appears to have affected the selection of the office space and the establishment of the organizational climate of the NJC. Through all these elements of the implementation process, three different philosophies or perspectives may be detected. For convenience we shall call these philosophies orthodox (Kansas City), innovative (Venice/Mar Vista), and eclectic (Atlanta) -- recognizing the shortcomings of such convenient labels.

The Kansas City NJC appears to have espoused an orthodox approach to the implementation tasks, showing a preference for methods which have been tried before, and which carry some evidence of past success. In the specification and weighting of goals and objectives, the Kansas City NJC gave a higher priority to the goal of institutionalization than did the other two Centers. Their training of mediators was conducted by the organizations most widely recognized as experts in mediation training who emphasized traditional mediation/arbitration skills. The main referral source is the courts (actually the prosecutor's office) -- the most "proven" source of cases for dispute centers over the years. The organizational climate of the Kansas City NJC is somewhat formal and clearly oriented toward assisting the established criminal justice agencies. Certainly, this system orientation can be explained, at least partially, as a natural consequence of the Center's position in the City government, as may the other elements of its predilection for the safer, proven methods. However, it may very well be a result of the city's previous experience with a dispute center a few years ago. This short-lived center had the same Project Director, a focus on the city prosecutor's office, and used the same organizations for mediation training.

The Los Angeles NJC seems to have adopted an innovative, experimental stance, exemplified by their orientation toward the development of community referrals rather than (but not to the exclusion of) the courts and police. Of the three Centers, they gave the highest priority to the goal of providing "information to LEAA and the Department of Justice on the...effectiveness of the Centers as this relates to future planning." At each step, they seem to have chosen the risky-but-promising route instead of selecting the safer route with a track record of some success. Their mediator training methods were specially tailored and somewhat unorthodox, with an emphasis on personal growth and interpersonal skills. They have assiduously avoided any trace of coercion in attracting cases and have yet to use arbitration in their

hearings. In addition to the handling of interpersonal disputes, they view themselves as a vehicle for the solution of inter-group problems and disputes in the community. We should note, however, that their community orientation may be a function of the presence of the hearing officer programs in the city, as well as a manifestation of Center philosophy.

The eclectic, pragmatic philosophy of the Atlanta NJC is manifested in several ways. In the training of mediators they used established resources (AAA), but also drew on a local group with a more interpersonal skills orientation. They are developing a wide range of referral sources in an attempt to generate a sizable caseload. They have also recruited a sizable corps of volunteers and student interns to assist them in outreach and intake.

It is no easy matter to identify with certainty the determinants of these different philosophies -- the Centers vary on several dimensions, including geography, sub-culture, size of city, etc. However, we speculate that the philosophy is shaped by the governing board or organization (the official grantee) and the project director. Of course there are causal direction problems here too; e.g., it is not clear whether the philosophy picked the project director or the project director imposed the philosophy.

At this stage we are not making value judgments about the effectiveness or appropriateness of these philosophies, except to suggest that such philosophical diversity is healthy for a field test. The central message here is that individuals and organizations who are involved in the development of dispute centers should be fully aware of the power of an underlying philosophy to determine the ways in which a center becomes implemented, and that the routes chosen during implementation might very well influence the future direction of a center.

Designation of the governing organization. The governing boards or organizations -- the official grantees -- appear to have had an influence on the implementation process. The grantee organizations included a bar association (Los Angeles), a city government (Kansas City), and a private corporation (Atlanta).

The effects of these organizations were evident on two levels. At an overall procedural level the city government seemed to expedite most implementation tasks -- with the possible exception of hiring staff. If one is seeking to implement a dispute center rapidly and efficiently, a city government is the appropriate choice. However, we would quickly add that the difference between the Kansas City NJC and the other NJCs in terms of implementation time was small, and the overall effects on the accomplishment of implementation tasks appeared negligible.

At another level, the governing organization at each site has probably contributed in a direct way to the Center's initial philosophical orientation, through the development of the original grant application and in basic Center policies. And their selection of the project director has made an indirect, but powerful contribution to Center philosophy and direction. If, for example, the grant for the Kansas City NJC had not been awarded to the city but to an independent organization, a very different project would have resulted. If, on the other hand, the grant for the

Los Angeles NJC had been awarded to the city, the Center's orientation would probably have been less experimental.

However, beyond these initial acts of policy-making and selection of project director -- critical events to be sure -- the specific role of the governing boards in shaping other Center policies and procedures through the implementation phase is not entirely clear. Certainly, they all have been quite active and continue in powerful oversight roles. But in many cases it appears that the project director sets the course and the board serves mainly in a review capacity. Again, the Kansas City NJC may be the exception in this regard, as a result of their position in the city government. As the process and impact studies proceed, the role of governing boards will warrant closer examination.

Selection of the project director. After the designation of the grantee organization, the most important implementation event was probably the selection of the project director. At each site the director of the NJC seems to have played a broader, more influential role than mere Center administrator or executor of board policy. The director was the primary decision-maker on matters of office location, staff hiring, mediator selection and training methods, development of hearing procedures, and general Center operations and procedures. Although the Center staffs and the governing boards were also involved in the formulation and review of decisions on most of these topics, the perspective and preferences of the project director appeared to be most strongly reflected in the decisions. In short, in those important implementation situations where options existed, it was most often the project director who decided which option would be chosen. When the boards hired the project directors, they essentially passed most of the decision-making functions on to them.

This issue has several implications for the NJCs and for future dispute centers. Any NJC governing organizations should be aware that when they hire a project director they may be transferring much of their effective decision-making functions -- unless they take special care to retain them. Of course, many boards may prefer such status, as long as they retain ultimate review authority. But the transfer of decision-making functions should be a conscious choice. Furthermore, governing boards should recognize that the selection of a project director is an event of even greater impact than it appears at first glance. It is important that the selection process consider people who are not only able to manage the center and execute board policy, but who share the general goals and philosophy of the board. For it is at least possible that the director's philosophy and perspectives can have as much or more impact on center direction and effectiveness than do the philosophy and perspectives of board members.

Approaches to mediator training. The Centers all approached the training of their mediators in a slightly different fashion. They each drew on different training resources which were selected and assembled in ways that reflected their own perspectives and goals. Thus, the Kansas City NJC selected a pre-packaged program from two nationally known mediation training groups (AAA and IMCR); Atlanta used a combination of a local training group and AAA; and the Los Angeles NJC developed their own training program. Information on the relative effectiveness of these approaches is not yet

available; this topic will be addressed in the Impact Study report. It already seems clear, however, that there are viable alternatives to the use of the nationally recognized training groups -- combinations of local resources -- which warrant consideration by developing dispute centers.

A more fundamental aspect of this issue is the extent to which the training methods emphasize the acquisition of process or technical mediation skills. As used here, "process" skills are those which help the mediator identify and work on the underlying dynamics of a dispute. These include a variety of interpersonal communications skills and the ability to interpret verbal and non-verbal events during the hearing. Through the effective use of process skills, it is hoped that the more "basic" dynamics of the dispute are brought into play, thereby increasing the potential for a more lasting resolution of the dispute. The technical mediation skills approach suggests that the final goal is to reach an agreement between the parties as quickly as possible. In order to develop a written agreement, techniques such as the opening statment and use of the private caucus are stressed. Training in the technical skill areas emphasizes the practice of these techniques through role-playing and individual practice sessions.

The three training approaches used by the NJCs differed not only in the resources used and the structure of their training programs but in the extent to which the training emphasized process or technical skills. Technical skills were emphasized most in Kansas City, where established resources were used, and process skills were emphasized most in Los Angeles -- indeed, the orientation toward the acquisition of process skills appeared to be a central reason for their more experimental approach. Thus, in the development of training resources, dispute centers should analyze the skill emphasis which they desire, as well as the sources and structure of the training. These two approaches are not necessarily antithetical or their use in combination undesirable, and while emphases were evident, all NJCs included some measure of both. When mediators are seeking an agreement between disputants, they will seek to uncover deeper causes of the conflict, and in order to reach an agreement on the dispute at hand caucusing skills have to be employed. But the trainers tended to support one approach over the other, with the integration of the two left to the trainee-mediator. This was a source of confusion and frustration for some of the trainees during their training programs. Centers should take steps to insure that the training is a coordinated and fairly consistent experience, especially when they use a combination of resources and approaches.

The development of referral sources. The variation in approaches to developing referral sources is both the most vivid illustration of their different philosophies and the element of the implementation process that has perhaps the most serious implications for the ultimate form and direction of the Centers. The overriding issue here is whether an NJC is primarily a community program, drawing its cases directly from the community (self-referrals), primarily an arm of the established criminal justice system, diverting cases from the courts as appropriate, or some combination of the two. The broad consequences of these approaches to referral sources will be a subject of considerable attention throughout the process and impact studies, and will not be addressed here.

However, one central point, particularly relevant to NJC implementation activities, deserves mention. All the Centers, especially the Los Angeles NJC, devoted a great deal of staff time and resources to the cultivation of self-referrals from the community. Early indications from process data -- by no means conclusive at this stage -- point to an inverse relationship between the amount of attention devoted to community outreach (relative to that devoted to criminal justice system outreach) and the size of the caseload. It appears that effective techniques for the cultivation of community referrals have yet to be developed. We are not suggesting that future dispute centers should necessarily de-emphasize community outreach efforts, but they should be circumspect before committing a large proportion of staff time and effort to these referral sources.

Coercion. The extent to which the Centers should have coercive powers and how that power is used to attract their cases has been an issue throughout the development of the NJC effort. As noted earlier in Chapter I, the literature regarding a model for community resolution of minor disputes, as well as the degree of coercive force to be employed, has reflected all points of view. While Danzig proposed non-coercive community moots, Fisher suggested highly coercive community courts.² Sander set forth an intermediate option which would maintain non-coercive community ties along with the implicit power of the courts.³

In the development of the three NJC projects, all of them have avoided the use of overt coercion. However, there are some very subtle and not so subtle pressures placed on the disputants when deciding if they should participate in the "voluntary" program. In all three Centers, the parties can refuse to participate in a hearing, but in many instances, the parties understand that such a refusal may result in court action. In other situations the complainant may be eager to mediate the case but the respondent may not. In contacting the respondents, there may be some subtle pressure applied to get them to show up, although at all three sites, the respondent's participation is considered strictly voluntary. If either party decides not to be involved in a mediated settlement; then his wishes are accepted. However, the fact that the other party can still pursue his case through traditional legal channels may be passed on to the reluctant disputant. Thus, the intermediate model of Sander -- an implicit level of coercion -- appears to have been adopted, more or less, by all three Centers.

The concerns about coercion stem from the recognition that many diversion or alternative programs which are labeled non-coercive and voluntary may in fact depend heavily on coercive forces, and such programs may intervene in the lives of people to a rather substantial degree. Nejelski has expressed similar views in a recent article on juvenile diversion, pointing out that diversion could become a means of expanding intervention practices in the lives of children and their parents without proper concern for their rights.⁴ These are certainly justifiable concerns

²

Danzig, Richard, Op. Cit. and Fisher, Eric, Op. Cit.

³

Sander, Frank, Op. Cit.

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Nejelski, Paul. Diversion: The promise and the danger. Crime and Delinquency, 22, 1976, 393-410.

which will warrant close attention as the evaluation proceeds. It does appear, however, that subtle forms of coercive pressure are very important elements in the building of sizable caseloads. Unless a dispute center wishes to exclude the established criminal justice system and concentrate on small numbers of community self-referrals, it will probably have to engage in some coercion.

CHAPTER IV: IMPLEMENTATION OF THE ATLANTA NEIGHBORHOOD JUSTICE CENTER

Overview

The implementation activities that took place in Atlanta, both before and after the project was awarded, are described in this chapter. It contains sections dealing with the formation of a non-profit corporation to operate the project, staff recruitment and organization, mediator selection and training, establishing sources of referral, and the case management process. A summary section then discusses the major trends that have evolved as the project was implemented.

Early Activities

Initial actions associated with the development of a Neighborhood Justice Center in Atlanta began in June 1977. The principal organizer at that time was Judge Jack Etheridge, who, as a member of the Atlanta Bar Association's Committee on Resolutions for Minor Disputes, was familiar with the NJC concept and felt it was a useful means for resolving disputes. Judge Etheridge organized a working group of expert volunteers to plan the creation of an Atlanta-based NJC project. He contacted the Atlanta and Gate City Bar Associations, courts (Superior, State, and Juvenile), county attorney, and city attorney, asking each group to submit a person to serve on a Steering Committee to develop the NJC. Mr. John Beal from the Department of Justice's OIAJ attended an early Steering Committee meeting in June, and several more throughout the summer, to discuss the concept and provide general guidance.

An early concern of the Steering Committee was to establish an appropriate administrative mechanism for operating a federally funded project. Initial efforts to align the NJC structurally with the Georgia Judicial Council were not completed because problems arose which would require considerable time to resolve. It was decided that a non-profit corporation would be set up to become the official grantee and direct recipient of LEAA funding. On June 14, 1977, Articles of Incorporation were filed and the Neighborhood Justice Center of Atlanta (NJCA), Inc., was born. Most of the members of the Steering Committee agreed to serve on the Board of Directors for the project.

The non-profit corporate structure for the Atlanta NJC was decided upon because the Steering Committee felt continuing as an all-volunteer group was a better approach. Atlanta's NJC was designated early as a court-related model, and the initial Board members represented legal and court-related interests. Once incorporated, the Board began to develop the structure and organization of the NJC. In order for the corporation to sponsor the NJC, financial, personnel, and property management procedures and systems had to be developed and implemented.

In view of the fact that the newly formed Board was a volunteer group, professional planning and grant writing expertise was sought. Executive staff of Economic Opportunity of Atlanta (EOA), a local community action

agency, and the Community Services Administration were contacted and suggested Mr. Linwood Slayton, then Director of Planning and Evaluation for EOA, for the grant writing task. The agency agreed to loan the Board Mr. Slayton's services and to assist in the site selection process. A series of meetings with the Board, and National Institute staff, were conducted to identify the funding criteria and develop initial policies and planning objectives.

To complete the grant application, Mr. Slayton reviewed the available literature and obtained technical assistance from consultants which included officials from the Department of Justice's OIAJ, and experts supported by the National Institute. Community agencies and organizations were contacted and provided input, including the Crime Analysis Unit, Criminal Justice Coordinating Committee, and City of Atlanta Planning Department. The Board met several times in August and September to decide policy issues and guide the completion of the grant application. The draft application was sent to the National Institute for a preliminary review. On September 13, a consultant from LEAA's National Institute visited the Board to discuss the proposal and made suggestions which were incorporated into the grant application before it was finalized and formally submitted on September 15, 1977.

Expansion of the Board. The initial members of the NJCA Board of Directors, many of whom served on the Steering Committee, were able to encourage the early participation of courts and legal personnel. The original Board consisted of the following 11 persons:

- Court-related members

Judge Jack Etheridge, Atlanta Judicial Circuit
Inman Phillips, Director of Court Services, Atlanta Judicial Circuit
George Collins, Chief Probation Officer, Juvenile Court
Jack Thompson, Court Administrator, Fulton County Superior Court

- Local Bar Association Members

David Crockett, Atlanta Bar Association
Thomas Sampson, President, Gate City Bar Association

- Attorneys

Robert Dokson, Director, Atlanta Legal Aid
Joel Moss, Assistant County Attorney
John Myer, Assistant City Attorney (no longer involved)

While the above members represented a fairly wide spectrum of viewpoints of the criminal justice system, there was an absence of community and police department representatives, and women. At an early meeting, the original Board members voted to expand the size of the Board to a maximum of 23 members, with one-third of the members being representatives from the community-at-large and including at least one representative from the police department.

Three new Board members were added: Captain Morris Redding, Atlanta Bureau of Police Services; Esther LeFever, Director of Patch, a community organization; and Muriel Smith, Director of the City Office of Consumer Affairs and a target area resident. While the Board agreed to expand its membership to include one-third community representatives, it declined to designate community leaders at that time. The Board did not want to chance alienating local neighborhood residents by preselecting their representatives without community input. The Board opted to defer the selection of community representatives until after the target area was identified.

A letter was subsequently sent out to a number of community organizations in March 1977 to solicit candidates from the Board and Advisory Council (see the following section). There was little response from the organizations, and the Board decided to postpone its plans for developing community representation in the NJCA until a future date. As a result, the Board membership currently stands at 15.

Advisory Council. The grant application stated that an Advisory Council would be formed to provide the NJCA with community participation to increase the flow of information between the project and the community. The Advisory Council members would broadly represent the target area and would serve in an advisory and support capacity to the NJCA. Specific functions the Advisory Council were to serve included:

- (1) Legitimization: provide community groups with a means to be informed of the project and feel their concerns are considered.
- (2) Referral: functioning as a communications vehicle, the Council would increase referrals to the NJC from community groups and improve the effectiveness of referrals made from the NJC.
- (3) Monitoring: advise on program effectiveness and policy issues, and provide feedback on how the NJC is viewed in their neighborhoods.
- (4) Recruitment: assist in recruiting new staff, mediators, and board members when necessary.

In short, the Advisory Council would serve as a community liaison. The NJCA Board and staff enlisted the help of Mr. Paul Wahrhaftig, a national expert, in planning the scope and structure of the Council. The development of the Advisory Council has been tabled for a while, until plans for selecting Council members and defining the relationship between the Board and Council are completed.

Pre-grant Award Activities of the Board

Prior to grant award, the NJCA Board undertook the task of developing and implementing the project's administrative operation, hiring the Project Director, and selecting the target area.

Selection of Project Director. The President of the Board appointed four Board members to a Personnel Committee early in the planning phase, to recommend candidates for the position of Executive Director of the NJC. The Committee established the following qualifications for the Executive Director: college degree; skills in social work and counseling, human relations, arbitration and conflict resolution; knowledge of the working of the judicial process; management experience; and legal education (desired, but not necessary). Ads for the position were placed in the major newspapers in the area, and notice was given to area college placement officers in September 1977. The Personnel Committee received over 100 applications; these applications represented a myriad of professional backgrounds relating to the qualifications established by the Committee. During November, each Committee member reviewed the applicants' resumes to establish a list of those he felt most qualified. From each individual list a composite list of the most qualified was established. At this point, each Committee member independently reviewed the most qualified list to determine the top three of the group. After much deliberation, the Committee selected three individuals they felt were the most qualified.

The three finalists were notified by the President of the Board of their selection and invited to appear before the Personnel Committee for personal interviews. The three finalists were a Criminal Justice Planner, with experience in social agencies; a recent graduate with management experience and social service; and a recent admittee to the Bar with varied experience in management of social agency in both the public and private sectors. The Board interviewed the three finalists individually, and from these interviews and further deliberations, the Executive Director was selected. Mr. Linwood Slayton, Jr., Esq., author of the original grant, was offered and accepted the position.

Target area selection. An early concern of the Board's was the identification of a target community to be served by the NJC. A Site Selection Committee was established by the Board for this task. The Board deliberately chose not to include the local community or public and elected officials in the site selection process to avoid politicizing the program. Significant input and community research was provided by the staff of EOA and the City's Crime Analysis Team.

The first task of the Committee was to locate an urban neighborhood or group of contiguous neighborhoods which had both a sense of community and defined boundaries. Three major groups of criteria were utilized -- demographics, community service and support, and accessibility -- and specified as below:

- Demographic data included: age, race, median family income, and median family education of community residents; percentage of full and part-time employed residents; percentage of unemployed and underemployed; percentage of professionals, laborers, and managers, as well as those who own and operate small businesses; number of generations in the household; percentage of apartment dwellers and homeowners; percentage of transients; the percentage of and types of crimes committed; and the community population.

- Community service and support: consideration was given to the extent of fire and police protection (and particularly whether there were police and fire stations in the target area), local courts and their various jurisdictions, public transportation, and the number of elected or appointed officials representing an area. Also placed into the equation was whether or not the community had a history of having residents active in community affairs and planning, and whether or not the community would be included to support a project such as NJCA. It was also decided to have the target area overlap several elected officials' districts.
- Accessibility: existing routes of local public transportation systems were studied, along with the paths of main thoroughfares and interstate expressways.

Finally, 17 district neighborhoods in Atlanta were chosen as the NJCA target area. With a total population of 67,081 in 1976, the target area contains 54% black and 46% white residents, compared to the city total of 59% black and 41% white. The median family income in the target area was \$5,096 in 1970 compared to \$6,222 in the city of Atlanta. The target area has a fair amount of professionals and laborers, as well as mid-management workers. Medium-high, medium and low median family income households reside in the area. A hospital, fire station and police headquarters are located there. There are many businesses in the area, and the population is approximately 67,000 persons. The crime rates have been moderate for the preceding several years.

The target area is bordered by a major interstate expressway on the south and by the downtown business district on the southwest. It is in the City of Atlanta but in both Fulton and DeKalb Counties. It contains many churches, apartment complexes and single family dwellings. Also, it contains a number of police precincts and several city council districts.

Many of the neighborhoods in the target area are undergoing transition and are being revitalized by both individual and governmental renovation projects. There are several very active neighborhood associations, neighborhood planning units, community action advisory councils, and other similar groups working throughout the target area. A map of the target area appears on page 45.

Office site location. The specific location for the NJC office was also selected by the Site Selection Committee, with the assistance of the Executive Director. The Committee debated whether the Center should be located: in a business or residential district; in a highrise or single story structure; in a high or low rent district; on or off a main thoroughfare; inside or connected with an official governmental structure (for example, inside a police department complex or judicial building) or be physically separate and apart from "the establishment"; in a structure which was authoritarian or aristocratic, or plebeian in appearance and atmosphere; and, in the center of the target area or in the most populated community or geographical portion of the target area.

The target area chosen is not part of the Central Business District, and virtually no commercial office space of a traditional character exists. The target area, to a large degree, is characterized by old, expansive homes with porches, ornate woodwork, etc. If the NJCA was to become a part of the community, it was considered desirable to locate the Center in an old house.

The end result of the Committee's careful search and deliberations resulted in the Center being located in a large, two-story completely refurbished, brick and stucco house with room for expansion. The Center is located adjacent to a local public high school.

Roles and Responsibilities of the Board

The Board of Directors is responsible for all policy-setting and decision-making regarding the NJC project. It authorizes expenditures and oversees all project operations. The Board makes recommendations for changes and/or additions in the project and offers assistance and advice to the Director in any way necessary. All policy matters are determined by the Board and communicated to the Director, who implements them into the day-to-day operations.

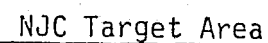
The structure and function of the Board of Directors have been formally outlined in its By-Laws. An Executive Committee of 3 to 5 members appointed by the full Board is the active governing body of the corporation and has power to manage and exercise authority except where expressly reserved to the full Board (such as fiscal and contractual policies).

The Board developed the NJCA objectives and made decisions regarding important policy issues as the grant application was drafted. Policy matters considered by the Board at that time included: (1) the use of community lay mediators who would be provided with adequate training or professional mediators; (2) the legal effects of agreements; (3) the presence of attorneys, witnesses, and others at hearings; and (4) the legal liability of the Board and staff members. Most major policy issues were settled during the writing of the grant application. The Board decided to employ mediation as the sole dispute resolution mode initially, and consider arbitration at a later date. Early plans also called for establishing relationships with the courts and police to obtain referrals to the NJC; a committee was created to establish relations with the DeKalb County courts. The Board will continue to be active in its decision-making responsibilities, and ultimately hopes to assist in institutionalizing the program.

Philosophy and Orientation of the NJC

The NJC of Atlanta continues to be a court-related project, in that it focuses a great deal of time and attention on court and law enforcement referrals. The staff feels that it primarily exists to help individuals resolve disputes, but also adheres strongly to the program goal of impacting court caseloads. The Board and staff members stress the need for cooperation with existing institutions as a necessary element for the success of the program.

Atlanta, Georgia



STAFFING THE NJC

Staff Recruitment and Selection

The Board originally decided to assume the responsibility for hiring the Executive Director, who then was to carry out recruitment and selection activities for the remaining staff positions. However, the Board strongly suggested hiring one of the finalists for the Executive Director's position to be Assistant Director. The candidate was offered the position, but declined to accept. The Board maintained a strong interest in selecting the Assistant Director.

None of the staff positions were formally advertised in the media (other than the Executive Director's). The Executive Director relied on the Board's and his own personal and professional contacts in community organizations for recruitment. Immediately following the Washington training conference in December 1977, interviews were held to select the Assistant Director. The President of the NJCA Board opted to co-interview the applicants with the Executive Director, and the two of them discussed each applicant's merits in light of the role the Assistant Director would play. It was desirable to hire an individual whose attributes would complement and supplement rather than duplicate those of the Executive Director. Ms. Edie Primm was subsequently hired.

In late December and early January, the Executive Director began interviewing candidates for the remaining three staff positions. The primary criteria used to guide the final selection included:

- (1) Sincere commitment to the NJCA concept.
- (2) Relevant academic and experiential background.
- (3) Flexibility to work long and irregular hours.
- (4) Perceived potential to fit in with other staff hired.
- (5) Willingness to be flexible and willing to work in any capacity, regardless of the official titled position.

During early January, the Executive Director personally interviewed 24 applicants and interviewed four more by phone. Three persons were selected: Mr. Nick Butterfield as Program Assistant focusing on community relations, Ms. Carole Lucas as Program Assistant specializing in intake and interviewing, and Ms. Geranda Burt as Administrative Assistant.

Care was taken to encourage those not selected to apply for the mediator positions or as Advisory Council members at a later date. An interesting result of the selection process is that all persons hired were CETA employees and are now off the city's CETA payroll. This may enable the Center to have additional CETA employees assigned to the project in the future.

The five original staff members are still with the project, working in the positions they were hired for. In late May 1978, an Administrative Assistant Trainee, Ms. Barbara Cox, was assigned to the NJC by Economic Opportunity of Atlanta to provide help to the NJC and develop her clerical skills. The characteristics of the core staff of the NJCA are well balanced and represent the community. Of the five members, 3 are black and 2 white, and there are 3 women and 2 men. No other substantial changes

have been made beyond soliciting volunteer help for certain activities.

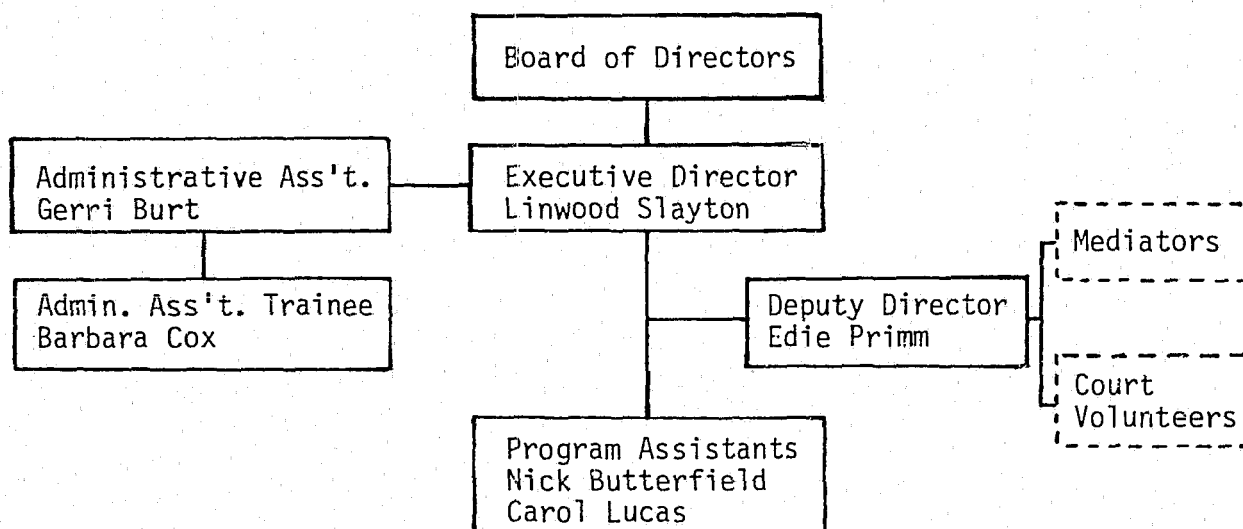
Staff Training

The NJCA staff received no special training other than that offered at the Reno conference, and attending the mediator training as participant/observers. The staff felt that the Reno conference was valuable primarily for the opportunity to interact with staff from the other NJCs and dispute centers. It was helpful for the staff to be able to ask basic operational questions, discuss the advantages and disadvantages of various procedures, understand better the significance of the NJC concept, and be informed of the expectations held by others and what support would be provided.

Staff members expressed an interest in receiving additional training in conductive intake, how to persuade respondents to participate, how to obtain personal data, decision-making, records management, and workload organization.

Staff Organization

The organization structure of the Neighborhood Justice Center of Atlanta is depicted below:



The Executive Director views the staff members as generalists rather than specialists. Initial emphasis was placed on allowing staff roles to evolve as specific needs were identified. All staff were expected to become totally conversant with all aspects of the Center's operation.

Staff Roles and Responsibilities

Executive Director. The Executive Director is responsible for the day-to-day operations of the NJC. He directs all NJC activities, putting the major policies set by the Board into practice; the Executive Director determines alternative programmatic ways to carry out policies. The

Executive Director supervises all staff, delegating responsibility for specific tasks, and completes all project administration tasks, carrying out the requirements of the grant. He maintains communication with the Board and funding officials. He also spends a considerable amount of time on public relations and personal contacts to develop working relationships with courts, police, community organizations, and public officials.

Deputy Director. The Deputy Director is primarily responsible for every aspect of the mediation activities: recruiting, initial and on-going training, monitoring of hearings, scheduling and assignment of mediators, and arranging for and supervising mediators in other project tasks. The Deputy Director also develops and coordinates the activities of all the volunteers at the Center; principally, this involves assuring coverage of all intake stations in the courts and at the Center. The Deputy Director assists the Executive Director in administrative matters involving utilization of staff and public relations; attends all Board meetings; and is responsible for overseeing follow-up phone interviews with disputants.

Program Assistants. The two Program Assistants share case management responsibilities -- conducting intake interviews, maintaining any necessary contact with both parties before the hearing, and assisting with follow-up procedures. Initially, one Program Assistant was to serve as the prime intake worker, and assist as needed with public relations tasks. The other Program Assistant was to be in charge of community relations, which involves making presentations before local groups and generating publicity. This person was also to be responsible for maintaining contact with police department representatives who coordinate their referral system to the NJC, providing back-up mediation support as necessary, developing the Advisory Council, and directing the activities of the student interns. As the project evolved, the caseload required that the Assistants share intake responsibilities, and both have community relations duties also.

The staff have worked together to devise systems to best handle case processing tasks, especially responding to incoming calls and walk-ins. The current system is that one Program Assistant conducts intakes in the morning and the other in the afternoon, allowing each to have uninterrupted time to catch up on case paperwork and other related tasks.

Administrative Assistant. The Administrative Assistant is primarily responsible for office management, ensuring that all internal and external correspondence is properly prepared, recorded, and maintained, and all fiscal records, including payroll and general ledgers, are maintained. She screens all incoming calls (and in many cases determines if the case is appropriate for the NJC or not), and supervises the activities of the Administrative Assistant Trainee. The Administrative Assistant Trainee is a new staff person who assists with all clerical tasks.

Use of volunteers. The NJCA utilizes mediators, volunteers, and student interns to conduct intake interviews in the courts and perform other tasks for the Center. NJCA representatives are present in the courts at regularly scheduled times on a daily basis. Five mediators volunteer their time for these project activities, and seven additional volunteers

have been recruited from the community; they are reimbursed for their travel and child care costs. The mediators and volunteers are generally stationed in the State Court at the small claims and criminal warrants desks, and in the bindover hearings. Student interns from Emory Law School are working at the NJC to gain experience and knowledge, conduct intakes at both the Municipal and State Courts.

Staff Management and Communication

The Executive Director has a close working relationship with the staff members, and oversees all areas. He keeps well informed of all staff activities and problems, and appears to handle any personnel problems immediately and directly, either on an individual basis or in staff meetings. As discussed earlier, the Executive Director views the staff as generalists, and while responsibilities are assigned to specific members, staff roles have evolved and changed over time to meet certain needs.

Internal communication in the Center is informal most of the time. Staff members describe their activities in Weekly Reports to the Executive Director. The Executive Director writes memos to clarify and document matters whenever Center policy is involved. Staff meetings are held as the need arises, but at least once a week. They are conducted by the Executive Director and staff input is high. Decisions are made on a group basis, though the Executive Director exercises the power to make all final decisions.

MEDIATOR SELECTION

This section is intended to illustrate the process that was used to recruit and select the mediator-volunteers for the Neighborhood Justice Center of Atlanta. In addition, preliminary assessments of these activities are provided which were given by the NJC staff and the mediators themselves. The information was assembled and recorded by IFR's Evaluation Analyst (Ms. JoAnn Bayneum) with the Atlanta project.

Included are a description of the process of mediator selection and a demographic profile of the mediator population.

Mediator Recruitment and Selection

The Atlanta project relied heavily on community-based groups to identify mediators. Many of the candidates were contacted directly by the NJC staff, and invited to submit a written application. As a result, the project office received 63 mediator applications; 53 were interviewed by the Deputy Director and 10 were interviewed by other staff members.

The primary criteria used in selecting mediators were their interest in and commitment to the program and previous demonstrable evidence of working out problems for people, either through professional or other volunteer experiences. There was some concern that the selection process not be too rigid in order to not eliminate potentially good mediators. However, there were minimal qualifications that every candidate was to have:

- (1) To be able to effectively communicate -- both orally and in writing.
- (2) To be able to attend the entire 40 hour mediator training session over two weekends.

Based on these interviews, 35 finalists were selected to attend the training. In order to be selected the full NJC staff voted on each candidate, and a consensus had to be achieved. In addition, care was taken to insure that the mediator group was representative of the larger community in regard to sex, race, age, residence, and occupation.

Of the 35 applicants selected, two dropped out after the first weekend of training, and one more was added. Thus, the final total mediator group at the completion of training was 34.

The mediators were offered \$15 per mediation as a means of helping with personal expenses, even though they are considered volunteers for the program. If a case results in a no-show by one or both parties and the mediator has not been notified before coming to the Center, a \$5 payment is made.

Demographic Profile of the Mediators

The following data presents a demographic profile of the Atlanta NJC mediators. The data illustrate age, sex, race, occupation, education, and residence characteristics of the mediator group.

Age. A breakout of the ages for those 34 mediators selected indicates that 85% are less than 40 years old, relatively young for a volunteer group. Moreover, 15, or 44%, are less than 30 years of age. However, four of the mediators are 51 or over, thus incorporating some senior citizen representation.

Sex and race. Table IV-1 illustrates the sex and race characteristics of the mediator group, as well as comparative race composition data for the NJC target community and the Atlanta area as a whole.

TABLE IV-1

Mediator Sex and Race Compared with Race
for the Target Community and Atlanta

<u>Race & Sex</u>	<u>Mediators (N=34)</u>	<u>NJC Target Area</u>	<u>Atlanta</u>
Black	41%	54%	59%
Male	18%		
Female	23%		
White	59%	46%	41%
Male	24%		
Female	35%		

The data in Table IV-1 indicate that there are 20 female mediators, and only 14 males; in addition, 59% white and 41% black. These figures contrast somewhat with the target area's racial composition of 46% white and 54% black. However, the differences are very slight, and the potential impact on the cases that are brought to the Center probably is minimal. Care will be taken to rectify this imbalance when new mediator-trainees are selected.

Occupations. The occupations of the 34 mediators are primarily in the human and social services field with about one-third of the volunteers holding these types of jobs. Another large occupational category are those incorporating legal activities, either as a practicing attorney (of which there are six), or in some paralegal position (such as a law clerk or law student). Those with law related occupations make up about another third of the mediator group.

Following those two occupational fields, the remainder of the group is composed of researchers, criminal justice agency staff members, etc. Also included are five who were unemployed or students at the time that they became mediators.

Educational backgrounds. In the Atlanta program most of the 34 mediators have a four year college education or better. Several have high school education or some college; those with a Bachelor's degree make up about 26% of the total; Master's degree holders make up another 24%; two are Ph.D.s. Eight of the group, 24%, have a law degree; and the remaining four are law students. The Atlanta project appears to be represented with mediators who have obtained a higher education and law training.

Residence. Of the 34 mediators in the program 18, 53%, were found to be residing in the previously identified target area.

Mediator Summary

As a result of analyzing the selection process and demographic characteristics of Atlanta's mediator population, it appears that the "typical" mediator is female, white, between the ages of 30 and 35, holding either a Bachelor's or Master's degree, working in either a social service or legal occupation, and residing in the target neighborhood.

Commenting on proposed changes in the selection of mediators for the project, the Executive Director, Mr. Slayton, noted that the basic process would remain the same, but that he would emphasize recruiting more black males. In addition, he pointed out that he would like to get more mediators who are free to hear cases during business hours since many of the disputants prefer weekday times to come to the Center.

MEDIATOR TRAINING

Overview

In Atlanta, the final pool of 34 mediators who had been selected for the project underwent a total of 40 hours of training. The training was conducted by two separate organizations -- The Bridge, a local mediation training center, and the American Arbitration Association (See Appendix E). The total training effort took place during two consecutive weekends in late February and early March 1978. It was felt that The Bridge would provide needed skills in communication and the identification of relevant issues among the disputants; whereas the American Arbitration Association was thought to be in a position to teach the process skills needed to conduct a mediation hearing and develop a written agreement.

Training by The Bridge

The initial sixteen hours of training were conducted by The Bridge -- Metro Atlanta Mediation Center, Inc., a local family mediation service.

The Bridge was founded by two students from Atlanta's Georgia State University, who saw in the community a need to establish a counseling service for parents of runaway kids. Thus, initially, The Bridge acted as mediator between runaway kids and their parents. The Bridge is a crisis intervention program, although now the counselors work mainly with families and couples. Consequently, the counselors must be skilled in the art of mediation. Two Bridge staff members, Sylvia Johnson and Mary Loffey, conducted the NJCA training; both have extensive education and training backgrounds in counseling and mediation.

Although the Neighborhood Justice Center Program is not seen as a counseling service, it does employ some counseling techniques. Thus, The Bridge training was thought to be a useful experience for the mediators.

As visualized by The Bridge group, the training of mediators in Atlanta was to develop both the skills and theory needed to help resolve interpersonal disputes. In order to accomplish this objective, The Bridge staff proposed three days of training that would cover such topics as:

- (1) Conflict Identification - multiple levels of the conflict and seeking hidden sources of disputes.
- (2) Issue Identification - the specific issues around which the dispute revolves.
- (3) Issue Separation - the importance of separating out the relevant from the less central issues and then prioritizing them.
- (4) Goal Setting and Expectations - the importance of the disputants to experience success on mini-goals rather

than the feeling of giving up. This may involve two processes: clarification of what each party wants and an examination of the reality of those desires.

- (5) Communication Skills - to reflect content, feelings, listening, and problem solving.

In their approach, The Bridge proposed to conduct the first two days of their training in the first weekend, with the third day to be used for follow-up training after the mediators had had a chance to conduct a few hearings. This follow-up session was to take place one month following initial training. It was felt that this would enable the volunteers to operationalize the skills learned in the first training and return for consultation. Small group techniques were to be employed during this follow-up activity.

The Bridge focused on developing the mediators' critical interpersonal skills. They operated on the premise that people are their own resources, and each person has the ability to solve his/her own problems. The mediator acts as a conduit in assisting the disputants in their efforts to reach an acceptable agreement.

The training was composed of brief informal lectures, demonstrations, role playing exercises, one videotaped mediation session which was real -- not simulated -- and discussions tailored to the specific needs of the local mediators. While some of the warm-up exercises were considered inappropriate by a few of the trainees, The Bridge, throughout the program, was able to facilitate a group cohesiveness and ease with the mediation situation. The mediators got to know each other fairly easily and quickly, such that they really worked well together during the training. Many of those "inappropriate" exercises later appeared to be instrumental in bringing about this result. Consequently, the group established a training framework for the mediation process, developing human relations skills and abilities so that the mediators were open and receptive to the critical technical abilities which AAA introduced in its training sessions.

Training by the American Arbitration Association (AAA)

The final phase of the initial training was provided by the American Arbitration Association on March 3-6, 1978. While The Bridge organization provided 16 hours of training focusing on communication skills, listening, establishing rapport, identifying goals, etc., the American Arbitration Association provided the final 24 hours in specific mediation skills.

Specific content areas included the following topics:

1. Introduction to Settlement - an examination and discussion of alternative means and resolving conflicts.
2. The Mediation Process - the perspectives and strategies that a mediator utilizes in the hearing.
3. The Opening Statement - the salient characteristics which must be included in opening a session.

4. The Use of Caucuses - role playing the fact-finding process in establishing the means for developing a settlement.
5. The Arbitration Process - the nature of the arbitration process and how it differs from mediation.
6. Writing Consent Agreements - the skills needed to develop an effective formal document reflecting the conditions under which the disputing parties will abide.

The American Arbitration Association focused on imparting the techniques of mediation by simulating "real" disputes and role playing. The objective was to acquaint each mediator with the skills and processes involved in mediating a dispute. Each trainee mediator had the opportunity to mediate a minimum of two mock disputes. Comments, criticisms, observations were recorded and discussed by the AAA staff.

The important training phases covered by AAA which were not touched upon by The Bridge group were the use of the caucus and the use of evidence. There was also much emphasis on practicing the opening statements and developing the written agreement. Discussions with some mediators pointed out that the effective use of the caucus is an invaluable tool of the training.

Although arbitration was to be included as part of the training, time and interest did not permit much discussion in this area. Since mediation was the primary focus of the program, the trainees requested that the schedule be modified slightly to cover those skills needed for mediation. The AAA staff was willing to be flexible in that regard and thus reduced that section in the schedule having to do with arbitration.

The American Arbitration Association program had for each trainee mediator a notebook with resource information on the process of mediation. It contained articles and an extensive bibliography. While the notebook was used infrequently during the training, it was a valuable reference tool for those mediators who wanted more information on the process.

General Response to the Training

As a part of the evaluation process, observation of the training programs were conducted by IFR's Evaluation Analysts at each NJC project. They were asked to record their impressions and reactions to the training efforts. What follows is a summarized version of the Analyst's review of the mediation training in Atlanta.

As reported by the Atlanta training observer, all the participants including the NJC staff members felt that both The Bridge and AAA organizations provided an effective and relevant training experience. One concern, however, that was voiced was a lack of close coordination between the two groups and their approach. Many of the participants expressed problems they were having putting the two programs together during the second week-end of training when the AAA group was conducting the sessions. There was confusion over the emphasis on determining the attitudes and motivations of

the disputants as proposed by The Bridge, and the more structured approach suggested by AAA. These different approaches did not seem to disrupt the training process to any significant degree and most of the participants seemed to benefit from both approaches.

The Bridge training was extremely valuable in setting the pace of an enthusiastic, largely volunteer group. They provided an atmosphere of mutual confidence and respect, which in turn created the kind of positive beginning necessary for the successful operation of a program of this nature. The closeness and rapport between and among mediators continues to strengthen the program tremendously.

Some concerns that were expressed with the AAA approach did in no way diminish their importance as trainers. The AAA training program was thought to be most valuable in the area of specific, technical mediation skills necessary -- for example, the caucus and writing agreements.

The observer thought both groups provided the mediators with good basic skills; though at first some mediators had difficulties meshing the two approaches for an effective personal mediation style, they later obtained the experience and confidence needed to integrate the best of both approaches.

Training Assessment Questionnaire

One procedure that was utilized in assessing the training effort was a questionnaire administered by the local IFR Evaluation Analyst/observer. The questionnaire was developed to elicit, from those participating in the program, responses to specific questions related to their understanding of the background and objectives of the NJC program, the skills they felt were developed, and their reaction to the training methods that were used. In addition, there was a series of open-ended questions that allowed the mediator-trainees an opportunity to express their opinions about such issues as methods for improving the training in the future, the most effective aspects of the training, and additional skills that they felt they might need.

A second follow-up questionnaire is to be administered as soon as each mediator has had an opportunity to hear a few cases. In this manner they will have a better perspective on the training they received, and, more importantly, can provide useful input for conducting future training efforts.

Questionnaire Results

The detailed results for the immediate follow-up Mediation Training Assessment Questionnaire can be found in Appendix F. The more significant findings, however, indicated that for all three major areas in question -- program objectives, skill development, and training methods -- the great majority of the respondents rated all the items high or very high. This indicated that almost all aspects of the training were well received (again considering that these answers were obtained immediately following the training program).

A few items, however, were rated somewhat lower, and these included:

- (1) Understanding the policies and procedures of the criminal justice system, especially the courts.
- (2) Development of note-taking skills.
- (3) Knowledge of community services.
- (4) Presentation of written materials.

In each of these instances there was no overt attempt on the part of the trainers to cover these topics, and it was felt that these skills could be sharpened during the scheduled follow-up training program to be conducted by The Bridge group.

Regarding the open-ended questions the trainees gave these opinions:

1. How should the training be changed in the future?
 - Better scheduling of classes.
 - One training organization, not two.
 - More time for role-playing.
 - More specific critiques.
 - Small training groups.
 - More information on NJC policies.
 - More stress on agreements.
 - More emphasis on techniques.
2. What parts were most valuable?
 - Role-playing exercises.
 - The discussion sessions.
 - Understanding the role and function of the mediator.
 - The use of the caucus.
 - Small group discussions.
3. What additional skills are needed?
 - Being impartial.
 - Preventing impasses.
 - Better non-verbal skills.
 - Using probing questions correctly.
 - Handling strong emotions.
 - Writing agreements.
 - Conducting caucus sessions.
 - Controlling the sessions.

Questionnaire summary. The responses to the training questionnaire reflect some of the uncertainty that the newly developed mediators had prior to hearing their first actual cases. It will be useful to examine these responses in comparison to the follow-up training questionnaire results which will be available in the next few months. All in all, it appears that the mediator-trainees and Atlanta staff were pleased with the initial training effort of both firms, and feel they gained the skills needed to at least begin mediating dispute cases.

According to the Project Director (Mr. Slayton), the main concern with mediator training was to provide a relevant experience. Thus, The Bridge organization, as a local group, was seen both as a means of providing skills training, and at a relatively low cost. He felt that AAA's 40 hour program would have been too costly, and that even for future training efforts local resources will have to be utilized. The Bridge and NJC staff probably will be used to train new mediators.

Follow-Up Training Session

A one day follow-up mediator training session was planned for the Atlanta NJC, and it took place on June 3, 1978. The program was conducted by The Bridge organization, the same agency that was involved in the first weekend of initial training. Feedback from the training sessions in February and March and results from a follow-up questionnaire the mediators completed were used to prepare the curriculum. In addition, staff from the Center participated in planning and conducting some of the sessions.

