

# we ARE HOW WE DO

Edited by Lorig Charkoudian

In 1999, a handful of community mediation center staff and volunteers in Maryland were working together to develop a state-wide association for community mediation and to help design a state funding model for community mediation programs. We started with quite a few conversations about what is community mediation. There were several ideas floating around at the time which ranged from not quite capturing it to being downright offensive—the mediators who do dog poop disputes, a place to dump “nuisance cases,” training ground for “real mediators,” the mediators giving it away, “just” community mediation . . . .

We were searching for a description based on the idea that our existence is not defined by what we do (types of cases, cost of services), but by how we do it. Every aspect of how we do our work should be modeled on our commitment to collaboration and our belief that people and communities know better than outsiders what their needs are. We wanted a description which highlighted the goals of integrating the community into the center and integrating non-violent conflict resolution into the community. Finally, we wanted a definition that worked in urban, rural, and suburban contexts with the ability for every community to shape the specifics of a center in a way appropriate to its needs and cultures. Out of our discussions came the Nine Point Model of Community Mediation.

While setting this model out as the vision for community mediation, we also recognized that the work towards this vision was a life-long process. Even when we are working effectively within a community, we can always do better. The Nine Point Model was designed with the understanding that each center would continually strive to improve its performance within each point. The model is as follows:

*Mediation helps people reach agreements, rebuild relationships, and find permanent solutions to their disputes. Mediation is a process in which people speak for themselves and make their own decisions. Community mediation provides a non-profit framework for assuring access to mediation services at the community level with*

*control and responsibility for dispute resolution maintained in the community. Community mediation strives to:*

1. Train community members—who reflect the community’s diversity with regard to age, race, gender, ethnicity, income and education—to serve as volunteer mediators.
2. Provide mediation services at no cost or on a sliding scale.
3. Hold mediations in neighborhoods where disputes occur.
4. Schedule mediations at a time and place convenient to the participants.
5. Encourage early use of mediation to prevent violence or to reduce the need for court intervention, as well as provide mediation at any stage in a dispute.
6. Mediate community-based disputes that come from referral sources including self-referrals, police, courts, community organizations, civic groups, religious institutions, government agencies and others.
7. Educate community members about conflict resolution and mediation.
8. Maintain high-quality mediators by providing intensive, skills-based training, apprenticeships, continuing education and ongoing evaluation of volunteer mediators.
9. Work with the community in governing community mediation programs in a manner that