Topics included in the training were NJC policies and procedures, mediator feedback on cases they have handled, building rapport with the clients, and presentations on available community services. The NJC staff handled the Center's policies and procedures session. Following that, the 15 or so mediators who were in attendance (out of the 34 total) related some of their experience in handling cases.

Next, The Bridge staff made a presentation on building rapport and, in particular, making the opening statement to set the proper atmosphere. Role-playing was utilized to allow each participant an opportunity to make an opening statement.

Although one of the individuals who was to make a community services presentation did not show up, there were two other presentations covering referral sources for battered wife cases and a program for counseling families.

Reaction to the follow-up training. There was an indication that, due to the relatively low attendance by the mediators and general lack of enthusiasm, the training did not go as well as had been hoped. While some useful and interesting topics had been identified for the follow-up training session, it would appear that many of the mediators felt that they did not really need the additional skills training. For those mediators who did attend there was a mixed reaction to doing role-playing "once again" -- some felt it was not needed to learn opening statements; others felt it was beneficial to assume the role of a disputant.

Since the follow-up training was conducted about three months after the original training was completed, and given that all the mediators have been quite active in hearing cases, there may have been a feeling on their part that another whole day of training was not needed at this time.

However, it has been noted in other existing dispute resolution centers around the nation that there is a continuing need for retraining, especially after a year or so of mediating cases. Sloppy patterns may develop in the hearing sessions, which could be corrected during a follow-up training effort. It may be that the scheduling of this session was somewhat premature.

SOURCES OF CASE REFERRAL

The staff of the NJCA has devoted much time and effort during the implementation period to generating cases which are appropriate for resolution via the mediation process. Primary emphasis has been placed on developing formal referral plans with the courts and police department, with community and social service agencies of secondary priority. More informal referrals and self-referrals are encouraged via presentations to local groups and publicity coverage. The NJCA's outreach and public relations activities are described below.

Development of Referral Agreements

The NJCA has developed referral agreements with the following systems:

- Municipal Court of Atlanta
- State Court of Fulton County
- Atlanta Police Department, through the Commissioner of Public Safety
- Public Defender's Office
- Atlanta Legal Aid Society
- City Office of Consumer Affairs
- Governor's Office of Consumer Affairs
- Fulton County Mental Health Department

The agencies above have a formal agreement with the NJCA; currently, the staff is working on an agreement with the Juvenile Court of Fulton County. Referral plans are developed for each agency which delineate case criteria and referral procedures; the referral process is generally outlined in a letter to the agency from the Executive Director. Informal arrangements for referrals exist with other agencies and community organizations -- these groups are informed about the NJC and do make referrals. The written referral plans appear in Appendix G.

The referral arrangements were developed by the project staff, usually the Executive Director, through many face-to-face meetings with appropriate officials within the system. The time investment was considerable; for example, one staff person spent a full day visiting a court (in addition to other periodic visits), observing its set-up and procedures, talking to

court personnel, and developing procedures for making referrals to the NJC which fit the Court's operation.

Referral systems with the courts and police will be discussed separately, because the NJC staff focused their outreach efforts on these criminal justice system agencies. The written referral plans are fairly similar; they contain a brief description of the NJC program, present the NJC's case selection criteria, outline the procedures for making referrals, and ask for information (including case criteria) from the agency in order to enable the Center to make referrals to it.

The referral plans delineate the following case criteria for referrals:

- (1) Ideally, the parties involved should have an ongoing relationship, e.g., spouse vs. spouse, family member vs. family member, landlord vs. tenant, neighbor vs. neighbor, consumer vs. local merchant, etc. However, if in the judgment of the agency staff a dispute is ripe for mediation even though it may not fall within these categories, please either make the referral or at least call the NJC to determine whether the NJC will be able to handle the case.
- (2) The matter in dispute may be criminal or civil in nature, or both. However, ideally the dispute should not involve a matter of absolute guilt or innocence or absolute right or wrong. Rather, the nature of the dispute should be appropriate for compromise, settlement and mutual agreement.
- (3) Both disputants must be willing to submit their dispute to mediation. Realizing that the agency will typically be contacted initially by just one of the disputants (complainant), this requirement should be explained from the outset. If, as a matter of standard operating procedure, the agency contacts the respondent as well (prior to making a referral to NJCA), the respondent should also be advised of this requirement.
- (4) Priority is given to cases where at least one of the parties lives or does business within the designated NJCA target area. However, until such time as the NJC caseload begins to approximate its monthly goal (75), cases are to be scheduled irrespective of the target area limitations. In any event, the NJC will provide the service to anyone who wishes to avail themselves of it.

The procedures for referring cases to the NJCA are:

- (1) The agency is contacted by an individual seeking assistance.
- (2) The agency makes a determination that mediation is appropriate given NJCA criteria.
- (3) The agency advises person to contact NJCA by telephone or in person. It is not necessary for anyone to make an appointment

as walk-in cases are accepted at any time. If possible, the agency should try to explain the NJCA program to the person.

- (4) NJCA initiates intake procedures with the complainant. Once completed, NJCA contacts the respondent and attempts to schedule the matter in dispute for mediation. Where necessary, NJCA staff will attempt to persuade the respondent to agree to participate in the mediation effort by advising the respondent that the complainant still retains the option to seek redress of his grievance legally or otherwise. In addition, the NJCA staff will point out the benefits of agreeing to mediate the case as opposed to litigation.
- (5) NJCA mediates the dispute at the scheduled time. In most instances, the case will be scheduled for mediation within a week from the time the intake process is completed.
- (6) If the parties reach an agreement during mediation, the terms are set forth in written form by the mediator and signed by the parties. If no agreement is reached after mediation, the parties are advised that they may pursue any legal or other remedies available to them.
- (7) If desired, the NJCA will inform the agency as to the outcome of the case referred. This feedback will preferably be in writing.

Feedback is to be provided to the referral sources; for example, the Municipal Court of Atlanta is to be informed, in a letter from the Executive Director, regarding the outcome of cases it has referred to the NJC. The feedback information will include the names of the disputants, date of referral and the hearing, the outcome of the case, and a brief description of the agreement, if one was reached.

The NJCA attempted to develop formal referral agreements with agencies whenever possible, but also encouraged informal arrangements. Many governmental and community organizations have been informed of the NJC and its operations, and may make referrals simply by advising the party to contact the NJCA by telephone or in person. From that point, events progress as in steps 4-7 of the formal referral plans.

Court referrals. The NJCA has formal referral plans in effect with the State Court of Fulton County and the Municipal Court of Atlanta. These resulted from numerous contacts made by the Executive Director and Deputy Director with court officials, especially the Judges, Court Clerks, and Solicitors. The referral arrangements have been facilitated by the Center's Board members who are court officials and the personal relationships many Board members have with judges and other court-related personnel.

The courts are seen as a particularly rich source of referrals for the NJCA because of the staff efforts devoted to this source. Rather than advising the parties to contact the NJCA, the project has placed its staff, mediators, volunteers, and interns in the courts to conduct intake interviews

on the spot. The client is directed to the NJC intake worker's desk or office, where intake is conducted following the usual procedures, and the case processing begins.

This arrangement, of having NJC representatives located in the courts, has proven to be a workable, satisfactory one. Cases are screened by both the referral source and NJC staff on location, and if the case is not accepted, the party has lost little time or effort. In some cases the staff has actually mediated cases in the courts, when both parties were present and an immediate resolution seemed necessary and possible.

The referral procedures for citizen-initiated and system-initiated cases are fairly similar, as shown in the court referral plan. Citizen-initiated cases, in which no charges have yet been filed, are referred to NJCA intake worker by the court clerk at the time the citizen comes in to initiate proceedings. In system-initiated cases, in which a formal complaint has been filed, referrals are generally made "from the bench" -- the presiding Judge generally continues the case for 30 days pending successful mediation and makes a referral to the NJCA. Referrals have been received for both these types of cases. Judge Camp, Chief Judge of State Court of Fulton County, has referred cases from the bench, and Judges Cummings, Kaplan, Cooper and O'Connor in the Municipal Court have also sent disputants to the NJCA. If a NJC staff member is not present in the Municipal Court when a Judge makes a referral, the disputant is told to contact the Center and is given a form with the NJC's phone number and address.

The Municipal Court of Atlanta binds over cases to the State Court for arraignment hearings. Referrals may be received from several sources: the Clerk and Judges of the Municipal Court, and the Civil (Small Claims) Warrants desk, Criminal Warrants desk, Juvenile Court, and Bindover Hearings of the State Court. NJC staff or volunteers maintain the following schedule for covering the courts:

State Court of Fulton County

Monday:	Civil and Criminal Desks, 9 a.m. - 3 p.m. Bindover Hearings, 11 a.m. - 1 p.m.
Tuesday:	Civil and Criminal Desks, 12-3 p.m. Bindover Hearings, 11 a.m. - 1 p.m.
Wednesday:	Civil and Criminal Desks, 11 a.m. - 2 p.m. Bindover Hearings, 11 a.m. - 1 p.m.
Thursday:	Civil and Criminal Desks, 10 a.m. - 1 p.m. Bindover Hearings, 11 a.m. - 1 p.m.
Friday:	Civil and Criminal Desks, 10 a.m. - 3 p.m. Bindover Hearings, 11 a.m. - 1 p.m. Juvenile Court, 9 a.m. - 3 p.m.

Municipal Court of Atlanta

Monday through Thursday:	10 a.m. until last scheduled case is heard 2 p.m. until last scheduled case is heard
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As can be seen, the NJCA staff has contributed much to obtaining co-operation from the courts, with great success. The referral procedures and presence of staff in the courts have been operational for several months and appear to be working well.

Police Department Referrals. The NJCA has a formal referral agreement with the Atlanta Police Department's Precincts 2 and 3, which cover the Center's target area. Most of the personal contacts necessary for developing the referral plan were made by the Program Assistant in charge of community and police relations, assisted by the Executive Director. The primary contacts have been with the Commissioner of Public Safety and a Captain in Police Precinct 2, who serves on the NJC Board. The Program Assistant met several times with these two individuals and approximately six other officers regarding the referral plan; during these meetings, the NJC program, case criteria, and referral procedures were explained.

The referral procedures are as follows:

- (1) When police officer answers a call and arrives at the scene of the incident, he determines whether or not an arrest should be made. If not, he then determines if the case could be handled by the NJC (if an arrest is made, it is still possible to receive the case from a Municipal Court referral).
- (2) If the case is appropriate for the NJC, the police officer fills out a referral form which contains the party's name and address, the referring officer's name, and name, address, hours, and brief service description of the NJC. This form has three copies, one each for the disputants, officer, and NJC. The disputant is told the NJC will contact him or her.
- (3) The officer sends the Center's copy to the NJC Program Assistant, and he contacts the parties to begin case processing, which proceeds as usual.
- (4) Once a month, the Program Assistant completes a feedback report on the police-referred cases, relating the outcome of each case. It is sent to the Precinct Captain, who disseminates the information to the participant officers. The officers also are encouraged to visit or call the Center to receive information on a case.

The referral procedures within the police department are now in effect and continued contact with the police officers will remain an NJC staff priority.

Outreach and Public Relations Activities

The NJCA conducts outreach and public relations activities to both gain community support and awareness and generate referrals from the community. Community agency and self-referrals constitute the second and third largest group of cases (police referrals are fourth at this time). This response is

a reflection of the NJC staff time and resources devoted to outreach activities.

Early in the implementation phase, three staff members -- the Executive Director, Deputy Director, and Program Assistant in charge of community relations -- spent a great deal of time on outreach activities. Another Program Assistant also participated in these activities. These activities have lessened somewhat because of the increased caseload, but will continue on a more limited ongoing basis. The NJCA employs three primary methods for reaching the community: (1) presentations and individual personal contacts with local organizations and groups, (2) mailings of NJC literature, and (3) media coverage.

Presentations and personal contacts with community organizations. The NJCA staff have personally visited approximately 50-60 governmental and community organizations, and have contacted many others by phone. About one-fourth of the personal contacts were actually speaking engagements, where a staff member presents information regarding the NJC program to the group. The other contacts involved small meetings with the directors and other interested staff of the organizations. The purpose of these outreach activities was to inform the community organizations regarding the NJC services and to encourage referrals to the NJC. As time goes by attempts will be made to develop formal referral agreements with these groups. A list of the groups contacted appears in Appendix H. The range of organizations visited includes high schools, churches, neighborhood associations, local businesses, libraries, city councils and other organizations, social service agencies, crisis centers, YMCAs, and housing projects.

Mailings of NJC Literature. The NJCA has prepared flyers and brochures which explain its services and how to contact the Center to receive assistance. These have been mailed to approximately 65 community organizations, to inform them of NJC operations. These materials are also distributed whenever personal contacts are made and are sent to anyone who contacts the NJC for information.

Media coverage. The NJCA has received a considerable amount of attention from radio and TV stations and newspapers. The Executive and Deputy Directors are generally the staff members who are interviewed or appear in programs. Early in the implementation period, the President of the Board also participated in interviews, usually with the Executive Director, and contributed information for particular articles.

Much of the media coverage is NJC-initiated. For example, the Deputy Director contacted the three local TV stations to solicit coverage of the NJC opening. The Deputy Director has appeared on a local TV show, accompanied by two mediators who staged a mock hearing. The Executive Director has been a guest speaker on an hour-long popular radio program with a wide audience and a local TV talk-show, the Ebony Journal

Public Service Announcements have been written and sent to 20 radio stations; it is not known how many stations are actually broadcasting the PSAs. News releases and specific information for news articles have been written for the print media. The local newspapers have provided the NJCA with fairly good coverage; the papers include the Atlanta Constitution. A

full list of newspapers which have covered the NJC is included in Appendix H.

CBS and ABC National News have recently filmed real mediation sessions, concealing the disputants' names and faces. These will be broadcast at a future date. An article will also appear in the Christian Science Monitor in the future; an interview was held with the Project Director to obtain information.

CASE MANAGEMENT

Development of forms and procedures. The Program Assistant responsible for intake initially developed all forms and procedures for case processing. The forms and procedures were reviewed by the entire staff before they were put into practice and have been modified as they were tried and tested.

Many forms and procedures utilized by existing dispute resolution programs served as models for the developments in the NJCA. The Deputy Director visited the Miami Citizen Dispute Settlement Program early in the implementation period, and the Program Assistant visited the IMCR Center in New York City and the dispute center in Coram, New York. Those site visits provided the staff with information regarding how forms and standard operating procedures actually work in practice. The Atlanta staff also reviewed and adapted existing written procedures and forms presented at the Reno conference. All forms used in Atlanta for case processing have been included in Appendix I.

Intake procedures. Disputants enter the NJC system in three ways -- by phoning the Center, walking into the Center, or talking to the NJC intake worker in the courts. The bulk of initial contacts are by phone. In any of these instances, the intake interview is the same, whether conducted by phone or in person. If the disputant calls or comes into the Center, the Administrative Assistant does the initial screening of the case to determine if it is appropriate for mediation, and refers the disputant to an NJC staff person, who is almost always one of the Program Assistants. One Program Assistant takes incoming calls on a first priority basis between 8:30 and 11:30, while the other takes the calls from 1 to 5 p.m.; from 11:30-1:00, calls are forwarded to whomever is available or the caller is requested to call back.

The basic steps of the NJCA intake procedure, as it currently exists, are:

- (1) Identification of the Complainant -- name, address, phone number, age, race, sex, income and occupation. The interviewer begins to complete the Complaint Form at this time and continues filling it out during the intake process.
- (2) Identification of the Respondent -- complainant must be able to provide name and a means of contacting the respondent.
- (3) Gathering of information from the complainant clarifying the specific nature of the complaint, which enables staff

to make a final determination as to whether the problem is, in fact, appropriate for mediation.

- (4) Explaining the NJCA's procedure for mediating disputes to the complainant.
- (5) Contacting the respondent and informing same that a complaint has been filed against him/her with the Center.
- (6) Advising the respondent of the specific complaint made by the complainant and obtaining the respondent's version of the nature of the problem.
- (7) Obtaining needed demographic data (as in #2) on the respondent.
- (8) Explaining the NJCA's procedure for mediating disputes to the respondent.
- (9) Obtaining the requisite voluntary consent of the respondent to participate in mediation.
- (10) Establishing a date and time for a mediation hearing which is acceptable to both parties.
- (11) Entering the scheduled mediation into the schedule book and the case control log.

NJCA staff had been considering the intake process complete as soon as steps 1-8 occurred. Previously, even if a respondent initially refused to participate in mediation, intake was deemed completed, the complainant was advised of the respondent's decision and a referral was made elsewhere. The case record was then completed and the case was categorized as "accepted" but one which failed to reach mediation. This practice had the undesirable effect of increasing the incidence of unresolved cases which, for all intents and purposes, remained unresolved due to the respondent's refusal to participate in mediation.

Effective June 12, 1978, the NJCA revised its current procedure for intake consistent with the steps (1-11) outlined above. In essence, a case is not considered accepted until all the steps have been carried out. The primary distinction is that unless, and until, a respondent agrees to participate in mediation, intake will not be considered completed and, therefore, the case will not be considered to be accepted officially.

At times, the respondent cannot be reached by phone, and a letter is sent to him or her, informing the respondent of the NJC, the complaint made, and the date of the hearing. If the letter is returned to the NJC the case will be treated as unaccepted. If, however, the letter is not returned the NJC will continue with the mediation scheduled even if it becomes a no-show. If the letter prompts the respondent to call, the case will be treated in a normal manner depending upon whether the respondent indicates he will participate.

In summary, the NJCA has the following major categories of cases for documentation purposes:

(1) Accepted Cases

- (a) Cases appropriate for mediation; intake process completed, respondent initially consents to mediation, case is actually scheduled and mediation occurs.
- (b) Cases appropriate for mediation; intake process completed, respondent initially consents to mediation, case is actually scheduled but mediation does not occur because one or both disputant(s) fails to appear (no-show), or one or both disputant(s) cancels scheduled mediation.

(2) Unaccepted Cases

- (a) Cases screened out by the Administrative Assistant and deemed inappropriate for mediation; records will be kept on the number of such inquiries and where they are referred.
- (b) Cases otherwise appropriate for mediation but for respondent's refusal to mediate; records will be kept on the nature of the referrals made for the complainant. In these cases, the information collected from the complainant and respondent will be kept on file.

Whenever time allows, a phone call is made or written reminder sent to both disputants informing them of the date and time of the hearing. The Program Assistants fill out a case summary sheet after intake has been completed (the volunteers in the courts do not do this). On the Case Summary, the complainant's and respondent's viewpoints are combined to provide a complete description of the dispute.

Cases resolved prior to a hearing. In some instances, the NJCA staff is able to facilitate a resolution of the dispute prior to holding a mediation hearing. This usually occurs during intake, specifically when the respondent is contacted. Often the simple intervention of a third party, the NJCA, moves the parties toward resolving the disputes. Other times, the project staff work as facilitators, maybe talking to the disputants several times or making other phone calls in relation to the dispute, in order to move the parties toward resolution. The Complaint Form is completed for these cases and a case file is opened.

Case selection criteria. The case selection criteria, as presented to referral sources, has been covered in the section on referral procedures. Basically, the NJCA accepts cases in which (1) the disputants have an ongoing relationship, (2) one or both parties reside or work in the NJCA area (this criteria will not be strictly adhered to until the caseload reaches 75 mediations per month; then it will not be used as a screening device, but scheduling priority will be given to target area cases), (3) both parties must be willing to voluntarily participate in the NJCA process, and (4) the dispute appears amenable to mediation. The NJCA will accept cases of a criminal or civil nature; typical cases will be domestic

relations matters, property boundary disputes, nuisances involving neighbors, juvenile vandalism, and small claims disputes. Serious felonies are not to be accepted unless the nature of the case strongly suggests that mediation is appropriate.

Referrals from the NJC. The NJCA refers disputants to other agencies when it appears they could be of greater assistance. A referral may be made for the complainant if the respondent refuses to participate in mediation, or for either party after a hearing, if a need for additional service has been identified. The NJC staff provides the disputant(s) with the name and address of the referral organization. A relationship between the NJCA and the organization is generally established through the staff's outreach efforts. A form is sent to the organization which announces a referral has been made and asks that a written statement of the outcome of the case be forwarded to the Center.

Case processing procedures. After intake has been completed, the case file is given to the Deputy Director, who schedules a mediator to hear the case. The Deputy Director will attempt to match the mediator with the case, and mediators are scheduled to hear cases on a certain day each week. The Deputy Director is selective in matching mediators to cases within the group scheduled on a particular day.

The disputants receive a letter prior to the hearing, reminding them of the time and date. Mediations were formerly scheduled at the complete convenience of the parties; now there are pre-arranged times for the mediations and the disputants have freedom to choose among those times. Hearings are scheduled Monday through Thursdays at 10:00 a.m. and 1:00, 6:00, 6:30, and 7:00 p.m. (two hearings are scheduled at 6:00 and 6:30). The staff began to overbook the mediations, due to the number of cases which are canceled. This has not caused any problems, because the Center can accommodate six hearings at one time and project staff conduct mediations when needed.

When cases are scheduled in the evening, one NJCA staff member and one Night Coordinator (who receives \$15 per night for these duties) are always present. The Night Coordinator assists mediators, answers the phone, covers the reception area, receives disputants, and provides security. The NJCA staff member reviews agreements prior to signing for accuracy and content.

The intake worker who opens the case is responsible for its full processing, and conducts all contact with disputants, sends out hearing notices, etc. A mediator may discuss the case prior to the hearing with the intake worker; an attempt is made to avoid any biasing comments which may have emerged during initial conversations with the disputants. If available, the mediator also reviews the Case Summary sheet before the hearing.

A Client Tracking Form is placed in each case file to document steps as the case moves through the NJC process. A case file consists of a Client Tracking Form, Complaint Form, Case Summary Sheet, Agreement, Mediation Hearing Report and Recommendations, hearing notices, and Short-Term Follow-Up Form. Once a case has been scheduled and a mediator is

assigned, the next stage in the process is the hearing itself.

The hearing. The NJCA can accommodate six hearings at one time; there is one large hearing room and all five staff offices are used when necessary (each contains a medium sized table and several extra chairs). When the disputants arrive at the Center, they wait in the reception area until the mediation session begins. Generally only one mediator per case is used, unless it appears to be especially sensitive, in which case two mediators may be assigned.

Individual mediators determine the room set-up. Usually the mediator sits at the end of a rectangular table with the disputants on either side facing each other. Mediation is the only dispute resolution technique used in the NJCA, and the caucus is used extensively (the mediators tend to agree it is the most valuable tool of a skillful mediator). A typical hearing progresses in the following fashion:

- (1) Mediator makes opening statement, introducing self, explaining the mediator's role and describing the mediation process.
- (2) Each disputant is allowed to tell his or her side of the dispute without interruption.
- (3) The disputants and mediator discuss the issues, with the mediator asking clarifying questions and attempting to move the parties toward agreement.
- (4) Individual private caucuses are held with each disputant.
- (5) The joint session continues until agreement is reached or it appears there will be no agreement. Additional individual caucuses may be held.
- (6) If an agreement is reached, it is hand-written and signed by both parties and the mediator. Copies are made for each disputant and the signed original is retained in the case file.
- (7) Mediator thanks the parties for their participation.

After the hearing, the mediator completes the Hearing Report and Recommendations Form, summarizing how the mediation process went. Observers and attorneys are allowed in the hearing if agreeable with both parties, and some attorneys speak for their client.

Follow-up procedures. Follow-up procedures have recently been implemented in the NJCA. One party in each case that was mediated will be contacted by phone, and interviewed following the Short-term Follow-up Form. The party contacted is the one who is easiest to reach, and appears to be able to be most honest about the dispute and mediation process. The party is queried regarding his/her satisfaction with the agreement and the process and if the agreement is being upheld. Longer term follow-up will be conducted by the Evaluation Analyst.

In cases in which the parties cannot be reached by phone, a letter will be mailed asking the parties to contact the Center for a follow-up interview. If no response is received to the letter, the Center will not pursue follow-up in the case due to staff time limitations.

All cases will be referred to proper legal or social service entities, according to the nature of the dispute, if the agreement is not kept and such a referral is desired by the parties. A recommendation or at least pertinent information for solving the case quickly will be sent to the presiding judge or appropriate social service official by the follow-up person. For all cases referred to the Center by the courts, police and social service agencies, the referral source will receive information in the mail concerning the outcome of the cases.

ATLANTA IMPLEMENTATION SUMMARY

The Neighborhood Justice Center in Atlanta began following the formation of a private non-profit organization of concerned citizens who were responding to Department of Justice's interest in funding these Centers. The Board of Directors for the project hired an Executive Director to administer the program; they also participated in selecting the target neighborhoods in which the program was expected to operate.

The remainder of the staff was recruited by the Executive Director, and following the selection of a project site, the NJCA got underway. The program was seen as being primarily court oriented, in that a majority of client referrals were expected from the courts in the area. Although disputants also were to be sought from the local Police Precinct and community agencies as well. However, given the fact that many of the Board members were personally acquainted with several of the judges it was thought that the courts would probably be the primary referral source.

The operating philosophy of the project appears to be modeled after existing dispute resolution programs that are closely linked to the courts, such as those in Miami and New York. In these projects, representatives of the program are generally located in the courts and identify those cases that appear to be amenable to mediation. Director outreach to locate clients and bringing them to the Centers is a common feature in these projects. In addition, the goal of the mediation process is to reach an agreement between the disputant parties, and not necessarily attempt to provide personal counseling or probe for underlying causes. While on occasion it may be useful to examine personal issues underlying an interpersonal dispute, the general mediation session does not require it. In fact, the negotiated and written agreement may facilitate a new and improved relationship between the disputants. In any case, the NJC in Atlanta would like to mediate cases so that a written agreement is developed before the parties leave the session.

Given that none of the Center's staff had had direct experience in working with a dispute resolution program, many of the forms and procedures had to be newly developed. While using forms from existing centers as a guide, they had to be adapted to Atlanta's situation. As a result there was a period where these formats and procedures were being

changed and adapted. However, this was seen as a constructive process as the entire staff made contributions to the changes that were recommended.

The Neighborhood Justice Center of Atlanta has taken significant steps during the implementation phase of the program. Beginning with only a group of interested and concerned individuals, then hiring staff, locating a project site, securing referral agreements, recruiting and training mediators, and hearing cases, the project now appears to be more firmly entrenched as a community and criminal justice system resource.

CHAPTER V: IMPLEMENTATION OF THE KANSAS CITY NEIGHBORHOOD JUSTICE CENTER

Overview

This chapter describes the implementation activities that took place in Kansas City prior to and after project funding was awarded to establish a Neighborhood Justice Center. The chapter contains major sections on early grant development, the sponsoring city agency, the role of the Advisory Board, staff selection and training, mediator recruitment and training, establishment of client referral sources, and case management.

Early Activities

One of the primary reasons for Kansas City's involvement in the NJC program was the city's prior experience in operating a dispute resolution program in 1974. That program was funded by the Police Foundation and operated by the Kansas City Police Department. The project was directed by Maurice Macey, the current NJC Project Director. While the project lasted less than a year due to loss of funds, it produced experienced mediators and a knowledgeable Project Director. This prior dispute resolution program made Kansas City's effort unique among the three cities.

In May 1977, Mr. John Beal of the Department of Justice's Office for Improvements in the Administration of Justice attended a meeting of city management officials in Kansas City and spoke with Mr. Robert Kipp, the city manager, regarding the NJC concept. Mr. Kipp was asked if the Kansas City government would be interested in a grant to operate an NJC; he subsequently met with several people, including Mr. James Reefer, the head of the Community Services Department, Mr. Aron Wilson, the city attorney, and the city prosecutor to discuss the possibility. An affirmative decision was made, based on Kansas City's successful experience with the previous dispute resolution center. Mr. Reefer's Community Services Department was designated as the sponsor of the NJC and placed in charge of developing the program and assuming responsibility for administering it.

Mr. Reefer asked an administrative officer in the Community Services Department to accept the responsibility of researching and writing the grant application. The administrative officer drew in other people with varying skills and knowledge to assist in the work, including grant writing experts and people who had been associated with the earlier project. Representatives from the budget and city prosecutor's offices, Mr. Alvin Brooks from the city manager's office, and Captain William Trimble from the Police Department met regularly during the grant writing period, June 1 - September 15, 1977. This group divided the development and writing tasks; for example, the police department representatives worked on the referral procedures and the budget personnel covered the financial aspects.

This planning group developed the administrative structure of the NJC project, including defining its relationship to the city government. The Community Services Department operates the NJC as one of its 11 programs (see Figure V-1, the organizational chart for the department). Through the grant application and subsequent activities, the city planning group

designed the organization of the NJC, formed the NJC Advisory Board and specified its role, hired the Project Director, and assisted in the selection of the target area. These activities are described below.

The Role and Responsibility of the City Sponsor

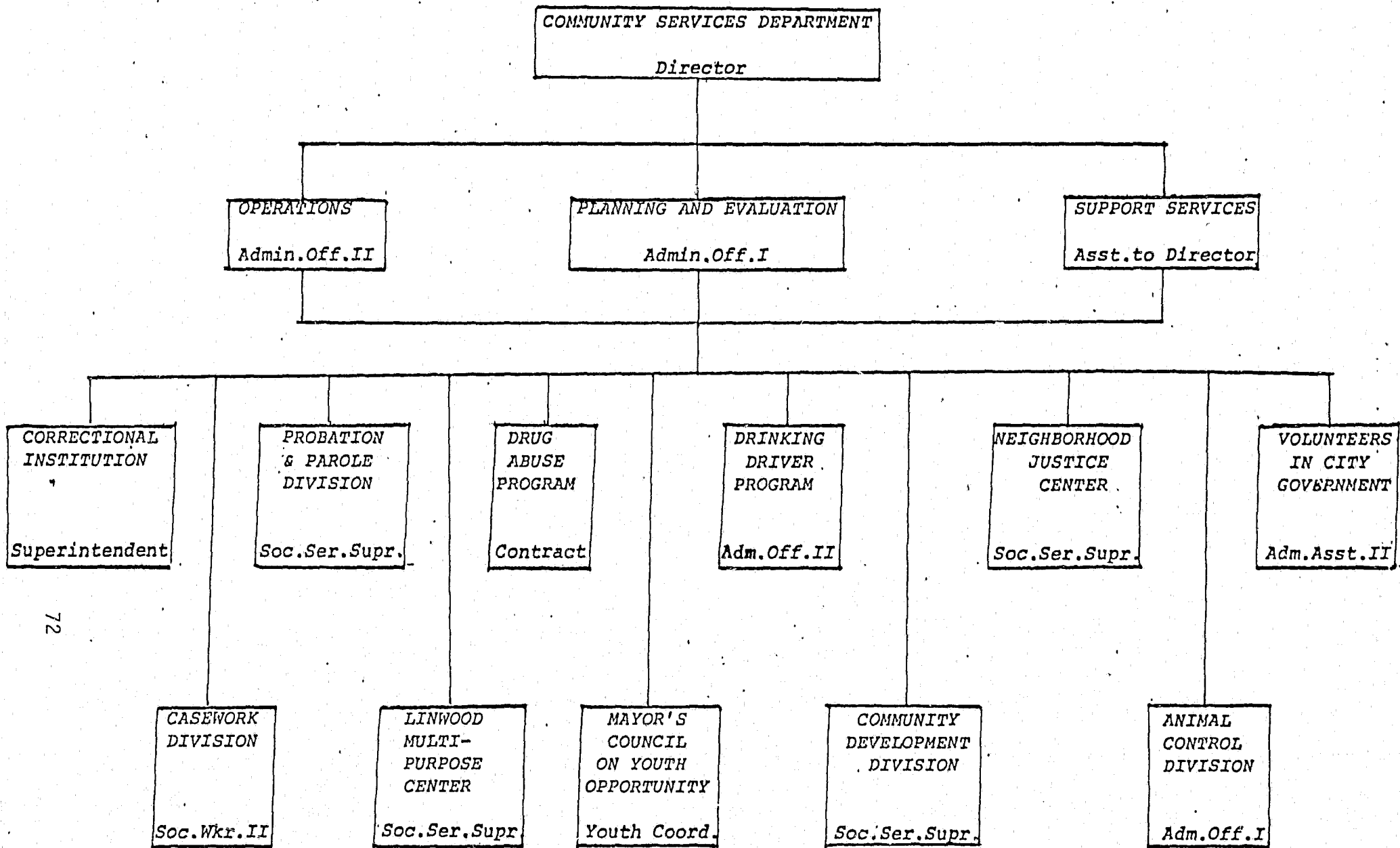
The Community Services Department is the operating and policy-making agency for the KCNJ. In this role, the city provided the NJC with guidance through a positive, interactive support system. The department is ultimately responsible for all policy decisions (the Project Director does make day-to-day operating decisions independently); many central policy issues were settled and stated in the grant application. The Community Service Department is directly responsible for the NJC financial and personnel policies -- the department administers funds, keeps the books, and handles all paperwork and arrangements for personnel benefits. Also, in addition to being the project sponsor, the city government is represented on the Advisory Board.

There is no formalized means of communication between the NJC and the city sponsor. The Project Director keeps in close contact with Mr. Reefer and Mr. Brooks of the city manager's office. The Community Services Department and the city council meet regularly, and the NJC does submit reports to them on a two-month basis.

Pre-grant award activities. The Project Director was hired according to standard procedures for the city government: a certification list of all those eligible for the position was obtained and all persons on the list were interviewed, and the best qualified was selected. Mr. Reefer interviewed nine persons for the Project Director position and hired Mr. Maurice Macey, who is a social worker with experience directing the previous dispute resolution program. Other applicants included a school social worker, a supervisor in the public welfare office, a neighborhood community center director, two probation supervisors, a project director within the health department, a former social worker, and a hospital social work supervisor. While the Project Director hired the remaining staff members, he had to adhere to the city's regulations and requirements for hiring personnel. The planning group, as part of the grant application, had already identified the positions which would be required, outlined the duties to be performed, and then labeled the positions and wrote job descriptions compatible with the city's system. Applicants for the jobs had to be on the city's hiring (certification) list and be qualified for the particular position and employment label by experience or exam.

The Community Development Division of the Community Services Department assisted in selecting the target area by analyzing census tract data to identify an area of at least 50,000 citizens which broadly represented the entire city socioeconomically and racially. The final target area was selected by the Project Director; it is a natural extension of the target area of the previous dispute center and covers the entire Central Patrol District of the Police Department (the previous center had covered only one sector of the Central Patrol Area).

Figure V-1 Community Service Department
Organization Chart



The Kansas City NJC target community is a 6.87 square mile area in the center of Kansas City, Missouri, bordering the Kansas state line (see Figure V-2). The target community contains a representative mix of the city's ethnic and socioeconomic groups. The target community population is 68,242, with 50% white, 45% black, and 5% Spanish-speaking persons. The income levels in the target site lean toward the moderate and low income groups -- 60.1% of the target population are low income families, 31.5% are middle income, and 8.3% are high income families. The target community has a somewhat older than average population (more people than average over 65) and represents primarily blue collar occupations.

The Kansas City NJC office has been established on the third floor of a bank building in the central business district of the target community. It is readily accessible by public transportation and offers adequate parking facilities. The Center is small but adequate, with a reception area and five offices.

The city's other primary involvement before the grant award was official was to create the Advisory Board, appoint its members, and define its role. These activities will be covered below in the section on the Board.

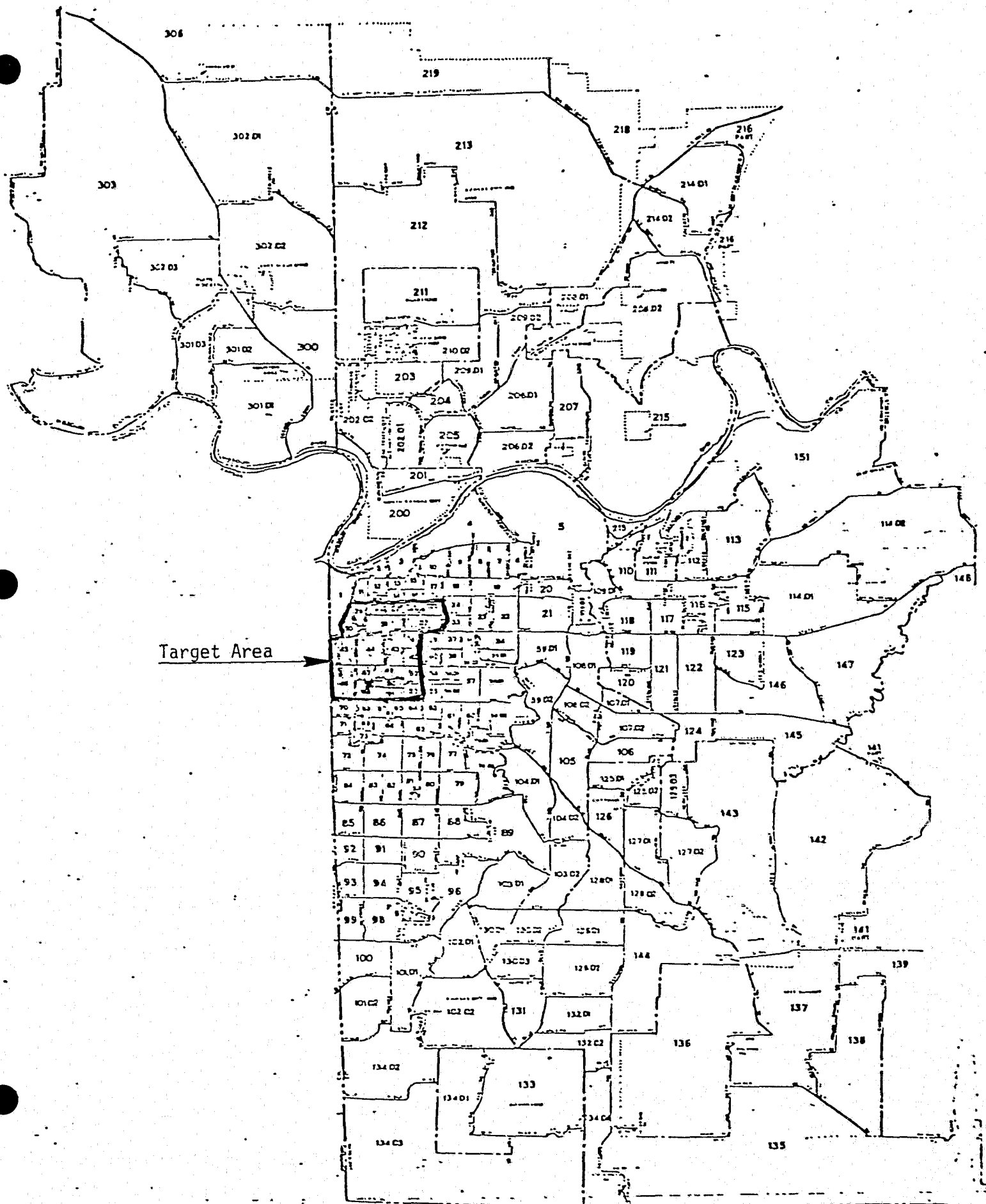
The sponsor's policy-making decisions. Major NJC policies were set during the writing of the grant application by involved city officials. The following case selection criteria were established: (1) disputants should have an ongoing relationship, (2) disputes should involve minor civil or criminal types of disputes, and (3) the situation should be one in which there is a strong potential for successful mediation. Other questions to be asked before a case was to be accepted included: (1) Do the parties really want to resolve the dispute? (2) How have other agencies previously attempted to resolve the dispute? and (3) Is escalation of the dispute a possibility if the situation is not dealt with promptly? It should be noted that there was continual discussion of the appropriateness of cases among the staff, mediators, city administrators, and Advisory Board members.

Other policy issues set by the city were the NJC's emphasis on criminal justice system referrals (due to a similar emphasis of the previous program); resolving disputes through the use of conciliation, mediation, and arbitration; and personnel practices, including hiring and firing and payment of the mediators (two mediators cannot receive expense payments for their activities because they are city employees).

Advantages and disadvantages of the city's sponsorship. The linkage of the NJC to the city governmental structure has both advantages and disadvantages. Four major issues are discussed below.

(1) A balanced city government -- citizenry input: A major goal at KCNJC was to create a balanced input system in policy-making and decision-making between Kansas City elected and professional administrators, and community citizens. A basic belief of those involved in city government and in the KCNJC program is that if the local citizens have input in decision-making, they will be more likely to become concerned and involved citizens in the formal and informal governmental process. This goal is

Figure V-2
Kansas City, Missouri



reflected in continued attempts to create a well-balanced Advisory Board consisting of city governmental leaders, community agency representatives and community citizens who may have a great deal to contribute in terms of varied backgrounds.

(2) Governmental sanction of the KCNJC program. The sponsorship of the NJC by the city of Kansas City has augmented the credibility and the legitimacy of the new KCNJC program. As a result, it has been possible to develop quickly an effective referral liaison between KCNJC and the Police Department, the municipal prosecutor's office, the city court judges, and with other city government and community agencies. This liaison is reflected in the number of referrals which have come to the Center from these sources.

KCNJC's relationship to the city has created some difficulty, however, in setting up referral systems with other agencies, such as the county court system. When the KCNJC grant was written, emphasis was placed on developing referrals with city agencies as opposed to developing a referral relationship with other parts of the judicial system.

(3) The city as a built-in support system. The relationship between the city and the KCNJC has provided staff with an existing support system, in terms of the Community Services Department acting as an agent of accountability. This relationship has not only provided a means of accounting for the program, but also allows the KCNJC staff to concentrate on developing the program without having to deal extensively with personnel policy, financial policy development, or bookkeeping chores.

(4) Maintaining neutrality. The KCNJC was developed to serve the community as well as the criminal justice system, and attempted to avoid any impression of bias as a city government program. One aspect of KCNJC's approach which contributes to the Center's perceived neutrality is the physical location of the Center away from the main city government site. This helps create a separate identity for the KCNJC in terms of citizen perception, and insulates the Center somewhat from governmental administrative policies.

Advisory Board Formation and Role

The composition and functions of the NJC Advisory Board were decided by the Community Services Department officials through the development of the grant application (see Appendix J). The original idea was to have a board with equal representation from (1) the community to be served, (2) agencies and organizations functioning in the community, and (3) the city government. The staff at the Community Services Department, along with Mr. Brooks, developed a list of possible candidates and submitted it to the mayor, Mr. Charles Wheeler. The mayor then appointed 18 people from the list to serve on the Board, and designated a chairperson and vice-chairperson. After being chosen, the individuals were sent letters from the mayor, asking them to serve on the Advisory Board.

This approach did not work entirely satisfactorily; there was a negative reaction from some community representatives, who felt the community had been given no chance to choose Board members to represent it. Therefore, a decision was made to expand the Board, with the additional members identified by community agencies. The Project Director sent letters to 20 community agencies in early January 1978 asking them to suggest two individuals to serve on the Board. Approximately one-third of the agencies responded, and the mayor selected five new Board members from their suggestions, resulting in a 23-member Board.

Role and responsibilities of the Advisory Board. The Board is to serve in an advisory and supportive capacity only and is not to set specific policies for the NJC. As stated in the grant application, the Board is to advise the Project Director on the problems of the police, courts, and related agencies, and the needs of the community; serve as a source of knowledge and expertise; assist in developing various supportive programs; and assist in expanding the Center's referral capacity. The Board does in fact function in this manner. Board members have offered advice and support in the following areas:

- Locating a site for the NJC.
- Selecting staff members (stressing the importance of having equal ethnic orientation) and mediator/arbitrators (stressing that they must know the community well).
- Avoiding political implications in regard to the NJC.
- Obtaining community awareness and support, including identifying and contacting community organizations and making referrals to the NJC.

Two subcommittees have operated within the Board; one was a screening committee for selecting the Project Director and the other was an ad-hoc one for screening the mediator candidates. The latter's activities are fully described in the section on mediator recruitment, selection, and training.

Communication between the NJC and the Advisory Board takes place through the Project Director, via monthly meetings, letters, and phone conversations. As a general rule, no project staff members except the Project Director attend the monthly meetings -- staff are encouraged to refer Board questions and inquiries directly to the Project Director. During these meetings, the Board is informed of NJC progress and discusses all relevant issues.

In addition to the monthly meetings, the Project Director communicates with Advisory Board members through letters. Letters have been sent to Advisory Board members inviting them to attend training sessions, asking for suggestions for mediator candidates, inviting them to attend certificate presentations by the mayor to the mediators, seeking out specific information in regard to their interests in personal role relationships to the KCNJ, and inviting each of them to visit the office and observe at least one hearing.

Future activities of the Advisory Board. Since its April 1978 meeting, the Advisory Board discussed what role it should play in the future of the NJC program. The Board will continue to serve as an advisory body and will be kept informed of NJC progress. It considered forming subcommittees or encouraging individual involvement in three specific areas: (1) institutionalization of the NJC, exploring potential funding sources, considering alternative approaches for growth and expansion, identifying key persons to contact, and lobbying; (2) operate a Speaker's Bureau, where Board members would give presentations to the NJC to interested groups; and (3) making site visits to the KCNJC and other projects to identify how they are working. The Project Director has been working closely with the Board to guide its future role to best benefit the Center.

Mr. James Laue, Director of the Community Conflict Resolution Program of the Community and Metropolitan Studies, University of Missouri at St. Louis, has met several times with the KCNJC Board, sponsor, and Project Director regarding the future of the Center. Mr. Laue has proposed that a weekend workshop be held in September, attended by Board members, city officials, NJC staff and mediators, and community residents, to plan for continued funding and institutionalization of the KCNJC. The workshop will be conducted by Mr. Laue, and paid for by the National Institute's Executive Training Program if possible.

Philosophy and Orientation of the KCNJC.

Basically, the Kansas City philosophy seems to be system-oriented, in that the NJC's close relationship to the city structure directs it toward impacting on the organizational systems within the city. While the NJC exists to help individuals, its primary emphasis is on helping the city and community organizations help others in conflict. It is hoped that the NJC will benefit the court system, and ease the work of individual police officers. This system-oriented philosophy is reflected in the NJC's emphasis on referral sources -- accepting cases from the courts and police has a higher priority than community agency and self-referrals.

STAFFING THE NJC

Staff Recruitment and Selection

All staff positions had to be filled through the city personnel system, and all NJC staff were already employed by the city in different capacities. The Center Coordinator position was advertised in the newspaper; the other openings were only made known through the city's personnel system. The Project Director interviewed and selected the staff members, with some guidance from the Advisory Board.

The only formal criteria used for selecting staff was that they meet the job requirements for each city position; the job descriptions, along with the necessary qualifications, had been written by the planning group as part of the grant application. The initial screening of applicants was based on education level, experience, and race; age, sex, and community involvement were not considered important.

Common informal criteria for the staff persons the Project Director was searching for were: (1) assertiveness, (2) challenge-orientation, rather than security, (3) independence and the capability of creating one's own role within the job position, (4) interest and willingness to grow and change, (5) willingness and desire to commit one's self to a cause, and (6) loyalty to the program. Other formal and informal criteria were unique for each position and each individual staff person was hired for specific reasons, as discussed below.

Center Coordinator. The Center Coordinator, Mr. Michael Thompson, had worked with the Project Director in a previous program and was hired to be his "right hand" person. Of the approximately 20 persons interviewed for the job, he was hired because of skills in labor management and negotiation.

Prosecutor Specialist. This position required someone familiar with the Municipal Court system; the Prosecutor Specialist, Ms. Vivian Arps, had been working as a probation and parole officer within the Municipal Court. She was selected because her experience and knowledge fit in well with the NJC program. The Project Director did interview 40-50 people for the position and discussed the Prosecutor Specialist's prior work performance with her superiors before hiring.

Staff Manager. The Advisory Board strongly suggested one staff person be Chicano and bilingual, since the NJC target area includes a large Chicano community. The Project Director also felt strongly that racial variety was necessary in the project staff. Over 40 individuals were interviewed, and the final selection was made from the certification list. Ms. Rita Botello was hired for her understanding of Chicano culture and bilingualism.

Secretary. It was difficult to find a secretary in the city system since it is especially hard to get good people transferred, and the secretary originally hired has been replaced recently by another city employee, Ms. Karen Stokes.

The Project Director believes that the best way to hire staff for a project like the NJC is to know the people informally before establishing a formal work relationship. He feels it is important to have previous interaction with the potential staff members to understand how they respond in different situations, if they could work well together, and what kind of commitment to the program they will make. The original project staff of 5 consisted of two men and three women -- two blacks, two whites, and a Mexican-American.

Staff Training

The KCNJJC staff has had no formal training other than attending the URC Reno conference. The staff did share ideas and literature before the Reno training, as the early project events were planned. The Reno conference was considered valuable to all staff members, especially because it offered a chance for interacting with other program people and experts in the dispute resolution field and learning from their experiences. It gave the staff an opportunity to view other models of dispute resolution and

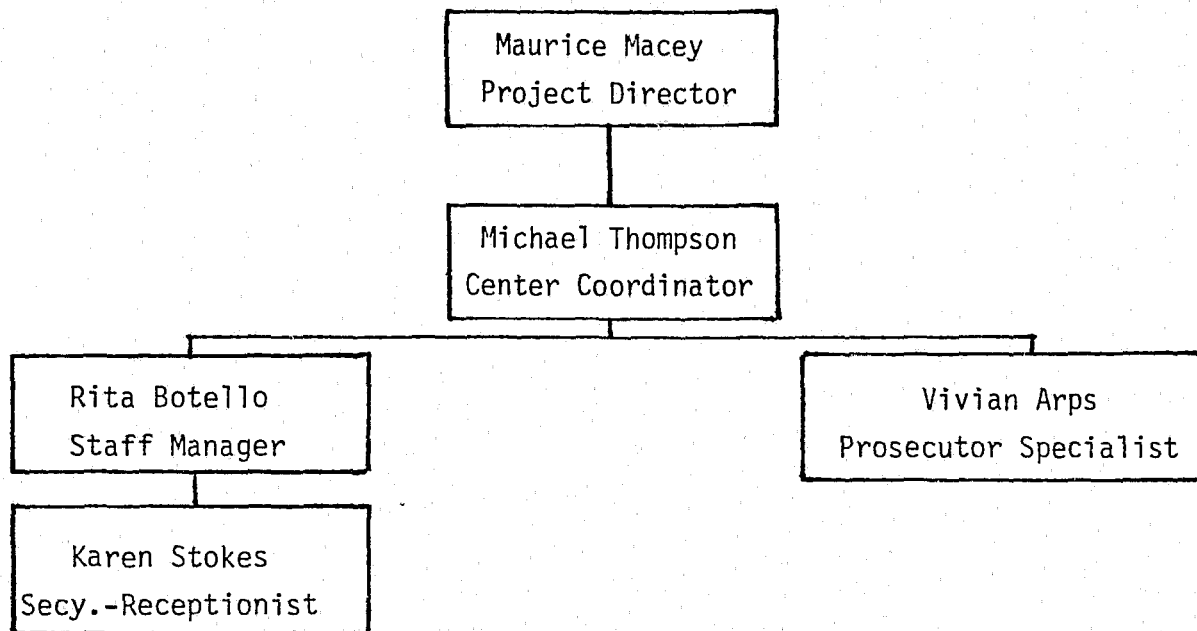
see the benefits and disadvantages of dealing with issues in different ways.

The KCNJC staff would like additional training in the following areas: (1) the operations and structure of other projects, especially regarding intake and referral procedures, (2) mediation and arbitration, (3) assertiveness, and (4) management and administration.

Staff Organization and Management

The formal organization of the NJC staff in terms of lines of authority is depicted below:

Kansas City NJC Organization



The organization of the staff was essentially decided by the grant planning group. The Project Director made no substantive change, other than promoting flexibility due to the large workload and limited staff. Changes may be made in the future, such as switching roles among the staff, but are not formally planned at this time.

The management of the KCNJC is characterized by four elements: (1) a participatory leadership style, (2) a balanced concern for task accomplishment and people needs, (3) a basic belief in personal growth, and (4) an emphasis on self-responsibility in terms of communication. The Project Director felt that staff participation and balanced input in management leads to improved decision-making and control. This view is tied to his belief in promoting personal growth within the work context.

Staff management occurs on an individual basis between the Project Director and staff members, and at staff meetings held approximately once a week.

Staff Roles and Responsibilities

Each staff person is primarily responsible for certain tasks involved in carrying out the KCNJC program. In some cases, there is overlap across positions, and a particular skill of an individual staff member will be utilized even though they may not be considered responsible for that area of work. There is always sharing of tasks, especially when the workload becomes burdensome. Each person's primary role and responsibility areas will be discussed below.

Project Director. The Project Director is the administrator, director and coordinator of all activities surrounding the KCNJC activities. He takes full responsibility for anything which occurs in the Center. He is responsible for ensuring that the program operates in a way consistent with policies set by LEAA, the city government, the initial grant proposal, and the Advisory Board, and functions as a liaison between the involved groups. He has final authority when controversial or new issues arise in relation to the process of mediation, the intake process, the mode and style of interaction among staff, and staff role designation. He spends a great deal of time publicizing the program through media interviews and public presentations and is the staff person who determines (in conjunction with the city government) how the budget will be spent.

Center Coordinator. This staff person essentially functions as assistant to the Project Director and is responsible for carrying out policy as set by the Director. The Center Coordinator works in all areas of KCNJC activities, including public relations, staff supervision, staff and mediator training, case management, referrals to other agencies, and office procedures. He is also responsible for giving initial and later feedback to mediators regarding the specific management of hearings, and for any necessary report writing. He is the person who is involved in the conciliation of cases which result in agreement before a hearing is held.

The Prosecutor Specialist. This staff person is primarily responsible for maintaining an effective liaison in relationship to referral and intake at the city prosecutor's office, Municipal Court, and the Central Patrol Police Department. Also, when needed, she spends time at the Center aiding the Staff Manager in various administrative tasks, works as an intake person, and conducts public speaking with community organizations. She has been involved in NJC public relations work, served as a trainer in the police orientation activities, and serves as a liaison with the housing authority.

Staff Manager. The Staff Manager is responsible for most of the paperwork surrounding case processing, such as setting up hearings, answering the phone when clients call, ensuring the smooth operation of hearings, and acting as an intake interviewer (this task is also shared with the Center Coordinator). She also does paper work related to financial and personnel matters that are necessary with the city government. She has the authority to delegate any of her responsibilities to the Secretary and to the volunteers.

Secretary. In reality, the Secretary role involves a great deal more than typing and answering the telephone. This person is the initial contact

for anyone calling the Center, and is constantly involved in decision-making regarding how to handle situations. Sometimes, when all other staff are busy, she may act as an intake person.

As described above, the staff members each have certain basic responsibilities. However, because of the small size of the staff, attempts are made to utilize each person's individual talents. Because of the continual change of priorities in terms of tasks and workload for any particular individual, great emphasis is placed on remaining flexible and working closely together.

Two volunteers, one from VISTA, are currently working at the NJC conducting follow-ups, reviewing case files for completeness, typing, and covering the Center during evening and weekend mediations.

Staff meetings. Initially, staff meetings were held every Friday, then meetings were held whenever they were needed. Early meetings primarily focused on sharing information. They were led by the Project Director and each staff person had an opportunity to discuss issues pertinent to their role in the project.

Later, however, there was more variety in staff meetings. In the KCNJJC, strong emphasis has been placed on the importance of staff communication in both informational and interpersonal matters. Communication in the NJC should also involve constructive feedback to contribute to increased efficiency and personal development.

MEDIATOR SELECTION

This section of the chapter is intended to provide a description and preliminary assessment of the recruitment, selection, and training of the mediators for the Kansas City Neighborhood Justice Center. Included is a description of the process of volunteer mediator selection and a demographic profile of the mediator group. These data were collected primarily by IFR's participant-observer within the Kansas City program, Ms. Barbara Kuszmaul.

Mediator Recruitment and Selection

The Kansas City Neighborhood Justice Center Advisory Board members identified, primarily on the basis of personal knowledge, approximately 65 community residents who they considered as potential candidates for the job of mediator. Letters were sent to those 65 individuals in late January, 1978. Included in the letters were a description of the Program, and a request that the persons fill out an initial interest form and a general application form. Responses were received from 42 of those persons who were contacted by mail.

The application forms were examined by a screening committee which consisted of the Project Director, two Advisory Board members, and a Community Services Department representative. Each potential mediator was known by at least one of the screening committee members. As a result of the screening process, 26 finalists were chosen. Two of the original 26 were not available for training; another dropped out of training after

CONTINUED

1 OF 4

two sessions. Thus, 23 mediator applicants completed the entire training process.

Additionally, the Project Director, Mr. Macey, contacted by telephone 10 experienced mediators. These individuals had worked in the dispute resolution program which operated in 1974 for nine months in Kansas City, Missouri. These individuals participated in a one-day five hour refresher training session and were encouraged to observe the second weekend of regular training designed for the new mediators.

The mediators, although volunteers, were offered \$25 per mediation session (or \$15 each if two mediators hear the case) as one means of defraying personal expenses involved in hearing the cases.

Demographic Profile of Mediators

A total of 23 novice and 10 experienced mediators formed the initial group to hear cases. Demographic data concerning both the new and experienced group are reported below:

Age. Age data for both experienced and novice mediators were calculated from birthdates from their application forms. The ages of the new mediators vary from 23 to 66 years, and the mean was 38 (Table V-1). The ages of the experienced group ranged from 32 to 49 years, with the mean being 40.

The ages of the entire pool of available mediators including both the novice and the experienced individuals ranged between 23 and 66 years. The experienced mediators are slightly older, and their range of ages is less than that of the novice group.

Table V-1

Age Distribution of Experienced and Novice Mediators

	<u>n</u>	<u>21-25</u>	<u>26-30</u>	<u>31-40</u>	<u>41-50</u>	<u>51-up</u>	<u>Not Available</u>
<u>Group</u>							
Novice	23	2	6	5	3	5	2
Experienced	10			5	3		2

Sex and race. Sex distribution, within both the experienced and novice groups is relatively evenly divided (Table V-2). In both groups, the number of men is greater than the number of females. About 52% of the novice group and 60% of the experienced mediators are male. However, there are more white females than white males and in the novice group the number of females and males within the Mexican/American population group is evenly divided.

Table V-2

Mediator Sex and Race Compared with Racial Make-up
for the Target Area and Kansas City

<u>Race & Sex</u>	<u>Mediators</u>		<u>Both %</u>	<u>NJC Target Area %</u>	<u>Kansas City %</u>
	<u>Novice</u>	<u>Experienced</u>			
Black			51	45	73
Male	5	6			
Female	3	3			
White			42	50	24
Male	6	0			
Female	7	1			
Mexican-American (Spanish-speaking)			7	5	3
Male	1	0			
Female	1	0			

Comparative percentages were developed for the racial make-up of the mediator group (both novice and experienced) with the NJC target area and Kansas City as a whole. The data indicate that while the mediators do not closely match Kansas City's racial composition, the group does reflect the target area make-up.

There are slightly more black and a few less white mediators than in the target community, but overall the percentage breakdown is very similar, including a small number of Mexican-Americans. Within the novice group of mediators the majority is white; the large minority is black, with a few Mexican-Americans. Practically all the experienced mediators are black.

Occupations. The primary occupations of the group were social service jobs. Specifically, within the novice group, 34.8% work either as human services workers or in the administration of a social service agency. Likewise, 40% of the experienced mediators worked in the area of social work/service. Only one of the mediators, a person from the novice group, was currently working in the legal field as a lawyer.

Educational backgrounds. All of the mediators obtained at least a high school education. The educational level ranged from a high school education to the doctorate level (Table V-3). Within the novice group, 13% received doctorate degrees, 48% at least a Master's degree, 69% have at least a Bachelor's degree, and 91.3% have at least some college completed.

Table V-3

Educational Level of the Mediators

<u>Level of Education</u>	<u>Novice</u>	<u>Experienced</u>
H.S. Graduate	2	1
Some College	5	3
College Degree	5	3
Master's Degree	8	2
Doctorate	1	1
Law Degree	2	0

Within the experienced group one obtained a doctorate degree, 30% have received at least a Master's degree, 60% have obtained at least a college (Bachelor's) degree, and 90% have received at least some college credits.

Residence. Thirty-nine percent of the new mediators live within the target community, and ten percent of the experienced group live within the target community (Table V-4).

Table V-4

Residence of Mediators

<u>Group</u>	<u>n</u>	<u>Inside Target Area</u>	<u>Outside Target Area</u>
Novice	23	39%	61%
Experienced	10	10%	90%

Mediator Summary

From the group of 33 mediators who participated in the Kansas City training program about half were between the ages of 26 to 40, with slightly more men than women. There was an equal proportion of blacks and whites, reflecting the racial make-up of the NJC target community. The most frequent occupations were in social service fields; all but three have had some college education or higher; about one-third of the group live inside the target area. The mediators, thus, are composed of a wide variety of backgrounds, skills, and individual characteristics.

The Project Director stated in an interview conducted by IFR's on-site Analyst that while a good group of mediators had been selected, reflecting a proportional distribution by sex and race of the population, the pressure to open the NJC earlier than planned prevented more extensive mediator screening. He stated that in the future more preparation will be done, and a personal interview will be conducted with every candidate, rather than fully relying on personal acquaintances of Board members.

MEDIATOR TRAINING

Overview

In Kansas City, the final group of 33 mediators that were selected participated in a 48 hour training program. The training was conducted jointly by the American Arbitration Association and the Institute for Mediation and Conflict Resolution (IMCR). This was the first time that these two organizations have worked together in developing and conducting a complete training effort for mediators. Both of these organizations have extensive experience in previous training of this type and in actually operating dispute centers.

All of the training took place on two consecutive weekends, between Friday, February 24, and Monday evening, March 6, 1978. Each weekend session consisted of a session on Friday night for four hours, all day Saturday and Sunday for 7½ hours each and a Monday evening program for 4 hours -- 48 hours total.

The American Arbitration Association has operated what is called the 4A program (minor dispute resolution projects) in Philadelphia; Akron, Ohio; Elyria, Ohio; Rochester, New York; and San Francisco, California. Previous training seminars have been conducted in San Francisco, California (Golden Gate Law School, Hastings Law School, Mission High School, San Francisco County Jail), Massachusetts (Bureau of Special Education), Maryland, New York, Los Angeles, California, and other states.

The Institute for Mediation and Conflict Resolution Dispute Center in New York has been functioning since May 1975, in the role of mediating interpersonal criminal misdemeanor cases. Since that time, a second program has been set up in Brooklyn. Additionally, IMCR has been operating since 1970 in the task of mediating conflicts within the community, training others in conflict management, mediation skills, and dispute resolution, and acting as consultants in helping various parties in the design of mechanisms for dispute settlement. IMCR conducted training for new mediators of the Community Mediation Center in Suffolk County, New York; the Dorchester Urban Court Project in Boston, Massachusetts; and the Youth Aid Bureau in Huntington, New York. IMCR has also participated in training more than 300 community and governmental leaders in mediation skills.

Training Content and Methods

The training curriculum and experiences were designed to include several topic areas. Specifically, the training was designed to focus on:

- (1) The roles and functions of a mediator,
- (2) The principles and mechanics of mediation,
- (3) The use and timing of specific mediation techniques,
- (4) The development of mediation-related conflict resolution skills like fact-finding and settlement recommendations, and

- (5) The understanding and use of the mediation and arbitration processes through the development of skills such as the conducting of hearings, decision-making and writing of awards.

A complete outline of the training program conducted by IMCR and AAA is* presented in Appendix K along with a brief description of the trainers.

The primary training method used was described during the training as the experiential learning approach. This approach was described as a process of learning which emphasizes experience as the most effective means of gaining skills, with the participants mediating simulated cases and role playing the parts of hypothetical disputants. The trainers gave immediate constructive feedback to the practicing group to refine those behaviors which define an effective mediator. In addition to the emphasis on experiential and action-oriented exercises, interspersed throughout the training were lectures on topics such as use of evidence, award writing and group discussions.

Following a basic introduction to the concept of mediation and the dispute resolution process, the trainers conducted a mock mediation session, using some participants as the disputant role players. This mediation session was video-taped and later played back for the participants with the trainer interrupting occasionally to describe significant and relevant behaviors on the part of the mediators as they went through the conflict resolution process. In other words, the session was analyzed through video-tape feedback with a discussion to demonstrate the way, when, and what of mediation, beginning with the introductory statement and with relatively easy cases in panels of three. Gradually the trainees went through more of the process individually until the last day of training at which time each mediator-trainee conducted an entire hearing through the whole process, dealing with a case which was more difficult and likely to result in arbitration.

The exercises designed to develop specific skills, such as award writing and individual caucusing, were used throughout the training program. During the training process, each participant was continually re-assigned to different trainers, to give each trainer an opportunity to work with everyone.

General Response to the Training

As a part of the total evaluation process, directed observations of the training programs were conducted by Institute for Research field evaluation analysts at each NJC project. They were asked to record their

* It is noted that since there were approximately 33 mediators being trained, and another group of 10-20 observers on hand for most of the session, the NJC staff in Kansas City was unable to participate directly in the program. However, they attended all the sessions and closely observed the process and content of the training effort.

impressions and reactions to the training programs. The following is a summarized version of the observer's and project staff reactions to the mediation training in Kansas City.

More staff participation. Some of the staff would have liked to participate more actively as a trainee, feeling that it was necessary for the staff of an NJC program to have experiential as well as conceptual knowledge of the process. This concern reflected a more general feeling that staff members had in regard to uncertainty concerning their role as observers during the training program.

The experiential approach. Some of the staff expressed concern in regard to the trainer emphasis on experiential training. They felt that this may have been threatening to some of the trainees. On the other hand, although this was the approach which the trainers stated that they were using, it was not the only one. Individual trainer styles varied, and trainer behaviors reflected a more humanistic approach than was suggested. In fact, the various trainer styles appeared to complement each other very well. Additionally, a few participants responded better to some trainer styles and others to another style. One of the trainers used positive feedback and modelling to a great extent. Two others generally included in their comments a lot of positive feedback and only a small amount of negative feedback. Thus, although there was some concern in regard to the experiential approach, it was recognized that, in fact, the trainers were careful not to use it exclusively.

Integration of AAA and IMCR training materials. It was noted that there could have been better and earlier planning in regard to preparing the training materials. For example, the training manuals were put together at the last minute in a skeletal form. After that, materials were passed out at the beginning of each training session. Had all the training materials been organized into manuals ahead of time, and given to the participants before each session, many would have felt more prepared and organized.

The linkage of cognitive material with experiential learning. Some concern was expressed concerning linking cognitive and experiential learning on the part of the participants. It was noted that the participants lacked a good understanding of the theoretical base of conflict, and that ideally it would have been better if they had some understanding of conflict and the concepts involved in mediation before they entered the experiential aspect of training. It was felt that the AAA trainer emphasis was initially on the cognitive aspect of conflict resolution and the IMCR emphasis was initially with the experiential aspect of training. By the end of the first weekend of training, these differences began to diminish.

Writing awards, findings, and opinions. Generally, NJC staff felt that there was not enough training and feedback given to participants in relationship to the writing of awards and agreements and developing findings and opinions. This weakness was seen primarily because there was not enough training time to cover all the important aspects of these skills, and these procedures can be developed by means of continuing in-service training at the Kansas City NJC.

As a whole, the responses were positive toward the training program. There was a feeling that the trainers worked well together and that they were compatible and complementary to each other. Some suggestions were made that may, in the future, contribute to a more smooth flow of training, especially as related to advanced planning and integration of trainer approaches, and integration of the needs and expectations of the NJC and the trainers.

Training Assessment Questionnaire

A post-training questionnaire was administered to the trainees and staff at the end of the final training session on March 6, 1978. The trainees were asked to react to and rate, using a five-point scale, the training in terms of:

- (1) Their level of achievement as related to some of the objectives of mediation training,
- (2) The effectiveness of the training in providing participants with specific skills involved in the process of mediation, and
- (3) The effectiveness of specific training methods used in teaching mediation skills.

Additionally, the trainees were asked an open-ended question which inquired about their feelings in regard to how similar training programs might be changed in the future. Detailed results for the immediate follow-up Training Assessment Questionnaire can be found in Appendix L.

A second follow-up questionnaire is to be administered as soon as each mediator has had an opportunity to conduct a few hearings. In this manner they will have a better perspective on the training they received, and provide useful input for conducting future mediator training efforts.

Questionnaire Results

Mean scores were calculated for each question for the novice, experienced, and total group. On the whole, mediators rated the training very favorably. None of the means reflect ratings below "moderate" or "somewhat effective". The training elements were rated as ranging from somewhat to very effective. Also, the experienced group tended to rate the training higher than the novice mediators.

Weighted means were calculated for each of the three primary inquiry areas of the training, and for the novice, experienced, and total group (Table V-5).

Table V-5

Weighted Average Scores of Questionnaire Section Responses
by Novice and Experienced Mediators

<u>Group</u>	<u>Program Objectives</u>	<u>Mediation Skills</u>	<u>Training Methods</u>
Novice	4.18	4.09	4.27
Experienced	4.72	4.68	4.85
TOTAL	4.23	4.20	4.37

Again, these means reflect a very positive response to all aspects of the training program in terms of the achievement of objectives and skills and the use of training methods. Also, the experienced mediators rated the training slightly higher, indicating that a refresher workshop such as this was considered helpful.

Regarding the open-ended question (How should training be changed in the future and general reactions?), the trainees gave these opinions:

- Better use of time and scheduling.
- Role playing improvements:
 - Receive background materials prior to exercises,
 - Have trainers role play more,
 - Follow-up lectures,
 - Less time in large groups.
- Need for follow-up training.
- Training staff feedback was useful.
- More time for award writing skills and feedback.

Training Response Summary

Generally, the response of the trainees was quite positive in relationship to the mediator training which occurred in Kansas City. They rated the session high in terms of the meeting of objectives, development of necessary mediation skills, and training methods used. They made some specific recommendations regarding future possible training seminars. Further training as indicated by the questionnaire responses was thought necessary in specific operational procedures used in the Kansas City NJC, especially writing awards and consent agreements.

In an interview with Mr. Macey, the Project Director, he indicated that he had had previous experience with AAA in Kansas City's former dispute resolution project, and felt that together with IMCR they could provide the needed training. While he thought that the mediator's reaction to training was positive, more time could have been devoted to writing awards, developing listening skills, body language, identifying psychological problems, and making referrals to community services.

In addition, he stated that in the future he wants to develop the capability to conduct their own training. The AAA/IMCR approach was good but too expensive for on-going training efforts. He would use the same methods and content, but use local resources.

SOURCES OF CASE REFERRAL

The Kansas City NJC elicits referrals from criminal justice agencies, community organizations, and the community-at-large. Formal referral agreements have been worked out with the primary criminal justice agencies -- the police department, city prosecutor's office, Municipal Court, and individual judges. These referral sources are KCNJC's primary means for generating cases. A great deal of staff time and energy was devoted to gaining cooperation from these referral sources early in the project's implementation period. The referral arrangements have been implemented and are working well; staff energy is currently spent only on maintaining the relationship with the criminal justice agencies. While the KCNJC places primary emphasis on referrals from the criminal justice system, the staff continues to promote outreach aimed at the citizens in the target community in order to generate cases and gain neighborhood acceptance and support. The NJC's initial and ongoing activities in relation to eliciting referrals and continuing outreach activities are described below.

Referral Procedures

The "referral process" has been defined as the process involved in bringing a case to the KCNJC to the point where a Voluntary Submission Form (VSF) can be filled out and signed by each disputant. In actuality, the KCNJC staff considers intake and referral in a broader sense as an ongoing process involving educating the disputant about the program, determining the appropriateness of the case for the KCNJC program, and obtaining relevant intake information from the disputant. However, in order to clearly describe how referral agreements were arranged and how they operate, the referral process has been defined more narrowly here.

Police department referrals. The target area for the KCNJC is the Central Patrol Division of the Kansas City Police Department, which has become one of the major referral sources for the Center. The involvement of the police officers was planned very early in the implementation period and was ensured by an extensive training program conducted by the KCNJC staff for the officers. The NJC began operations with a good working program and the inclusion of a police officer on the Advisory Board who has promoted the NJC.

The training of 150 police officers occurred in 14 three-hour small group sessions. The size of each group ranged from eight to fifteen officers. Each officer attended a group session held during his working hours. The sessions were held at the Central Patrol Division Headquarters between February 28 and March 8, 1978. Training responsibilities were shared by NJC staff including the Project Director, Center Coordinator, and Prosecutor Specialist, who presented information didactically and encouraged group discussion. The objectives of training were: (1) to familiarize the officers with the NJC concept, (2) to instruct the officers specifically regarding their role in the referral intake process, and (3) to explain to the officers how their specific role related to the entire process of case resolution. The purpose, development, and activities of the KCNJNC were also described to the police officers. The staff trainers described the need for the program by stressing that the NJC program may relieve overcrowded courts, solve problems which ordinarily are delayed, and result in decreased costs which usually occur in the regular court system. The objectives of the NJC program were described to the officers as: (1) to resolve disputes through mediation/arbitration, (2) to assist the courts, and (3) to measure the effectiveness of the NJC program. Additionally, the target area of the program, the nature and number of staff members and mediators, and the various intake sources were described.

The officers were instructed that they could refer cases to NJC in three basic ways. In any case that is handled by a police officer, it is necessary, first, for the officer to determine, using his personal intuitive judgment and a few guidelines, the appropriateness of each individual case referral to the NJC program. Two criteria for referring cases were explained to them:

- (1) Nature of the relationship between disputants. Referrals are to be made only for cases in which the parties were involved in an ongoing relationship.
- (2) Potential for successful mediation. The officers were instructed that their intuitive judgment and professional discretion were important in determining whether a particular situation would be amenable to resolution through the NJC program. The following types of disputes were suggested as the kinds which would be appropriate and as ones the NJC is equipped to handle: (1) Criminal offenses -- simple assault, menacing threats, trespassing, disorderly conduct, harassment, breach of peace, petty theft, and property damage; (2) Civil offenses -- neighborhood disputes, family disputes, landlord/tenant problems, absentee landlords, consumer problems, juvenile problems, and residential vs. non-residential disputes.

Three alternative approaches to getting disputants involved in the NJC's program were suggested to the officers:

- (1) The relatively mild case in which no arrest is made (in Kansas City, this means no General Ordinance Summons (GOS))

is issued): Often, by the time a police officer arrives on the scene, the involved disputants have calmed down. When this is the case, the officers were instructed to suggest to the parties that the NJC program may be useful to them. The officers were told that, in cases like these, they should leave a pamphlet describing NJC with the disputants. Therefore, the decision to become involved with NJC is completely voluntary at this point. If the disputants do contact NJC, they are treated as a walk-in case. The pamphlet on the NJC is written in English and Spanish, and presents information on the Center's background, services, submission forms, referral sources, and objectives.

- (2) The more volatile case in which no GOS is issued: The process is the same as in the relatively mild case, except that the police officers were instructed to more strongly recommend the program to the disputants.
- (3) The case where a GOS is issued: When an officer issues a GOS to a disputant, he is to instruct them that they have a court date which must be met. However, when the officer feels that the NJC program may be an appropriate way to deal with the case, he explains to the disputants that they have the alternative of going through the NJC program, where it may be possible to reach a solution to the situation, and thereby nullify the arrest and eliminate the need for a later court appearance. In addition, in cases where it is necessary for a disputant to post bond, the disputants are to be told that the bond money will be returned within three days after resolution of the conflict through the NJC.

If the disputant(s) agree to try the NJC approach, the officer fills out a Voluntary Submission Form (VSF) and has the disputant(s) sign it. The officer obtains the signature of both disputants, if possible, and sends the form to the NJC.

In filling out the form, the officers were asked to describe the problem in their own words. In other words, the "circumstances and nature of the dispute" will be the officer's perception of the situation. According to NJC staff members, it would be better to have the disputants fill in this information. However, in practice it was considered better to have the police officer supply this information in his own words.

After the form is filled out and signed by the disputant(s) the officers were instructed to leave the second copy of the Voluntary Submission Form with the complainant and the third copy with the respondent. Additionally, the informational pamphlet and a letter from the Chief of Police explaining more fully the process of mediation through the NJC is given by the policy officer to each disputant.

After the NJC receives the original copy of the Voluntary Submission Form sent by the officer, the disputant(s) are called to verify their interest in the program, to solicit the cooperation of the second party if his signature was not obtained during the initial police contact, and to set up an NJC hearing date. Then a letter is sent to the disputants, verifying the date of the NJC hearing, and again describing the alternative of the NJC center and the consequences of that alternative.

After the hearing is held, the results of the hearing process are to be sent to the police officer who handled the case and to the prosecutor's office. At this point, the NJC Prosecutor Specialist becomes involved with dealing with case details such as return of bond money, nullification of arrest, and cancellation of court appearances.

After police training sessions were held, officers were given the Voluntary Submission Forms, KCNJJC pamphlets, and letters from the Chief. The initial reaction of the officers was summarized by one of the NJC staff trainers as skeptically cooperative. Most of the officers adopted a "wait and see" attitude, indicating they would cooperate but wanted to get feedback which indicates to them that the program works. A few were more negative in their assessment, feeling that the NJC may be just another one of those programs which come and go all the time. The officers' reactions seemed to improve among the groups involved in the later training sessions; it seems that communications in the police department promoted a more positive response at later sessions.

In spite of some initial skepticism, the system was implemented and police referrals appear to be working well. Recently, the NJC staff has expressed a need to get more referrals from police officers. As a result of their concerns, various staff activities have been directed toward an effort to improve the entire referral process through police officers.

The major change which has occurred is that the NJC Prosecutor Specialist was assigned to spend eight hours each week at the Central Patrol Headquarters riding along with police officers and talking with them -- answering questions they have about the program and their role in it, and serving as a sounding board in determining the kinds of cases which are appropriate for the KCNJJC program. For example, the Prosecutor Specialist recently observed a case being handled by an officer, recognizing that it was an appropriate KCNJJC case. She pointed that out to the officer, and indicated to him why the case was appropriate, and helped the police officer get the necessary VSF filled out.

Personal staff contacts have also been made with police officers (via group meetings) from other patrol divisions. Officers from both the East and South Patrol Divisions have been trained in the referral process to KCNJJC. This training was conducted by the Project Director and Center Coordinator, and was similar but less extensive than that with the Central Division. These police officers now have VSFs to use in the same way as officers in the Central Patrol Division.

Prosecutor office referrals. Practically all cases referred from the prosecutor to KCNJ are screened by NJC Prosecutor Specialist, Ms. Arps, who shares office space with the Assistant City Prosecutor, Mr. James Ervin. As with the police, this situation was easy to set up because a similar arrangement existed in the previous Kansas City dispute program, and an NJC Advisory Board member is connected to the prosecutor's office. When the Prosecutor Specialist is out of the office, the Assistant City Prosecutor verbally recommends to parties that they contact KCNJ. The Prosecutor Specialist is stationed in this office on a full-time basis, leaving only to work with police officers as described above or conduct miscellaneous project activities (see staff roles and responsibilities section).

When disputants come to the prosecutor's office to file a complaint or to cross-file, they are always interviewed by the Assistant City Prosecutor. The NJC Prosecutor Specialist sits in and listens to all the interviews. When a case appears to be an appropriate KCNJ dispute, she joins in the interview process. When it becomes clear that, indeed, the case is appropriate, she takes the complainant to another room and fills out the Screening Interview Form and the Voluntary Submission Form (VSF). She then calls the NJC Staff Manager and obtains a case number for the case.

Next the Prosecutor Specialist sends out (1) an acknowledgement of the receipt of the VSF to the complainant and (2) a notice of the pending complaint to the respondent. Then she sends all of the forms and copies of the letters sent out to the staff manager. At this point, both the referral and initial intake process are complete for the complaint.

If the respondent does not respond to the letter within seven days, s/he is called by a staff member. If at this point the respondent declines to cooperate the case is closed. If the respondent wants to cooperate, another seven days are given for s/he either to send in the filled out and signed VSF, or to bring it to the Center. If the respondent sends the VSF into the Center, the referral process is complete. If the respondent comes into the Center, a staff person helps him or her fill out the form and obtains screening interview information. At this point, then, the referral process is complete.

There is a large expenditure of staff time at the prosecutor's office, and as a result the largest number of referrals to the NJC are from this office. In addition, referrals from the courts are assisted by the NJC Prosecutor Specialist.

Court referrals. A Municipal Court judge (there are seven in the target area jurisdiction) may either refer a party verbally directly to KCNJ, which occurred most frequently during the early phases of the program, or make a referral via a phone call to the NJC staff person in the prosecutor's office. When the judge refers a case verbally, it is handled as a walk-in.

When the NJC Prosecutor Specialist receives a telephone referral from the court clerk or bailiff she goes upstairs to the courtroom to take the disputants to a private conference room. Usually, in this kind of case, the Prosecutor Specialist is able to do intake for both the complainant

and the respondent, since both parties are required to be present to be heard in court. She talks with each party, fills out the screening interview information and each of them fills out a VSF. At that point, the referral process is complete. The Prosecutor Specialist then returns to the courtroom and obtains an extension of the court date for two weeks. If either of the parties decides that they do not want to participate in the program, the staff person sends the disputants back to the courtroom and no further records are kept at KCNJJC.

Community agency referrals. Very early in the implementation period, a letter describing the KCNJJC program was sent to 216 community agencies. Many of these agencies responded by indicating that they would like an NJC staff person to talk with them further about the program (the following section describes such presentations).

A formal referral process was established with one of these agencies, the Housing Authority. However, since that agency has not responded by actually referring many cases to the Center, further training sessions have been set up to facilitate the referral process. For example, the Prosecutor Specialist has met with the supervisors within this organization to clarify further the process of referral.

Self-referrals. When both disputants come into the Center together a staff member aids them by obtaining screening interview information, explaining the KCNJJC program, and filling out the VSF. The referral and intake process are then complete. In cases where only one disputant comes into the Center, aided as above, the staff manager sends out a VSF and a complaint letter to the respondent and the process continues in much the same manner as described in the police referral section.

Cases Which are Dropped Before the Referral Process is Complete

Cases which have been brought to the attention of a referring party or to KCNJJC staff may or may not be accepted (defined as reaching the stage where a case number is assigned). Any case in which one VSF has been filled out is accepted and assigned a case number. There are several points at which a case may be dropped, and have been implicitly or explicitly described above.

Police officer referrals. First, a police officer may refer people informally to KCNJJC, as in the less severe cases. The person may never come into the Center, and therefore, the case is never brought to the attention of the Center. Secondly, when the police officer obtains a VSF signature from only one of the disputants, the second party may not respond to the letter or later phone calls from KCNJJC. If the respondent does not respond, the case is closed because the respondent refuses to cooperate. At this point, the complainant may or may not be referred to another community agency.

Prosecutor office referrals. When the NJC Prosecutor Specialist reviews cases being heard by the Assistant Prosecutor, she constantly is making decisions about the appropriateness of a case for the Center. Therefore, some cases which are heard may not be appropriate for the Center to handle.

Occasionally the disputant, when interviewed by the Prosecutor Specialist, may choose not to participate. In this case, no forms are filled out and no record is kept of the refusal to participate. Finally, as in the case of police referrals, when one disputant is referred formally, the second party may refuse to cooperate.

Court referrals. When a judge refers a case and the Prosecutor Specialist talks with the party, either one of the parties may decide not to pursue the KCNJC approach. When this occurs, the parties are sent directly back to court, and no records are kept at KCNJC of the case.

Walk-ins. Either the intake staff person at the Center or the disputants themselves may decide the case is inappropriate for the program and a referral may or may not be made to another agency.

In summary, referrals to KCNJC are made through the Kansas City Police Department, the city prosecutor's office, the various Municipal Court judges, various community agencies (within and outside the City governmental structure), and by disputants themselves. At any point, as described, a case may be dropped on the basis of a decision made by staff members or the disputants, and a case may or may not be referred to another community agency. Occasionally, an agreement may be reached before the referral process is complete.

Outreach and Public Relations Activities

Activities involved in outreach and public relations efforts at the KCNJC include (1) verbal presentations and group discussions between the KCNJC staff and individuals from various community agencies, (2) the development and dissemination of a KCNJC pamphlet which describes the program, and (3) media coverage (television, radio and newspaper). Included below is a brief description of these activities, including how these activities were pursued, staff involvement and responsibilities, and an informal assessment of the impact of these outreach efforts.

Presentations and group discussions with community organizations. A letter was sent to 216 organizations in the latter part of February 1978. The letter described the KCNJC program and asked the agencies to whom the letter was sent to respond if they wished to obtain further information from the KCNJC staff. Along with the letter, descriptions of the general and specific objectives of the KCNJC, case selection criteria, and resolution techniques used at the KCNJC were sent. These materials, along with a list of the organizations to which they were sent, are included in Appendix M: KCNJC Outreach and Public Relations Activities. Many of the organizations who were contacted responded by indicating they would like a KCNJC staff person(s) to talk with them. A list of the organizations with whom staff member(s) have talked, along with a list of the staff persons involved in these activities and a description of the purpose of those activities is also included in Appendix M.

The Project Director, Center Coordinator, and Prosecutor Specialist have been involved in making presentations and leading group discussions. The impact of these presentations has primarily been in terms of the number of referrals which have come to the Center through these organizations.

In the Screening Interview Form, any new referral is asked where they heard about the program if they are not referred directly from the prosecutor's office, the police department, or from the court system.

Development and use of the KCNJC pamphlet. The original pamphlet describing the KCNJC program was revised by the Center Coordinator, the revised form being the one used now (included in Appendix M). This pamphlet is given to each disputant when first appearing at the Center; is sent or given to anyone who inquires about the program, and is distributed to participants when the staff make verbal presentations.

Media coverage. A great deal of television, radio and newspaper coverage has been elicited by the NJC staff. Newspaper coverage in regard to KCNJC activities has been quite positive. The articles include a description of the mediator's training program, an announcement of Attorney General Bell's attendance at the KCNJC dedication (March 4, 1978), a short description of the opening ceremonies in the evening paper on the opening day of the Center (March 7, 1978), a front page description of the grand opening the morning after the opening (March 8, 1978) along with a picture of Attorney General Griffin Bell, a positive editorial promoting "neighborhood justice" on March 9, 1978, and a front page article describing the program on March 27, 1978. All of these articles appeared in the major Kansas City newspaper, the Kansas City Star, and all have been positive in their descriptions.

News articles have been published in the Kansas City Call, a black oriented paper, and in City Limits, the newsletter for city employees of Kansas City, Missouri.

The Project Director has been primarily involved in the newspaper coverage. In some cases, however, both the Center Coordinator and Prosecutor Specialist have interviewed with various reporters, responding to their questions about the KCNJC program.

It is difficult to assess the effect within the community that these newspaper articles have had. Generally, the most effective article has been the front page article on March 27, 1978, which described the program. Several disputants have commented that their source of information about the program has been through that particular article and frequent comments are made by friends and acquaintances of staff persons about the article.

Radio and television coverage. The grand opening activities also were covered by the local radio and television stations. In addition, the Project Director has appeared, and continues to appear on various radio and television programs, and in two cases was interviewed jointly with the Center Coordinator on a radio program. Recently spot ads have been written and disseminated, and are beginning to be heard on various radio stations. A list of radio stations carrying coverage of the NJC is included in Appendix M.

In summary, publicity involving the KCNJC has been frequent and positive. The broad impact of the publicity in informing the community about the nature of the KCNJC program is difficult to assess, but several dispu-

tants have reported that the publicity did make them aware of the NJC services and prompted them to contact the Center.

CASE MANAGEMENT

Development of forms and procedures. As discussed earlier, the KCNJJC Project Director, Mr. Macey, headed a similar dispute resolution program several years ago. The forms and procedures developed for use in the KCNJJC were patterned after those used in the former program with minor changes, since it was felt that they worked well. In addition, the forms utilized by other existing dispute resolution programs were reviewed and applied, where appropriate, to Kansas City's general approach. The program in Rochester, New York, was identified as being the one most similar to the KCNJJC.

The Project Director, assisted by the Center Coordinator and other staff, developed the forms and procedures for case processing. There was a desire to communicate an impression of formality, credibility, and enforceability via the form. Changes in forms and procedures have occurred over time as they have been implemented.

Intake procedures. Often intake information is gathered in the process of making a referral to the NJC, especially in the case of referrals from the prosecutor's office and courts where an NJC staff person is involved in the process.

Intake has been conceptualized at KCNJJC as the process of decision-making on the part of referring parties, disputants, and KCNJJC staff members in determining the appropriateness of a case for using the mediation process in resolving the dispute. This process involves (1) educating the disputants in regard to the nature of the KCNJJC process, (2) determining the appropriateness of a case to be handled by KCNJJC, and (3) obtaining relevant information from the disputants. The order of importance of these three tasks continues to change -- initially, the case was fully screened before intake information was collected. Now intake information is gathered before explaining the program, in order to prevent the loss of relevant information in case the disputant decides not to participate.

No matter what the referral source, intake information is checked for completion each time a staff person has contact with a disputant, up until the day of the hearing. Intake information is obtained from disputants when a KCNJJC staff person first has verbal contact with them. The process of intake continues until the case is closed or a hearing is held.

A major change took place regarding intake procedures early in the project's operational phase. Initially, no intake information was gathered beyond that appearing on the Voluntary Submission Form. Demographic and background information was obtained from the disputants when they arrived at the Center for the hearing. This procedure resulted in a minimal amount of information collected on cases which do not reach the hearing stage, and was changed for this reason. Currently, a screening interview form is filled out, whether ultimately accepted or not, or resolved or not. For accepted cases, the form becomes part of the case file; for cases not accepted the form is filed as a project document for data needs.

Conciliations. Occasionally, in the process of referring a case to the KCNJC and conducting the initial intake, the dispute is resolved via communications among the disputants and staff members, without a VSF being completed by one or both of the parties. The NJC staff person may or may not influence these resolutions; these cases are labeled conciliations and are closed at that point.

Case selection criteria. Case selection criteria were originally established by the Advisory Board as part of the grant application, and are continually expanded and altered as a result of interactive feedback among staff members. Specific changes or clarifications are communicated in staff meetings, and through feedback from Advisory Board members and city officials. The Project Director is the final authority in terms of making decisions regarding the handling of specific cases, and while other staff members do make individual decisions regarding cases, they are subject to review by the Project Director.

Three basic criteria define cases appropriate for the NJC: (1) disputants should have an ongoing relationship, (2) disputes should involve minor civil or criminal types of disputes, and (3) the situation should be one in which there is a strong potential for successful mediation. Decisions to accept cases are often influenced by the city's sponsorship of the program, by interaction with staff members, or as a result of input from the mediator/arbitrators. Sometimes, policies in regard to case selection criteria are discussed informally among staff members, particularly between the Project Director and the Center Coordinator, in conjunction with consultations with the director of Community Services and with Advisory Board members.

Case processing procedures. Major forms used for case processing appear in Appendix N. The intake and referral processes are complete when both disputants have signed a VSF; a mediator is then assigned to the case and a hearing time is set up. Generally, two mediators heard each case for the first few months.

At least three days before the hearing, a Notice of Hearing is sent to the disputants and a Notice of Appointment is sent to the assigned mediator. The mediators and disputants are asked to be at the KCNJC approximately 30 minutes before a hearing is scheduled. This allows KCNJC staff to talk with the disputants to explain again the hearing process, obtain missing screening interview information, answer questions, and deal with disputant concerns which may be important for the mediation session. While the staff is taking care of these tasks, the mediators familiarize themselves with the case by examining the file folder, talking with staff persons about the case, and examining the Intervenor Briefing Manual which describes important information surrounding their task. The manual outlines the NJC procedures regarding how to open, conduct, and close the hearing; how to complete the Findings and Opinions Report, Consent Agreement, and/or Award of Mediation/Arbitration; and mediator/arbitrator and staff responsibilities and commitments.

The hearings are held in one of two hearing rooms, each of which contains a relatively large table and several chairs. Two other smaller hearing rooms are available but generally are used for individual interviewing.

When the mediator is ready to begin, the Staff Manager brings the disputants into the hearing room, introduces them and administers an oath of neutrality to the mediator. The Staff Manager then closes by vesting the mediator with the power to control the hearing, and leaves the room.

The hearing. The KCNJJC mediator/arbitrators conduct hearings by following the techniques and processes taught to them in the training program. In summary, the hearing consists of:

- (1) An opening statement by the mediator/arbitrator.
- (2) Presentation of the dispute by each party in joint session.
- (3) Relevant fact-finding.
- (4) Assisting the parties in working toward an agreement.
- (5) Reviewing the issues, evidence, and areas of agreement.
- (6) Reaching an agreement or arbitrating if necessary.
- (7) Writing an agreement or award.

The mediators always try to reach agreement through the process of mediation. They continually stress the importance of reaching agreement and the potential consequences of the parties not doing so on their own by pointing out that they have the power to arbitrate. All cases in which a hearing is held are resolved by mediation or arbitration; even if a disputant walks out of the hearing, the case will generally be arbitrated in his or her absence.

After the hearing the agreement or award is written, typed, signed by the mediators and disputants, and notarized by the Staff Manager. Copies are sent to the parties within three days. The mediators explain any further procedures to the disputants, discuss the consequences of not keeping the agreement, and address any disputant concerns. The mediators then complete the Information Sheet and Findings and Opinions Report. The case file is given to the Center Coordinator for review and then placed in the inactive files.

Follow-up procedures. Within 30 days of the hearing, a questionnaire is sent to the disputants asking if they are satisfied with the hearing and the process, and if the agreement is being upheld. At some future date, non-mediated/arbitrated cases (conciliations, refusals to cooperate, etc.) will be followed up. Long-term follow-up will be conducted by phone or personal visit by the Evaluation Analyst.

Summary of the use of KCNJJC case processing forms. All of the forms related to the case processing which are used in the KCNJJC are referred to

on a tracking form which is placed in each case file when a case number is assigned. Case files are made up ahead of time, containing a screening interview form, VSF, case record, and tracking form. Prior to the hearing, the Staff Manager attaches a hearing packet to the file, containing all other forms except follow-up.

KANSAS CITY IMPLEMENTATION SUMMARY

The Kansas City, Missouri, Neighborhood Justice Center project began after the City Manager, Mr. Robert Kipp, was contacted by the Office for Improvements in the Administration of Justice to determine if the city would be interested in sponsoring an alternative to minor dispute resolutions. Kansas City was selected because of the willingness of its city government to sponsor such a project, its geographic location, and its experience in operating a similar project in the recent past.

The Community Services Department of the city was appointed to administer the program and provided much of the needed support during the early developmental period. Through a competitive and open process, the Project Director was hired. He also had directed the previous dispute resolution effort operated by the Police Department. His experience proved to be a great advantage in that much of the necessary administrative detail was taken from the prior project and transferred to the NJC effort. In addition, the Director had had relevant experience in managing the staff of this type of program, and was able to participate in the selection of project staff and mediators.

Client referrals were elicited from two primary sources -- the police and the city prosecutor's office, where most of the minor complaints are filed. The assignment of one full-time staff member (out of 5) to the prosecutor's office indicated the degree to which this source of client referrals was sought. This commitment of personnel has proven to be particularly useful, especially during the early phases of project operation.

Likewise, the effort to involve the local police district in the program was reflected in the intensive training/orientation sessions given by the NJC staff to every officer in the district. Police referrals were seen as one means of heading off interpersonal conflict situations before they became more violent, or led to further criminal activities. The fact that the Police Department's response was not as great as it might have been has not dampened the NJC staff's enthusiasm for pursuing these cases. In fact, the recent part-time assignment of a staff member to work with the police in more depth reflects the project's continued interest.

Although the Project Director had experience in administering a similar effort in the past, some of the forms and procedures taken from that project did not work as well in the NJC program. Following feedback from staff, mediators, and the local Evaluation Analyst, many of the original procedures were altered or replaced. These changes were not seen as correcting past mistakes, but rather maintaining a flexible approach to the process. Since the Neighborhood Justice Center concept is an experimental

effort, such revisions are not only desirable, but essential if the program is to grow and establish itself more firmly in the community.

CHAPTER VI: IMPLEMENTATION OF THE VENICE/MAR VISTA NEIGHBORHOOD JUSTICE CENTER

Overview

This chapter reviews the implementation activities of the Venice/Mar Vista Neighborhood Justice Center in Los Angeles. The chapter contains sections dealing with the L.A. County Bar Association's formation of a governing project Board, staff selection, training and organization, mediator recruitment and training, identification of case referral sources and case management.

Early Activities

Prior to the surfacing of the NJC concept within the Justice Department, the Los Angeles County Bar Association was interested in developing public service projects, especially in the area of alternatives to traditional systems. The Bar Association Committee on Economic Litigation, chaired by Justice Robert Thompson, had an ongoing interest in mediation and a subcommittee chaired by Dean Dorothy Nelson was formed to study mediation as an alternative form of dispute resolution. Earl Johnson served as a voluntary consultant to this subcommittee and drafted an options paper for the study of dispute resolution. At this point in time, the subcommittee decided to look for funding for a dispute resolution project. Coincidentally, the Department of Justice had developed the NJC concept and was looking for implementation sites.

The ABA Special Committee on Resolution of Minor Disputes included two members from the Los Angeles Bar, Earl Johnson and Ron Olson. At a Committee meeting on mediation, Mr. John Beal, with OIAJ, discussed the Justice Department's desire to fund three mediation projects. Subsequent discussions and meetings were held between John Beal, Martin Lively, University Research Corporation, and the L.A. County Bar Association members in May and June 1977, resulting in the Bar Association agreeing to sponsor an NJC the Justice Department would fund.

In June, the Bar Association was invited by the Department of Justice to participate in the NJC program. Mr. Robert Carlson was approached by Mr. Samuel Williams, President of the Bar Association, to organize a governing board to develop the project and put together the grant application. Mr. Carlson appointed six members to a governing board; this group became known as the Neighborhood Justice Center Committee and subsequently became the core of the policymaking Board of Directors of the NJC. The original six members were Mr. Carlson, an attorney in private practice; Earl Johnson, Professor and Researcher at USC; Valerie Vanaman, an attorney with Legal Aid Foundation; Valerie Kantor, an attorney; Ronald Olson, an attorney; and Phillip Saeta, a Judge in L.A. Superior Court and a local attorney.

The Los Angeles County Bar Foundation, a non-profit corporation related to the Bar Association, provided an \$8,000 grant to plan and implement the project. Mr. Joel Edelman was hired by the planning committee to serve as Project Director, and he began writing the grant application with the assistance of Barbara Rasmussen, Research Consultant; members of the L.A. County Bar Association (Dave Pascal, financial aspects, and Gloria Roa); Fred Dellapa of the ABA Special Committee; NJC Committee members; and individuals in Washington (Beal, Lively, McGillis and Keating). The draft application was reviewed by the NJC Committee, revised and submitted to the Department of Justice.

Formation of the Board

At an early stage-after the target area was selected and the December training conference in Washington-the NJC Committee decided to expand to include community members, since the success of the NJC depended to a great extent on acceptance and support from community and criminal justice people and organizations. The NJC Committee was to be expanded by two-thirds, resulting in a Board of Directors with one-third Bar Association representation, one-third community representation, and one-third public agency representation. This Board composition was considered to be heterogeneous and representative of all groups interested in the NJC concept, and no advisory council was planned.

The Project Director and Deputy Director, who had been hired by this point, contacted numerous people with diversified backgrounds regarding the NJC. Community meetings were held to spark interest and inform people of the upcoming project. The six original Board members, plus Mr. Edelman and the Assistant Director, recruited potential new members and held many meetings to discuss member selection. The original Board members voted on each individual asked to serve and the following members were added: Joseph Cryden, a retired scientist and neighborhood resident; John DeAmicis, L.A. Police Department, Venice Division; Lou Kennedy, Venice High School Principal; Fred Nobles, Director of Programs in Venice for Youth; Vera Davis, Neighborhood Adult Participation Project; Ken Jewett, manager of Venice Chamber of Commerce (resigned as manager in April 1978; withdrew from NJC Board effective August 1978); Bob Meyers, attorney with Legal Aid Foundation; Eric Younger, Judge at L.A. Municipal Court; and Rose Orchi, with the Mayor's Office Criminal Justice Planning Department. Leo Ramos sits on the Board not as a member but as a Staff Liaison from the L.A. County Bar. Two board members in the second group, Ruben Mosqueda and Olga Ramirez, have since resigned. Mr. Mosqueda became an NJC project staff member and Ms. Ramirez, Director of Barrios Unidos, an anti-gang program, has become an NJC mediator.

Functionally, the Board operates as a committee of the Bar Association and members, who are officially appointed by the President, serve at the pleasure of the officers of the Association. The Bar Association retains authority for accounting, fund disbursement, and internal monitoring; has an inherent veto over all actions of Bar Committees.

Board Involvement in Pre-Grant Award Project Activities

Staff and mediator recruitment and hiring. The six original Board members recruited and hired the Project Director, before the grant was awarded. The Project Director position was not formally advertised (press reports on the Center had already been published); rather, the opening was communicated on a private and informal basis by the Board members. While the Board participated in spreading the news about the available position, they relied to a great extent on people contacting them for further information. Between 40 and 60 applications were received and reviewed by the Board members. Preliminary screening using resumes and information obtained informally narrowed this number to seven possible candidates, who were invited to a Board meeting for interviewing and exchanging information. Four applicants were formally interviewed; the backgrounds of these two men and two women were in juvenile justice, research, judicial administration, grant administration, and legislation. Information was gathered on the candidates on an informal and formal basis and Joel Edelman was hired.

The Deputy Project Director, Fred Gardner, was selected by Edelman and recommended to the Board. The Board as a whole met to review Gardner's resume and relevant experience, and Mr. Carlson interviewed him personally. Carlson and the Board wholly support Mr. Gardner's hiring.

In regard to hiring other project staff, Board members directed the hiring process and collaborated on the writing of the job descriptions. The applicants were recruited, screened and hired by the Project Director and Deputy Director.

A similar process for hiring mediators took place. The Board members were very interested in selection criteria for mediators and in attracting a diversified group of people representative of the community. The Board devoted much time to this issue and developed a job description outlining the selection criteria and duties of mediators. The Board reviewed the names of potential mediators and thoroughly discussed their backgrounds; the community members on the Board were familiar with numerous applicants. The interviewing process for potential mediators was developed by Barbara Biggs, a training consultant, and the Project Director (the interviewing process is fully described later in this report). The recruitment, interviewing, and selection of mediators was completed by the full project staff.

Target area and office location selection. The target area for the Los Angeles NJC was not selected at the time the grant application was submitted. By September, 1977, the Project Director and the original six-person Board had identified eight possible areas in and around Los Angeles County. Data from each area was gathered and analyzed, including ethnic and age breakdowns, population, size and family income, which were contrasted with the county averages. The field was narrowed to three areas, and Barbara Rasmussen, a consultant, organized community meetings and interviews within them to discuss the possibility of locating the NJC locally. Political and community leaders (including business, legal, and social service agency personnel) gathered to talk about the feasibility of donated or low cost

office space, specific properties, accessibility, typical clients, community problems and community support. Other data were compiled on the number and quality of community organizations, availability of local people for staff positions, caseload problems of the courts, income levels, employment, crime, educational attainment of residents, population characteristics, housing and transportation.

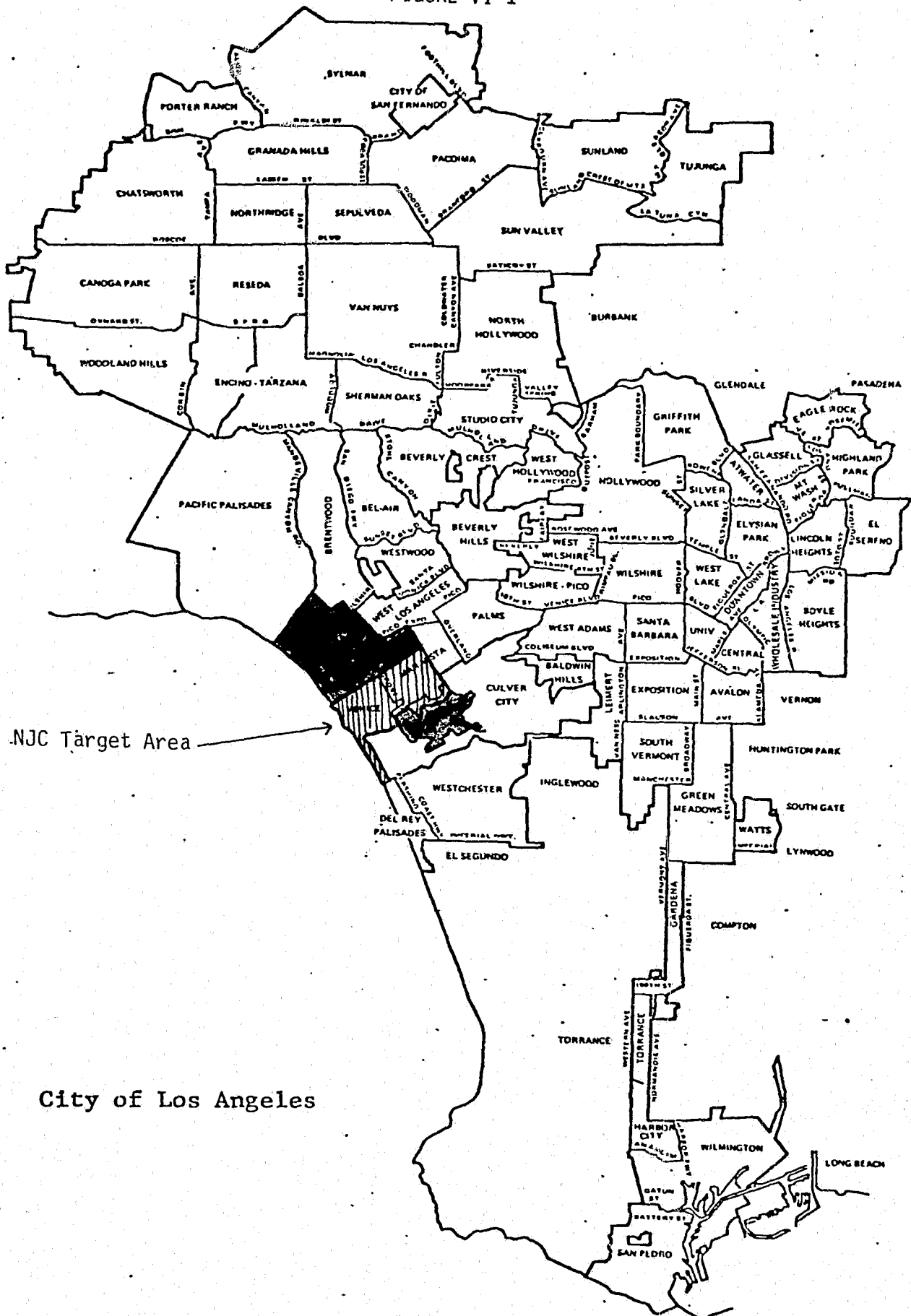
The target area was to be chosen following the criteria set out in the National Institute's Grant Guidelines and Application, and thus would have: (1) a strong sense of community identification, (2) a representative mix of incomes, ages, races, and problems, (3) the likelihood of a good working relationship between project personnel, and justice system, and other neighborhood agencies, (4) readily available staff and hearing personnel, and (5) donated or low cost office space. Additional informal criteria which were followed included: (1) the area should be a good test site for an experimental program, (2) the NJC should not appear to be a poverty project, (3) the site should be on a major thoroughfare with public transportation nearby, and (4) the NJC should be identifiable as a community project.

The Board and Project Director spent a great deal of time reviewing the available data and discussing potential communities with members of various agencies. The Venice/Mar Vista community was selected as the final candidate for the target area in October, and the Board asked the Community Relations Service group within the Justice Department to conduct a community assessment of the target site. CRS reported on the kinds of cases in Venice/Mar Vista not getting into the system, community characteristics, the nature of community input and how to achieve it, and submitted suggestions for the expanded Board composition.

The target area chosen encompasses most of the Mar Vista and Venice communities, as shown in the striped section on the map in Figure VI-1. The remainder of Santa Monica and Mar Vista, particularly Marina del Rey, Ocean Park, and Santa Monica, was selected as a secondary target area (the shaded area in Figure VI-1). The secondary target area includes the communities bordering Venice/Mar Vista; the Center currently accepts cases from this area, but no formal outreach is conducted. The NJC may expand its formal target area in the future.

The target area has a population of 101,939 (1970 census data), of which 94% are white (76% white and 18% Mexican-American) and 6% black. Spanish speaking persons comprise 18% of the population. Unemployment is approximately 7.3%, with many professionals, sales/clerical workers, and craftsmen in the area. The target area is comprised of primarily low and middle-income families -- 18.6% of the families have an income of less than \$5,000 a year, 17.9% between \$5,000 and \$8,000, 27.2% between \$8,000 and \$12,000, and 31% are between \$12,000 and \$25,000. The population of the secondary target area has similar characteristics.

FIGURE VI-1



Venice is characterized by a diversity of people and services, and a strong sense of community. All types of people gather in Venice and tend to involve themselves in their community. The Mar Vista area has a large composition of Chicanos and middle-upper class whites -- the people are less diverse and the feeling of community is less strong than in Venice.

After the selection of the target area, the Project Director, Deputy Director and the Board began the time-consuming process of locating an office site. Much time and energy was devoted to identifying a site and negotiating renovations and leasing arrangements before the final store-front office was selected. The final site that was selected is located on a major street connecting both communities. It was an old store-front office in a one-block commercial area. A public high school, which serves the entire target area is in the next block, and the remaining immediate area is mostly residential. The site itself was completely renovated with major interior remodeling required. The resulting facility, while limited in space, adequately meets the needs of the project.

Role and Responsibilities of the Board

The primary responsibilities of the NJC Board are long range policy-making, planning, and priority-setting, with the day-to-day activities of the Center managed by the NJC staff under the Project Director. Individual Board members provide advice, support, and assistance; via their past experiences and community involvement, they are able to facilitate contact with individuals and agencies. The Board, through the Bar Association's fiscal department, also monitors the management of the NJC budget and funds, to ensure the NJC is in compliance with grant requirements and is aware of its spending activity. The financial management of the NJC by the Bar Association has been less than adequate, forcing the Associate Director to handle the Center's budget. Currently, a search for financial management outside the NJC and Bar is underway.

The Board was very active in the development and implementation of the project and remains so. Initially, the Board met bi-weekly and weekly, then bi-monthly, then once every three weeks and currently as often as necessary and never less than monthly. In addition to these meetings, there is frequent telephone contact among Board members themselves and with the Project and Deputy Directors. The Board will continue to be fully involved throughout the life of the project, since members are very interested in Center activities and feel they can contribute to future planning. As the Center grows and focuses on new subject areas, the Board will assist in guiding the new activities.

Board meetings are open to the project staff and mediators; the Project Director and Deputy Director are always in attendance, and are often joined by other staff members. Thus, any policy developments or changes are easily communicated to the Project Director, who in turn discusses them with staff and incorporates them into project operations. Decisions regarding how to implement policy -- what activities to engage in to carry out the policies -- are made at the project staff level. It should be stressed that the Board and Project Director have a cooperative, harmonious working relationship geared to facilitating the operations of the NJC. While the Board has ultimate policy-making authority, a significant amount of authority is delegated to the NJC staff.

Board subcommittees. In its role as a policy-making body, the Board must identify and discuss a variety of issues. These issues have included the target area selection, possibility of creating an Advisory Board, public relations, selection criteria for mediators, mediator training, dispute resolution modes, case selection criteria, confidentiality, standards and ethics, and the presence of lawyers at hearings. Generally, these issues are dealt with through the use of subcommittees/task forces, which are composed of Board members. The subcommittees are not permanent entities, but are created when a need arises to address special areas and are dissolved as the issues are dealt with. Members volunteer to serve on these subcommittees based on their interests and past and present involvements, or may be asked to serve by Mr. Carlson, who may feel an individual has skills well suited to the work of a specific subcommittee.

The subcommittees which have been formed are listed below, along with their stated purposes:

1. Training: Decide who should provide training for mediators and what the training content and approach should be. (No longer active.)
2. Mediator Standards and Ethics: Discuss specific standards and ethical practices mediators should follow. (No longer active.)
3. Arbitration: Consider if the technique will be employed at the NJC.
4. Confidentiality: Determined exactly what activities and records in the NJC would be confidential. (No longer active.)
5. Compliance with Agreements: Developed follow-up procedures, discusses what to do with broken agreements.
6. Dispute Selection: Developed case selection criteria. (No longer active.)
7. Juvenile Disputants: Outline criteria for handling juvenile disputants.
8. Attorneys in Mediation: Outlined procedures for attorneys present during the mediation session. (No longer active.)
9. Budget: Approves large expenditures; currently reviewing need for adequate accounting methods.
10. Ad Hoc Committee for NJC Opening Day: Coordinated activities with official organizations, liaison between NJC and community agencies and police department. (Task completed.)

Philosophy and Orientation of the NJC

The Venice/Mar Vista NJC is a community-oriented program, as evidenced by its activities, public stance, and policies. The Center's community-minded

philosophy originated as a natural occurrence without lengthy discussion by the Board or project staff. The desire to remain detached from the formal criminal justice agencies arose because of (1) a desire to be part of the community and (2) the reality that a substantial part of potential NJC business is co-opted by the Hearing Program operated by the City Attorney's Office. This community-minded philosophy guided the Center's early development and implementation activities, including the Center location, staff composition, extent of outreach activities, and initial referral arrangements. The past and current ties to the criminal justice agencies have been informal, but are becoming formalized in order to increase the case-load of the Center. The Center's criminal justice and community linkages are fully described in the outreach and referral procedures sections of this report.

The guiding philosophy of the NJC is simply to settle disputes by (1) informing people of available services, (2) providing professional and competent assistance, (3) becoming part of the community, and (4) carrying out promises made in the grant application, including gathering as much information as possible for the benefit of future projects.

As discussed previously, a decision was made very early to incorporate non-lawyers and community members into the Board of the NJC in lieu of creating an advisory council. However, due to the concern and expressed interest of community people in the target area. Many community people have expressed the desire to be informed of the growth and activities of the NJC and to become involved in its program. The creation of a group, tentatively called Friends of the NJC, is contemplated to encourage this community input and interest. The project staff believes that the involvement of interested community members can help spread information on Center Services.

There are signs that the community orientation of the Venice/Mar Vista NJC may be changing somewhat. The Center is currently making arrangements to obtain referrals from the court system on a more formal but non-coercive basis. The NJC does plan to continue its involvement in and outreach to the community.

STAFF SELECTION, TRAINING AND ORGANIZATION

Early in the implementation period a decision was made to fully inform the community about the birth and growth of the NJC and when staff recruitment began, a considerable amount of publicity on the NJC had already been generated. A number of community meetings had been held and newspaper articles published and the community was beginning to become aware of the NJC.

Applicants for staff positions were recruited through paid advertisements in two leading area newspapers, stories in written and broadcast media regarding the NJC, contacts with community groups, and efforts made by Board members to inform people of staff openings. The Center was deluged with responses to these efforts; approximately 200 applicants who were generally representative of the Venice/Mar Vista area responded, many of whom had strong backgrounds in community involvement.

Both formal and informal criteria were used for staff selection; overall it was desirable to hire people who were representative of the community population and familiar with the target area, its services, and people. It was also very important that the people selected be able to work closely together, be energetic, and be willing to fully commit themselves to the project. It was felt that the project depended greatly on the staff, and that the people chosen should be highly qualified.

The Project Director and Deputy Director formally conducted lengthy interviews with approximately 35 people, in addition to numerous telephone screening interviews. Based on assessments of demonstrated capabilities, education and occupational background, extent of community involvement, predictions of how the people would work together and function in a unique environment, and perceived capabilities in coping with stress and interpersonal pressures, four staff members were hired. The initial project staff of six was made up of three women and three men. Of the original group, there were three whites, one black, and two bilingual Mexican-American staff members.

Staff Training

All staff members attended the Reno training conference conducted by the University Research Corporation, in conjunction with the National Institute's Executive Training Program, in February 1978. The conference was attended by project directors and experts in the dispute resolution field in addition to the NJC staffs, and covered all aspects of project operations (See Appendix D: Agenda and Participants for Reno Training Conference). To summarize the staff's reaction to this training, they feel the most useful aspect of the Reno conference was bringing people together to discuss ideas and share experiences. The unstructured time was considered more valuable than the formal training sessions. The training conference came at such a time that it did benefit the Venice/Mar Vista staff specifically -- it gave them time to get to know one another and become a working team.

The staff fully participated in the 70 hour training program for mediators. In conjunction with the mediators training, Barbara Davis from the Miami Dispute Resolution Project conducted two days of training for the fulltime staff. This included sharing her experiences as both an intake counselor and mediator; explaining the procedures used in Miami for gathering information on the mediation process, including assistance in developing forms and procedures; and utilizing role-playing techniques and other exercises to enable the staff to acquire a feeling for the process they would participate in. While Ms. Davis' training visit was ill-timed in that it coincided with the intensive mediators training, the staff found it valuable. It gave them a "running start", leaving them highly motivated to begin their work activities and giving them a chance to experience the process.

No additional staff training occurred before the Center began receiving cases, but in-service training continues on an informal basis. Training in legal issues and points of law has just begun on Saturday mornings for full-time staff and interested mediators. Called the Community Information and Legal Forum, this training is provided by experts in the various fields of law and community people. The topics of the first session on June 17th were Landlord/Tenant Law, how to sue in small claims court, and the Hearing Program and City Attorney's Office activities. The presentations by three

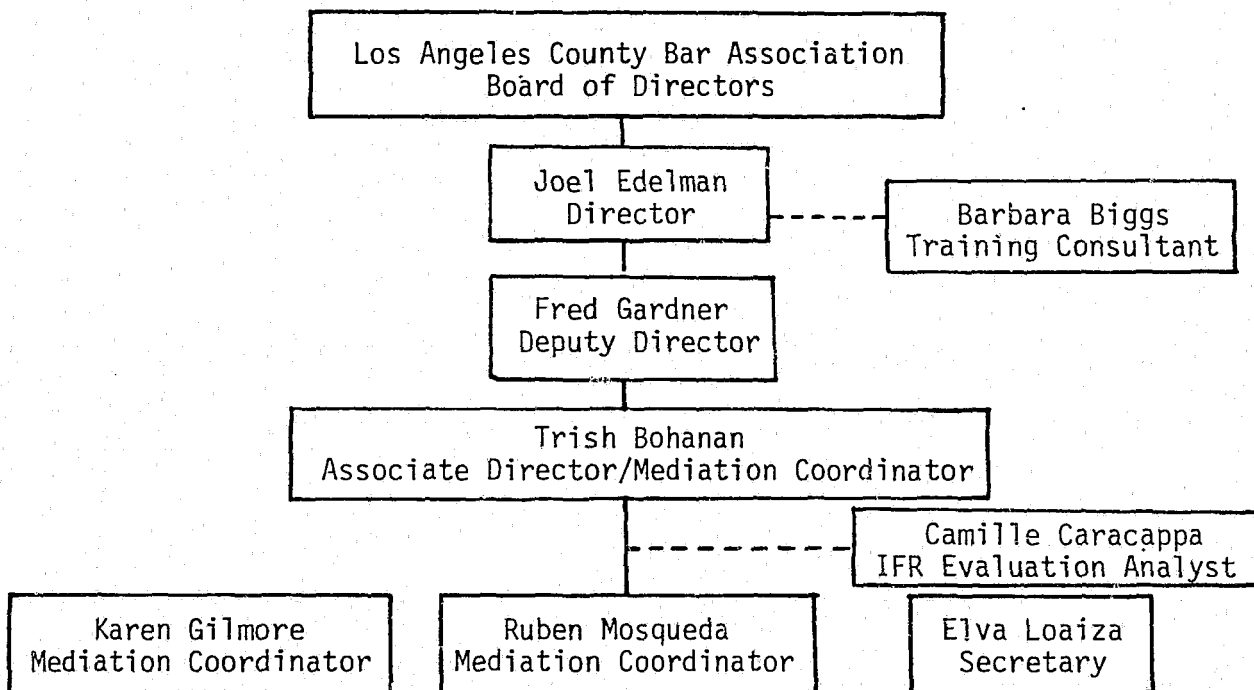
judges and one representative each from the Hearing Program and Attorney's Office were heard by the NJC staff and six mediators. The staff is currently in the process of collecting reference books for the Center, including the California Codes and other legal information.

The Venice/Mar Vista staff considers all staff, case reviews, and monthly mediator meetings to be ongoing training experiences. Staff members share their work experiences, help with group and individual problem-solving, and continue to learn from each other's knowledge and experience. The staff does not feel any other specific skill training is necessary beyond the need for legal information, which is currently being addressed, and the necessity of ongoing communication among the staff. The staff does feel a need for developed policies and procedures to be put in a written format for both their and the mediators' references; this need may be met in the near future.

Staff Organization

The Venice/Mar Vista NJC began operations with six full-time staff members. The staff size and composition has recently changed, but the six original staff members were responsible for the actual implementation of the NJC and their roles and responsibilities will be discussed here in detail, followed by a description of the recent staff changes and additions.

The staff organization is depicted below:



Staff Roles and Responsibilities

Staff responsibilities were initially outlined in the job descriptions developed by the NJC Board members. The position of Associate Director was not planned in advance by the NJC Board, but Trish Bohanan was hired in that

capacity and began to take on certain duties and fulfilling identified needs. The responsibilities of the position were more clearly delineated over time as Ms. Bohanan carried out her activities. Tasks and specific responsibilities were assigned to staff members by the Project Director, based on their experience, interest and willingness.

The Project Director, Joel Edelman, is responsible for the overall management and day-to-day operations of the Center; he is ultimately responsible for every facet of the project. His activities include administrative management; working closely with the Board in carrying out established priorities and, in turn, recommending policy developments and identifying issues for the Board; delivering dispute resolution services to the community; carrying out policy with the NJC staff and mediators; and gathering resource information on the project for the benefit of future Centers. The Project Director was integrally involved in all project development and implementation activities -- staff and mediator recruitment and selection, training, target area and office site selection, and the development of NJC activities and procedures. His day-to-day activities include directing the NJC staff in the performance of their roles, coordinating all project activities (such as procedure and form development, outreach and public relations, and the conduct of hearing sessions), maintaining contact with selected and appointed officials, and grant management.

As Deputy Director, Fred Gardner is responsible for publicity and media coverage, overall outreach, coordination of community events, personnel policies and procedures, and management responsibilities including physical plant operations which impinge on decision-making ability, procedure, and personnel matters. The Deputy Director elicits and provides media coverage, including articles in newspapers, magazines, and community rags; and TV and radio interviews and announcements. As part of the NJC's outreach efforts, he is directly responsible for organizing community functions such as the block party for the NJC opening and Center participation in local events. The Deputy Director directly participated in the screening, interviewing, and hiring of staff and mediators, and has responsibility (shared with other staff) for developing ongoing training for staff and mediators.

Trish Bohanan's job title is Associate Director/Mediation Coordinator, but because of her extensive involvement with the fiscal and administrative functions of the Center, has little time for coordinating intake and case processing. The Associate Director essentially operates as the NJC Controller (due to the inability of the Bar Association to provide dependable financial information and support), managing the Center's budget. She maintains a simple bookkeeping system, projects and approves all expenditures, submits budget reports to the Board, and attends all Board and Budget Subcommittee meetings. The Associate Director has responsibility for office management, and oversees and assigns priorities for the secretarial workload, engages the services of mediators for clerical and services other than mediation, and oversees maintenance, equipment and supplies, volunteer schedules and assignment of tasks and all payroll and personnel records. She also coordinates all contacts with the business community via exclusive mail outreach, followed by phone contacts, outreach meetings, and presentations. She conducts occasional interviews, meets with visitors to the NJC, assists with publicity, and makes line decisions in the absence of the Director or his Deputy.

Ruben Mosqueda and Karen Gilmore, as Mediation Coordinators, have identical responsibilities in certain areas (which are shared with Trish Bohanan when time permits). The Mediation Coordinators are responsible for guiding cases through the Center -- this means they conduct all intake interviews, contact the respondent to elicit his or her cooperation in the process, schedule the mediation session, select and notify mediators, notify the parties of the time and date of the session, observe the session to provide the mediator with constructive feedback, and make referrals for disputants when necessary. They also conduct phone conciliations as the need arises, helping the disputants resolve the dispute without participating in a mediation session. Each Mediator Coordinator is responsible for maintaining contact with seven mediators, keeping them informed of Center activities and coordinating schedules according to their availability.

In addition to these case management duties, Ruben Mosqueda is responsible for coordinating outreach activities involving community organizations. This involves contacting community service agencies, schools, and other organizations to explain the NJC and attempt to schedule a meeting, or attend a staff meeting. If possible, Ruben meets personally with the agency director to make arrangements to present the NJC activities to the agency staff. He then follows through and gives a presentation on the NJC, explaining its purpose and operation to the agency staff and eliciting their cooperation and support.

Karen Gilmore has additional responsibilities also, which include the coordination of mediator participation in Center activities, facilitating communication between the NJC staff and mediators, and participating in outreach with community agencies when time allows.

As Secretary, Elva Loaiza is in charge of typing, filing, mailings, and answering phones.

Other staff activities. Because of its community and service oriented philosophy, the Venice/Mar Vista NJC believes in providing service to the community above and beyond individual dispute resolution. During June and much of July, there has been an upsurge of violent activity in the Oakwood and Venice communities, including several deaths. The violence is speculated to be part of gang activity; it is known that it is based on racial hostility between local Blacks and Chicanos. The Venice/Mar Vista NJC has taken an active but neutral role in helping the Venice community deal with these very serious, threatening problems. NJC staff have attended all community meetings held to resolve the problems, along with community leaders, residents, families, police, and agency representatives.

Specifically, the NJC has been involved in the following:

- (1) People from the Community Relations Branch of the U.S. Department of Justice are in Venice attempting to reduce conflict in the community. They have worked out of the Venice/Mar Vista NJC, using the phones and Center as a base for working with community groups.

- (2) A meeting was held at the NJC, attended by leaders of community agencies for the purpose of writing a release for the community and press,

accurately describing what has taken place. A one-page open letter was composed, and 5,000 copies will be printed and hand delivered to Venice residents; a community resident is organizing this.

(3) At the meeting above, a Citizen's Committee was organized to facilitate communication in the area. A communications telephone line has been temporarily set up at the NJC, and the number is being advertised in the community. The purpose of the special phone line is to coordinate accurate information to community organizations, provide legal aid referrals, and control the spreading of rumors. The NJC staff will man the phone line, using members of the Citizens Committee to verify information.

(4) A Communications Committee, chaired by the NJC Deputy Director, will be formed to openly exchange information. Interested groups will be asked to select an individual to represent them and meetings will be held daily or more than once a day as the need arises.

(5) The NJC Project Director works with the police, suggesting citizen ride-alongs to increase the police credibility, which is currently lacking in the area.

The activities described above are the major part of the NJC's response to what has been threatening its community -- other activities are planned. The problems are much too volatile and severe to be handled through individual or group mediation, so the NJC is assisting in the best way possible. Beyond having a hand in solving racial problems in the community, it is hoped that these activities will lead to the NJC being viewed as a concerned community program willing to do whatever is necessary to help.

Staff changes and additions. The NJC staff functioned as above from January through May 1978, when some changes began to take place.

The Secretary was relieved of her duties at the end of May and has been replaced temporarily by a bilingual CETA worker who will assume all clerical activities until September 30, 1978.

Fred Gardner, the Deputy Director, decided to leave the NJC staff at the end of June but will remain involved in the Community Information and Legal Forum. He will be replaced by the Associate Director, Trish Bohanan.

The NJC will hire two employees to replace those leaving, but in somewhat different capacities. An Office Manager/Secretary will be hired to take over the secretarial, financial, physical, and personnel management responsibilities. The position of Associate Director will be replaced by an Intake Coordinator who will primarily conduct intake and case processing, and have some secretarial and clerical duties. The CETA worker will then function as a receptionist and clerical worker. When the caseload justifies it, another mediation coordinator will be hired.

The NJC mediators have been utilized for a variety of purposes. The NJC staff developed ways to maintain contact and communication with the

mediators, in order to keep them close to the project even during periods when the number of mediations is low. The mediators have assisted in community and business outreach activities, including participating in mock mediations during presentations. They have also assisted in project duties such as phone answering, and other office tasks, media and public relations, and preparing for Board meetings, and will conduct two week follow-up interviews with disputants, including documentation of this follow-up information. The mediators receive an hourly wage for these non-mediation activities.

Staff Management and Communication

The Project Director supervises the activities of all staff members. He serves as a liaison between the Board and staff by attending all Board meetings and making operating decisions in accordance with established policies. The NJC staff works in an open, supportive environment and members communicate freely with one another. When issues arise, problematic or not, they are dealt with openly by the staff as a whole. In general, the Venice/Mar Vista staff work together very well, sharing an attitude of openness and mutual help in their daily activities. They view the staff structure as egalitarian and believe in communication and cooperation.

The staff communicates on formal and informal levels. Staff meetings and case review meetings are scheduled on a regular basis, and informal meetings are held when needed. Staff meetings were held daily in early project phases, progressed to three times a week, and presently are held when the need arises, no less than weekly. They are not conducted by one individual, but are used as a semi-formal means for keeping the staff informed of everyone's activities. The staff meetings are task-oriented and often involve brainstorming and organizational sessions. Case review meetings were held frequently during early project development, at least once a week, and generally assume a more formal air. They are usually chaired by the Deputy or Project Director and are designed to enable staff to exchange information on cases currently in the NJC; usually one case is chosen for discussion prior to the meeting. Currently, these meetings are held as this need arises and are often incorporated into other staff meetings.

Other meetings are held when important information needs to be shared with all staff; these are generally called by the Project Director. During the first few months of start-up activities, there was considerable confusion regarding staff responsibilities and a general lack of organization surrounding project procedures. Problems have been dealt with openly during staff meetings, and have been satisfactorily resolved. Informal meetings often occur on Friday afternoons, when staff members naturally group together to discuss the week's work.

MEDIATOR SELECTION

This section has been developed to describe the recruitment, selection, and training of the mediator-volunteers for the Neighborhood Justice Center of Venice/Mar Vista. A preliminary assessment of the training effort also will be presented as provided by the NJC staff and the mediators themselves. The information was assembled and recorded by IFR's on-site Evaluation Analyst,

Ms. Camille Caracappa, with the Venice/Mar Vista project.

Included in this description are an outline of the process of mediator selection and a demographic profile of the volunteer group.

Mediator Recruitment and Selection

In the Venice/Mar Vista project the process for recruiting mediators was similar to that for identifying full-time staff members. While paid newspaper advertising was not used for soliciting potential mediators as they were for the staff, the local news stories and staff hiring interviews themselves yielded a large number of applicants (approximately 150)*. In addition, contacts with several community groups and neighborhood associations also provided some candidates. Many of the applicants for the full-time staff positions said they would like to be considered for a mediator position if they were not selected.

There was no formal mediator application blank per se, but each person interested in the position submitted a resume that detailed their experience and familiarity with the Venice/Mar Vista area.

A total of 47 individuals were interviewed for the mediator positions in a process that took 30-35 minutes each. Candidates were to be selected for their ability to be potentially successful mediators and their awareness of the target community. They were selected for their "community" expertise rather than just for their "professional" credentials.

A unique aspect of the selection process was that each interviewee, after receiving a general orientation from an NJC staff member became the interviewer for the next applicant. The selection process consisted of the following steps:

1. A full-time staff member explained the interview process and received assurance that the candidate would be available for the entire 65-70 hour training program.
2. The prior interviewer, role-playing as a staff member, then interviewed the applicant.
3. The interviewees were asked to mediate, to the best of their ability, a mock dispute between two full-time staff persons. They were allowed 15 minutes to help reach an agreement, and put it in writing if possible.
4. The interviewees were given feedback concerning their mock dispute hearing by the staff.
5. The applicant then became the interviewer for the next candidate.

As a result of this process 22 trainees were identified with all of the

* According to the Venice/Mar Vista's Quarterly Report of March 31, 1978.

full-time NJC staff participating in the selection process. The criteria for selecting this group was basically the same as that for hiring the staff: (1) they represented the Venice/Mar Vista community; (2) they were able to work closely together; and (3) they had a strong commitment to the project concept.

The NJC agreed to pay the candidates \$6 per hour for any mediation sessions assigned to them, in order to alleviate some of their personal expenses.

Following the selection process all 22 mediator trainees entered the training program, but two dropped out due to such conflicts as school schedules and personal interests. Thus, there were 20 mediators in the Venice/Mar Vista program as of this report.

Demographic Profile of the Mediators

Data representing the 20 individuals forming the final group of mediators for the NJC was broken down according to demographic characteristics. These analyses are presented below:

Age. In the Venice/Mar Vista group of mediators, 80% are under age 40 and 35% are thirty years old or younger. There are two mediators who are retired, at ages 57 and 71 respectively.

Sex and race. In Table VI-1 the sex and race of the mediator group is illustrated along with comparison percentages for the racial composition of

Table VI-1:

Mediator Sex and Race Compared with Target Area
and Los Angeles County Racial Make-Up

<u>Race x Sex</u>	<u>Mediators</u> <u>N</u> <u>%</u>	<u>Target</u> <u>Area %</u>	<u>Los Angeles</u> <u>County %</u>
<u>Black</u>	30	6	11
Male	4		
Female	2		
<u>White</u>	50	76	71
Male	3		
Female	7		
<u>Spanish-Speaking</u>	20	18	18
Male	2		
Female	2		

the target community (Venice/Mar Vista) and all of Los Angeles County. The data in Table VI-1 indicate that, in general, the Spanish-speaking mediators represent the Chicano population proportionately, both in the target neighborhood and for the Metropolitan area as a whole. The black mediators reflect

a somewhat greater percentage of the black population, and the whites somewhat less. However, these differences appear to be minimal considering that three or four mediators can change the percentage make-up by as much as 20%.

Occupations. The primary occupational field of the group is in the social or community services area, with 60% employed in these fields. There are two major local community organizations well represented in the final group of mediators. One is a neighborhood youth association with three of its black staff members as NJC mediators, and the other is a Chicano community improvement group with three of its personnel serving as mediators. The remainder come from other community service organizations, or are retired, or students, etc. A couple of the mediators were unemployed at the completion of training. Approximately four mediators have had some involvement in the legal field either as a lawyer, law student, or legal researcher.

Educational background. All 20 mediators have had some college education, or are currently enrolled in a college. The largest percentage (45%) have a Bachelor's degree or some graduate work short of a Masters. Five, or 25%, have a Master's and two are completing work on their Ph.D.s. Only one mediator has a formal law degree, and that individual is now retired.

Residence. It was noted that with an emphasis on developing a project that is responsible to the target community, 80% (16) of the mediators actually live in either Venice or Mar Vista; two others live in nearby Santa Monica, and the remaining two in other parts of Los Angeles.

Mediator Selection Summary

For the Venice/Mar Vista Neighborhood Justice Center, the final group of 20 mediators who completed the training program represent a wide variety of backgrounds, skills, and personal characteristics. The group is somewhat young, with well over half under the age of 35; there are slightly more females than males, reflecting the population make-up; and they are slightly less racially representative of their community. The mediators are well educated with 70% having some college training or a Bachelor's degree. They tend to be oriented toward community service as reflected in their current occupations, and almost all of them now live in the target area.

It is noted that at least four of the mediators are bi-lingual in English/Spanish, and given the large number of Mexican-Americans in the target area their language skills should prove helpful.

In an interview, the Project Director, Mr. Edelman, stated that if mediator recruitment and selection were to be conducted in the future he would allot even more time for personal interviews, and that more people would go through the process. He would like to expand the interviewee-interviewer process to at least 45 minutes rather than the 30 to 35 that was used for this group. Mr. Edelman stated that moving up the date of the opening of the NJCs hampered more extensive recruitment and training of mediators.

MEDIATOR TRAINING

In the Venice/Mar Vista NJC, the final pool of mediators selected for the program underwent a 70-hour training program of over a 4-week time span. The training program was developed by Mr. Joel Edelman, the Project Director, and Dr. Barbara Biggs, a local training consultant. (See Appendix O.) The training took place during the period from February 25 to March 23, 1978; beginning on Saturday, Sunday and Monday of the first weekend with background material, and winding up the week of March 20th-23rd with simulated hearings conducted by the mediator-trainees.

It has been noted that the Venice/Mar Vista NJC wanted to emphasize the development of interpersonal skills in the training of the mediators, and thus, a focus on experimental learning, via role-playing, was incorporated. This "custom made" approach to the training effort was seen as the best way to have the mediators understand and adopt the project's philosophy of relying greatly on community and self-referral clients. The American Arbitration Association, however, conducted a couple of sessions in order to acquaint the mediators with the more technical facets of the process, focusing on specific mediation skills.

Training Content

The 70-hour mediator training effort began the first day, Saturday, with a get-acquainted session and an introduction to the Neighborhood Justice Center concept. More specifically the following topics were presented:

- (1) Introduction of trainees to one another and to the staff
- (2) The concept of an NJC
- (3) Presentation of a video-taped mediation session
- (4) Development of a mediation observer's check-list

Sunday, the next day, focused on the development of verbal and non-verbal observational skills, and included:

- (1) Awareness of non-verbal communication
- (2) Group process exercise
- (3) Understanding underlying motivations, feelings, conflicts
- (4) Limitations of the NJC concept

The third session was held on a Monday evening and involved:

- (1) Problem-solving techniques
- (2) Role-playing a group conflict

The fourth session was on the following Saturday and included:

- (1) The mediation process
- (2) Legal issues
- (3) Three mock mediation sessions
- (4) Role-playing situations emphasizing:
 - Characteristics of a good mediation
 - Development of a mediation process checklist
 - Opening statements

The fifth session on the following Monday evening involved a discussion of issues relating to the daily operations of the Center:

- (1) Assignment of cases to mediators
- (2) Intake process
- (3) Notification letters
- (4) Written agreements

The following Friday evening there was a presentation by the American Arbitration Association:

- (1) The use of caucusing in the sessions
- (2) When to use the caucus
- (3) How to conduct a caucus
- (4) Group exercise using the caucus
- (5) Role-playing exercise

The next day, Saturday, also was used by AAA to present certain issues that might arise during the mediation session:

- (1) Identifying a competent witness
- (2) Avoiding hearsay evidence
- (3) Mediation vs. arbitration
- (4) Taking notes
- (5) Small group exercises stressing:
 - Opening statement

- Community resources
- Skills in controlling sessions

The following Monday evening the training focused on:

- (1) Written agreements
- (2) Refined outline for opening statement

The next evening, Tuesday, there was a review of forms and procedures to be used in the Center and a role-playing session using the observer's checklist.

The mediators were then asked to participate in two additional mock-mediation sessions in which the entire process, forms, and written agreements were covered. In addition, each mediator was observed, and the checklist was used as a basis for giving constructive feedback.

Training Methods

Throughout the training program, specific methods and approaches were utilized to translate the learning experience into a program for individual growth. Some of the more important processes are discussed below:

1. Personal Processing. From the outset of training and throughout the entire process, mediators were asked either to record or consciously note their own internal processing: feelings, reactions, impressions and judgmental tendencies were noted. The mediators were encouraged to shift their focus to their own reactions from time to time as an aid to the assimilation and personal application of incoming information.

2. Style Processing. Throughout the training mediators were confronted with a number of trainers, each offering their own approach to both skills and feedback. It was evident that at times the mediators grew confused, felt overloaded with incoming information and experienced difficulty with processing and incorporating. Near the completion of training, however, the mediators grew more comfortable with their roles and more confident of their abilities; the problem of incorporating and processing information and feedback waned.

3. Presentation of Skills. Basically, all mediation skills with the exception of caucusing and writing the actual written agreement, were presented at the outset of training. The application and refinement of skills occurred in subsequent sessions. The opening statement received a good deal of attention throughout the process.

Caucusing was presented as an additional mediation tool toward the end of the training after the mediators had been given time to understand, practice, and feel comfortable with the basic process. Mediators appeared to accept, and understand when to apply this technique with ease.

4. Group Processing. Both large and small groups were utilized to help the mediators to observe and understand the dynamics of their group and to help them to feel comfortable working within a group structure. Small groups were used as a place for the mediators to practice skills via the use of exercises or role-playing. The large group was used as a meeting ground where the small groups would join together and share experiences, receive new information, and discuss procedure and Center policy.

5. Role Playing. Using small groups, the mediators were able to practice their skills, play the role of disputants, or observe and provide feedback. The benefit of the small group structure was that the mediators had numerous opportunities to practice. The trainers devoted much of their time to explaining the value of the feedback process and how to give constructive feedback. This enabled people to feel more open and willing to accept new ideas and approaches. As a result, feedback instruments were refined as training proceeded. Methods of giving mediator feedback varied according to the philosophy of individual trainers who were presenting at the time. The most effective method involved first asking the mediator how she/he felt, then asking the disputants how they felt about the mediator and about their roles, and then having the observers present their feedback.

Training Assessment Questionnaire (TAQ)

A post-training questionnaire was administered to the trainees and staff at the end of the final training session on March 11, 1978. The trainees were asked to react to and rate the training on a five-point scale in terms of:

- (1) Their level of achievement as related to some of the objectives of mediation training;
- (2) The effectiveness of the training in providing participants with specific skills involved in the process of mediation;
- (3) The effectiveness of specific training methods used in teaching mediation skills.

Additionally, the trainees were asked open-ended questions for feedback on how similar training programs might be changed in the future. Detailed results for the immediate follow-up Training Assessment Questionnaire can be found in Appendix P.

A second follow-up questionnaire is to be administered as soon as each mediator has had an opportunity to conduct a few hearings. At that time they will have a better perspective on the training they received and may provide useful input for conducting future mediator training efforts.

General Response to the Training

As a method for conducting the IFR evaluation effort, the field evaluation analysts participated in the mediator training programs. They

were asked to record their impressions and reactions to the training sessions. In addition, the NJC staffs themselves were asked for their reactions to the training effort, and the following is a summarized version of both the analyst's and project staff comments.

Overall, everyone was very happy with most of the trainers, feeling that they presented information thoroughly and were very responsive to feedback from the staff and mediators.

As for the presentation of content, it appeared that not many people actually devoted time to reading and making use of all the information in the handouts. Most of this information was covered during the training, and some felt that it was not necessary to review it during their own time.

Some of the technical material was designed by the mediators as a group-- for example, the opening statements and the checklist for observers were developed in this way.

At the end of the training program, individuals were wondering what skills they were learning and were feeling vague about attempting to apply these skills. During this period, "I feel like I need more training in the skill areas" was common. It appeared as if the trainees did know what skills were being presented but were experiencing difficulty in knowing how to apply them advantageously and felt a sense of confusion.

Reactions to role-playing varied according to the stage of training; the trainees felt the scenarios presented to them were shallow; some felt they seemed real, others that they were not real, were not long enough or were too long. Midway through the training, people were asked to make up role plays which they felt more realistically dealt with the issues one would face in the Venice/Mar Vista Community. Although the mediators expressed interest prior to that suggestion, very few actually wanted to do the extra work. The Analyst noted that the realism of the scenarios depended more on the willingness of the trainees to experience different roles and portray feelings.

It was interesting to note that almost everyone reacted in a very positive way to the personal processing approach. The Analyst noted that people felt it to be both a personal growth process and an important part of the training.

The heavy time commitment never stopped being an important issue. The training was long, detailed and demanding. Attendance seemed to reflect the difficulties mediators had with their commitments to this schedule. The training agenda was shown to all mediators at the beginning of the interviewing process; those who were not willing to meet the schedule were not interviewed. However, attendance did fluctuate especially during the later sessions. As a result the Project Director suggested that five mediator-trainees come in for additional training prior to hearing an actual case. Emphasis was to be placed on further mock hearing sessions so that skills could be enhanced.

Of the twenty mediators now in the project, 18 are considered to be trained well enough to mediate cases. Two mediators, did not complete the training and have been asked to do so (relative to writing agreements and conducting caucuses) before they will be able to hear a case.

For each of the three major topics in the questionnaire, weighted mean scores were computed, and the results were:*

- (1) NJC Program Objectives - 3.91
- (2) Mediation Skills Development - 3.96
- (3) Training Methods - 4.10

These data indicate that all of the areas were rated either high or very high in terms of the material that was presented or the methods that were used.

Of the eleven items that made up topic number one, objectives of the program, only two received lower ratings:

- Understanding policies and procedures of the traditional criminal justice system (planned to be covered in the Community and Information Legal Forum)
- Increasing knowledge of the Venice/Mar Vista community

These items were only slightly lower in total weight than the remaining items; however, it does point out that these areas were perceived as not being covered as thoroughly as might have been planned. In looking at the 12 individual items composing the mediation skills topic, only one was rated lower -- note-taking.

In terms of the training methods, all eleven items were rated either somewhat or very effective.

Open-ended items. There were five specific "open-ended" questions to which the trainees responded. Presented below is each item with the summarized responses. The responses that are listed reflect the most frequent replies.

1. In what ways should the training be changed in the future?
 - Amount of time per session should be reduced -- better scheduling -- too long
 - More role playing exercises

* The weighted means are based on a highest total possible score of 5.0.

- More small group work
 - More participation on the part of trainees
 - More information on the NJC concept
2. Which parts of the training were most valuable?
 - Role-playing and constructive feedback
 - Interpersonal group process
 - The feedback sessions
 3. In which mediation skills do you need more training?
 - Caucusing
 - Agreement writing
 - Controlling the sessions
 - Opening statement
 - Points of law
 4. What improvements are needed in the role-playing sessions?
 - Greater realism -- more information to make it true to life
 - Small group sessions (4) better than large groups (8)
 - More wrong or incorrect approaches should be presented by way of contrast in order to improve skills
 - More time to conduct sessions
 5. Do you have mediations skills to work with the Venice/Mar Vista community?
 - Yes -- no concerns
 - Yes, but need more information on neighborhood makeup, culture, etc.
 - Yes, but knowledge of community may not be important.

Mediator Training Response Summary

From the results of the Training Assessment Questionnaire, and IFR's on-site Analyst, it appears that the training accomplished the major goals as defined in the curriculum proposal developed by the consultant, Dr.

Barbara Biggs, and the Project Director, Mr. Joel Edelman. Since at least 60% of the program focused on role-playing simulated mediation sessions, this approach was thought to provide the most effective form of learning -- practicing desired procedures with constructive feedback.

In addition, a follow-up series of training sessions have been scheduled for the mediator group in the form of monthly meetings. These sessions will be used to let everyone have an opportunity to share their mediation experiences. In this matter, "in-service" training will continue throughout the project.

The Director noted, however, that there were some real concerns:

(1) the length of the training, over a month's time, caused a few trainees not to attend regularly, and (2) some of the group felt that too much of their time was being requested on a volunteer basis, and wanted some form of compensation. Each mediator was paid \$50 for their participation in the final mock role-playing sessions, following the formal training sessions.

Mr. Edelman expressed the thought that if the Center had not been given a deadline for its opening date, the training would have been extended over a longer period of time. This presumably would have reduced the burden on the individual mediator-trainee and allowed for the presentation of more material and more time for practicing skills. In the future, training will be conducted by NJC staff and interested, skillful mediators. Although some outside assistance might be sought to develop special exercises, the feeling is that in the future the staff and mediators will be highly qualified to provide training.

SOURCES OF CASE REFERRAL

Due to its community orientation, the Venice/Mar Vista NJC has initially concentrated its efforts on generating cases from community agencies and self-referrals rather than emphasizing formal referral agreements with criminal justice and social service agencies. This is not to say that formal or informal agreements are not solicited, but that a great amount of staff time and resources have been focused on reaching the community. Community outreach not only gained acceptance and support of the NJC, but encouraged community residents to use the Center for help in dispute resolution. Intensive public relations activities were two-pronged also, geared toward gaining community support and awareness in addition to informing individuals of the available NJC services. Thus, as described below, while formal agreements have been elicited and finalized with some criminal justice and other agencies, the project's early emphasis has been on community outreach and publicity.

Outreach and Public Relations Activities

The Venice/Mar Vista staff utilizes five primary methods for conducting community outreach:

Presentations. The NJC staff prefers to have personal contact with community agencies, and schedules speaking appointments at staff, administrative, or general agency meetings. Community groups are identified by the staff, contacted, and appointments made to provide the group with a detailed explanation of NJC services. The Project Director, Deputy Director or Mediation Coordinator in charge of community outreach tend to be the staff members which make the presentations, but all staff and approximately six mediators have participated in these activities. The presentations focus on the NJC services and how the community agency and NJC can assist one another; brochures and posters are left behind with the agency.

A partial listing of the agencies visited appears in Appendix Q: Outreach Activities. As indicated, a number of community organizations have been personally visited by the NJC staff, including governmental agencies, schools, churches, and other religious organizations, civic groups, social service agencies, and business organizations. House meetings, in which small groups of interested people are given a presentation on NJC services, are in the planning stages and may become a reality in the future.

Media coverage. The Deputy Director, Fred Gardner, has conducted or coordinated the wealth of publicity the NJC has received in the newspapers, radio, and television. At least three local TV stations and 25 radio stations have broadcast information on the NJC (listed in Appendix Q); public service announcements, informative announcements, and interviews with NJC staff have been conducted. Forty-nine such interviews of between 5 and 30 minutes have been broadcasted; several taped interviews are re-run. Public service announcements of 10 to 60 seconds were sent to over 70 local radio stations and approximately 25 are now broadcasting them. Stations run these spots somewhere between 10 to 80 times in a varying time period. Other news releases are written and sent to stations to explain the NJC and announce upcoming events, and contact is now being made with radio and television action lines, ombudsmen, and talk shows.

A number of articles have appeared in the local community and major newspapers. Many of these were printed early in the implementation period, announcing the existence of the NJC and describing its services. The Los Angeles Times, Daily Journal, Santa Monica Independent, Santa Monica Evening Outlook, Metropolitan News, San Diego Daily Transcript, Venice Beachhead, and Ocean Front Weekly, have all carried articles on the NJC (a list of the newspaper and brief description of each article appear in Appendix Q). Also, Public Affairs Broadcasting groups have directed NJC spots throughout the United States on their sister stations and will continue to do so.

Participating and sponsoring community activities. The Justice Center staff takes part in community events such as information-sharing fairs, where an information booth to represent the NJC may be set up. The NJC also sponsors events for the community, for public relations and exposure purposes and to become an accepted part of community life. A block party was held to celebrate the opening of the Center which was attended by a number of local, state and federal dignitaries, including State Chief Justice Rose Bird and U.S. Assistant Attorney General Daniel Meador.

Several local bands provided entertainment; refreshments were served; the Center held an Open House; and several community organizations set up information tables.

In July, the NJC held an Open House, reviewing their community organization ties; over 200 formal invitations were sent out, with approximately 75-85 community representatives visiting the NJC. NJC staff feel that developing and maintaining a working rapport with community representatives is an ongoing task calling for more of such activities in the future.

Printed materials. The NJC has printed brochures and information cards advertising the Center's services. These are distributed to local community, business and governmental organizations during outreach activities and when requested for information purposes. Posters will be printed in the near future. Almost all informational materials used for outreach and public relations activities are printed in English and Spanish. The Department of Public Social Services is considering sending information on the NJC to all recipients of public assistance.

Mail Campaign. Outreach activities in the form of mail-outs of NJC materials have been applied to reaching the business community and radio and television media. Emphasis was first placed on the radio campaign, with information and public service announcements sent to over 70 stations. The Deputy Director and one mediator spent nearly 2½ months on this task. The mediator made phone contact with radio station representatives after they had received the NJC materials.

The Associate Director has responsibility for outreach to the business community, assisted by two mediators. The outreach to businesses has been started by developing a list of businesses in Mar Vista and Venice and contacting them to acquire proper mailing addresses and the names of administrators/managers. Letters are then sent to small businesses explaining the NJC and encouraging contact regarding how the Center might assist the business. Letters to large businesses state the NJC will contact them later to schedule an appointment; the letters will be followed up by presentations were possible.

It is apparent that these outreach and public relations activities have had an impact, and the community is becoming aware of the NJC and is inquiring about its services. A large number of calls have been received in response to the media coverage, especially the public service announcements and interviews heard on the radio.

Development of Referral Agreements

The Venice/Mar Vista NJC has developed referral arrangements with the police, community organizations, and city attorney's office, and arrangements for court referrals are currently being developed. Instituting referral agreements with established agencies has been a second priority in the Center, with staff time and energy concentrated on the community outreach campaign. A good part of July and August were devoted to formalizing agreements with the City Attorney's Office and the Municipal Court in West Los Angeles, Small Claims Division. The Center stresses a totally voluntary referral system -- the referring source will suggest the parties visit the Center, but no pressure is applied.

Police Department. Beginning in January, the Project Director and Deputy Director met regularly with the Venice Police Department's chiefs, captains, and officers. The meetings were held to discuss how the police and NJC might work cooperatively, resulting in the police officers being trained in making referrals to the Center. The NJC staff attended a succession of police roll-call meetings in order to inform the police of the NJC philosophy, services, and activities, and advise them on how to make referrals to the Center. The police officers now carry small cards which briefly describe the NJC services and provide the Center's phone number and address. A referral is made by the police officer informing the disputants of the NJC, giving one or both parties a card, and suggesting they visit or call the Center. Such referrals are made only when an arrest has occurred. The decision to contact the NJC is left up to the disputant; the officers do not inform the Center that a referral has been made.

The relationship between the NJC and the Police Department is developing into an ongoing working relationship characterized by positive rapport. The staff's activities with the Department have been facilitated by a police officer who is a member of the NJC Board of Directors. He has visited the Center several times, accompanied by fellow police officers, to obtain feedback information and discuss how to encourage respondents to attend mediations. The Center's relationship with the police has been fruitful and will be continued - additional roll-call meetings are planned to provide the police with feedback and updated information on the NJC and further police outreach will occur.

Community agencies. Informal referral arrangements with community agencies have developed as a result of the community outreach campaign. No elaborate system was developed for referrals from this source; if the party is interested, they usually must contact the NJC of their own accord. The staff of the agencies are informed regarding the NJC services, and brochures are available at the agencies to provide the disputants with additional information.

Agency staff will suggest an individual contact the NJC if it appears the NJC may be of some assistance; the individual may then do so on a voluntary basis. Infrequently, the agency staff will contact the NJC directly and schedule an appointment for the party. One agency refers the parties to the NJC by giving them a paper which contains the agency's name, the party's name, and the person (a mediation coordinator) to contact at the Center.

City Attorney's Office. The NJC Director and Deputy Director have had a number of meetings and communications with the staff of the City Attorney's Office, which operates a Hearing Program in which city attorneys offer dispute resolution as a court alternative. These services are more limited than the Center's and hearings are generally restricted to 20-30 minutes. The City Attorney's Office has agreed to refer to the NJC the unresolved cases which do not merit criminal prosecution following an Office Hearing and those cases which may benefit from mediation or need additional services. The City Attorney's Office has agreed to distribute a letter, written and signed by the NJC Project Director on CAO letterhead, to disputants if these circumstances hold. The letter briefly explains the NJC process and benefits of mediation.

The Project Director continues to correspond with the Attorney's Office, and the NJC hopes to obtain referrals for those cases which appear to be more amenable to the NJC process than the Hearing Program.

Courts. In keeping with its community philosophy, the NJC did not actively seek referrals from the courts. Early in the implementation period, a Liaison Committee of five judges was organized to keep the lines of communication open with the courts, and judges and court officials in the West Los Angeles Court system were contacted. Recently, signs were hung in the West L.A. Court Building in the small claims filing room and outside the court room and NJC brochures made available to inform disputants of the feasible alternative for resolving a dispute. The presiding judge and senior clerk approved of these procedures, but no referral agreements were developed.

At the present time, the Venice/Mar Vista NJC is planning to strengthen its relationship to the courts and make formal arrangements for court referrals. The Supervising Judge and Clerk of the West L.A. Municipal Court Small Claims Division, are agreeable to the idea of an NJC staff person sitting in the courthouse for referral purposes. Six of the seven judges in the Municipal Court also support the idea and have expressed a willingness to individually refer cases to the NJC. One idea under discussion is to place an intake worker in the small claims filing room three days a week, and the head clerk would refer people to that intake worker. An alternative procedure which may be implemented is to attach a letter to the claims forms, which suggests the NJC as an alternative. It will be up to the parties to contact the NJC.

The NJC staff began working out a referral arrangement with a judge in the Landlord/Tenant Court in downtown L.A. The Judge has visited the Center and met with the staff, and appears to be impressed and interested in cooperating. It is planned that cases in the West L.A. area which have been dismissed will be referred to the NJC. Referral procedures with this court are in the early, developmental stages.

Generally, the caseload at the NJC to date has reflected the staff resources devoted to the various referral sources. Community agency and self-referrals constitute the bulk of the cases entering the NJC, followed by cases referred by the police.

CASE MANAGEMENT

Forms and Procedures

Developing forms and procedures for accepting, processing, and following up cases was a major task facing the Venice/Mar Vista staff before the Center opened for business. The task was accomplished with the help of Barbara Davis from the Miami dispute resolution project; forms and procedures used by similar projects throughout the country were used as reference guides and proved to be very valuable. The forms and procedures were initially developed in staff meetings, with everyone contributing.

All forms and procedures were initially discussed in staff meetings and developed and formalized by a Mediation Coordinator and the Evaluation Analyst. Further organization, development, updating and revisions were completed by the Evaluation Analyst. The major forms developed and used by the Venice/Mar Vista NJC are presented in Appendix R: Forms used by the Venice/Mar Vista NJC. The procedures used for completing forms and processing cases have also changed over time, in the direction of more organization and structure. Changes will continue to be made as necessary until the forms and procedures include all the desired information and are easy to use.

Intake procedures. Individuals initiate their contact with the Center either by phoning or coming in. The most usual situation is that only the complaining party, labeled the initiator by the Venice/Mar Vista staff, makes this first contact. The NJC receptionist asks the disputant to complete an Intake Information Form and read the NJC brochure. The receptionist gives the completed form to the mediation coordinator, who greets the individual and thoroughly explains the service the NJC is able to provide. Information of the dispute is gathered in detail. If it is one which lends itself to mediation, the intake process continues; if not, a referral is usually made (the case selection criteria and referral procedures are described below).

While talking to the individual about the dispute, the mediation coordinator fills out an Intake Form, documenting information involving the dispute and the initiator's and respondent's background. Normally, much of the information gathered in reference to the respondent comes from the initiator. The mediation coordinator states the information is needed for statistical and contact purposes, and the party need not answer questions which are sensitive (e.g., income).

The mediation coordinator asks the initiator, if only they are present, if the dispute information gathered may be shared with the respondent. The initiator also indicates when they would like to schedule the mediation hearing.

The mediation coordinator then contacts the respondent, first by phone or by letter, if the respondent cannot be reached by phone. When contacted, the respondent is asked to come into the Center or intake is completed by phone.* The respondent receives an explanation of the NJC services and

*In some situations, the NJC mediation coordinators are able to facilitate a dispute resolution without a mediation hearing taking place. These are called phone conciliations since all contact with disputants is made by phone. Upon contacting the respondent and discussing the dispute, the mediation coordinator is often able to initiate steps toward resolving the dispute. A number of phone calls are often exchanged between the disputants and the mediation coordinator and with the assistance of the coordinator, the dispute is resolved. In many of these cases, the respondent does not want to submit to a formal mediation, but the intervention of the NJC precipitates a resolution. Case files also are completed on the phone conciliations.

mediation process in detail. No threats or coercion are employed, but mentioning that the NJC is funded by the U.S. Department of Justice and sponsored by the Bar Association often provides some impetus for the respondent to appear. If the respondent agrees to meet when the initiator is free, the hearing is scheduled. If not, the initiator is contacted and a mutually agreeable time is worked out. If the respondent refuses to submit to mediation, the initiator is contacted and a referral often made.

Case selection criteria. Four criteria must be met before a case is selected for the NJC: (1) bonafide dispute must exist, (2) the dispute must be one which is amenable to mediation, (3) both parties must be willing to participate voluntarily, and (4) no public policy may be violated. Much discussion continues to take place among the NJC staff regarding what is a bonafide dispute and how public policies are defined. These discussions will continue until the use of the criteria has been standardized. The staff reviews mediated cases to analyze the process and outcome of the hearings as a check on the selection criteria. For example, the complexity of the situations presented in the cases are reviewed to add to the subjective definition of a mediable dispute.

Decisions have been made regarding landlord/tenant cases and those involving juvenile disputants. Landlord/tenant cases involving rent increases or eviction will normally not be accepted; these cases will usually be referred to a community tenants' association. Landlord/tenant cases relating to nuisance, repairs, etc., are more likely to become NJC cases. The NJC Board has decided the Center should handle juvenile cases, which will probably come primarily from Venice High School. In dealing with juvenile disputants, the parent/guardian will be contacted and must give consent for mediation. If a written agreement results from a hearing, it will not take effect until signed by the parent/guardian, who need not be present for the actual mediation.

Selection criteria -- indeed, all project forms, procedures and activities -- are flexible and subject to change. The staff views the project as an experiment, an ongoing learning experience, and feels that approaches should be tested through use and changed where necessary. There are no rigidly established procedures for Justice Centers, and the Venice/Mar Vista staff believe in careful planning followed by trial implementation. If things work well they are continued; if not, a new approach is tried. The staff views themselves as a flexible group of people who accept the need for change to occur and feel it aids them in their work.

Procedures for referring disputants to other agencies. The NJC in Venice/Mar Vista exists first and foremost to provide a valuable service to all; this is the working philosophy of the entire staff. Each person who calls or visits the Center receives individual attention -- time is always taken to fully explain the NJC services. If the particular problem is not amenable to the mediation process or if the disputants have a need for further assistance, a referral to an appropriate community agency ensues.

In most situations in which the case is not accepted by the NJC, the mediation coordinator has the initiator on the phone. The mediation coordinator will suggest the initiator contact another agency for assistance, and is given the following information: the name and phone number of the agency, its hours of service, direction, the name of a contact person (not always provided), an overview of the agency's services, a feeling for the length of waiting time involved, and an estimate of the cost of the service. If the individual is at the Center, the mediation coordinator often makes the referral on the spot, and the agency is then contacted by the individual or mediation coordinator at that time. In other cases, the initiator is provided with one or two referral sources, along with the information described above, to contact at a later date. If the situation appears critical or nearing crisis, the mediation coordinator may re-contact the initiator after the first referral is made, in order to provide additional referrals to other agencies, if necessary.

If the case is accepted but the respondent refuses to participate, the mediation coordinator will refer the initiator to an agency following the first procedure outlined above. If mediation has occurred and either party desires a referral for further assistance with the current dispute or another matter, the mediator notes this on the Mediator's Summary Information form and asks the party to call the Center the next day to obtain referral information from the mediation coordinator. The mediator then makes the referral following the procedures above -- by providing information or scheduling an appointment. Sometimes the mediation coordinator is at the Center at the end of the hearing, and the referral is made at that time.

The referral system at the Venice/Mar Vista NJC is very thorough due to the high priority placed on the service and the amount of staff time devoted to making useful referrals. All staff members live in the target area, are active participants within the community, and are well versed in the available community services. Much time has been spent in gathering information on referral sources; the referral listing is continually added to and updated. The mediation coordinator responsible for community outreach has written short concise descriptions of services provided by the agencies along with identifying contact persons. Prior to making referrals including an agency as a referral source, the mediation coordinator contacts it directly to gain a clear understanding of its services and communicates the information to all staff.

Case processing procedures. After intake has been completed with one party, usually the initiator, a file is opened for the case and the process of contacting and eliciting the cooperation of the respondent is begun. Once the hearing is scheduled according to the availability of both parties, a mediator is selected to hear the case. Each mediator at the NJC has selected days and times that they are available for mediation. The mediation coordinator consults the mediator availability schedule and selects a mediator who is available at the given time; the selection is made on a rotating basis. During this early project period, an attempt was made to select mediators who had not yet heard a case.

The selected mediator is contacted by the Coordinator, the dispute and parties involved are briefly discussed, and the mediator agrees to take the case or not. Mediators must acknowledge any relationship they have with the disputants and must disqualify themselves if they have any involvement in the case. If the mediation is scheduled more than two days after contacting the parties, a Mediation Reminder letter is sometimes sent out.

A case file consists of an Intake Form, Mediator's Summary Information Form, Agreement Form, Communication Sheet and Procedural Tracking Form. The Communication Sheet is used to record all information and contact with the parties after initial intakes have been done. The Procedural Tracking Form is used to document the date of the steps accomplished as the case is processed through the NJC, and provides an up-to-date status report of the case. Other forms are used for contact with the disputants -- the Broken Agreement Notice and letter to schedule mediation by mail -- but are not a usual part of a case file. A Status of Communications Form is used to record information on all cases which do not lend themselves to opening a case file; it provides the staff with a structured way to gather pertinent information.

The hearing session. Mediations are normally scheduled for weekday daytime and evening hours, although weekend mediations can be held if the need arises. A staff member is normally always present at the Center when hearings are held to assist the mediators and oversee the Center's activities. The mediator will wait 30-35 minutes for both parties to arrive; if either party does not appear, the hearing is cancelled and rescheduled or a referral is made for the party who did show up.

When the parties arrive, they are asked if they would permit a neutral, non-active observer in the hearing for the purpose of providing feedback, support, and consultation to the mediator. Observers are usually staff members who attend the first few hearings of each mediator. The staff observer is there to check on the mediator's skills and methods of conducting a mediation hearing, using a Checklist to record and rate the mediator's activities. The Checklist is then used to provide feedback to the mediators to improve their effectiveness. Staff observers are not utilized after the mediators have heard several cases. Observers will not be needed at all after the mediators gain sufficient experience, unless the presence of an observer appears to be valuable, such as in the case of a particularly difficult mediation. If either party does not want an observer present, his or her wishes will be followed.

The mediation room is prepared in advance by the mediation coordinator -- pads and pens are placed on the table (small, square or round), and the disputants are seated on opposite sides of the mediator. If one party brings a lawyer to the hearing, they are asked to be a silent observer, making no comments during the session. If the other party objects, the lawyer will not be allowed to observe.

All cases are handled in basically the same manner. Mediation is the only dispute resolution mode used; the NJC Board is considering the use of arbitration at a later date. The procedure for a typical hearing is basically the following:

1. Mediator introduction
2. Clarification of who parties are
3. Explanation of role and participation of mediator
4. Explanation of rules, procedures, and techniques of mediation
5. Initiator tells his/her side of the dispute
6. Mediator summarizes and clarifies initiator's view
7. Respondent tells his/her side of the dispute
8. Mediator summarizes and clarifies respondent's view
9. Mediator repeats the issues on which the parties agree
10. Initiator states terms they are specifically interested in
11. Mediator clarifies terms and elicits further details from initiator
12. Respondent is asked for his/her reaction to these terms
13. Mediator clarifies respondent's reactions to terms
14. Individual caucuses may be held with each disputant at this point
15. Parties meet together and come to an agreement or not
16. If agreement is reached, a written agreement is completed and signed by each disputant and the mediator
17. Mediator thanks the parties for their participation

After the session, the mediator completes the Mediator's Summary Information form, providing documentation of the process and outcome of the hearing. In the early phase of the project, the mediation coordinator often contacted the parties the following day to discuss the mediation session; thus, there was an immediate follow-up and expression of concern and interest. This is no longer done; instead, a two-week follow-up interview is conducted. Unless a referral is to be made following a mediation or a second hearing to be scheduled, the case is closed and becomes inactive except for follow-up activities.

Follow-up procedures. Cases which are mediated or resolved without a hearing through a phone conciliation will be followed up at 2-week, 3-month, and 6-month intervals to see if the agreement is being upheld and assess the disputant's satisfaction with the process. The follow-up activities are being coordinated by one of the mediation coordinators. The immediate follow-up is the responsibility of the NJC staff and the longer term follow-ups will be conducted by the Evaluation Analyst. Several mediators will actually make the two-week phone calls to one or both disputants, using the Short-Term Follow-Up Form as an interview guide. These mediators will be trained in follow-up procedures by the mediation coordinator and evaluation analyst. Follow-ups have just recently begun, and the form and procedure may be changed as they are tested.

Follow-up letters have been sent to nearly all individuals who have had cases submitted to the NJC but do not go to mediation, usually because the respondent refused to participate. The purpose of the letters was to remind people of the NJC services. In addition, it was thought that the mediation coordinator might contact the parties in one out of ten cases which were closed without mediation, to follow-up the dispute and remind them of the NJC services. This was not followed due to the lack of response from the letters.

VENICE/MAR VISTA IMPLEMENTATION SUMMARY

The Neighborhood Justice Center in Los Angeles was established in the Venice/Mar Vista communities under the auspices of the Los Angeles County Bar Association. Capitalizing on the Bar Association's earlier interest in developing a dispute resolution project, representatives from the Department of Justice's Office of Improvements in the Administration of Justice and LEAA's National Institute met with L.A. Bar officials. A grant was subsequently awarded to the L.A. Bar Association to develop a community-based justice center.

A Board of Directors was formed and they selected a project director and assistant director. The Board also began to narrow down potential sites for the target area, and increased the size of their group to incorporate more individuals from the community. The Board was seen as playing an active, not passive, role in most every aspect of project activity. As a result, several subcommittees were formed to address specific issues such as staff and mediator recruitment, and the Center's policies and procedures.

The Venice/Mar Vista NJC established itself as a community-oriented project, anticipating the majority of its referrals from the community. In addition, however, the project established a short-term goal of providing assistance to reduce tensions in the community and set about to deal with larger, more complex issues in the neighborhood. The NJC devoted much time and effort to conducting, facilitating, and attending community meetings, and to opening lines of communication. In a sense, then, the project is attempting to handle both interpersonal disputes and community problems that may not require mediation, per se. The concept of their role as a neighborhood justice center extends the NJC idea to more than just an alternative to court resolution of minor disputes.

However, the project has been pursuing police, court and prosecutor referrals as a means of providing more traditional mediation services to those clients in need of third-party intervention. In addition, they have actively sought, through radio, TV and newspaper media, individual community referrals. In turn, they have planned to refer clients that the Center handles to other neighborhood sources of service when the need arises.

The Venice/Mar Vista NJC has planned to work actively in their communities, while at the same time providing mediation of minor disputes. This concept of a neighborhood justice center is somewhat unique, and its effectiveness will be determined, to a large extent, by how well they become recognized as a valid community resource, and the amount of local support they can generate.

APPENDIX A

OIAJ Program Design Memo
July 11, 1977



United States Department of Justice

OFFICE FOR IMPROVEMENTS IN THE
ADMINISTRATION OF JUSTICE

WASHINGTON, D.C. 20530

July 11, 1977

NEIGHBORHOOD JUSTICE CENTER PROGRAM

Introduction

Throughout the United States persons with grievances involving relatively small amounts of money or consisting of altercations with neighbors or relatives often are unable to find a satisfactory forum where they can seek redress. For disputes of relatively minor dimensions, the traditional legal procedures of the courts are generally slow and costly. Moreover, the adversary process is not always the best mechanism for resolving such disputes. Many of the more informal mechanisms for resolution of these grievances, such as the justice of the peace, the responsive ward committeeman or precinct captain, and the policeman on the beat, have faded from the American scene. Furthermore, many people are unaware of the formal mechanisms that have been created, such as small claims courts, and of other small dispute resolution services that may be available, such as consumer protection offices or family counseling services.

In response to this problem, the Department of Justice is developing a Neighborhood Justice Center Program. Through this program the Department is endeavoring to provide national leadership in this field by designing, testing, and promoting the widespread adoption of new and improved mechanisms to provide more just and efficient resolution of disputes arising in the course of daily life.

Summary Description

The Neighborhood Justice Center program will establish three pilot, experimental Neighborhood Justice Centers in order to develop a model center that may be replicated widely around the country. The Center should be an office in a community to which people can go with a wide variety of problems. The Center will offer to provide mediation or, where that fails, arbitration, through a panel of members of

the community trained in mediation and arbitration for those disputes in which both parties are willing to participate. Where mediation is inappropriate or not agreed to, the Center will provide a referral service to the agency or court best suited to deal with the problem.

Statement of Purpose

The purposes of the pilot Neighborhood Justice Centers are:

1. To develop a proven mechanism, adaptable to the needs and conditions of individual communities throughout the country, that is effective in promoting the inexpensive, expeditious, and fair resolution of disputes that arise in the course of daily life. This is to be done by:
 - A. Establishing an office in the community that will seek to resolve local disputes at the local level through conciliation, mediation, or arbitration entered into voluntarily.
 - B. Providing a referral service for matters that cannot be resolved by the Center. The Center will thereby serve as a point of entry into the entire justice system for residents of the community with any type of grievance.
2. To enhance the quality of justice rendered to the community by:
 - A. Providing resolutions of disputes that are lasting and more responsive to the needs of people with continuing relationships than are resolutions achieved by court adjudication.
 - B. Improving the access of the members of the community to existing community and governmental services through the referral service.

3. To reduce the caseloads of local courts and other justice system agencies by directing matters to the Center for which the court process is not necessary or not best suited.

Organization

Location. The best location for the Centers will be in an existing municipal or other public building, other than a police station. The office should be physically separate from those of other agencies in order that the Center may have its own identity. Such a location:

- 1) will serve to minimize overhead costs;
- 2) is consistent with the conception of the Center as an extension of the local government in the community; and
- 3) will provide the Centers with an aura of seriousness and authority that will serve to convince the people of the community that the Centers can be effective enough to be worth using.

Police stations are excepted because some people may be reluctant to enter them for any purpose. In addition, the Centers will handle matters beyond the jurisdiction of the police. Locating a Center in a police station could produce the misconception that the Center only deals with police complaints. The actual location in a particular community will be dependent upon the location of available office space.

Staff. It is anticipated that initially each Center will have a director, one or two paraprofessional personnel, and a secretary-receptionist. Every effort will be made to recruit the entire staff from the community being served. The paraprofessionals will meet with the complainants, arrange mediation sessions, make referrals, conduct follow-up work, and maintain the files for their own cases. The director will supervise the paraprofessionals and, with the secretary-receptionist, handle the non-case specific work of the Center.

Mediators. The mediators will be recruited from the community by the director working closely with the board. They must either reside or work full time in the community. There are to be public announcements of the availability of the mediator positions. The mediators will be provided with approximately 40 hours of training and paid a limited sum on a per case basis. A training program will be developed jointly by the sites and the Department that will utilize local training resources to the fullest extent possible.

Center Board. In addition to the staff described above, each center will have a board consisting of representatives of the community being served and the local government. In addition, other appropriate parties should be included, such as academicians and representatives of the local bar association and legal aid offices. The board will be concerned with the entire operation of the center. Specific responsibilities of the board will include seeking to have the Center and, particularly, its mediation service endorsed by local business and community groups and appropriate local government officials, including the judiciary. In addition, the board may seek to reach agreements with local merchants and landlords and with local branches of chain enterprises for participation in mediation for specified types of complaints. The foregoing will all help to promote the legitimacy of the Center and will aid in its acceptance by a large portion of the population served. The board will also mount a publicity program in order to inform the people of the community about the Center and the services it offers.

Operation

Each Center will establish standard procedures for receiving people who come to the Center, identifying their problem, and assigning them to a paraprofessional. Written screening criteria will be prepared and followed. The Centers will handle walk-in cases and referrals from the courts, the police and other public and private agencies. Each Center will make arrangements with the appropriate local court, the police department, and any other relevant agencies for referrals to the center of matters that would be suitable for mediation. If a matter is proper for mediation (as

described below), the Center staff will contact the other parties to the dispute and invite them to participate in mediation! Mediation will be conducted by one or more members of the mediation panel at a mutually convenient time and place, including weekend and evening sessions where practical.

Mediation will be limited to matters presented by individuals relating to criminal and civil neighborhood, family, housing, and consumer problems. These limitations are necessary, first to ensure that the Centers do not attempt to mediate matters that are of such public consequence or have so much money or property at stake that a more informal resolution process would be more appropriate. Secondly, in order to properly train the mediators it is necessary to define the universe of cases that they may be called upon to mediate.

Where the mediation is successful, the mediator will prepare a written agreement that will be signed by both parties to the mediation and by the mediator. Where the mediation does not result in a resolution of the problem, the parties will be offered the option of binding arbitration.

Where the mediation, and any subsequent arbitration, is not successful, where one party will not agree to mediation, or where mediation is not appropriate, the Center will provide to the person with the grievance detailed information on the most appropriate public or private agency or court to deal with the problem. Each Center will identify all courts and public and private agencies to which referrals may be made. Complete information on each such agency, including services available, the procedures that persons seeking to utilize such services must follow, location, and the name and telephone number of a staff contact, will be kept in a written form. Through the referral service, in combination with the mediation component, the Center will serve as a point of entry into the public sector for citizens with problems that they cannot resolve themselves.

Each Center will develop a follow-up program for the cases that it handles. The paraprofessionals will contact the persons with grievances whose cases are successfully mediated or arbitrated approximately 30 days following the conclusion of the case in order to determine the results of

the resolution. The paraprofessionals will also make a follow-up telephone check on referrals made by the Center 30 days after the referrals have been made in order to ascertain whether the agency to which the referral was made has been responsive to the needs of the person with the problem. The Center staff will cooperate with the national evaluation staff in gathering data for longer term follow-up and on persons who fail to appear for hearings.

Each Center will develop a set of standard forms to be used as case files and records. These will be developed and revised in close collaboration with the program evaluation staff.

Evaluation

Each Center will have an evaluation component. Because these are pilot projects, it is important that as much as possible be learned about which aspects are effective and which are not. The Center design and the type of community for all the centers will be similar so that the positive results of the program will have a greater degree of experimental validity and can, therefore, be replicated with reasonable confidence that the replications will also succeed. A single evaluation of all three Centers will be conducted by an independent evaluator.

APPENDIX B

NILECJ Grant Guidelines for NJC's
August 3, 1977

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

Memorandum

TO : Proposed Neighborhood Justice
Center Program Grantees

DATE: August 3, 1977

FROM : *LM* G. Martin Lively
Court Programs Manager
Training and Testing Division
Office of Technology Transfer

SUBJECT: Grant Application Guidelines and Procedures

You will need to submit the following forms in applying for the Neighborhood Justice Center Field Test grant:

1. The form used in your jurisdiction for coordination with local and/or state criminal justice planning agencies.
2. Application for Federal Assistance, OMB No. 43-R-0528/attached.

Enclosed are documents designed to assist you in the preparation of your application and to provide a common basis for the National Institute's evaluation of all applications:

- Neighborhood Justice Centers: An Analysis of Potential Models
- "Neighborhood Justice Center Program", a narrative description of the Neighborhood Justice Center Program, dated July 11, 1977, by the Office for Improvements in the Administration of Justice of the U.S. Department of Justice.
- "Neighborhood Justice Centers", a memorandum containing the elements of design for a Neighborhood Justice Center, dated June 13, 1977, from the Acting Administrator of the Law Enforcement Assistance Administration.

Our goal is to evolve alternate procedures for community resolution of disputes which will:

- (1) Establish in the community an efficient mechanism for the resolution of minor criminal and civil disputes which stresses mediation and conciliation between the parties in contrast to the finding of fault or guilt which characterizes the traditional adjudication process.

- (2) Reduce court caseload by redirecting cases that are not appropriate for the adversarial process.
- (3) Enable the parties involved in the dispute to arrive at fair and lasting solutions.
- (4) Serve as a source of information and referral for disputes that would be more appropriately handled by other community services, government agencies or courts.

Up to \$200,000 has been allocated for each site. Your grant application should include a detailed budget not to exceed that amount, and should also include:

- (1) Selection of a subsite that conforms with specified criteria spelled out in the guidelines for preparation of a program proposal.
- (2) An agreement to transfer the technology developed.
- (3) An intensive internal monitoring capability.
- (4) Cooperation with the national evaluation of the three site experience.

The Executive Training Program (ETP) of the National Institute will be responsible for grant application assistance, field test staff training, and follow-on support. University Research Corporation (URC) of Washington, D.C. conducts the Executive Training Program and will conduct or support the following meetings:

- Field Test Training Seminar: Early in the program, up to 15 representatives of each neighborhood justice center will be invited to a four-day meeting conducted by recognized experts in community resolution of disputes. Objectives of the field test training seminar are: to help prepare field test staff for implementation of their projects; to identify follow-on training needs and plans for allocation of 30 days of E.T.P. assistance; and, to initiate channels of communication among the grantees. The field test training seminar will provide an opportunity for further program definition, initiation of procedures, scheduling, and related details. Travel and per diem funds will be provided by URC, in keeping with Federal guidelines.

- Project Site Directors' Meetings. At least twice during the field test period, the project directors and assistant project directors for the three field test centers will meet and review progress to date. The Executive Training Program will be responsible for planning and conducting the meeting. The project budget should include travel and per diem expenses for the NJC staff for these two two-day meetings.
- Field Test Conference. Approximately one year after the initial field test seminar, the staff on each field test NJC will be expected to host a conference to which as many existing or potential NJCs in the state or region as practicable will be invited. The purpose of this conference will be to describe in detail: the new procedures and operations developed in each test site; the mechanisms by which new procedures were planned and implemented; and, impact of community dispute resolution techniques, including reduction in caseloads of civil and criminal courts.

Following is the presently planned schedule for the NJC program:

Early August 1977	Applicants conduct site assessments/ collect data, and commence application preparation
September 15, 1977	Grant applications to NILECJ and initiation of Review of applications
November 15, 1977	Announcement of grant awards
December 1, 1977 - January 15, 1978 (depending on staff hiring patterns at the three sites)	Field Test Training Seminar
January 16 - May 26, 1978	E.T.P. follow-on support
May, 1978	First Project Site Directors' Meeting
November, 1978	'Second Project Site Directors' Meeting

Funds for the program are limited to an 18-month period, which includes start-up time and full operation; further funding from the National Institute cannot be expected. Sites should plan for essential local assumption of costs and responsibilities. Questions concerning your application should be directed to Mr. G. Martin Lively, NILECJ, (202) 376-3843.

GUIDELINES FOR PREPARATION OF
"PART III - BUDGET INFORMATION"
IN OMB NO. 43-R-0528

(This sample budget is not intended to suggest specific allocations or amounts; it merely suggests funding areas which ought to be addressed under the budget categories called for in the application. Individual budgets may reflect partial staffing during project start-up period.)

<u>Budget Category</u>	<u>Sub-Categories</u>	<u>Sample Allocations</u>	
Personnel	Project Director (100% of \$20,000 annual salary x 18 months)	\$30,000	
	Hearing Staff Coordinator (100% of \$16,000 annual salary x 18 months)	24,000	
	Intake/Follow-up Supervisor (100% of \$15,000 annual salary x 18 months)	22,500	
	Paraprofessional Interviewer (100% of \$12,500 annual salary x 18 months)	18,750	
	Secretary (100% of \$5,000 annual salary x 18 months)	<u>12,000</u>	\$107,250
	Eringe Benefits - 20% of salaries		21,450
Hearing Staff	(Stipend per case x estimated caseload in 18 months; indicate whether an hourly rate or per case rate will be used.)		10,800
Travel	Project site directors' meetings; two person trips, three days each; air fare, per diem, and expenses	1,000	
	Technology Transfer Conferences and trips	3,400	
	Local travel (hearing staff, advisory board; \$30/month x 18)	<u>540</u>	4,940
Equipment	Staff desks/chairs	\$ 1,660	
	Hearing rooms (2), tables, chairs	1,000	
	Typewriters	800	
	Tape recorders, tapes	400	
	Telephones (\$100/month x 18)	<u>1,800</u>	5,660
Supplies	Forms (Follow-up, monitoring)	1,800	
	General office supplies (\$200/month x 18 months)	<u>3,600</u>	\$ 5,400

Budget Category

Sub-Categories

Sample Allocations

Contractual

Training of hearing staff;
preparation of permanent
training materials
Local monitoring consultants

\$30,000

14,500

\$ 44,500

TOTAL

\$200,000

GUIDELINES FOR PREPARATION OF
"PART IV - PROGRAM NARRATIVE"
IN OMB NO. 43-R-0528

1. OBJECTIVES AND NEED FOR THIS ASSISTANCE

The purpose of this section of the application is twofold, to define the need the grant is designed to address and to state the goals or objectives of the grant.

The general needs responded to by the national program for Neighborhood Justice Centers (NJC's) have been identified:

Throughout the United States persons with grievances involving relatively small amounts of money or consisting of altercations with neighbors or relatives often are unable to find a satisfactory forum where they can seek redress. For disputes of relatively minor dimensions, the traditional legal procedures of the courts are generally slow and costly. Moreover, the adversary process is not always the best mechanism for resolving such disputes. Many of the more informal mechanisms for resolution of these grievances, such as the justice of the peace, the responsive ward committeeman or precinct captain, and the policeman on the beat, have faded from the American scene. Furthermore, many people are unaware of the formal mechanisms that have been created, such as small claims courts, and of other small dispute resolution services that may be available, such as consumer protection offices or family counseling services.

The grantee should apply appropriate portions of this general statement of the situation to local conditions and identify any additional compelling reasons that exist for establishing a NJC in the selected area.

The objectives for the national program for establishing NJCs also have been articulated:

- a. To establish in the community an efficient mechanism for the resolution of minor criminal and civil disputes which stresses mediation and conciliation between the parties in contrast to the finding of fault or guilt which characterizes the traditional adjudication process.
- b. To reduce court caseload by redirecting cases that are not appropriate for the adversarial process.
- c. To enable the parties involved in the disputes to arrive at fair and lasting solutions.
- d. To serve as a source of information and referral for disputes that would be more appropriately handled by other community services or government agencies.

In this section of the application the potential grantee should apply these objectives to local conditions and aspirations, indicating some order of priority among them. The identified objectives should be specific and clear, rather than general and ambiguous.

2. RESULTS OR BENEFITS EXPECTED

This section of the application provides the prospective grantee with an opportunity to identify those who will benefit from the grant, as well as the nature of the benefits expected to flow from the project.

Here the applicant should identify the subsite or "neighborhood" in which the Center will be located. Selection of a particular subsite should be based on the following criteria:

a. Population:

Size: Suggested guidelines of 50,000 to 200,000

b. Socio-economic Factor:

Should be mixed, but avoid concentrations of extreme wealth or poverty.

c. Access within the Subsite:

How easy is movement within the selected subsite? Is there adequate public transportation to ensure that the NJC location will be accessible to most of the subsite population? What natural barriers (e.g. mountains, rivers) or manmade obstructions (highways, aquaducts) exist?

d. What communication and potential relationship contacts have been made with relevant agencies and persons? What responses have they made?

• Existing Community Organizations and Services:

Are there neighborhood organizations with a history of positive achievement within the selected subsite? Such neighborhood organizations could be private groups of citizens formed to deal with community-wide problems or special topics, such as schools, crime reduction, etc., or government established organizations created to handle neighborhood-wide problems or other specific types of problems. Community services include any health, social, welfare, economic, etc., agencies, institutions or services available to the population in the selected subsite.

• Civil and Criminal Justice Services

What is the state of relations between the selected subsite and existing justice agencies, including the police, prosecutors, courts, and corrections?

Are there legal aid, public defender, lawyer referral, etc. resources in the subsite? Are there discrete legal systems for handling small claims, landlord-tenant problems, juvenile cases, domestic problems or consumer complaints? Is there a city or more local ombudsman?

• Subsite Court Caseload Problems:

What is the status of court caseloads, civil and criminal, local and state in the selected subsite? What is the nature of disposition of cases in the local court system? Are local courts and their dependencies (e.g., prosecutors, public defenders, etc.) willing to help in the development of an alternative forum for minor disputes?

• Mediation/Arbitration Resources within the Subsite:

Are there any mediation or arbitration programs, e.g., consumer arbitration, community judges, an ethnic or religious community conciliation board, warranty enforcement panels, bar association arbitration committees, consumer action panels, media complaint forums, operating currently in the subsite? Are there resources in or available to the subsite with experience or expertise in mediation or arbitration?

e. Identification of Potential Caseload:

Within the subsite; is there a broad range of disputes between individuals (e.g., family, neighbors, owner-tenants) that would be eligible for the services of the NJC? Has an effort been made to identify what kinds of cases arise frequently within the subsite that are appropriate for the NJC?

3. APPROACH

A. Plan of Action

This section requires the applicant to spell out in detail how the proposed NJC will be established. While there is no prescribed format for this section of the application, the potential grantee must consider the following topical areas in describing its plan of action:

- (1) **Operating Agency:** The application should identify the entity that will operate the NJC as well as its relationship to the sponsoring agency. If a new entity is to be created, its name, legal status, and officers' names should be given. If this has not been accomplished at the time of the submission of the

application, plans for so doing should be spelled out. If the exact location or site (address) of the proposed NJC is known, it should be included. If a site has not yet been selected, criteria for that selection should be stated, keeping in mind the desirability of a location that is separate from the formal court system but accessible to the community and to the public agencies which will refer people to it.

- (2) Staff: Names (if known), titles, and job descriptions of full-time staff should be included in this section. Additionally, criteria for selection of principal or professional staff should be identified. It is recommended that full-time project staff be people knowledgeable about the local legal system, community activities, and social service support systems that operate in the selected community.

Careful consideration should be given to criteria for selection of community mediators and/or arbitrators. Such people should not only reside in the community, but also be deeply involved in the life of the neighborhood and reflect the ethnic and racial composition of the area. They should be mature individuals capable of dealing with the complexities of interpersonal conflict. Thought should be given to a scheme of compensation for them. Will they be volunteers? Will their expenses be paid? Will they be compensated for training periods? Will they receive a modest stipend for their services or a more substantial fee? To a large extent, the recruitment plan for a specific NJC will depend on the range of resolution techniques employed in the Center. In any event, applicants should describe in detail their plans for recruitment of community hearing staff.

- (3) Resolution Techniques: There are three resolution techniques you will want to consider in designing your NJC: conciliation, mediation, and arbitration.

CONCILIATION is a process in which a third-party intervenor, not necessarily neutral, maintains controlled interaction between the parties to a dispute while the parties themselves attempt to resolve existing differences.

MEDIATION is a process in which a third-party neutral or panel of neutrals helps the parties to fashion a mutually acceptable solution. The mediator(s) has no power to decide the dispute, but must rely on the power of persuasion to move the parties to devise and accept a compromise solution.

ARBITRATION is a quasi-judicial process in which a third-party neutral or panel of neutrals gathers facts involved in a dispute and decides the merits of a case. Where the arbitration is binding, the arbitrator(s) has the power, enforceable in the courts, to impose a solution on the parties. Where the arbitration is advisory, the arbitrator(s) recommends a solution to the parties which may or may not be accepted.

Among the three techniques, there is a sharp distinction between conciliation and mediation on the one hand and arbitration on the other. The first two leave the burden of fashioning a decision on the parties, while the third places that burden directly on the arbitrator.

Here are some potential variations you might consider in designing your NJC:

- Hearings in which an effort is made to conciliate disputing parties.
- Hearings in which an effort is made to mediate the dispute.
- Hearings in which a dispute is arbitrated.
- Unified hearings in which an unsuccessful attempt to conciliate or mediate is followed immediately by arbitration.
- Separate hearings, i.e., one in which conciliation or mediation is attempted and, if unsuccessful, a separate one in which the dispute is arbitrated.

A hearing, whether it involves conciliation, mediation, or arbitration, may be conducted before a single individual or a panel. Obviously, the more people participating in a hearing, the more costly the process and the more difficult the recruitment and training tasks.

- (4) Training: All persons affiliated with the project, whether permanent project staff or hearing staff, should receive thorough training in the selected resolution techniques. It is recommended that this pre-service training last no less than 40 hours. It is also recommended that hearing staff receive approximately 12 hours of in-service training every six months in order to sharpen their skills. All new hearing

staff should be required to serve an apprenticeship period, after pre-service training, lasting approximately one month or until the director of the project or supervisor of hearing staff is satisfied that such persons possess needed skills. Additionally, the grant application should specify who will do the pre- and in-service training (if known) and when the training is scheduled for delivery.

- (5) Case Selection Criteria: A broad range of disputes between individuals within the neighborhood or sub-site should be eligible for consideration by each NJC (e.g. family, neighbors, landlords and tenants, consumers and local merchants.) Primary focus should be on those disputes between individuals with an ongoing relationship. A key criterion in determining the suitability of cases for NJCs is their potential for successful settlement through mediation or arbitration. A complete statement of the criteria proposed should be described in this section of the application.
- (6) Referral Sources for Cases: Cases can be referred to the NJC from a variety of sources, including one or more of the following:
 - (a) Local Courts
 - (b) Prosecutors
 - (c) Law Enforcement agencies
 - (d) Other public agencies (e.g. public welfare, victim/witness programs, schools)
 - (e) Private agencies (e.g., counseling centers, mental health programs, churches)
 - (f) Walk-ins or self-referrals.

The grant application should indicate the likely sources for referrals, based on the nature of existing programs and services in the NJC community. Additionally, the application should indicate which community resources are available for referrals from the NJC for pertinent services, the need for which become evident during the NJC intake process or during hearings.

- (7) Intake: An appropriate intake procedure should be spelled out in the application and may include the following:
 - (a) Initial written interview forms that provide sufficient data to determine subject matter jurisdiction and to

allow follow-up of clients through later contact of those who fail to appear for hearings.

- (b) A briefing process to ensure that disputants understand the voluntary nature of the process, as well as the procedures that will be followed by the NJC.
 - (c) The possible use of signed agreements indicating the disputants' willingness to participate in the Center's resolution process.
 - (d) Information on hours of operation for intake and dispute settlement.
- (8) Public Relations: In this section the grant application should detail how project staff intends to establish itself in the community as an alternative to existing formal processes for dispute settlement; publicize its activities and availability; coordinate with possible referral sources; relate to the community-at-large from which the disputants will come; and develop credibility in the community. The applicant also should consider how the NJC will handle issues of confidentiality.
- (9) Case Follow-up: A process for follow-up on handled cases should be developed by the project staff, including the development of data forms. Special attention should be given to processes for recording accurately the results of all hearings. If there is a compliance agreement between disputants, it should be verified by staff. A written record should be maintained of all contacts with hearings, and referrals made to any other resource in the community. A periodic process of determining compliance with resolutions should be developed. Finally, a process for maintaining records on cases where no conclusion is reached or where disputants fail to appear for hearings should be developed. Records in all cases should indicate all the parties involved in NJC hearings, including staff.
- (10) Project Board: The grant application should specify the nature and functions of the board appointed to oversee activities of the NJC. This board may be advisory or it may set policy, but it should contain people who are part of the community being served. The board may include representatives of public and private agencies or lay person(s) active in the community. The application should describe the board's activities, its composition, responsibilities, frequency of meetings, and other services it might provide.

- (11) Internal Monitoring: It is important that the project director be aware of the quality and nature of all activities conducted under the program. Therefore, a procedure has to be developed to monitor staff and program performance to ensure that the NJC's goals and objectives are being met. This internal monitor should produce data which, in turn, can be fed into the public relations activities of the NJC, assist in developing and maintaining credibility in the community, and help the independent evaluation contractor. The data collection instruments developed must be compatible with the information needs of the national evaluation.

Every project should collect ongoing data on project processes: caseload, case characteristics, personnel allocation, etc. This will enable the project to monitor its achievements and problems. A comprehensive management information system should be developed which would assist the project in developing comprehensive monthly reports to include referrals by source, source by type of dispute, type of dispute by disposition, outcomes of mediation, recommended social services and the number of sessions held.

Of lesser importance to each local project, but of invaluable assistance to potential replicators of NJCs would be a systematic collection of data on the development of a NJC. This information would aid in understanding the types of project development and ways to overcome these obstacles.

B. Milestones

In this section, the applicant should list its projected activities in chronological order to show a planned schedule of accomplishments, together with target dates. Specific milestones should include:

- (1) Selection of NJC location/site
- (2) Creation of NJC entity/agency
- (3) Hiring of Project Director
- (4) Hiring of project staff
- (5) Development of community liaison and public relations plan.
- (6) Development of intake and follow-up procedures
- (7) Selection of project advisory board
- (8) Development of training schedule and curriculum

- (9) Recruiting hearing staff
- (10) Training hearing staff
- (11) Hearing first cases
- (12) Project Directors' meetings
- (13) Technology transfer conference
- (14) Quarterly and final reports

C. Evaluation

An evaluation of the entire NJC program will be conducted for the National Institute. Broadly stated, the evaluation objectives are:

- To assess the capability of the centers to attract disputes, provide settlement services, and arrive at fair and lasting resolutions.
- To assess the capability of the centers to provide a service that is faster, less costly and more satisfactory to the participants than the courts, and that results in the redirection of cases from courts, and hence, reduces court caseload.
- To assess those factors and decisions contributing to or militating against institutionalization of the NJC's within the communities following the field test phase.

D. Cooperating Organizations, Consultants

List community organizations or agencies, as well as consultants or other key individuals, who will work on, or cooperate closely with, the project (and who have been identified at this point).

4. GEOGRAPHIC LOCATION

Identify the subsite which the NJC will serve and provide a street map of the subsite area which identifies locations of court(s) and police precinct(s) within the subsite. Where possible, indicate on the map the boundaries of police, judicial and political, and other relevant service districts within the subsite.

5. RESUMES

Provide a biographical sketch of the officers or directors of the sponsoring agency and resume of the NJC Project Director (if he/she has been selected). Also list the names (if known), training, and background of other key personnel engaged in the project including Board members.

PROPOSED NATIONAL INSTITUTE OF LAW ENFORCEMENT
AND CRIMINAL JUSTICE DESIGN FOR NEIGHBORHOOD
JUSTICE CENTERS

The recommended elements of a NJC discussed below were derived from a National Institute analysis of the experiences of similar existing programs. Ten key aspects of program operation are identified and discussed briefly. Where experience dictates and evaluation requirements permit, several possible options are listed. Where the options available to the sites must be more restricted that is also noted.

1. Objectives

An adequate evaluation of program success requires that goals be clearly stated and understood by all participants. Although each program would develop its own comprehensive list of program objectives, it is recommended that the overall goals include the following:

- A. To establish in the community an efficient mechanism for the resolution of minor criminal and civil disputes which stresses mediation and conciliation between the parties in contrast to the findings of fault or guilt which characterizes the traditional adjudication process.
- B. To reduce court caseload by redirecting cases that are not appropriate for the adversarial process.
- C. To enable the parties involved in the disputes to arrive at fair and lasting solutions.
- D. To serve as a source of information and referral for disputes that would be more appropriately handled by other community services or government agencies.

2. Community Served

The population served should consist of between 50,000 and 200,000 people within a larger metropolitan area. The

neighborhood served should be an identifiable segment of the city that is heterogeneous and does not represent extremes of wealth or poverty. Support from key local criminal justice and governmental officials, judges and leaders of relevant service agencies is essential to the success of a program.

3. Sponsoring Agency

The sponsor of the NJC may be either a public agency (police, prosecutor, court, mayor's office, etc.) or a private non-profit organization. The sponsoring agency should have had prior experience in the fiscal management of government grants. Regardless of the nature of the sponsoring agency, a policy and steering board for the project should be established. It should be broadly representative of the community and should include, in addition to lay citizens and leaders of community organizations who reside in the neighborhood, representatives of local criminal justice and civil justice agencies and representatives of the sponsoring agency.

• 4. Location

The project should be clearly identified as separate from the formal court system but it should be located in a place accessible to the public agencies which will refer people to it and to the constituent community.

5. Case Criteria

A broad range of disputes between individuals with an ongoing relationship (e.g., family, neighbors, owner-tenants) would be eligible for the services of the NJC. Consumer complaints would be confined to those involving individuals or an individual and a small local merchant rather than a large institution. Identification of the specific types of civil or criminal cases to be referred to the center in any particular site would be determined by the project sponsors in conjunction with other relevant public agencies and community representatives. The key criterion to be used by the sites in making these determinations is the suitability of cases for settlement through mediation.

6. Referral Sources

A. Cases should be accepted from the following referral sources:

1. Courts
2. Prosecution
3. Police Agencies
4. Other public or private agencies
5. Self-referrals

B. Since the center will seek to establish itself as an alternative to existing formal processes, it should actively publicize its services in the community.

7. Intake

Intake procedures should be structured to include the following:

- A. Written screening criteria which would include sufficient data collection to allow follow-up of clients who fail to appear for hearings and the reasons therefor.
- B. A briefing process to assure that disputants understand the voluntary nature of the process. The only coercion used to induce the appearance of the respondent should be the threat inherent in an explanation of the complainant's rights to pursue more formal processes.
- C. The possible use of signed agreements as symbols of the disputants' willingness to participate in the dispute resolution process.

8. Resolution Techniques

The range of options for dispute settlement may include conciliation, mediation and arbitration. All dispute settlements should be reduced to writing. Signatures of both parties should be encouraged. Arbitration should only be used if conciliation and mediation are unsuccessful. In the event arbitration is required, an option may be to use different individuals to perform the roles of mediator and arbitrator in a given dispute and to use a separate hearing for the arbitration.

Projects should provide referrals to social service agencies to assist in the resolution of ongoing problems. Where possible, cases should be referred to an ombudsman or fact finder when appropriate.

9. Staffing

A. Mediation/Arbitration Panels

There should be a broad pool of trained mediators available to serve from time to time at dispute resolution hearings. Preference is for mature individuals flexible enough to deal with the complexities of interpersonal conflict. Clearly, in a model which seeks neighborhood justice, a primary source of candidates would be the community itself.

The start-up may require the use of professional mediators or others with dispute resolution skills. However, the ultimate goal is to train members of the lay community to perform these services.

B. Project Administrative Staff

The full-time staff of the project should include persons with knowledge of the legal system and the social service support systems that operate in the jurisdiction.

C. Training

All project staff and mediators should receive the program's entire training in methods of dispute resolution. Training programs should consist of a minimum of 40 hours. Generally new mediators would be required to serve an apprenticeship period after training.

10. Case Follow-up and Evaluation

Compliance with the terms of the agreement should be verified by the project staff. The projects should maintain a written record of all cases, whether or not settlement is achieved. All case referrals not resulting in a successful settlement should be examined to determine reasons for nonparticipation or unsuccessful resolution.

All projects will be required to cooperate with the evaluation of the three projects sponsored by the National Institute. Data collection instruments must be compatible with the information needs of the national evaluation.

APPENDIX C

URC's Washington NJC Workshop
Dec. 12 - 15, 1977

NEIGHBORHOOD JUSTICE CENTER

FIELD TEST TRAINING

December 12-15, 1977

Participant List

ATLANTA

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December 12-15, 1977

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Fred Nobles
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Gloria Roa
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Eric Younger
Los Angeles Municipal Court
Division 21
110 North Grand Avenue
Los Angeles, CA 90012

TRAINING STAFF

CORE STAFF

MICHAEL KEATING - University Research Corporation staff and Team Leader, Neighborhood Justice Centers Program of the Executive Training Program. Michael is an attorney who has spent the past seven years developing and implementing complaint mechanisms based on mediation and arbitration in prisons, schools, and migrant farm worker programs.

DANIEL MCGILLIS - ABT Associates staff, Research Fellow, Harvard Law School, and co-author of Neighborhood Justice Centers: An Analysis of Potential Centers. Dan also has conducted evaluations of other projects involving mediation and arbitration.

PHYLLIS KAYE - private consultant in conflict resolution processes and techniques, currently working as a consultant to the Office of Civil Rights of HEW. Phyllis formerly was Assistant Director of the National Center for Dispute Resolution of the American Arbitration Association.

MEDIATION AND ARBITRATION

GEORGE NICOLAU - Vice-president, Institute for Mediation and Conflict Resolution. George is an attorney, a professional arbitrator and mediator and a long-time trainer of mediators. IMCR did the training for IMCR Dispute Centers in Harlem, Brooklyn, Dorchester (Mass.) and Coram (N.Y.).

JEFF JEFFERSON - Staff trainer and mediator, Institute for Mediation and Conflict Resolution. Jeff is an experienced mediator and trainer of mediators.

JOSEPH STULBERG - Vice-president, American Arbitration Association, and National Director of the Community Dispute Services Department of AAA. Josh is a practicing mediator and was instrumental in establishing the Rochester, New York AAA Community Dispute Services Project. He has extensive experience in the training of both mediators and arbitrators.

MILDRED COWAP - Program Specialist for the Community Dispute Services Department of the American Arbitration Association. Midge is responsible for developing, coordinating, and implementing all education seminars and training programs sponsored by CDS.

EVALUATION

DAVID SHEPPARD - Senior Research Scientist, Institute for Research and Principal Investigator for IFR's evaluation of the Neighborhood Justice Center Program. David has extensive experience in the evaluation of criminal justice programs and a doctorate in Industrial and Organizational Psychology.

ROGER COOK - Vice-president and Director of Washington office, Institute for Research, and co-principal investigator for the NJC national evaluation. Roger has conducted evaluations of drug abuse and ACTION volunteer programs; he has a doctorate in psychology and is a licensed industrial psychologist.

EVALUATION (Continued)

JANICE ROEHL - Senior Research Associate, Institute for Research, and member of research staff of the NJC evaluation. Janice participated in recent IFR evaluations for the National Institute of Drug Abuse and ACTION, and is a doctoral candidate at George Washington University in Social Psychology.

SPECIALTY STAFF

JAMES LAUE - Director of the Community Conflict Resolution Program of the Center of Community and Metropolitan Studies, University of Missouri at St. Louis. Jim is an experienced mediator who has developed and evaluated community dispute programs in a wide variety of contexts.

HENRIETTA SCHILIT - Consultant with McCarthy-Schilit Associates in New York. Henny formerly was with the Institute for Mediation and Conflict Resolution, helped establish the IMCR Center in Harlem and has extensive experience in consulting on public relations and use of media.

LINDA SINGER - Executive Director of the Center for Community Justice in Washington, D.C. Linda founded the Center which has pioneered the development of grievance mechanisms in a variety of institutional settings including prisons, schools and mental hospitals.

COMMUNITY DISPUTES PROJECTS' STAFF

FRED DELLAPA - Project Director, American Bar Association's Special Committee on Resolution of Minor Disputes. Fred founded the Citizen Dispute Settlement Program in Miami, Florida, while serving as Deputy Court Administrator and Special Assistant to the State Attorney.

ANN WEISBROD - Executive Director, Institute for Mediation and Conflict Resolution Dispute Center. Ann heads the IMCR center in Harlem and has had a key role in the development of the second IMCR center in Brooklyn.

A G E N D A

Monday, December 12

1:00 p.m.

Session 1: Introduction

Welcome; DOJ, LEAA, ETP
Introduction of staff, participants
History of the project
Objectives of the seminar
Overview of the schedule
Videotape of NJC hearing
Presentation on status of three sites

3:00 p.m.

BREAK

3:15 p.m.

Session 2: The Conceptual Framework:
Community Resource vs. Element of the
Justice System

3:45 p.m.

Session 3: Setting National and Local
Objectives for the NJC Program

5:45 p.m.

Day I Wind-Up

6:00 p.m.

Reception for Participants and Staff

Tuesday, December 13

9:00 a.m.

Session 4: Principles and Techniques of
Dispute Settlement

10:45 a.m.

BREAK

11:00 a.m.

Session 5: Introduction to the Mediation
Process

12:15 p.m.

LUNCH (working lunch with speakers)

1:30 p.m.

Session 5 (contd.)

2:00 p.m.

Session 6: Introduction to Arbitration

2:30 p.m.

BREAK

2:45 p.m.

Session 7: Recruitment and Training of
NJC Hearing Personnel

5:30 p.m.

Day II Wind-Up

Wednesday, December 14

9:00 a.m.	<u>Session 8:</u> Grant and Financial Management
10:00 a.m.	<u>Session 9:</u> Subsites and the Location of NJC Offices
11:00 a.m.	BREAK
11:15 a.m.	<u>Session 10:</u> The Planning Process
12:00 p.m.	LUNCH
1:00 p.m.	<u>Session 11:</u> Caseload Considerations
2:15 p.m.	BREAK
2:30 p.m.	<u>Session 12:</u> Referral Sources and Systems
4:00 p.m.	<u>Session 13:</u> Case Administration
5:00 p.m.	<u>Session 14:</u> Public Relations, the Media and the Problem of Institutionalization
5:30 p.m.	Day III Wind-Up
6:00 p.m.	Reception for Participants and Staff

Thursday, December 15

9:00 a.m.	<u>Session 15:</u> The Evaluation Process
10:00 a.m.	<u>Session 16:</u> The Legal Implications of a NJC
10:30 a.m.	BREAK
10:45 a.m.	<u>Session 17:</u> The Ethical Aspects of a NJC
11:45 a.m.	Workshop Wind-Up

APPENDIX D

URC's Reno NJC Workshop
Feb. 6 - 8, 1978

NEIGHBORHOOD JUSTICE CENTER
TRAINING SEMINAR

February 6-8, 1978

Participant List

ATLANTA, GA

Neighborhood Justice Center
of Atlanta, Inc.
1118 Euclid Avenue, N.E.
Atlanta, GA 30307

Geranda Burt
Administrative Assistant

Nicholas Butterfield
Program Assistant

Carol Lucas
Program Assistant

Edith P. Primm
Deputy Director

Linwood Slayton, Jr.
Executive Director

KANSAS CITY, MO

Kansas City Neighborhood Justice Center
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Vivian I. Arps
Prosecutor Referral Specialist

Rita A. Botello
Administrative Assistant

Phillis Hamilton
Clerk Stenographer

Maurice F. Macey
Project Director

Olen Strozier
Specialist II
Human Relations Commission

Michael L. Thompson
Center Coordinator

VENICE, CA

Neighborhood Justice Center
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Trish Bohanau
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Barbara Biggs
Training Consultant

Joel Edelman
Project Director

Fred Gardner
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Elva Loaiza
Project Secretary

Rubin Mosqueda
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TRAINING STAFF

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TRAINING STAFF (Cont.)

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Royer Cook

Janice Roehl

David Sheppard

ETP STAFF

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J. Michael Keating, Jr.
Team Leader, NJC

Sheldon S. Steinberg
Project Director

U.S. DEPARTMENT OF JUSTICE

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Richard Rau
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Karen Powell
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TRAINING STAFF

CORE STAFF

MICHAEL KEATING - University Research Corporation staff and Team Leader, Neighborhood Justice Centers Program of the Executive Training Program. Michael is an attorney who has spent the past seven years developing and implementing complaint mechanisms based on mediation and arbitration in prisons, schools, and migrant farm worker programs.

DANIEL MCGILLIS - ABT Associates staff, Research Fellow, Harvard Law School, and co-author of Neighborhood Justice Centers: An Analysis of Potential Centers. Dan also has conducted evaluations of other projects involving mediation and arbitration.

EVALUATION

DAVID SHEPPARD - Senior Research Scientist, Institute for Research and Principal Investigator for IFR's evaluation of the Neighborhood Justice Center Program. David has extensive experience in the evaluation of criminal justice programs and a doctorate in Industrial and Organizational Psychology.

ROGER COOK - Vice-president and Director of Washington office, Institute for Research, and co-principal investigator for the NJC national evaluation. Roger has conducted evaluations of drug abuse and ACTION volunteer programs; he has a doctorate in Psychology and is a licensed industrial psychologist.

JANICE ROEHL - Senior Research Associate, Institute for Research, and member of research staff of the NJC evaluation. Janice participated in recent IFR evaluations for the National Institute of Drug Abuse and ACTION, and is a doctoral candidate at George Washington University in Social Psychology.

COMMUNITY DISPUTES PROJECTS' STAFF

FRED DELLAPA - Project Director, American Bar Association's Special Committee on Resolution of Minor Disputes. Fred founded the Citizen Dispute Settlement Program in Miami, Florida, while serving as Deputy Court Administrator and Special Assistant to the State Attorney.

LINDA HOPE - Director, Miami Citizen Dispute Center. Linda runs the Miami Center which recently has been nominated for designation by LEAA as an Exemplary Project.

TED KANTOR - Director, Rochester Community Dispute Services. Ted heads the Rochester Center which is the oldest of the programs represented here.

BOB SAPERSTEIN - Director, Community Mediation Center, Coram, New York. Bob is the director of the newest center represented here, having commenced operations in 1977.

MIKE WEAVER - Intake Worker, Rochester Community Dispute Services. Mike is responsible for intake screening of cases for the Rochester Center.

COMMUNITY DISPUTES PROJECTS' STAFF (Continued)

ANN WEISBROD - Executive Director, Institute for Mediation and Conflict Resolution Dispute Center. Ann heads the IMCR center in Harlem and has had a key role in the development of the second IMCR center in Brooklyn.

SPECIALTY STAFF

DAVID AUSTERN - Attorney and partner in firm of Goldfarb, Singer and Austern; co-founder and a director of the Street Law Project, which teaches basic law courses in schools and prisons. David, formerly with the U.S. Attorney's Office in the District of Columbia, evaluated a prototype center in Washington, D.C.

NEIGHBORHOOD JUSTICE CENTER

Training Seminar

February 6-8, 1978

AGENDA

Monday, February 6

1:00 p.m.

Session 1: Introduction
Welcome; NILECJ, ETP, NCSJ
Introduction of staff, participants
History of project
Objectives of workshop
Overview of schedule
Review of status of three sites

2:00 p.m.

BREAK

2:15 p.m.

Session 2: Introduction to
mediation and arbitration;
distinction between mediation
and arbitration

3:30 p.m.

Session 3: Evaluation;
objectives and their measurement

6:00 p.m.

Social hour

Tuesday, February 7

9:00 a.m.

Session 4: Referral sources;
selection and agreements; monitoring;
orientation and training

10:30 a.m.

BREAK

10:45 a.m.

Session 5: Processing cases;
intake interviews; assignment;
referrals; forms; records;
tracking; skills; use of coercion
to ensure client participation

12:00 p.m.

LUNCH

CONTINUED

2 OF 4

NJC Training
February 6-8, 1978

Tuesday (cont.)

1:00 p.m.	<u>Session 6:</u> Hearings, staff responsibilities; facilities; follow-up; records
2:15 p.m.	<u>Session 7:</u> Hearings; personnel, training; preparation of agreements, findings
3:15 p.m.	BREAK
3:30 p.m.	<u>Session 8:</u> Caseload considerations; matching techniques to caseload; selection criteria
4:30 p.m.	<u>Session 9:</u> Conceptual framework reconsidered
5:30 p.m.	<u>Session 10:</u> Administrative process; a wrap-up; forms, records, finances

Wednesday, February 8

9:00 a.m.	<u>Session 11:</u> The legal problems and ramifications of a NJC
10:30 a.m.	BREAK
10:45 a.m.	<u>Session 12:</u> Institutionalization; making a NJC a permanent fixture
11:45 a.m.	<u>Session 13:</u> Planning future training assistance; wrap-up

APPENDIX E

Atlanta Mediator Training Outline



TRAINING FOR VOLUNTEER MEDIATORS

Goal:

The general goal is to teach volunteers the skills and theory needed to successfully resolve interpersonal disputes between two parties using mediation and/or arbitration.

Methodology:

The Bridge staff proposes to conduct 3 days of training to begin sometime after February 17, 1978. The three training days will be for the volunteer mediators and will be conducted on the weekend.

Total Training Time: 3 person days x 8 hours = 24 hours.

Maximum Number of Participants: 35.

Time Format: Two, 8 hour days on the weekend, preferably consecutive. One, 8 hour day on the weekend, approximately one month after initial training, for follow-up workshop. The training will be didactic and experiential with emphasis on experiential exercises, demonstrations, group process, and simulated role-plays.

I. Mediation Training Design.

A. Conflict Identification.

1. Looking at the conflict.
2. Identifying the multiple levels of the conflict.
3. Identifying underlying, unspoken, or hidden conflicts.

B. Issue Identification.

1. Identification of the numerous issues involved in the conflict.

C. Issue Separation. Most conflicts perpetuate themselves by working on too many of the issues. It is important to separate out the issues and work on them one at a time.

1. Make priorities of identified issues.

D. Goal Setting & Expectations. It is important for disputants to experience success on mini-goals rather than setting unrealistic goals and experiencing failure.

1. Clarification of what each disputant "wants."
2. Examination of how realistic "wants" of disputants actually are.

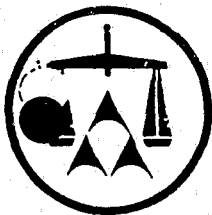
E. Communication Skills.

1. Reflecting content, feelings, and strengths.

**Mediation Training Design continued:**

2. Using "flip-sides" to turn a gripe or complaint into a want or "goal."
3. Confronting inconsistencies.
4. Listening and responding.
5. Clarification.
6. Mediation.
7. Redirection.
8. Negotiation.
9. Problem solving.

- II. Follow-Up Day: The Bridge staff will provide a one day follow-up workshop. This will be open to folks who have completed the initial training and have been working as mediators for one month. This will enable the volunteers to operationalize the skills learned in the first training and return for consultation and further skills training. We will use a small group feedback system to provide participants with an opportunity to role-play specific "pitfall" situations and receive constructive feedback. In addition, the trainees will receive training in effective consultation techniques.
- III. Evaluation. A written evaluation form will be completed at the conclusion of each training by participant. The results of each evaluation will be available to N.J.C.A. staff. The evaluation tool will be developed in coordination with N.J. C.A. staff.
- IV. Development of Training Handouts. The Bridge staff will design a training handout to be used as a consulting guide by volunteers. We will outline and describe the steps and skills of our Mediation Model in a readily usable reference form. We will tailor these handouts to the experience level and particular needs of the workshop participants.
- V. Credibility Of The Bridge As A Training Center. During the past five years The Bridge has trained some 2,500 professionals and paraprofessionals in communication skills and family mediation. The training contracts have been with both the private and public sector. These trainings have been in Alabama, Georgia, Florida, Tennessee, and North Carolina. Also, enclosed is a copy of a training report made to The Georgia Department of Human Resources. This is the report of our first training contract which was so successful that we are now into our second contract with DHR. The report and evaluations speak for themselves.



AMERICAN ARBITRATION ASSOCIATION 140 WEST 51 STREET, NEW YORK, N.Y. 10020

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JOSEPH B. STULBERG
Vice President
Community-Dispute Services

COURSE OUTLINE
ATLANTA, GEORGIA - MARCH 3-6, 1978
NEIGHBORHOOD JUSTICE CENTER

FRIDAY, MARCH 3, 1978

6:00-7:30 P.M.

Introduction to Dispute Settlement.

Participants and training staff will examine and discuss alternative means of dispute settlement, the dispute settlement environment, including identification of issues, priority setting, the value, if any, of compromise, rationales for compromise, and identifying frameworks for settlement.

7:30-10:00 P.M.

Community Dispute -- Negotiation Exercise.

Participants will engage in a simulated community dispute. Dynamics of the negotiation process will be highlighted as well as strategies for effective negotiation. Principles of the process will be highlighted for purposes of viewing them from the mediator's perspective.

SATURDAY, MARCH 4, 1978

9:00-10:00 A.M.

Introduction to the Mediation Process.

An introduction to the perspective and strategies that a mediator utilizes in assisting parties to resolve their disputes.

10:00-10:30 A.M.

Movie: "Conflict on Travis Avenue".

Participants will view a movie which demonstrates the mediation/arbitration of a typical neighborhood dispute.

10:30-12:00

Mediating a Dispute.

A professional staff member will mediate a typical interpersonal conflict which might be referred to the Neighborhood Justice Center. Participants will analyze and review the mediator's role in a stop-action analysis.

12:00-1:00 P.M.

Lunch

1:00-1:45 P.M.

Opening Statement.

A discussion of the salient characteristics which must be included in opening a mediation/arbitration session. Participants will each conduct an opening statement.

1:45-3:00 P.M.

Working the Caucus.

Each participant will have an opportunity to role play the role of a mediator working a caucus. Particular emphasis will be placed upon the fact-gathering process, gaining trust, protecting offers revealed in confidence, translating information, and establishing the framework for settlement.

3:00-5:00 P.M.

Mediation in Action.

Participants will be divided into groups of three with one participant acting as the mediator and the others as the disputants. Introductory techniques in the gaining of credibility will be stressed.

SUNDAY, MARCH 5, 1978

9:00-10:30 A.M.

The Arbitration Process.

Participants and training staff will examine and discuss the nature of the arbitration process, the differences between mediation and arbitration, how mediation and arbitration are combined in a single process, rules of evidence, burden of proof, evidentiary presumptions and means for determining the credibility of witnesses.

10:30-12:30 P.M.

Mediation/Arbitration Demonstration.

The training staff will conduct a role play in which the hearing form is explicitly a mediation/arbitration format. Participants will be asked to write up the conclusions in the form of an arbitration award. The hearing process will be examined as will be the techniques and procedures for writing consent agreements and arbitration awards.

12:30-1:30 P.M.

Lunch

1:30-3:30 P.M.

Mediation in Action.

Participants will be divided into groups of three and will role play a simulated interpersonal dispute. Analysis will follow.

3:30-5:30 P.M.

Mediation in Action.

Participants will again be divided into groups of three and will conduct a new mediation session. Analysis will follow.

MONDAY, MARCH 6, 1978

6:00-7:00 P.M.

Writing the Consent Agreement and Award.

Mediators/arbitrators are responsible for writing the agreement and/or award. Staff will review the elements of these documents once again and participants will then write agreements and/or awards for various fact situations.

7:30-10:00 P.M.

Review of the Mediation/Arbitration Process.

An intensive summary of the mediator/arbitrator's role in resolving interpersonal disputes will conclude the session.

APPENDIX F

Atlanta Mediator Training Assessment
Questionnaire Results

TRAINING ASSESSMENT QUESTIONNAIRE

Instructions: This form is designed to gather your initial reactions to the training which you have just experienced. Do not put your name on the form. Please answer all questions candidly.

1. The list below presents some of the objectives of mediation training. Please read them over carefully and circle the appropriate number according to how well you think your training experience has met these objectives for you.

<u>Level of Achievement:</u>					very low	low	moderate	high	very high
					1	2	3	4	5
1	2	3	4	5	a. Understand the role and functions of mediators.				
1	2	3	4	5	b. Develop communication and responding skills.				
1	2	3	4	5	c. Understand relevant concepts of human behavior.				
1	2	3	4	5	d. Understand the principles and mechanics of mediation and arbitration.				
1	2	3	4	5	e. Learn and be able to apply specific mediation techniques such as fact-finding, writing agreements, caucusing, etc.				
1	2	3	4	5	f. Understand the goals of the Neighborhood Justice Center.				
1	2	3	4	5	g. Understand the NJC's policies and procedures.				
1	2	3	4	5	h. Understand the policies, procedures, and orientation of the traditional criminal justice system, especially the court system.				

2. How effective do you feel the training was in providing you with the skills listed below?

<u>Skill Areas:</u>					not at all effective	somewhat effective	very effective			
					1	2	3	4	5	
1	2	3	4	5	a.	Establishing rapport.				
1	2	3	4	5	b.	Eliciting facts and information.				
1	2	3	4	5	c.	Sensitivity to issues and feelings.				
1	2	3	4	5	d.	Learning to listen and respond.				
1	2	3	4	5	e.	Maintaining self-control.				

- 1 2 3 4 5 f. Ability to control a dialogue.
- 1 2 3 4 5 g. Getting at the underlying causes of a dispute.
- 1 2 3 4 5 h. Maintaining a neutral, non-judgmental stance.
- 1 2 3 4 5 i. Developing alternatives and compromise positions.
- 1 2 3 4 5 j. Learning to work under pressure.
- 1 2 3 4 5 k. Knowledge of community services.
- 1 2 3 4 5 l. Note-taking.
- 1 2 3 4 5 m. Knowledge of NJC policies and procedures.
- 1 2 3 4 5 n. Identifying and clarifying relevant issues.

3. How effective were the following methods for teaching you mediation skills?

<u>Methods:</u>					not at all effective		somewhat effective		very effective
					1	2	3	4	5
1	2	3	4	5	a.	Observation of mediation sessions (taped or live simulations)			
1	2	3	4	5	b.	Lectures.			
1	2	3	4	5	c.	Written materials.			
1	2	3	4	5	d.	Group discussion.			
1	2	3	4	5	e.	Role-playing with video-tape feedback.			
1	2	3	4	5	f.	Review of case studies.			
1	2	3	4	5	g.	Role-playing mediation sessions in small groups.			
1	2	3	4	5	h.	Group exercises -- practicing interpersonal skills.			
1	2	3	4	5	i.	Group exercises -- practicing specific mediation techniques.			

4. In what ways, if any, do you feel the training should be changed in the future?

5. Which parts of the training program do you feel have been the most valuable?

6. In which mediation skills, if any, do you feel you need additional training?

	<u>N</u>	<u>Score</u>	<u>\bar{X}</u>	<u>Mode</u>
1.a.	31	140	4.52	5
b.	32	140	4.38	4
c.	32	131	4.09	5
d.	31	136	4.39	4
e.	31	127	4.10	4
f.	32	146	4.56	5
g.	32	132	4.13	5
h.	31	113	3.65	4
2.a.	32	125	3.91	4
b.	32	128	4.00	4
c.	32	132	4.13	4
d.	32	141	4.41	5
e.	32	129	4.03	4
f.	31	119	3.84	4
g.	30	120	4.00	4
h.	32	139	4.34	4
i.	32	133	4.16	4
j.	32	127	3.97	4
k.	32	108	3.38	5
l.	32	102	3.19	3
m.	32	126	3.94	4
n.	32	134	4.19	4
3.a.	32	132	4.13	4
b.	30	119	3.97	4
c.	31	115	3.71	4,5

	<u>N</u>	<u>Score</u>	<u>\bar{X}</u>	<u>Mode</u>
d..	31	128	4.13	4
e.*	20	91	4.55	5
f.	25	103	4.12	5
g.	31	147	4.74	5
h.	31	134	4.32	4,5
i.	31	141	4.55	5

Weighted Means by Section:

1. Objectives

252 1,065 4.23

2. Skills

445 1,763 3.96

3. Methods

262 1,110 4.24

* Responses to this item are questionable. It is difficult to determine what the trainees actually rated since the group did not actually receive video-tape feedback of their role-playing.

ATLANTA: OPEN-ENDED RESPONSES CATEGORIZED
UNDER EACH QUESTION

4. In what ways, if any, do you feel the training should be changed in the future?

Amount of Time Spent in Training

Eleven responses to item 4 indicated that the trainees would like to see adjustments in class schedules. The majority of comments reflected a desire for stretching the training out over a longer period of time, i.e., breaking the total training time into shorter, less intensive sessions.

Use of Two Training Groups

Two respondents felt that AAA should not have been used for the training. Two people mentioned that only one organization should do the training, one of whom said that the trainers should be experienced in mediation -- not just counseling. One person noted that there should be more coordination between the two groups of trainers.

General View of Training

Three trainees responded that the training was well done. Three responded "None" to item 4, and one person mentioned that s/he found much of the training redundant.

Specific Comments/Changes

Role playing. Four respondents expressed a desire for more time/opportunity afforded for role-playing exercises -- two of whom requested that lectures be shortened so as to provide the additional time. Other changes specific to role-playing included:

1. More specific critique of individual role play.
2. Videotape of role plays, feedback sessions.

Other. Other specific changes mentioned in the questionnaire responses included (paraphrased somewhat):

1. Groups should be smaller.
2. Trainees should be compensated \$15/day -- lunch, transportation, sitter costs, etc.

3. Training should be less hypothetical.
4. More information on specific NJC policies.
5. AAA: Lecutre less (by omitting some material on negotiation, evidence, and other topics which are related to mediation but not specifically on point).
6. More emphasis on mediation techniques and arbitration.
7. Stress note-taking, agreement writing, and how to pace agreements.

5. Which parts of the training program do you feel have been the most valuable?

Role-Playing

Sixteen comments cited role-playing/practice as one of the most valuable parts of the program.

The Bridge/AAA

Two comments indicated "The Bridge" as being the most valuable part of training. One response listed "first weekend" as being the most valuable, and another cited "The Bridge's technique for getting information".

Three respondents said that AAA was the most valuable part of training with one of these comments referencing AAA's training in the specifics of mediation. Two people answered that "last week" and "second weekend" were of most value. One respondent who answered that training by The Bridge was the most valuable mentioned that he would give AAA a low personal rating.

Another respondent answered item #5 with praise for the expertise of both groups of trainers.

Other Parts of Training

The following items were included in respondent answers to #5:

1. Discussions by leaders.
2. Films.
3. All parts.
4. Continuity of group was good in building mutual confidence.
5. Movies and videotape.
6. Gaining an understanding of the role and functions of a mediator.
7. The learning process of the caucus.
8. Lectures, group discussions, films.
9. Small groups.
10. Practical mediation sessions.*

*Possibly the same as role-play.

6. In which mediation skills, if any, do you feel you need additional training?

General Comments

Four respondents essentially noted that they will be better able to answer item #6 after they have experienced mediation on a first-hand basis. Four answers reflected a need for additional training/practice in all areas, with one respondent making the following statement: "Mediation (smile). Sorry, this was a real bad time to ask us to fill this out." Three people appeared to feel no need for additional training. One respondent noted that s/he would like to review all skills periodically and would like to be able to discuss real mediation experiences with a supervisor.

Specific Mediation Skills

Eight responses were related to skills that would appear to group into an interpersonal/communications skill area. These responses included:

1. Fear of saying something that could be construed as not impartial or could blow an impending settlement.
2. Control of emotional, difficult, belligerent, etc. parties.
3. How to achieve movement when an impasse is looming.
4. Non-verbal actions. Specific key words to calm people down.
5. Learning how to combine mediation skills with facilitating the parties and dealing with feelings.
6. Choice of language.
7. Eliciting information, especially in terms of people's feelings; to be able to handle very strong emotions.
8. Probing for relevant information.

Other specific skills. Three people mentioned agreement/writing the agreement as a skill in which they needed additional training. Other skills included:

1. More than two parties.
2. Caucus.
3. Specific techniques for specific mediations such as family, marital, racial disputes, etc.

4. Notes, referrals
5. Introduction.
6. Trade-offs.

APPENDIX G

Samples of Atlanta Referral Agreements

DRAFT CASE REFERRAL PLAN - STATE COURT OF FULTON COUNTY

INTRODUCTION

The Neighborhood Justice Center of Atlanta (NJCA) has received a federal grant to demonstrate the feasibility of resolving minor interpersonal disputes informally using mediation in an effort to contribute to a reduction of court caseloads. Given the fact that the State Court has jurisdiction over citizen-initiated complaints of both a civil and criminal character and criminal misdemeanors bound over for trial from the Municipal Court, the likelihood that there will be a sufficient number of interpersonal disputes which can be mediated is strong.

CASE REFERRAL CRITERIA

The following criteria will govern whether a particular dispute (case) is appropriate for referral to the NJCA for mediation:

1. The dispute must be between individuals who have an ongoing relationship. e.g. family members, neighbors, employer-employee, landlord-tenant, consumer-merchant (target area).
2. At least one of the parties must reside in or work in the NJCA target area. Geographically, the target area extends from Piedmont Park (North) to I-20 (South) to the Central Business District (West) to the City limits (East). The area includes the following postal zip codes: 30306, 30307, 30308, 30309, 30312, 30316, and 30317. The neighborhoods included in the area are: Grady Homes, Butler Street, Old Fourth Ward, Bedford Pines, Midtown, Virginia Highlands, Poncie Highlands, Little Five Points, Inman Park, Candler Park, Lake Claire, Capital Homes, Reynoldstown, Cabbagetown, Edgewood, Kirkwood and East Atlanta.
3. Both parties must voluntarily participate in the NJCA process. That is, there can and will be no coercion to induce the parties to submit their problem to mediation. However, every effort will be made to fully inform disputants of the option to voluntarily submit to mediation as opposed to exercising their legal options which involve time and costs.
4. Typical types of disputes the NJCA will mediate include: domestic relations matters, property boundary disputes, nuisances involving neighbors e.g. barking dogs, noise, property waste-refuse, abandoned cars, juvenile vandalism, minor torts, small claims disputes, etc. The NJCA will not seek to mediate cases involving serious felonies unless the nature of the case strongly suggests that mediation is appropriate.

CASE REFERRAL PROCEDURAL OPTIONS

Procedurally, the way that a case is originated in the State Court will dictate how a referral to the NJCA should be made. For example, a case which is citizen-initiated through the warrant desk and/or the small claims complaint desk will necessarily be referred to the NJCA differently than a case which was bound over from the Municipal Court which determines the existence of probable cause. Each of these options are discussed in detail below.

1. Citizen Initiated Complaint

When a citizen wishes to file a formal complaint against another, he/she merely goes to the complaint desk in the State Court and delineates his/her allegations to the person manning the desk. At this point, the complaint clerk advises the complainant of the proper procedure to employ.

If the matter is criminal in nature, a warrant is served by the Sheriff's Office that evening and an arrest may ensue. In the event of an arrest, an arraignment hearing is held wherein pleas are made and, if necessary, the case is set for trial.

If the matter is civil in nature (small claims), a copy of the complaint is mailed to the defendant who has, by law, 30 days to file an answer. The case is set for a hearing on the Small Claims Court calendar (held on alternate Tuesdays).

There are two available options for facilitating referrals to the NJCA:

a. Prior to Filing of Formal Complaint

When an aggrieved citizen wishes to initiate criminal charges against another, he/she must appear personally at the warrant or complaint desk. Typically, the clerk will listen to the facts as alleged by the complainant and advise the complainant as to the facts alleged i.e. whether the case meets the NJCA case criteria, the clerk processing the complaint can advise the complainant of the NJCA and refer the person directly to the NJCA for assistance. If successful, a referral of this type will eliminate the need to initiate formal action entirely.

The following steps will be carried out in making such referrals to NJCA:

- (1) Clerk listens to complaint

- (2) Clerk determines that case is suitable for mediation given case criteria
- (3) Clerk informs complainant of option to use the NJCA as opposed to initiating formal complaint
- (4) Complainant willing, Clerk advises complainant to contact NJCA staff directly, and/or Clerk takes name, telephone number, etc. of complainant and advises that NJCA staff will contact him immediately (within 24 hours)
- (5) NJCA staff contacts (is contacted by) complainant and commences intake process, schedules hearing and ultimately resolves dispute.

OPTION: In the event that relying solely upon the Clerk to initiate the referral presents a problem, NJCA staff can arrange to be physically present at the complaint desk at regularly scheduled times (Mondays, day after holidays, etc.)

b. After the Formal Filing of a Complaint

Once a formal complaint has been filed, the matter must be disposed of judicially. There are, however, several points in the process where the NJCA could conceivably intervene. For example, where a complaint is criminal in nature and a commitment hearing is convened, it is likely that the presiding Judge can refer the case to the NJCA "from the Bench", in effect, continuing the case for 30 days to afford the NJCA time to mediate the dispute and report back as to the outcome of the mediation effort. Assuming that the parties reached a mutual agreement, the Judge could then dismiss the case avoiding the necessity for a trial.

Similarly, if the matter is civil in nature involving a small claims dispute, the Judge presiding over the Small Claims Calendar could refer the matter to the NJCA for mediation "from the Bench", in effect, directing the parties to submit to mediation as at least a prerequisite for a judicial determination as to the relative rights of the parties. Here again, NJCA staff could report back to the referring Judge as to the formal disposition of the dispute as necessary.

The following steps will be carried out in making such referrals to the NJCA:

- (1) Presiding Judge makes discretionary determination that case is appropriate for referral to NJCA given case criteria and the nature of the facts.
- (2) Judge advises complainant and respondent (Small Claims) or defendant and complainant (commitment hearing) that

the case is being continued for 30 days and that the parties will need to contact the NJCA and attempt to resolve the dispute within that time period.

NOTE: An alternative here involves an NJCA staff member being physically present in Court (Small Claims) to eliminate the need for the parties to try to contact the Center staff themselves.

- (1) NJCA staff initiates intake process, schedules hearing and ultimately resolves dispute.
- (2) NJCA staff reports back to referring Judge that case has been resolved. Judge dismisses complaint and disposes of case.

2. Bindovers

Misdemeanor cases are bound over to the State Court by the local court having jurisdiction over the area in which the crime was committed. Given the NJCA's boundaries, the Municipal Court serving the City of Atlanta will bind over all cases it feels can be solved through mediation. Typically, once a case has been bound over to the State Court an arraignment hearing is held, wherein a plea is made and bail may be set. In the event of a guilty plea being entered at this stage, the presiding Judge will sentence the defendant also. The most likely approach to facilitate the referral to the NJCA of bindover cases involves the following:

a. Arraignment

The arraignment hearing seems to represent the logical point in the criminal trial process to make referrals to the NJCA. It is at this stage that several things have already occurred e.g. probable cause has been established, commitment papers (case record) have been prepared and entered into the commitment docket, an accusation has been prepared and the case has been docketed and an arraignment has been scheduled.

The case referral process will entail:

- (1) Presiding Judge makes discretionary determination that case is appropriate for referral to NJCA given case criteria and the nature of the facts.
- (3) Presiding Judge sets trial date allowing parties at least thirty days to submit "voluntarily" to mediation.
- (4) NJCA staff initiates intake process, schedules hearing and ultimately resolves dispute.

- (5) NJCA staff reports back to referring Judge that case has been resolved. Judge dismisses or otherwise disposes of case.

RELATED CASE REFERRAL CONSIDERATIONS

Any effort to establish a new way to process both citizen-initiated complaints and "system-initiated" complaints requires careful consideration of all relevant ramifications. Of critical concern is the need to ensure that the case referral process will not create an excessive amount of additional paperwork for employees of the State Court. The case referral process outlined involves several points at which some form of NJCA-State Court communication is needed.

1. Paperwork: referrals, reports back to Court
 - a. Citizen-Initiated Complaints
 - (1) Prior to Filing of Formal Complaint - the Clerk manning the complaint desk advises the complainant to contact the NJCA and/or the Clerk merely records the name, address, and telephone number of the complainant and communicates some to the NJCA staff (by telephone).
 - (2) After the Formal Filing of a Complaint ("Bench Referrals") - Bench referrals will be made from both the Small Claims and the Commitment Hearing Calendars. In both situations the referring Judge will merely instruct the parties to contact NJCA staff.
 - a. With respect to the Small Claims Court, an NJCA staff member will be physically present in the Court to accept referrals "on the spot".
 - b. With respect to the Commitment Hearings, a simple referral form can be developed which will facilitate all parties involved having uniform information concerning the referral.

It should also be noted that it will be necessary to devise a uniform system for reporting back to the referring Judge as to the results of the mediation effort. NJCA staff is willing to provide any and all information deemed necessary by the referring Judge.

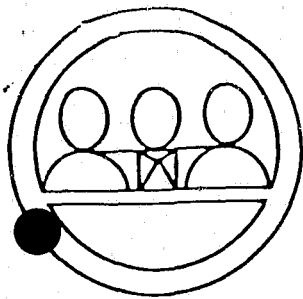
b. Bindovers - cases bound over from the Municipal Court for trial may require a slightly different approach in that formal system action will have begun.

(1) Once a Judge has decided to defer the case allowing the parties sufficient time to mediate their dispute, the parties will have the primary responsibility to contact the NJCA to initiate mediation. A simple referral form has been developed for use in situations like this.

(2) Here again, it will be necessary for NJCA staff to report back to the referring Judge as to the results of the mediation hearing conducted. Any details desired will be provided.

2. Knowledge of NJCA

A related concern involves the extent to which Court personnel e.g. Judges, complaint desk clerks, bailiffs etc. know of and understand the NJCA concept. It will be necessary to orient all such personnel about the NJCA. Program brochures will be made available as needed. Also, personal contacts between NJCA and Court personnel will be established and maintained.



JACK E. THOMPSON
Board Chairman
THOMAS G. SAMPSON
Vice Chairman
DAVID G. CROCKETT
President
INMAN C. PHILLIPS
Vice President
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Secretary
JACK E. THOMPSON
Treasurer

NEIGHBORHOOD
JUSTICE CENTER
OF ATLANTA, INC.

LINWOOD R. SLAYTON, JR.
Executive Director

March 24, 1978

EDITH B. PRIMM
Deputy Director

Dr. Tim Ryles, Director
Governor's Office of Consumer Affairs
225 Peachtree St. NE, Suite 400
Atlanta, Georgia 30303

Dear Dr. Ryles:

First, let me take this opportunity to thank you and Mr. Steve Johnson of your staff for referring a dispute to the Neighborhood Justice Center involving Mr. . I am happy to be able to advise you that we were able to resolve the matter amicably by mediating the case and arriving at a signed agreement between the parties involved.

As you may know, the NJCA has received an eighteen month pilot grant from the Justice Department to test the viability of using mediation to attempt to resolve interpersonal disputes which arise between individuals in an effort to facilitate a reduction in the courts' caseloads. Realizing that your Office becomes involved in a variety of disputes involving consumers, the likelihood seems to be great that you may receive complaints which, for a number of reasons, might better be handled by the NJCA, given our criteria and methodology. I am writing today to request that your Office continue to make referrals to the NJCA in appropriate situations. Delineated below are the criteria we use to schedule disputes for mediation.

1. Ideally, the parties involved should have an ongoing relationship, e.g. spouse v. spouse, family member v. family member, landlord v. tenant, neighbor v. neighbor, consumer v. local merchant, etc. However, if in the judgment of your staff, a dispute is "ripe for mediation" even though it may not fall within these categories, please either make the referral or at least call us to determine whether we will be able to handle the case.

1118 EUCLID AVENUE, N.E.
ATLANTA, GA. 30307
TEL (404) 523-8236

2. The matter in dispute may be criminal or civil in nature, or both. However, ideally the dispute should not involve a matter of absolute guilt or innocence or absolute right or wrong. Rather, the nature of the dispute should be appropriate for compromise, settlement and mutual agreement.
3. Both disputants must be willing to submit their dispute to mediation. Realizing that your Office will typically be contacted initially by just one of the disputants (complainant), this requirement should be explained from the outset. If, as a matter of standard operating procedure, your Office contacts the respondent as well (prior to making a referral to NJCA), we would appreciate it if you would also advise the respondent of this requirement.
4. Priority is given to cases where at least one of the parties lives or does business within the designated NJCA target area (see enclosed brochure). However, until such time as our case-load begins to approximate our monthly goal (75), we will schedule cases as we receive them irrespective of the target area limitations. In any event, we intend to provide the service to anyone who wishes to avail themselves of same.

Procedurally, referrals to the NJCA may be made as follows:

- a. GOCA is contacted by an individual seeking assistance.
- b. GOCA makes determination that mediation is appropriate, given NJCA criteria.
- c. GOCA advises person to contact NJCA by telephone or in person. It is not necessary for anyone to make an appointment as we will accept walk-in cases at any time. If possible, GOCA should try to explain the NJCA program to the person.
- d. NJCA initiates intake procedure with the complainant. Once completed, NJCA contacts the respondent and attempts to schedule matter in dispute for mediation. Where necessary, NJCA staff will attempt to persuade the respondent to agree to participate in the mediation effort by advising the respondent that the complainant still retains the option to seek redress of his grievance legally or otherwise. In addition, the NJCA staff will point out the benefits of agreeing to mediate the case as opposed to litigation, etc.
- e. NJCA mediates the dispute at the scheduled time. Scheduling is determined solely by the availability of the parties. In most instances, the case will be scheduled for mediation within a week from the time the intake process is completed.
- f. If the parties reach an agreement during mediation, the terms are set forth in written form by the mediator and signed by the parties. If no agreement is reached after mediation, the parties are advised that they may pursue any legal or other remedies available to them.

Dr. Tim Ryles
March 24, 1978
P.3

- g. If desired, the NJCA will inform GOCA as to the outcome of the case referred. This feedback will preferably be in writing.

If you wish, I am willing to attend a meeting with your staff to discuss the above and to modify same where necessary and appropriate.

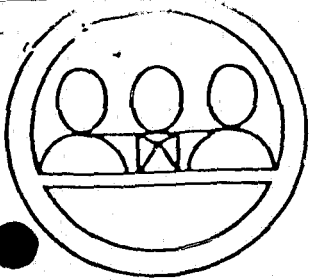
Also, if you will, please provide me with any descriptive information on your program, your criteria and procedure for processing complaints, etc., so that we can begin to refer appropriate cases to your Office as well.

Thanking you in advance for your cooperation, I am

Sincerely,


Linwood R. Slayton Jr. Esq.

enclosure



JACK P. ELLIOTT, JR.
Board Chairman
THOMAS G. SAMPSON
Vice Chairman
DAVID G. CROCKETT
President
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Vice President
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NEIGHBORHOOD
JUSTICE CENTER
OF ATLANTA, INC.

LINWOOD R. SLAYTON, JR.
Executive Director

EDITH B. PRIMM
Deputy Director

MEMORANDUM

TO: Robert N. Dokson, Director, Atlanta Legal Aid Society
FROM: Linwood R. Slayton, Jr. *L. Slayton*
RE: Referral of Cases For Mediation
DATE: March 22, 1978

The Neighborhood Justice Center of Atlanta is now accepting cases for mediation. As you know, our goal is to facilitate a reduction in the courts' caseloads by attempting to resolve interpersonal disputes informally as opposed to resorting to costly and time-consuming litigation. Realizing that ALAS is regarded by many people as the first place to contact whenever a problem occurs which is perceived as legal in nature, the likelihood appears to be very strong that the NJCA can resolve many disputes brought to ALAS without further escalating ALAS' large caseload.

Outlined below for the benefit of your intake staff and attorneys are the criteria we use to schedule disputes for mediation:

1. Ideally, the parties involved should have an on-going relationship, e.g. spouse v. spouse, family member v. family member, landlord v. tenant, neighbor v. neighbor, consumer v. neighborhood merchant, etc.
2. The matter in dispute may be criminal or civil in nature, or both. However, ideally the dispute should not involve a matter of absolute guilt or innocence or absolute right or wrong. Instead, the nature of the dispute should be appropriate for compromise, settlement and mutual agreement.
3. Both disputants must be willing to submit their problem to mediation. It should be noted that if one party refuses to participate, there is nothing that the NJCA can do. However, an integral aspect of our intake procedure involves "persuading" the respondent to agree to participate.

MEMORANDUM

Robert N. Dokson
March 22, 1978
PAGE TWO

4. Priority is given to cases where at least one of the parties lives or does business in the designated NJCA target area. However, until such time as our caseload begins to approximate our monthly goal (75 cases/month), we will schedule cases irrespective of the target area limitations.

Procedurally, referrals to the NJCA may be made as follows:

1. ALAS is contacted (walk-in or telephone) by an individual who feels he/she needs legal assistance.
2. ALAS makes determination that mediation is appropriate, given NJCA criteria.
3. ALAS advises person to contact NJCA by telephone or in person. If possible, ALAS should try to explain NJCA program to person.
4. Person contacts NJCA explaining he/she was referred by ALAS.
5. NJCA initiates intake procedure with complainant. Once completed, NJCA contacts respondent and attempts to schedule matter in dispute for mediation.
6. NJCA mediates dispute at scheduled time - usually within seven days from the time intake process is completed.
7. If parties reach an agreement during mediation, the terms are set forth in written form by the mediator and signed by the parties. If no agreement is reached after mediation, parties are advised that they may pursue any legal remedies available to them.
8. If desired, the NJCA will inform ALAS as to the outcome of the case.

If you wish, I am willing to attend a meeting with your staff to discuss the above and to modify same where necessary.

Also, please provide me with ALAS' criteria for accepting cases, etc. so that we can make referrals to you as well. Thank you.

LRS,JR.:glb

APPENDIX H

Atlanta Outreach Activities
and Media Coverage

Neighborhood Justice Center of Atlanta
Newspaper and Journal Articles

1. Atlanta Constitution, September 1977, "Mediation Plan Gets \$200,000".
2. Atlanta Journal and Constitution, November 24, 1977, "City Gets \$210,000 Neighborhood Aid".
3. Atlanta Journal and Constitution, December 10, 1977, "Neighborhood Justice Center Opening".
4. Decatur-DeKalb News - Legal Review, December 15, 1977, "Neighborhood Justice Center Prepares to Open in N.E. Atlanta".
5. Atlanta Voice or Daily World, "Slayton Selected to Head New Local Justice Center".
6. Atlanta Journal, December 21, 1977, "Slayton Heads Justice Center".
7. American Bar Association Journal, January 1978, "Administration of Justice - NJC to be Tried". Interview with Judge Jack Ethridge, Chairman of NJCA Board of Directors.
8. Georgia State Bar News, January 1978, Volume 3(4), "Neighborhood Justice Center Seeks Volunteers".
9. Atlanta Constitution, January 29, 1978. "Justice Free at Little Five Points" (community where NJC is located).
10. Atlanta Lawyer, February 1978, "Settling Out of Court". Written by David G. Crockett, President of NJCA Board of Directors.
11. Fulton County Daily Report, February 6, 1978, (article on NJC staff attending the Reno Training Conference).
12. Northside Neighbor, February 8, 1978, "Northsiders Heading Justice Center". Interview with David Crockett.
13. Decatur-DeKalb News-Legal Review, February 9, 1978, "Five Attend Seminar". Interview with David Crockett, about Reno Training Conference.
14. Community Star, March 1978, "Neighborhood Justice Center - Solving People's Problems". Written by Linwood Slayton.
15. Atlanta Constitution, March 12, 1978, "Area Justice Center is Settling Disputes".
16. Clark College Panther, March 17, 1978, "Atlanta Gets Neighborhood Center". Written by an NJC mediator who is also a journalism student at Clark College.

17. Atlanta Gazette, March 24, 1978, "Neighborhood Alternative".
18. Atlanta Constitution, May 12, 1978, "Instant Justice: Mediation Experiment Appears to be Working".
19. Midtown Story, May 1978, "Midtown is Served by Neighborhood Justice Center".

Neighborhood Justice Center of Atlanta
Staff Presentations and Meetings at
Community Groups, January-April 1978

Outreach Activities in January 1978

Conducted by Project Director:

Economic Opportunity of Atlanta, Board of Directors Meeting
Little Five Points Business Association
H.R. Butler School, Parent-Teacher Association
Crime Analysis Team, Criminal Justice Coordinating Council
Commissioner Eaves' Office

Conducted by Deputy Director:

Career High School
West Georgia CETA
Bass Community Council
Bass High School, Principal
Euclid Avenue Baptist Church
Inman Park Library
Various Little Five Points businesses

Conducted by Program Assistant:

Central Atlanta Progress
Neighborhood Planning Unit-M (Atlanta is divided into 26 NPUs)
Bedford Pines Community Center
Councilman, District 3
Atlanta Housing Authority
Department of Family and Children Services
City Office of Consumer Affairs

Conducted by Program Assistant:

Candler Park Neighborhood Association
City Planning Department
Neighborhood Planning Unit-M
Bureau of Police Services

American Civil Liberties Union
City Council member
Atlanta Housing Authority
Economic Opportunity of Atlanta
Domestic Crisis Intervention
Neighborhood Planning Unit-F

Outreach Activities in February 1978

Conducted by Project Director:

Inman Park Restoration Society

Conducted by Deputy Director:

Midtown Neighborhood Association

Comprehensive Services for the Elderly and Handicapped

Conducted by Program Assistant:

Exodus

Pre-Trial Release Services

DeKalb and Fulton Counties, Department of Family and Children
Services

Office of Consumer Affairs

Council on Battered Women

Neighborhood Planning Unit-O

Grady Homes Boys Club

Neighborhood Planning Unit-F

Neighborhood Planning Unit-E

Emergency Mental Health Clinic

Outreach Activities in March 1978

Conducted by Project Director:

BALSA, Emory University Chapter

Gate City Bar Association

Atlanta Junior College, Criminal Justice class

DeKalb Agencies Concerned with Better Agency Coordination

Conducted by Deputy Director:

Inman Park Methodist Church

First Presbyterian Church

Moreland Avenue School, St. Patrick's Day Fund Raising Party
Fulton County Mental Health Services

Conducted by Program Assistant:

DeKalb Area Council for Better Agency Cooperation

Conducted by Program Assistant:

Fulton and DeKalb Counties, Department of Family and Children Services
Southern Veterans Organizing Committee
Lake Claire Neighborhood Association
Economic Opportunity of Atlanta
Candler Park Neighborhood Association
South Central Mental Health Clinic
Central Mental Health Clinic, Grady Hospital (Director of Adult
Services and Coordinator of Adolescent Services)
Domestic Crisis Intervention

Outreach Activities in April 1978

Conducted by Deputy Director:

Bedford Pine Day Care Center
Poncey-Highlands Neighborhood Association
Emergency Housing Services
Governor's Office of Consumer Affairs

Conducted by Program Assistant:

Reynoldstown Civil Improvement League
Economic Opportunity of Atlanta, Edgewood
Atlanta Housing Authority, Family Services
DeKalb County Department of Family and Children Services
Neighborhood Planning Unit-N
DeKalb County Central Mental Health Clinic
Cabbagetown Block Area Committee
Institute of the Black World
Atlanta Housing Authority, Citywide Advisory Council
Inman Park Reynolds School

APPENDIX I

Atlanta NJC Forms

NEIGHBORHOOD JUSTICE CENTER OF ATLANTA, INC.

COMPLAINT FORM

Case No. _____

Intake Counselor _____ Date _____

Complainant Information

Name of Complainant _____

Age _____ Sex _____ Race _____ Marital Status _____

Address _____

Target Area? yes/no _____ Length of Residence _____

Phone _____ Business Phone _____

Employed? Yes _____ No _____ Occupation _____

Annual Family Income:

0 - \$6,000 ☐
\$6,000 - \$12,000 ☐

\$12,000 - \$20,000 ☐
over \$20,000 ☐

(Answer the following only if Complainant is under age 18)

Parents or Guardian _____

Address _____

Phone _____ Business Phone _____

Name of School _____

Grade Level _____

Type of Complaint: AB SA F D N LT Other _____

Referral Source _____

If from Criminal Justice System: Was arrest made? Yes _____ No _____
Offense charged _____ Case Status _____

Facts of the Case

Complaint Details _____

Time it Happened _____ a.m. - p.m.

Date ____ / ____ / ____

Location of Offense _____

Any Witnesses? _____ yes _____ no

Motivation for bringing case to NJC _____

Name of Witness	Address	Phone

Any Physical Damage? _____ Amount _____

Any Property Taken or Damaged? _____ Value _____

Preferred Outcome (what do you expect from the respondent?) _____

Relationship to Respondent _____

Is relationship close or casual? (circle one) Is it ongoing or intermittent? (circle one)

Have you had this problem before? _____ If yes, was it recorded?
Explain: _____

Family Data

(List immediate relatives and/or siblings)

NAME	RELATION TO COMPLAINANT	ADDRESS

Respondent Information

Respondent's Name _____

Age _____ Sex _____ Race _____ Marital Status _____

Address _____

Target Area? Yes _____ No _____ Length of Residence _____

Phone _____ Business Phone _____

Employed? Yes _____ No _____ Occupation _____

Annual Family Income:

0 - \$6,000

\$6,000 - \$12,000

\$12,000 - \$20,000

over \$20,000

Have you had this problem before? _____ If yes, was it
recorded? _____ Explain: _____

Remarks on Complaint _____

Family Data

(List immediate relatives and/or siblings)

NAME	RELATION TO RESPONDENT	ADDRESS

Date Remarks Taken _____ / _____ / _____

Intake Counselor _____

SUMMARY SHEET

Case # _____

Intake Counselor _____ Date _____

GIVE A BRIEF STATEMENT OF THE PROBLEM: VIEWS OF BOTH COMPLAINANT AND RESPONDENT: AND, AN EVALUATION (INCLUDE CONTRIBUTING FACTORS SUCH AS: A HISTORY OF THE PROBLEM (IS IT AN ONGOING DISPUTE OR ONE-TIME INCIDENT), PREVIOUS PROFESSIONAL HELP, FAMILY, EMPLOYER, MARITAL, SCHOOL, MEDICAL OR PEER AND SIBLING RELATIONS PROBLEMS).

FOLLOW-UP: 1st FOLLOW-UP DATE: ____ / ____ / ____ 2nd FOLLOW-UP DATE ____ / ____ / ____

Referral To (Agency) _____

Hearing Date _____

Who was referred _____ For what service _____

Assigned To _____

Date of Withdrawal from NJCA ____ / ____ / ____

Mediation Hearing Report and Recommendations

Date _____

Complainant

vs.

Respondent

This case was mediated _____
starting at _____ am - _____ pm; ending time _____ am - pm. An agreement was
reached by the disputants.

Others present (witnesses, observers, etc.) _____

COMMENTS: (Include comments on the process of the mediation session, such as documenting the use of specific mediation skills (private sessions, caucusing, etc.), the overall success of the hearing, disputant satisfaction with the process and resolution, and your view of the process and resolution. In general, what went smoothly, and what was problematic?)

Assigned Mediator (s)

COMMENTS SHOULD INCLUDE: WHO APPEARED, NAMES OF WITNESSES, THE MEDIATOR'S
OPINION, ETC.

Case No. _____

CLIENT TRACKING FORM
NEIGHBORHOOD JUSTICE CENTER OF ATLANTA, INC.

EVENT	DATE	REMARKS
Referral to NJCA		
Intake Interview		
Notification of Hearing Complainant Respondent (letter sent) Contact with Respondent		
Two-day check Mediation Session Held		Outcome:
Case Settled Hearing canceled (reason) Hearing rescheduled 2nd Notification of Hearing Complainant Respondent		
Social Service Referral Made Follow Up Interview #1 Follow Up Interview #2		Agency:

APPENDIX J

Kansas City Advisory Board

Kansas City Advisory Board Members

1. Louis Benecke
City Prosecutor, Municipal Court
2. Arthur Benson
Attorney
3. Alvin L. Brooks
Assistant City Manager
4. William Clark
Director, Urban League of Kansas City
5. Betty Lou Donaldson
Assistant Director, Juvenile Court
6. Michael Duffy
Attorney, Legal Aid Defenders Society
7. Marvin L. Groves
Parks and Recreation Department, Kansas City, Mo.
8. Robert M. Hernandez
City Council Member
9. Don M. Jackson
Attorney
10. James F. Karl
Judge, Municipal Court
11. Dorothy Knutter
Attorney
12. Jose A. Lira
Area Vice President, Economic Development
13. Roy McCollop
Banker
14. William Ponessa
Major, Kansas City Police Department
15. Bernard Powell
President, Social Action Committee of 20
16. Tom Reardon
Priest

17. Victor Rocha
Attorney
18. Olen Strozier
Human Relations Department, Kansas City, Mo.
19. Leona Pouncey Thurman
Attorney
20. John Wesson
Missouri State Representative for the National Client Council
21. Charles Wilkinson
Psychiatrist, President of Greater Kansas City Mental Health
Executive Director of Mental Health Foundation

APPENDIX K

Kansas City Mediator Training Outline

C O U R S E O U T L I N E

for
Community Mediator Training
for
The Neighborhood Justice Center
(Kansas City, Missouri)

SESSION I

Friday, February 17, 1978

6 - 10 p.m.

Course Overview and Discussion of NJC Goals

Triad Introduction of Participants and Staff

An Introduction to Dispute Settlement

Participants and training staff will examine and discuss alternative means of dispute settlement, the dispute settlement environment, including identification of issues, priority setting, the value, if any, of compromise, rationales for compromise, and identifying frameworks for settlement.

SESSION II

Saturday, February 18, 1978

9 a.m.-12 noon

Mediating a Dispute

A professional panel will mediate a typical interpersonal conflict which might be referred to the NJC.

12 - 1 p.m.

L U N C H

SESSION II (cont'd.)

1 - 5:30 p.m.

The Techniques of Mediation

Using videotape feedback, the Professional Panel will critique and analyze the previous role play and the mediation techniques used, including:

- 1) The Pre-Hearing Conference
- 2) Introduction
 - a) Description of the NJC
 - b) Description of the Role of the Mediators and the Process of Mediation
 - c) Confidentiality
 - d) Caucusing
 - e) Note-taking
 - f) The Procedures of the Panel
- 3) Fact Finding
- 4) The Collection of Agreements
- 5) The Final Agreement

As part of the critique, participants will practice entry techniques and the opening statement, stressing the role of the NJC, the nature of the mediation process, and the functions of a mediator.

SESSION III

Sunday, February 19, 1978

9 a.m.-12 noon

Mediation In Action

Divided into four groups, participants will role play a dispute, some acting as mediators, others as disputants. Introductory techniques and the gaining of credibility will be stressed. After the role play, each group will review the role play and the mediators' performance.

This process will be repeated, using a second role play and different mediators. A critique will again follow.

- 1 p.m.

L U N C H

SESSION III (cont'd.)

1 - 5:30 p.m.

Mediation In Action (cont'd.)

In the afternoon session, participants again will be divided into four groups, and new mediators selected. The greater length of this role play, and the one to follow, will permit the mediators to go beyond introductory techniques and into fact finding, caucusing, selective transmittal of information and settlement building. A critique of mediator performance will follow.

This process will be repeated with a fourth role play, stressing the same techniques.

SESSION IV

Monday, February 20, 1978

6 - 7:30 p.m.

Caucusing

The use of the caucus (meeting with the parties separately) is a critical element in mediation. Participants will take part in a caucus exercise, designed to increase their skills in fact finding and the transmittal of information.

7:30-10 p.m.

The Arbitration Process

Participants and training staff will examine and discuss the nature of the arbitration process, the differences between mediation and arbitration, how mediation and arbitration are combined in a single process, the submission agreement, rules of evidence, burden of proof, evidentiary presumptions and means of determining the credibility of witnesses.

SESSION V

Friday, February 24, 1978

6 - 7:30 p.m.

Award Writing

Mediator/Arbitrators are responsible for writing the agreement and/or award. Participants and training staff will examine the elements of agreement and award writing, and participants will then write agreements and/or awards in various fact situations.

7:30 - 10 p.m.

Mediation/Arbitration

Participants again will be divided into four groups, with some acting as mediators, other as disputants. A critique of performance will follow.

SESSION VI

Saturday, February 25, 1978

9 a.m. - 12 noon

Mediation/Arbitration (cont'd.)

In this extended role play, the participant mediators will be expected to take a dispute to its conclusion, either, and preferably, an agreed-upon settlement or an award, and write up the results. A critique will follow.

12 - 1 p.m.

L U N C H

1 - 5:30 p.m.

Mediation/Arbitration (cont'd.)

Other participant mediators, divided into groups as before, will have their opportunity to bring a dispute to its conclusion. A critique of performance will follow.

SESSION VII

Sunday, February 26, 1978

9 a.m. - 12 noon Mediation/Arbitration (cont'd.)

After a review of previous simulation sessions, participant mediators will attempt to resolve a particularly difficult interpersonal dispute. A critique will follow

12 - 1 p.m. L U N C H

1 - 5:30 p.m. Mediation/Arbitration (cont'd.)

In this session, participant mediators, again divided into groups, will be faced with a more complex interpersonal dispute. They will be expected to use all the techniques highlighted in the previous sessions to bring about a successful result. A critique of their efforts will conclude the day.

SESSION VIII

Monday, February 27, 1978

6 - 10 p.m. NJC Process, and a Review of the Training Experience

NJC staff will discuss the operations of the Center. Topics will include referral mechanisms, intake, form and file processing, social service referral, follow-up and agreement/award enforcement.

The trainers and participants will review the training materials and experiences, stressing the critical elements of mediation/arbitration.

Appendix C

Training Curriculum Outline

- I. Introduction to NJC Concept and the Concept of Mediation
- II. The Process of Mediation and the Trainees Role
 - A. A Description of IMCR, AAA, and the Trainers
 - B. The Concept of NJC and Mediation/Arbitration
 - 1. As An Alternative to Court
 - 2. Reasons for Mediation/Arbitration
 - 3. Benefits from Mediation/Arbitration
 - 4. The Referral/Resolution Procedure
 - C. General Approaches to Conflict Resolution
 - 1. Negotiation
 - 2. Conciliation
 - 3. Mediation
 - 4. Fact-Finding
 - 5. Arbitration
- III. Fundamentals of Negotiations
 - A. Conflict and Negotiation Stages
- IV. Mediation
 - A. Counseling and Judging Distinction
 - B. Arbitration - Voluntary and Involuntary
 - C. Mediation Definition
 - D. The Nature and Techniques of Mediation
 - 1. Building Trust
 - a. Explaining Mediator's Function and Role While Letting Parties Explain the Dispute

Appendix C

Training Curriculum Outline

- b. Listening
- c. Reducing Defensive Communication
- 2. Using the Iron Laws of Human Behavior
- 3. Building the Will to Settle - Identifying Areas of Agreement
- 4. Separating the Parties
 - a. Emphasis on Confidentiality
 - b. The Technique of "No Risk Narrowing of Positions"
 - c. Becoming an Agent of Reality - Separating Wants from Needs
- 5. Why is a Mediator/Arbitrator Needed?
- 6. The Mediator/Arbitrator's Function
- 7. Qualities Required in a Mediator/Arbitrator
- 8. Evaluating Power Structure of Both Sides by the Mediator/Arbitrator
- 9. Some "Do's and Don'ts" for the Mediator/Arbitrator
- 10. Problems in Timing

V. Mediation/Arbitration

- A. The Need for Parties to Understand the Concept of Mediation/Arbitration
- B. Confidentiality and Arbitration
- C. Use of Power to Arbitrate only as a Last Resort
- D. Arbitrating for Acceptability
- E. The Mediation/Arbitration Process: Principles and Procedures
 - 1. Principles of Voluntariness, Impartiality and Acceptability, Consensuality, Finality, and Legal Enforceability

Appendix C

Training Curriculum Outline

2. Procedures

- a. Pre-hearing Procedure
- b. Hearing Procedure
- c. Post-hearing Procedure

VI. Arbitration - The Arbitrator's Role

- A. Essential Characteristics of a Good Arbitrator
- B. The Arbitrator as a Quasi-Judicial Officer
- C. The Arbitrator as the Final Judge of Matters Before Him
- D. The Obligations of Impartiality
- E. Arbitrator Impartiality
- F. The Arbitrator's Authority
- G. Importance of Examining Submission Agreements and Rules of Procedure
- H. The Arbitrator at the Hearing

VII. The Hearing

- A. Pre-hearing Activities
- B. Guidelines for Conduct at the Hearing
- C. The Hearing
 - 1. Opening Statement
 - 2. Note Taking
 - 3. Fact Finding Guides
 - a. Credibility
 - b. Rules of Evidence
 - 4. The Burden of Proof
 - 5. Concluding the Hearing

Appendix C

Training Curriculum Outline

VIII. The Agreement

- A. Findings and Opinion in a Mediated Agreement
- B. Findings and Opinion in an Arbitration
- C. An Example of An Award Where No Agreement was Reached
- D. Court Enforcement of Arbitration Awards
- E. Format for Findings and Opinions
- F. "Do's and Don'ts" for Writing Awards and Consent Agreements

IX. Additional Reading Materials

- A. Lincoln, W.F., Mediation: A Transferable Process for the Prevention and Resolution of Racial Conflict in Public Secondary Schools
A Partial Case Study with Analysis, June 30, 1976
- B. Stulberg, J.B. A Civil Alternative to Criminal Prosecution,
Albany L. Rev., 39(3):359j376 1975
- C. A Selected Bibliography on Community Disputes

X. Role Play Information

- A. Simpson Case - incomplete
- B. Harris - Miller Case - incomplete
- C. Smith - Olson Case
- D. Trilios - Lafayette Case
- E. Arabella - Cruz Case
- F. Jane Tyrell - Chester Wolfe Case
- G. Jackson - Jackie Case - Used in exercise (2 person) to practice individual caucusing
- H. Janet Deere - Jayne Carey Case - Used in exercise to practice individual caucusing
- I. Miles - Green Case
- J. Davis Schmidt Case
- K. Simpson - Walker Case
- L. Jones - Smith Case
- M. Garcia - Garcis Case

APPENDIX L

Kansas City Mediator Training
Assessment Questionnaire Results

TRAINING ASSESSMENT QUESTIONNAIRE

Instructions: This form is designed to gather your initial reactions to the training which you have just experienced. Do not put your name on the form. Please answer all questions candidly.

1. The list below presents some of the objectives of mediation training. Please read them over carefully and circle the appropriate number according to how well you think your training experience has met these objectives for you.

<u>Level of Achievement:</u>					very low	low	moderate	high	very high
					1	2	3	4	5
1	2	3	4	5	a.	Understand the role and functions of mediators.			
1	2	3	4	5	b.	Develop communication skills.			
1	2	3	4	5	c.	Understand relevant concepts of human behavior.			
1	2	3	4	5	d.	Understand the principles and mechanics of mediation and arbitration.			
1	2	3	4	5	e.	Learn and be able to apply specific mediation techniques such as fact-finding, writing agreements, caucusing, etc.			
1	2	3	4	5	f.	Understand the goals of the Neighborhood Justice Center.			
1	2	3	4	5	g.	Understand the NJC's policies and procedures.			
1	2	3	4	5	h.	Understand the policies, procedures, and orientation of the traditional criminal justice system, especially the court system.			

2. How effective do you feel the training was in providing you with the skills listed below?

<u>Skill Areas:</u>					not at all effective	somewhat effective	very effective		
					1	2	3	4	5
1	2	3	4	5	a.	Establishing rapport.			
1	2	3	4	5	b.	Eliciting facts and information.			
1	2	3	4	5	c.	Sensitivity to issues and feelings.			
1	2	3	4	5	d.	Learning to listen.			
1	2	3	4	5	e.	Maintaining self-control.			

- 1 2 3 4 5 f. Ability to control a dialogue.
- 1 2 3 4 5 g. Getting at the underlying causes of a dispute.
- 1 2 3 4 5 h. Maintaining a neutral, non-judgmental stance.
- 1 2 3 4 5 i. Developing alternatives and compromise positions.
- 1 2 3 4 5 j. Learning to work under pressure.
- 1 2 3 4 5 k. Knowledge of community services.
- 1 2 3 4 5 l. Note-taking.
- 1 2 3 4 5 m. Knowledge of NJC policies and procedures.

3. How effective were the following methods for teaching you mediation skills?

<u>Methods:</u>	not at all effective		somewhat effective		very effective
	1	2	3	4	5

1 2 3 4 5 a. Observation of mediation sessions.

1 2 3 4 5 b. Lectures.

1 2 3 4 5 c. Written materials.

1 2 3 4 5 d. Group discussion.

1 2 3 4 5 e. Role-playing with video-tape feedback.

1 2 3 4 5 f. Review of case studies.

1 2 3 4 5 g. Role-playing in small groups

4. In what ways, if any, do you feel the training should be changed in the future?

		<u>Score</u>	<u>\bar{X}^*</u>	<u>Mode</u>
1.a.	New	104	4.52	5
	Old	25	5	5
	Total		4.61	
b.	New	95.5	4.15	4
	Old	24	4.8	5
	Total		4.23	
c.	New	89	3.87	4
	Old	24	4.8	5
	Total		4.04	
d.	New (1 blank)	99	4.5	4,5
	Old	25	5	5
	Total		4.59	
e.	New	91	3.96	4
	Old	24	4.8	5
	Total		4.12	
f.	New	108	4.7	5
	Old	23	4.6	5
	Total		4.68	
g.	New	85	3.69	4
	Old	22	4.4	5
	Total		3.82	
h.	New	82	3.56	3
	Old	22	4.4	5
	Total		3.71	
2.a.	New	98.5	4.28	5
	Old	24	4.8	5
	Total		4.38	
b.	New	102	4.43	5
	Old	25	5	5
	Total		4.55	
c.	New (1 blank)	95.5	4.34	4
	Old	25	5	5
	Total		4.46	
d.	New	102	4.43	4,5
	Old	25	5	5
	Total		4.55	
e.	New (1 blank)	94	4.27	5
	Old	25	5	5
	Total		4.41	

		<u>Score</u>	<u>\bar{X}^*</u>	<u>Mode</u>
f.	New	91	3.96	4
	Old	24	4.8	5
	Total		4.12	
g.	New	95.5	4.15	4
	Old	25	5	5
	Total		4.3	
h.	New	102	4.43	5
	Old	25	5	5
	Total		4.55	
i.	New	89.5	3.89	4
	Old	24	4.8	5
	Total		4.05	
j.	New (1 blank)	96	4.36	4,5
	Old	23	4.6	5
	Total		4.41	
k.	New	73	3.17	3,4
	Old	16	3.2	5
	Total		3.18	
l.	New	82	3.57	4
	Old	22	4.4	5
	Total		3.71	
m.	New (1 blank)	85.5	3.89	4
	Old	21	4.2	5
	Total		3.94	
3.a.	New	98	4.26	5
	Old	25	5	5
	Total		4.39	
b.	New	90	3.91	4
	Old	24	4.8	5
	Total		4.07	
c.	New (1 blank)	92	4.18	5
	Old	22	4.4	5
	Total		4.22	
d.	New	93	4.04	5
	Old	24	4.8	5
	Total		4.18	
e.	New (1 blank)	96	4.36	5
	Old	15	5	5
	Total (2 blank)		4.44	

		<u>Score</u>	<u>\bar{X}</u>	<u>Mode</u>
f.	New	79	4.16	4
	(4 blank)			
	Old	25	5	5
	Total		4.33	
g.	New	110	4.78	5
	Old	25	5	5
	Total		4.82	

Weighted Means by Section:

1. Objectives

New	753.5	4.18
Old	189	4.725
Total	942.5	4.23

2. Skills

New	1206.5	4.09
Old	304	4.68
Total	1510.5	4.20

3. Methods

New	658	4.27
Old	160	4.85
Total	818	4.37

* Unless otherwise indicated -- e.g., (1 blank) -- New $N = 23$ and Old (experienced) $N = 5$ for individual item scores and resulting means.

Kansas City

4. In what ways, if any, do you feel the training should be changed in the future?

Amount of Time Spent in Training

Four responses to item 4 indicated that the trainees would like to see adjustments in class schedules. Two commented that 48 hours of compacted time in which to absorb the training was stressful and fatiguing. One respondent requested that the training hours be made shorter; another asked that night sessions be deleted.

General Views of Training

Nine respondents highly praised the training program as a whole, with six of the nine responses specifically expressing appreciation for the trainers. One person simply asked that no change be made in the training program.

Specific Changes

Role playing. Four trainees felt that more time and opportunity should be allotted for role playing exercises. Several other comments regarding role playing included the following (paraphrased somewhat):

1. Would like to receive materials to read before instead of after attempting an exercise.
2. Those outside the room during role plays should be allowed to have a "constructive experience". Some people spent a lot of time outside the room and felt frustrated.
3. Have the trainers role play a mediation/arbitration process at the end of training -- this would enable trainees to better appreciate the process since they would have the impact of prior participation/knowledge.
4. Have the trainers role play a mediation/arbitration process with both mediation and arbitration as possible end results.
5. Consider the possibility of the group leaders during role play sessions not knowing any more about the case than the "practicing" mediator. This would allow them to be more objective in evaluating the ways and methods used by the mediator in the particular case.

6. Would like to hear the lectures again after experiencing the role playing. Maybe sequence could be modified for improvement.
7. Spend less time in large group discussion -- the sooner you get to small group role playing discussion, the better.

On-going training. Two people mentioned that they felt that future training sessions would be of value to them.

Other. Other specific changes mentioned in the questionnaire responses included:

1. List making was of little value.
2. Values clarification training would be valuable.
3. Staff feedback should not be changed.
4. Start on time.
5. Give more practical information about the actual local situation.
6. A general session of question and answer at the end of training would be valuable.
7. Constructive criticism and negative feedback, although necessary, attacks some pretty subtle ego defenses -- this should be kept in mind by trainers.
8. Allow more time for writing of awards.

APPENDIX M

Kansas City Outreach Activities
and Media Coverage

Kansas City Neighborhood Justice Center
Radio and Television Coverage

<u>Station</u>	<u>Date</u>	<u>Staff Involved</u>	<u>Activity</u>
KPRS	3/26/78	Project Director	Describe program, inform citizenry of how to use NJC.
WDAF	5/5/78	Project Director	Aired spot announcements.
KCUR-FM	5/31/78	Project Director Center Coordinator	Question-answer session in regard to NJC
WDAF-TV	6/4/78	Project Director	Description of NJC on a show which presents information of community interest.
KMBC-TV	6/14/78	Project Director	

Kansas City Neighborhood Justice Center
Outreach and Public Relations Activities
with Community Groups

<u>Organization</u>	<u>Staff Involved</u>	<u>Purpose of the Activity</u>
Detention Officers - City Jail	Prosecutor Specialist	Develop intake, give information, educate, publicize
Action Center - City Program	Center Coordinator	Develop intake, give information, educate, publicize
Vista Volunteers	Center Coordinator	Develop intake, give information, educate, publicize
Housing Authority Counselors	Project Director	Explain NJC and elicit referrals
Minute Circle Friendly House	Prosecutor Specialist	Explain NJC program
County Commission on Human Relations	Project Director	Explain NJC program and elicit referrals
Metropolitan United Citizens for Prison Reform	Prosecutor Specialist	Explain NJC program and elicit referrals
Kansas City Council on Crime Prevention	Prosecutor Specialist	Explain NJC and elicit referrals
Judicial Planning Conference	Center Coordinator	Explain NJC program
Missouri Correctional Institute	Prosecutor Specialist	Explain NJC program
Women's Crusade for Women	Prosecutor Specialist	Explain NJC program
Knoches Park Area Community Organization	Prosecutor Specialist	Explain NJC program
Olive Block Club	Project Director	Explain NJC program
Linwood United Church	Prosecutor Specialist	Explain NJC program
East High School	Project Director	Rap session with young people on life goals
Inter-city Agency of Voluntary Action Center	Prosecutor Specialist	Explain program and elicit referrals
Kansas University School of Social Welfare	Project Director	Promote recruitment of social work students

County Prosecutor	Project Director	To get county involved in using program
Housing Authority Security Force	Project Director, Center Coordinator	Explain program and elicit referrals
Loma Vista Neighborhood Group	Center Coordinator	Explain program and elicit referrals
Landlords' Inc.	Center Coordinator	Explain program and elicit referrals
University Women's Club	Project Director	Explain program
Mid-Town Coalition	Project Director	Explain program
Marriage & Family Class -- Penn Valley Community College	Prosecutor Specialist	Explain program
Health Dept. Social Services	Prosecutor Specialist	Explain program
Wayne Miner Mental Health Center	Prosecutor Specialist	Explain program
KCMO Animal Control	Prosecutor Specialist	Explain program
Lirwood Multipurpose Center Emergency Assistance Community Alcohol Program Goyote Group Early Childhood Education Recreation Department Violent Crime Section	Prosecutor Specialist	Explain program
Legal Aide	Project Director, Prosecutor Specialist	Explain NJC program
MidCity Congress	Center Coordinator	Explain NJC program
Crime Prevention Marathon	Project Director	Explain NJC program
Parent Involvement Head Start	Project Director	Explain NJC program
Catholic Charities	Project Director	Explain how to use NJC program under Title 20
Child & Wife Support, Jackson County	Project Director	Explain program and develop liaison
North Kansas City Kiwanis Club	Project Director	Explain NJC program
Youth Diversion Administration Staff	Project Director	Explain NJC program

Pretrial Services -
San Diego Program

Center Coordinator

Promote NJC and disseminate
information

Halmark Security

Project Director and
Center Coordinator

Explain program

D.A. Holmes Elementary School,
Parent-Teachers Association

Explain program

Garrison Community Center

Prosecutor Specialist

Explain program

APPENDIX N

Kansas City NJC Forms



The party named below submits the following conflict to mediation/arbitration under the rules of the Kansas City Neighborhood Justice Center.

Circumstances and nature of the dispute (explain):

I agree that I will abide by and perform any agreement or award rendered hereunder and that a judgement may be entered upon the agreement or award. I am aware that the decision of the mediator/arbitrator shall be binding on both parties.

Relationship of Disputants _____

(Referring Agency)

Please return the original to the Kansas City Neighborhood Justice Center, American Bank Building, Suite No. 305, One West Armour,
Kansas City, Missouri 64111 (816) 274-1895 and give remaining copy to Disputant.



Mediator/Arbitrator Information Sheet
Community Services Department
Neighborhood Justice Center
City of Kansas City, Missouri

To the Mediator/Arbitrator: Please fill out this information at the close of the hearing.

Hearing Date: _____

Hearing Commenced At: _____ a.m./p.m.

Hearing Concluded At: _____ a.m./p.m.

Hearing Declared Closed On _____ at _____ a.m./p.m.

Appearances

Party _____	Attorney _____
-------------	----------------

Party _____	Attorney _____
-------------	----------------

Party _____	Attorney _____
-------------	----------------

Names of Witnesses	Address	Called By
--------------------	---------	-----------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Exhibits Brief Description	Case No. _____	Submitted By _____
----------------------------	----------------	--------------------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Was a referral made for social service (or other) assistance?

Agency _____

Who was referred

For what service

Comments and observations on the process of the mediation session. If relevant, include information regarding the use of specific mediation skills (caucusing, private sessions, etc.), the overall success of the session, disputant satisfaction with the process and resolution, and your view of the process and resolution. Generally, what went smoothly and what was problematic?

Signed _____
Mediator/Arbitrator

Consent Agreement

**Community Services Department
Neighborhood Justice Center
City of Kansas City, Missouri**

In the matter of the Dispute between:

Case Number:

I, THE UNDERSIGNED MEDIATOR/ARBITRATOR, having been designated in accordance with the Mediation/Arbitration Agreement entered into by the above named Parties on _____, and having been duly sworn and having heard the proofs and allegations of the Parties, do hereby verify the following consent agreement:

Date: _____

Mediator: _____

Date: _____

Disputant: _____

Date: _____

Disputant: _____

State of Missouri)

County of Jackson)

Subscribed and sworn before me, a Notary Public, this _____ day of _____, 19____.

My commission expires: _____

Notary Public

APPENDIX O

Venice/Mar Vista Mediator Training Outline

PROPOSAL FOR TRAINING THE VOLUNTEER MEDIATION STAFF OF THE
NEIGHBORHOOD JUSTICE CENTER IN VENICE, CALIFORNIA

Barbara F. Biggs, Ph.D.

I. Training objectives

- A. To select and train a volunteer staff to be skilled in
 - 1. Establishing rapport
 - 2. Listening
 - 3. Eliciting information
 - 4. Controlling an interview
 - 5. Analyzing inter-personal process
 - 6. Imagining alternatives
 - 7. Seeking compromise
 - 8. Speaking and writing clearly
 - 9. Understanding relevant concepts about human behavior
 - a. Motivation
 - b. Perception
 - c. Emotions
 - d. Stress
 - e. Normal and abnormal behavior
 - f. Dynamics of human relationships
- B. To maintain this staff with as little attrition as possible by providing
 - 1. Group support for the individual staff member
 - 2. Continuing opportunity for upgrading skills and for personal/professional growth

II. To facilitate these objectives the trainer will

- A. Assist the director in deciding on the qualifications to be sought in volunteer personnel.
- B. Develop a methodology for identifying such persons.
- C. Participate in the selection process.
- D. Design the basic training program and work with the staff in compiling a training manual.
- E. Implement the basic training program.
- F. Conduct follow-up observation and feedback sessions with volunteers during the first six weeks of their actual work with clients.

- G. Establish and facilitate an experience-exchange group to provide a setting for volunteers to share their knowledge with one another and to consult with outside experts, as well as each other, about specific problems as they arise.
- H. Coordinate continuation training sessions with the staff.
- I. Assist in program evaluation.

III. Basic training program

The very concept of a Neighborhood Justice Center implies that such a center is unique to the community it serves and the personnel who make up its staff. Therefore, this training program is designed as a person-centered program which will help to develop and define the role of an NJC mediator, the goals of the center itself and the criteria for evaluating both mediators and the program itself. When people are trained in this manner it is likely that they will function in this manner as well, which means that their approach to mediation will be client-centered and community-oriented.

I would anticipate, for training purpose, a group of 18 to 24 persons. Anyone who is included in the training program will function as a full-time participant. Audio and video tapes will be available to authorized observers.

Session 1 - Friday evening - 6 to 7

Acquaintance period:

Trainees and staff members will be asked to pair off and to share with one another their reasons for having joined the NJC and other pertinent information. Next they will form groups of six and introduce their partners to the group. This will be the first listening-skills exercise.

Dinner

7 to 8

Group Formation:

8 to 10

Trainees will be asked to draw their individual concepts of the NJC. As these drawings are shared, in groups of three or four, they will be asked to make specific kinds of observations about one another's work. This will be their first observation-skills exercise, a series of structured experiences designed to enhance the trainees' ability to make accurate observations and inferences.

The experience will be discussed by the entire group at the end of the evening.

The purposes of this first session are to provide introductions and rudimentary skills training, and to form a cohesive group through shared participation in a significant experience.

Session 2 - Saturday morning - 9 to 12

Task and process:

Task-process is the name given to structured awareness of the process going on within one's self, between others, and within the group as a whole while everyone is engaged in an ongoing task. This concept will be introduced with a brief lecture and written exercise. Task-process provides a method of making structured observations which should be useful to trainees in their efforts to analyze and understand the process of mediation and also the training program in which they are participants.

Simulated mediation session

The staff and/or trainer(s) will simulate the mediation of a dispute at the NJC, role playing the parties and the mediator. The simulation will be video taped.

Trainees will utilize the task-process approach to structure their viewing, note-taking and discussion of the simulation.

Session 3 - Saturday morning - 1:30 to 5:30

Using the morning's video taped simulation as an example, trainees will discuss the process of dispute settlement. General issues will include different methods, appropriate environments, and the concept of compromise. Trainees will analyze the tape in terms of the introductory remarks, identification of issues, priority setting, fact-finding, identifying a framework for settlement, and arriving at an agreement.

Through this analysis and discussion, trainees will begin to develop their own evaluation checklists. They will use these checklists when they observe other trainees conducting mediation sessions in order to give structured feedback.

Session 4 - Saturday evening - 7:30 to 10

In small groups (six persons), trainees will further elaborate on their ideas, ideals and goals for the NJC. They will continue to clarify the role and tasks of the mediator. From this discussion, and sharing their work in one large group meeting, the trainees will develop an opening statement to be used at the beginning of each mediation session. This statement will describe the NJC, the role of the mediator, and the mediation process, including confidentiality, caucusing, note-taking, etc.

Session 5 - Sunday morning - 9 to 12 .

Communication:

Trainees will be given handouts directing them to communicate in specific styles within a role-playing situation. Through this method, they will experience the difference between direct and indirect modes of verbal communication and how these differences affect both the speaker and the listener.

Non-verbal communication will be demonstrated by the trainer(s) and discussed. Trainees will be encouraged to invent short scenarios in which non-verbal communication plays a major role.

Certain problems in communication will be demonstrated and discussed: Double binds, crossed transactions, disguised messages, and hidden agendas.

For this session, trainees will develop an awareness of their own communication styles and how they can work toward a more direct, congruent, clear and concise style. They will be alerted to the

communication style of others and sensitized to the way in which style can affect relationships. This should clarify what they will observe when NJC clients interact with one another.

Session 6 - Sunday afternoon - 1:30 to 5:30

Communication:

Trainees will be given further information about -- and experience in -- the use of clear and concise language, giving and receiving feedback as information rather than criticism, and active listening.

Trainees will role play mediation sessions to practice communication skills in the context of the NJC setting. Initially, the emphasis will be on establishing rapport in the course of an interview.

Session 7 - Tuesday evening - 7 to 10

Exercises and instructional materials will be used to introduce the psychological concepts of motivation (needs, aspirations and goals in self and others) and perception (mental set, stereotyping, prejudice and perceptual distortion).

One motivation exercise involves presenting photographs to trainees and asking them to write a few lines describing what they believe is happening. Different responses demonstrate the viewers' focus and different motivational sets such as power, friendship, achievement, wealth, etc.

A simple perceptual exercise involves the presentation of an ambiguous design or photograph. Trainees are asked what they see and the differences in their responses clearly shows the differences in their perceptions.

It is important that mediators recognize that clients may have different motivations and perceptions. Two people can tell the same story in different ways, even if they are both acting in good faith. In this session, trainees will familiarize themselves with these key concepts as they relate to understanding NJC clients and their presentation of themselves and their problems.

Session 8 - Friday evening - 7 to 10

In this session the trainees will be introduced to: emotions, stress (manifestations, causes, responses such as defense and coping mechanisms), and normal vs. disturbed behavior. They will be asked to draw on their own experiences and observations as we discuss these concepts and they will illustrate the points covered through variations in the characterizations provided for role-playing the parties in NJC-mediated disputes.

Session 9 - Saturday morning - 9 to 12

Increasing interviewing skills in role playing situations:

Trainees will learn techniques for topic control: the use of silence, encouragement, elaboration, clarification, summarizing, reflection, and facilitation.

Note-taking will be emphasized.

As trainees incorporate new skills, they will continue to refine and improve their evaluation checklists.

Session 10 - Saturday afternoon - 1:30 to 5:30

Increasing interviewing skills:

Trainees will focus on fact finding and questioning techniques, and will use these skills first in structured exercises and then in role-playing mediation sessions.

Caucusing will be introduced as an important means of developing information and identifying areas of agreement, possibilities for compromise, and a framework for settlement. They will continue to focus on the process involved in the relationship between the parties and the unspoken agreements they may have with one another.

Sessions 11 and 12, Sunday 9 to 12 and 1:30 to 5:30

If Josh Stulberg is available as a consultant, this would be the most advantageous time for his participation. He could discuss fact-finding, caucusing, settlement building and -- most particularly -- arbitration. If he is not available, we would demonstrate the differences between arbitration and mediation at this point. This also would be the most appropriate time to have the intake consultant, Barbara Davis, available to the intake counselors for special training.

Session 13 - Monday evening - 7 to 10

Intake procedures will be described by the intake consultant (Barbara Davis) during the first hour. For the rest of the session trainees will be involved in role-playing, with emphasis on caucusing, fact finding, the selective transmission of information, and directing the parties toward a settlement.

The evaluation checklists will be completed in this session. Trainees will combine their lists in order to arrive at one structured observation checklist to be used at the NJC.

Session 14 - Friday evening - 7 to 10

The director and/or another attorney will discuss the legal implications of the NJC. A major topic in this presentation will be "written agreements."

Using a task-process approach, the trainees will discuss the attributes of an appropriate written agreement. Trainees will practice writing agreements. A general form and style will be agreed upon.

Session 15 - Saturday morning - 9 to 12

Trainees will be divided into groups, each led by one trainer, to role-play mediation sessions. The situations presented to the trainees will increase gradually in difficulty and complexity. At the end of each role-play, all involved trainees -- the mediator, the parties, and the observers -- will write an agreement and then compare their work. The trainee playing the mediator will get feedback from audio/video playback and the observations which the parties and the observers have noted on their evaluation checklists.

Session 16 - Saturday afternoon - 1:30 to 5:30

Half of this session will be spent discussing referrals to the NJC, office procedures and forms, referrals and social service agencies, follow-up, the evaluation program, etc. The rest of the session will be devoted to role-playing with live and audio/video feedback.

Sessions 17 and 18 - Sunday morning - 9 to 12
Sunday afternoon - 1:30 to 5:30

Trainees will role-play scenarios in groups, each led by one trainer, with live and audio/video taped feedback.

Session 19 - Sunday evening - 7 to 10

Trainees will review their training experience and give the trainer(s) and directors feedback about the training process.

There will be an overview of scheduling and other matters pertaining to the day-to-day functioning of the NJC. Trainees and the staff will discuss plans for follow-up training and the experience-exchange group.

Sessions 20, 21, 22, 23 and 24 - Monday through Friday evenings -
7 to 10

During the last week described above, the intake counselors will have been interviewing and scheduling clients. During this week, each trainee will come in for two evenings to work with real clients for the first time. Sessions will be audio or video taped, with the client's permission, for immediate feedback. The eight trainees present will be divided into four pairs. Each pair will see one set of clients per evening, each trainee acting in turn as the mediator and the observer on subsequent evenings. There will be approximately two hours for each mediation session (longer, if that is required) and one hour for feedback. One of the trainers or NJC directors will be present at either the mediation sessions themselves or at the video/audio taped playback. Trainees can use feedback from the observers' evaluation sheets, their video/audio taped performance, and the ensuing discussion, to modify and improve their performance.

IV. Post-basic program training

A. Follow-up observation and feedback sessions.

For the first few months of the program, mediators will always work in pairs, serving in turn as the mediator and the observer. This will provide a source of consultation and feedback for the mediators in the early stages of their careers. Sessions also may be audio/video taped, with the consent of clients. Such sessions can be used for detailed critique in the continuation training program.

For the first six weeks, the trainer(s) will visit the Center once a week in order to observe every mediator in action. It is important that trainees learn to accept feedback as information, to be objective about the assessment of their own work and that of their colleagues, and to incorporate feedback into their work with clients.

The evaluation checklist developed by the mediators during training will be used as a means of giving quick, structured feedback. Since it will be in a standard form, it also can be used for evaluation-research purposes.

B. Experience exchange group.

NJC mediators would meet monthly with the administrative staff and the trainer who would act as a consultant to their group. It is expected that they would want to discuss three kinds of topics:

1. Case material
2. Personal feelings relating to dealing with case material
3. The overall functioning of the NJC

C. Continuation training

These monthly sessions would involve using outside experts to upgrade the knowledge and skills of NJC staff persons. Potential topics might be:

1. Community Services (speakers from the 15 or more community agencies and clinics in the Venice-Mar Vista area)
2. Board operation and policy (speakers from the NJC Board of Directors)
3. Program evaluation (reports from members of the assessment team)

4. Legal issues (speakers from the Los Angeles County Bar Association, law enforcement agencies, courts, probation departments, District and City Attorney's offices)
5. Human behavior (speakers from local colleges, universities, professional associations)

V. Costs for training

Charges are based on a trainer's fee of \$130 per day and estimates of the number of work days involved in various program segments.

	COST	
	Group 1	Group 2
A. Pre-program expenses		
1. Proposal - three days	\$390	
2. Selection- three days (initial group)	\$390	
one day (second group)		\$130
3. Designing program and outlining manual	\$390	
- three days		
B. Implementation of basic training -	\$2,080	\$2,080
12 days for each group		
C. Follow-up observation and feedback		
sessions (one day each week for 6 weeks)		
6 days for each group	\$780	\$780
D. Experience exchange group - (1 day each		
month after the initial training and		
follow-up sessions) - 16 days	\$2,080	
Total cost for Group 1	\$6,110	
Additional costs for Group 2		
(If they join existing experience exchange		
group)	\$2,990	

If there are two or three trainers involved in the NJC program, more efficient use will be made of the trainees' time. In all of the experimental learning situations, such as role playing, the group can be divided in half or thirds so that each trainee has more actual practice time.

Second trainer - 12 days each group	\$1,560	\$1,560
Third (associate) trainer - 12 days	\$800	\$800

VI. Flexibility

The program may not proceed exactly as outlined above. More time may be spent on topics that the trainees find unexpectedly difficult or interesting. Less time may be needed for other subject areas. It is my intention to remain attuned to the trainees' needs and to be flexible in my approach to the training program.

It is also possible to change the training calendar from three to four weeks. This would make it possible to meet for one day instead of two on the second and third weekends.

VII. Working bibliography

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TRAINING SCHEDULE FOR MEDIATORS

Neighborhood Justice Center

1527 Venice Blvd., Venice, CA 90231 - Phone (213) 391-7255

Sat.	Feb. 25	9 am - 6 pm
Sun.	Feb. 26	9 am - 6 pm
Mon.	Feb. 27	7 pm - 10 pm

Sat.	Mar. 4	9 am - 6 pm
Mon.	Mar. 6	7 pm - 10 pm
Fri.	Mar. 10	7 pm - 10 pm

Sat.	Mar. 11	9 am - 6 pm
Mon.	Mar. 13	7 pm - 10 pm
Tue.	Mar. 14	7 pm - 10 pm

Sat.	Mar. 18	9 am - 6 pm	Trainees may choose one of these two days.
Sun.	Mar. 19	9 am - 6 pm	

Mon.	Mar. 20	7 pm - 10 pm	Each Trainee will come two out of four evenings.
Tue.	Mar. 21	" "	
Wed.	Mar. 22	" "	
Thur.	Mar. 23	" "	

Trainees will be expected to attend all of the training sessions listed above except where choices are indicated. They also will be expected to continue as Mediators for at least one year and, preferably, throughout the project's first eighteen months.

APPENDIX P

Venice/Mar Vista Mediator Training
Assessment Questionnaire Results

TRAINING ASSESSMENT QUESTIONNAIRE

Instructions: This form is designed to gather your initial reactions to the training which you have just experienced. Do not put your name on the form. Please answer all the questions candidly.

1. The list below presents some of the objectives of mediation training. Please read them over carefully; circle the appropriate number according to how well YOU THINK YOUR TRAINING EXPERIENCE HAS MET THESE OBJECTIVES for YOU.

Level of Achievement:					very low 1	low 2	moderate 3	high 4	very high 5
1	2	3	4	5	a.	To understand the role and functions of mediators.			
1	2	3	4	5	b.	To develop communication and responding skills.			
1	2	3	4	5	c.	To understand relevant concepts of human behavior.			
1	2	3	4	5	d.	Understand the principles and mechanics of mediation and arbitration.			
1	2	3	4	5	e.	To learn specific mediation techniques such as fact-finding, (writing agreements), caucusing, etc.			
1	2	3	4	5	f.	To apply specific mediation techniques such as fact-finding, (writing agreements), caucusing, etc.			
1	2	3	4	5	g.	To help you in developing your own mediation style.			
1	2	3	4	5	h.	To understand the goals of the Neighborhood Justice Center.			
1	2	3	4	5	i.	To understand the NJC's policies and procedures.			
1	2	3	4	5	j.	To understand the policies, procedures, and orientation of the traditional criminal justice system, especially the court system.			
1	2	3	4	5	k.	Furthering your knowledge and understanding of the Venice/MarVista Community.			

2. How effective do you feel the training was in providing you with the skill listed below?

<u>Skill Areas:</u>	not at all effective 1	2	somewhat effective 3	4	very effective 5
---------------------	------------------------------	---	----------------------------	---	------------------------

- | | | | | | | | | | |
|---|---|---|---|---|----|-------------------------------------|--|--|--|
| 1 | 2 | 3 | 4 | 5 | a. | Establishing rapport. | | | |
| 1 | 2 | 3 | 4 | 5 | b. | Eliciting facts and information. | | | |
| 1 | 2 | 3 | 4 | 5 | c. | Sensitivity to issues and feelings. | | | |
| 1 | 2 | 3 | 4 | 5 | d. | Learning to listen and respond. | | | |
| 1 | 2 | 3 | 4 | 5 | e. | Maintaining self-control. | | | |

- 1 2 3 4 5 f. Ability to control a dialogue.
- 1 2 3 4 5 g. Getting at the underlying causes of a dispute.
- 1 2 3 4 5 h. Maintaining a neutral, non-judgmental stance.
- 1 2 3 4 5 i. Developing alternatives and compromise positions.
- 1 2 3 4 5 j. Learning to work under pressure.
- 1 2 3 4 5 k. Note-taking.
- 1 2 3 4 5 l. Identifying and clarifying relevant issues.

3. How effective were the following methods for teaching you mediation skill

<u>Methods:</u>	not at all effective 1	2	somewhat effective 3	4	very effective 5
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- 1 2 3 4 5 a. Observation of taped mediation sessions.
- 1 2 3 4 5 b. Observation of live mediation sessions in groups of 8.
- 1 2 3 4 5 c. Observation of live mediation sessions with entire group.
- 1 2 3 4 5 d. Lectures.
- 1 2 3 4 5 e. Written materials/handouts.
- 1 2 3 4 5 f. Large group discussion.
- 1 2 3 4 5 g. Small group discussion.
- 1 2 3 4 5 h. Role-playing mediation sessions in small groups.
- 1 2 3 4 5 i. Group exercises--practicing interpersonal skills.
- 1 2 3 4 5 j. Group exercises--practicing specific mediation techniques.
- 1 2 3 4 5 k. Role-playing with video tape feedback; (answer if you made use of replaying the tape for yourself)

4. In what ways, if any, do you feel the training should be changed in the future?

5. Which parts of the training program do you feel have been the most valuable?

6. In which mediation skills, if any, do you feel you need additional training?

7. Do you feel anything could be added to or subtracted from the role-playing process to improve effectiveness?
8. Has the training provided you with an understanding of and mediation skills for working with the Venice/Mar Vista Community?
9. If you'd like to provide further feedback, kindly do so:

10. Our trainers thus far have been Barbara Biggs, Debra Levy, and Josh. Please run through your feelings in relation to these trainers and relate how their training and experience has affected your growth as a mediator.

11. How do you view the personal processing experience? Has it affected your growth as a mediator?

	<u>N*</u>	<u>Score</u>	<u>\bar{X}</u>	<u>Mode</u>
1.a.	24	112	4.67	5
b.	24	102	4.25	4
c.	24	93	3.88	3,4
d.	23	99	4.30	4
e.	24	100	4.17	5
f.	23	92	4.00	4
g.	22	85	3.86	4,5
h.	24	102	4.25	5
i.	23	83	3.61	4
j.	12	32	2.67	3
k.	23	61	2.65	2
2.a.	24	87	3.63	3
b.	24	102	4.25	4
c.	24	102	4.25	4
d.	25	104	4.16	5
e.	25	97	3.88	5
f.	25	95	3.80	3
g.	24	100	4.17	4
h.	25	113	4.52	5
i.	24	93	3.88	5
j.	24	93	3.88	5
k.	24	71	2.96	3
l.	25	102	4.08	4

	<u>N*</u>	<u>Score</u>	<u>\bar{X}</u>	<u>Mode</u>
3.a.	23	89	3.87	5
b.	24	111	4.63	5
c.	24	95	3.96	5
d.	25	88	3.52	4
e.	25	97	3.88	4
f.	24	92	3.83	4
g.	24	108	4.50	5
h.	24	109	4.54	5
i.	25	99	3.96	4
j.	25	106	4.24	4
k.	12	51	4.25	5

Weighted Means by Section:

1. Objectives

246	961	3.91
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2. Skill Areas

293	1159	3.96
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3. Methods

255	1045	4.10
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*One subject was administered a questionnaire different from the rest -- an older version containing some common elements. This respondent's questionnaire accounts for all/a portion of missing data on the following items:

1. f,g,k

3. a,b,c,f,g,h

4. In what ways, if any, do you feel the training should be changed in the future?

Amount of time spent in training; Scheduling

Twelve responses to item four included comments which indicated that the trainees would like to see adjustments made in class schedules. The majority of comments reflected a desire for breaking the total training time into shorter, less intensive sessions. Several trainees suggested shortening individual sessions but stretching total training out over a longer period of time. One person felt that the sessions should be held on week nights only. Another felt that an agenda, as opposed to simply a list of training dates, should have been provided.

General Comments

Two general responses to the training as a whole included:

1. Too intellectual.
2. Less paperwork.
3. Trainees should receive a stipend.

Role Play

Several responses to #4 reflected a desire for more role play exercises in the training with one respondent mentioning that the role plays should be more realistic. One trainee had these specific suggestions:

"Role playing -- more true to life. Mediator should be told a little about each party and the reason the dispute came to the Center. If possible, volunteers not in training should be brought in to play the roles -- trainees tend to make it easier for one another. College students would be good -- for free lunch and possibly \$10/day."

Training Structure

Lecture discussion groups. Several comments centered on group interaction and group size as areas which might be changed in the future. Two people felt that an introduction and history of each trainee would be appropriate at the beginning of training and that an interchange of cultural background among participants should be included.

Two comments regarding group size concluded that small groups were the most productive. Several people indicated that they would like more group interaction and group input in the future.

Some specific comments included:

1. From time to time -- working opposite a "professional" as

distinguished from peers.

2. Less lectures. More open discussion. Open dialogue. More group interaction.
3. Large group discussions (i.e., developing the framework of a session seemed counter-productive. Would prefer policy and framework information presented and any suggestions, etc. added. Don't feel discussion in group of this sort was relevant to learning mediation techniques.
4. Subtract people -- 8 is too many. Four is perfect -- only need one observer if being taped.

Communication and feedback. Several comments indicate a desire for more room in the training for feedback from the trainees (one cites "less authoritarian lecturing"); feelings of the trainees should have been more of a focal point in order to facilitate better communication.

Specific informational issues. Four comments in response to #4 concern a need for more information about the NJC concept, NJC structure, and especially the role of the mediator:

1. To talk more about the concept of NJC and role. What is in store for us? What are the long-range plans and goals of DOJ? More facts at the beginning re: mediation, what we'd be doing, why we were here, etc.
2. More relaying of specific mediation techniques and a framework from which to operate. Individual style could be better developed after more of an understanding of components of a mediation session which need to be present.
3. Less mystery about what the role of the mediator is to be as a whole -- the role was slowly presented instead of presenting the specific different steps to anticipate.
4. To clarify all administrative staff positions.

Two trainees mentioned law as an area where they felt a need for more information -- as regards the mediator.

One person felt that the tapes showing how not to do a mediation were a negative reinforcement.

One respondent felt that material to be presented by outside trainers should be edited to trainer to be sure it is relevant, necessary and well presented.

Two people responded to #4: "Use of films" and "Films." It is uncertain what is meant by these responses.

5. Which parts of the training program do you feel have been the most valuable and why?

Role Playing (and/or resulting feedback)

Eighteen respondents cited role playing as one of the most valuable components of the training. The reasons for this response varied but generally fell into several categories:

1. Realistic nature prepares one for the real situations which might be encountered in a true mediation.
2. A way to learn what works best -- trial and error -- and to feel comfortable because of practice.
3. A way to learn one's strengths and weaknesses, to become more aware of one's feelings and to "use" the feedback received from others.

Interpersonal/Group Process

Four respondents mentioned interpersonal relationships and group process exercises as most valuable. Reasons centered upon self-understanding and gaining helpful insights on human behavior.

Small groups were mentioned as valuable by several trainees. One respondent answered: "Mediation sessions have been most effective in small groups. The first weekend was done very effectively in relaxing and acquainting the group so that the training could proceed."

Feedback

Four responses to #5 mentioned "feedback" and "feedback sessions" as valuable. These comments were not juxtaposed to comments on role play or group process activities. Therefore, the exact nature of this "feedback" is uncertain.

Other

Other parts of training which were cited include:

1. Guest lecturers -- bring live concrete situations to the training program that we can deal with and anticipate.
2. Lectures (2)
3. Handouts (2)
4. Question-answering periods.
5. Those clarifying skills needed to mediate effectively -- it facilitates easing of constraints structured sessions impose on individual style.

CONTINUED

3 OF 4

6. In which mediation skills, if any, do you feel you need additional training?

The three most prevalent responses to this item fell into two specific skill areas and one broader skill area:

1. Caucus - 5
2. Agreement Writing - 4
3. Control of session/parties/self - 8

Other mediation skills in which respondents felt they need additional training include:

1. Opening statement - 2
2. Close - 1
3. Prioritizing - 1
4. Process statement - 1
5. Knowledge of law - 2
6. Pacing negotiation - 1
7. How to reschedule - 1
8. Probing and effective questioning - 1

Two trainees responded that they need practice in all of their mediation skills.

7. Do you feel anything could be added to or subtracted from the role-playing process to improve effectiveness?

Five trainees answered "no" to #7, with several adding positive comments about the role playing.

Realism

Four trainees felt that the role playing process should be made more true-to-life. Two other comments that seem to fall under this same category are the following:

1. ...the mediator should be given a little information in advance instead of "flying blind".
2. More specificity for the parties so that the mediator is mediating and not role playing.

Group Size

Two respondents suggested that the small group role plays were more effective, with one person recommending that a group be comprised of only four people with one observer if the session were being taped.

Examples of Incorrect Mediation

There were several reactions to the "wrong" mediation examples: One person felt that there should be more of such examples; another person responded that the second day of these sessions should have been cut out; and a third said that there should have been but one tape showing how not to mediate.

Feedback

In the area of feedback one person responded that mediators should be asked how they felt conducting the mock sessions before feedback is given. Another responded that there should be more input in sessions, and a third person requested that more critique be offered.

Time

Time was another area of concern for some of the trainees. Two said that more time should be afforded the role playing process -- with one of these responding "More time to resolve". One person answered that some mediation sessions were too long.

Other

Other responses to #7 included the following:

1. No Saturday sessions; no Sunday sessions.
2. Working opposite a "professional" as distinguished from peers.
3. Maybe there should be sessions with no observers.
4. Some of the lecturing simply makes me feel overloaded and anxious -- I'm hearing stuff before I know how to use it and/or what I need it for.

8. Has the training provided you with an understanding of and mediation skills for working with the Venice/Mar Vista community?

Seven respondents answered with an unqualified "yes" to this question. There was one unqualified "no" response. 11 people responded more-or-less negatively and qualified their answers with the following comments:

1. ...But I do not feel that if you do not know the community, the sessions did not provide this.
2. I would like to know more about the Venice/Mar Vista community.
3. ...I feel that we need to talk specifically and in detail about the make-up of all areas of the community and specific issues and problems -- ethnic, economic, housing, etc.
4. No -- if I had not already been from the area.
5. There has not been much specifically directed to this community. Emphases have been given to impartiality, etc. Good mediation skills would not be area-specific.
6. ...A community profile and the sociological factors have not been analyzed.
7. The similarities and differences of the mediators seem to fairly represent the community. There has not been enough talk about the community as a whole.
8. ...The knowledge of the trainees of this community has not had an opportunity to be shared with the other trainees. Their experiences and what happens in their neighborhood around disputes and the police have been left out.
9. ...I feel I need a lot more information about black and Mexican-American values. I feel a need to hear from and be instructed by the mediators of these ethnic groups, in particular.
10. Not enough said about what's happening in this community. Nothing said about types of people within this community.
11. Where the staff may approximate a reflection of community make-up, enough hasn't been said to indicate a working understanding of these learned skills to Venice/Mar Vista needs. But I feel the principles and skills, if learned and exercised effectively, should mesh without difficulty to any community's need.

(It is interesting to note that several people mentioned that knowledge of the community may not be important to effective mediation.)

One trainee felt the personal experiences of members of the group would be helpful in understanding the community. S/he suggested a series of role players assigned to portray specific ethnic, religious, social, and sexual conflicts which are present in the community. Another respondent cited role playing as a positive element in his/her learning about mediation

and the Venice/Mar Vista community.

Finally, a trainee had this to say regarding his/her understanding of and mediation skills for working with the Venice/Mar Vista community:

The program has provided me with skills that allow me to be confident during the mediations process. I have a better picture of this community and understanding of the cultural differences in this area.

APPENDIX Q

Venice/Mar Vista Outreach Activities
and Media Coverage

Venice/Mar Vista NJC
Newspaper Articles

Los Angeles Times, January 15, 1978, "Justice with a Personal Touch".

Describes future opening of NJC and the services to be offered; article opens with a description of a hypothetical case and how it would enter and be handled by the NJC. The article quotes the Project Director extensively and emphasizes the NJC's community orientation.

Santa Monica Independent, Fox Hills-Raintree, Marina Mail, Suburbia West Today, March 30, 1978, "Open Justice Center with Block Party" (identical articles in four Santa Monica papers).

Announces the celebration of the NJC opening via the block party, describing the festivities and inviting the public. Mentions the dignitaries invited to attend and provide a brief description of the NJC service.

Santa Monica Evening Outlook, March 30, 1978, "Neighborhood Justice Program to Start".

Describes the NJC program, including staff and mediator composition, services, referral sources. Stresses voluntary nature of program and announces block party.

The Daily Journal, March 31, 1978, "Rose Bird to Join in Opening of L.A. Justice Center".

Announces Chief Justice Bird's attendance at opening; briefly describes NJC service.

Metropolitan News, March 31, 1978, "Neighborhood Justice".

Announces block party and dignitaries invited.

Santa Monica Evening Outlook, April 1, 1978.

Announces block party.

Los Angeles Times, Westside, April 2, 1978, "Chief Justice to be at Center Opening".

Announces block party and Bird's anticipated appearance, and briefly describes the NJC service.

Los Angeles Times, April 3, 1978, "Dispute Mediation Center Opens Door".

Announces the opening of the Center, briefly describes service.

San Diego Daily Transcript, April 3, 1978.

Announces the opening of the Venice/Mar Vista NJC, one of three Centers developed by the Justice Department.

Santa Monica Evening Outlook, April 3, 1978, "Venice Justice Center Opens".

Covers the block party attended by 200 persons which officially opened the NJC. California Supreme Court Chief Justice Rose Bird attended and is extensively quoted in the article; she spoke about the state of the justice system and the need for the Justice Center.

The Daily Journal, April 11, 1978, "Dispute Resolution Idea Comes to Los Angeles".

Discusses the idea of dispute resolution as an alternative to the courts. Ray Shonholtz of the Community Board Program criticizes the NJCs for not being true neighborhood programs. The Venice/Mar Vista Project Director, Joel Edelman, defends the NJC and describes its structure, staff composition, and philosophy.

Venice Beachhead, May 1978, "NJC Opens for Business".

Covers the block party, describes the NJC and its services, and tells how to contact the NJC for assistance.

Ocean Front Weekly, May 17, 1978, "Neighborhood Justice Center Opens on Venice Blvd."

Describes the NJC and its services, staff, and early activities, including the handling of early cases, community outreach, and process for police referrals. Tells how to contact the NJC for assistance.

Ocean Front Weekly, June 14, 1978.

Published a letter to the editor written by a satisfied disputant; the disputant had been involved in two mediations and highly praised the NJC service.

Los Angeles Times, Westside, June 22, 1978, "Neighborhood Justice Finds Way at Center".

Fully describes the process of mediation in the NJC from intake to signing the agreement. Also describes the mediators, their backgrounds and training; stresses the community orientation of the Venice/Mar Vista NJC.

Los Angeles Herald-Examiner, June 25, 1978, "An Alternative to Lawyers".

Describes the Center's mediation process, early caseload, and initial entry in the courts. The article describes several cases and focuses on the experiences of an individual mediator.

Venice/Mar Vista NJC
Radio and Television Coverage

	<u>Station</u>	<u>Date</u>	<u>Staff Interviewed</u>	<u>Comments</u>
1.	KTNQ/KGBS	2/19-25/78		Broadcasted PSA
2.	Ch. 34	3/10/78	Secretary/Mediator	Spanish discussion regarding NJC
3.	Ch. 13: KCOP, LA	3/29/78	Deputy Director 3 Mediators	Mediation role-play & interview
4.	Ch. 2, 4	4/2/78		Covered block party at NJC
5.	KFWB	4/2/78		Covered block party at NJC
6.	KBCA, KUTE KRTH	4/6/78	Project Director, Mediator	Interview; also covered on national stations
7.	KSURF	4/11/78	Deputy Director	Interview
8.	All local stations	4/12/78	President Carter's presentation at Bar Assoc.	Covered on local TV; mention of NJC not included
9.	KCRW	4/14/78	Project Director, Associate Director	Santa Monica Community College Interview
10.	KBCA	4/18/78	Deputy Director	Interview
11.	KRTH	4/20-21/78	Project Director	Interview
12.	KMET	4/28/78	Deputy Director	Interview
13.	KUSC	4/28/78	Deputy Director	Interview
14.	KLOS	5/25/78	Deputy Director	5-10 minute phone interview
15.	KNX-FM	5/25/78	Deputy Director	Taped interview to run in four different parts, once per hour
16.	KPOL	5/26/78	Associate Director	Phone interview
17.	KWEST	5/26/78	Mediator	5 to 10 minute phone interview
18.	KFWB	5/29/78	Deputy Director	Story on NJC; every 28 minutes for 24 hours
19.	KIIS	5/31/78	Deputy Director	Interview; ran 56 times in 2 month period

20.	KDAY	6/4/78	Deputy Director	30 minute interview
21.	KIOO	6/5/78	Deputy Director	10 minute phone interview
22.	KKTT	6/2/78	Deputy Director	Interview
23.	KFSG-FM	6/6/78	Deputy Director	20 minute interview
24.	KNX-FM	6/14/78	Project Director	30 minute interview
25.	KHJ	6/9/78	Deputy Director	Interview
26.	KJOI	6/12/78	Deputy Director, Mediator	Interview, "Conversation Monday"
27.	KPFK	6/28/78	Deputy Director	30 minute interview
28.	KFRN	6/6/78	Deputy Director	Interview
29.	KPOL	6/16/78	Project Director	30 minute taped interview
30.	KBIG/KBRT	6/19/78	Deputy Director	
31.	KCSN-FM	6/23/78	Deputy Director	30 minute interview
32.	KXLU	6/23/78	Project Director	30 minute taped interview
33.	KJOI-FM	6/25/78	Deputy Director, Mediator	Taped interview
34.	KNX-FM	6/25/78	Project Director	Community Affairs Program
35.	KLOS	7/2/78	Project Director	Taped interview
36.	KACE	7/2/78	Deputy Director, Mediator	Interview
37.	KLAC	7/5/78	Project Director	Taped interview
38.	KTYM	7/10/78	Project Director	Interview (aired twice)
39.	KMAX	7/14/78	Project Director	Taped interview
40.	KFI	7/16/78	Project Director	Taped interview
41.	KOST/KFI	7/18/78	Project Director	Interview
42.	KPFK	7/23/78	Project Director, Mediation Coordi- nator, Mediator	Taped interview
43.	KFWB	7/24/78	Project Director	30 minute taped interview; 60 second PSA aired twice daily for one month

44. KOST

7/27/78

Project Director

30 minute interview

45. KMPC

7/28/78

Project Director

30 minute taped interview

Venice/Mar Vista NJC
Staff Presentations or Meetings with
Community Groups*

<u>Agency</u>	<u>Date</u>	<u>Attending Staff</u>
<u>Community Organizations</u>		
1. Oakwood Recreation Center	11/77	Deputy Director
2. Community Welfare Rights, Westside	3/3/78	Deputy Director
3. Venice Drug Coalition	3/29/78	Mediation Coordinator (responsible for community outreach)
4. Mar Vista Recreation Center	3/29/78	Mediation Coordinator
5. Westside Latino Consortium	3/6/78	Mediation Coordinator
6. National Community Services, Venice	3/22/78	Mediation Coordinator
7. Ocean Park Community Center	4/3/78	Mediator
8. Woman Space	4/13/78	Mediators (2)
9. Neighborhood Youth Association	4/13/78	Project Director, Mediation Coordinator
10. Senior Assistance Housing Program	4/14/78	Deputy Director
11. Venice Boys Club	4/13/78	Mediator
12. Community Service Organization	4/25/78	Deputy Director
13. St. Joseph's Center	4/26/78	Mediation Coordinator
14. Neighborhood Adult Participation Project, Venice	4/25/78	Deputy Director
15. Volunteer Action Center of West L.A. (meeting at NJC)	5/9/78	Mediation Coordinator
16. Mar Vista Gardens Housing Project	5/31/78	Deputy Director, Associate Director

*This list is not complete, particularly for the early project months, but is intended to demonstrate the kinds of agencies the NJC has contacted.

17.	Mar Vista Gardens, Tenants Meeting	6/8/78	Deputy Director
18.	Senior Citizens Housing Association, Board of Directors Meeting	6/9/78	Deputy Director
19.	Las Amigas, Culver City	6/13/78	Associate Director
20.	Project AWARE	7/15/78	Mediation Coordinator
21.	Venice-Marine del Rey Realtors Association	Prior to 7/10/78	
22.	Venice Girls Club	"	
23.	Clare Foundation	"	
24.	Neighborhood Adult Participation Project	"	
25.	Family Planning, Venice	"	
26.	Manpower Employment Center, West L.A.	"	
27.	Oakwood-Wesley House, Venice	"	
28.	The Children's Place, Santa Monica	"	
29.	Benjamin Rush Family Center, Venice	"	

Government-Related Agencies

1.	Department of Public Social Services	1/11/78	Project Director, Deputy Director
2.	Venice/Mar Vista Community Coordi- nating Council	11/77 5/1/78 6/5/78	Deputy Director Evaluation Analyst Associate Director, Coordinator
3.	Venice Town Council	11/77	Deputy Director
4.	Greater Los Angeles Community Action Agency, Venice (Administrative Component)	5/17/78 3/28/78	Mediator Mediation Coordinator
5.	Santa Monica Community Coordinating Council	3/2/78	Project Director
6.	Councilman Braude, Community Meeting	5/4/78 6/8/78 3/8/78	Deputy Director Project Director, Mediation Coordinator Project Director

7. West Los Angeles Community Coordinating Council (10 agencies present)	4/12/78	Mediation Coordinator
8. Culver City Community Coordinating Council (30 agencies present)	4/13/78	Associate Director
9. Governor's Legal Affairs Office	5/16/78	Project Director
10. Councilwoman Russell's Office	5/31/78	Project Director
11. Legal Aid, Venice	6/15/78	Mediation Coordinator
12. Venice Chamber of Commerce	6/20/78	Mediation Coordinator
13. Mar Vista Chamber of Commerce		Deputy Director, Associate Director

Churches

1. Unitarian Church	1/21/78 4/30/78	Deputy Director Project Director
2. Santa Monica Methodist Church, Community Forum on Justice	1/21/78	Project Director
3. Venice Church	5/24/78	Mediation Coordinator
4. Four-Square Church, Venice	5/25/78	Mediation Coordinator
5. Methodist Church, Venice	5/30/78	Mediation Coordinator

Educational Organizations

1. Tri-C (Community Centered Class-rooms, Mar Vista)	4/19/78	Mediation Coordinator, Analyst
2. Educational Opportunity Center	4/28/78	Deputy Director, Mediation Coordinator
3. Phoenix Continuation School of Venice High School	5/9/78	Deputy Director, Mediator
4. Venice High School Advisory Council	5/16/78	Mediation Coordinator
5. Venice Adult School, Contemporary Issues Class	5/22/78	Deputy Director
6. Venice High School, Parent-Student- Teachers Association	5/23/78	Associate Director

7. Mark Twain Junior High School, Administration meeting	5/26/78	Mediation Coordinator
8. St. Clemens School, Venice	5/30/78	Evaluation Analyst
9. Venice High School, Social Science Referral Program	6/1/78	Mediation Coordinator
10. Venice High School, Community Resource Meeting	6/7/78	Mediation Coordinator
11. Area D Alternative School	prior to 5/10/78	

Miscellaneous

1. Child Abuse Conference	3/25/78	Mediation Coordinator
2. Mar Vista Library	2/28/78	Mediation Coordinator
3. Optimist Club	3/23/78	Project Director
4. Center for Law and Public Interest	4/13/78	Project Director, Deputy Director
5. Meeting of Venice/Mar Vista Realtors	5/8/78	Deputy Director, Associate Director
6. Santa Monica Mental Health Center (meeting at NJC)	5/9/78	Mediation Coordinator
7. Santa Monica Childrens Center	5/10/78	Mediation Coordinator
8. Didi Hirsch Mental Health Center	5/26/78	Mediation Coordinator
9. Lions Club	5/14/78	Mediation Coordinator, Mediator, Evaluation Analyst
10. Santa Monica Mental Health West	6/15/78	Mediation Coordinator
11. Rotary Club	7/13/78	Associate Director, Mediation Coordinator

APPENDIX R

Venice/Mar Vista Forms

INITIATOR

RESPONDENT

Name: _____; Name: _____

Address: _____; Address: _____

Phone#: (H) _____:(W) _____; Phone#: (H) _____:(W) _____

Occupation: _____; Occupation: _____

Work Address: _____; Work Address: _____

Circle: Employed Unemployed; Circle: Employed Unemployed

Age: _____; Sex: M F; Race: _____; Age: _____; Sex: M F; Race: _____

Marital Status: _____; Marital Status: _____

Years Community Resident: _____; Years Community Resident: _____

Language: English Spanish; Other: _____; Language: English Spanish; Other: _____

Income: \$0-6000; 6,000-12,000; 12,000-20,000; \$20 plus
Income: 0-6,000; 6000-12000; 12,000-20,000
\$20,000 plus

Ongoing Dispute: Yes No; One-time Incident: Yes No

Nature of Relationship: Close or Casual; Ongoing or Intermittent (circle one in each grouping)

Relationship between parties: _____

Referral Source/BE SPECIFIC: Courts: _____; Walk-in: _____;

Police: _____; Social Service Agency: _____;

Other: _____ (including how disputant became aware of the NJC)

If referred from courts, prosecutor or police provide criminal justice information:

Arrest made: yes or no; Offense charges: _____; Case Status: _____

City Attorney Hearing Scheduled: yes or no; Held: yes or no

Motivation for Coming to the NJC: _____

Describe the NATURE of the DISPUTE: _____

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Nature of the Dispute (Continued): _____

(Continue below)

Desired Outcome for the Initiator: _____

Desired outcome for the Respondent: _____

Points of Law (if any): _____

Scheduled time/date: 1st ____/____/____ am ; 2nd ____/____/____ am
pm pm

Referral Made: (name of agency, contact person, address, phone#) _____

Who initiated the referral: _____

Please include initiator's and respondent's prior mediation experience (if any)/ use names of parties/ if no prior experience state NONE/ if prior experience state nature of involvement.

NJC
VENICE/MAR VISTA

MEDIATOR'S SUMMARY INFORMATION

LENGTH of MEDIATION: _____ hrs. _____ min.

Date: _____
Case#: _____
M/C: _____

Mediator(s): _____ Initiator: _____
Respondent: _____
Observer: _____ Others Present: _____

Agreement Reached: yes no; Case Re-scheduled/time, date: _____
No Agreement Reached/Case Closed yes no.

1. Provide details of the dispute including description, underlying causes and factors involved and if the dispute is a recurring one or a one/time incident.

2. COMMENTS and OBSERVATIONS on the process of the mediation. If relevant, include the following: use of specific mediation skills(caucusing etc.), the overall success of the meeting, disputants satisfaction with the process and resolution. Please include YOUR VIEW of the process and resolution. Include also what went smoothly and what was problematic (if relevant).

MEDIATOR'S SUMMARY INFORMATION
(CONTINUED)

2. COMMENTS and OBSERVATIONS:

3. Referral Information: Provide need for referral/Include name of disputant seeking referral. _____

(a). Mediator's opinion of an appropriate referral: _____

(b). What was said to one or more disputants regarding a referral (BE CLEAR PLEASE): _____

ATTACH THE ORIGINAL WRITTEN AGREEMENT AND NOTES PLEASE

PROCEDURAL TRACKING FORM

<u>EVENT</u>	<u>DATE</u>	<u>REMARKS(Initial/Be Specific Please)</u>
Referral to NJC		
Intake Interview w/Initiator		
Contact w/Respondent		
Notification of Scheduled Mediation Initiator		
Respondent		
Mediation Held		
Mediation Cancelled(No shows etc.)		
Second Notification of Mediation Initiator		
Respondent		
Rescheduled Mediation Held		
Agreement Signed		
Referral Made		
Notification of Broken Agreement		
Follow-up Information: 1st Follow up Completed		
2nd Follow-up Completed		
Case Closed		

END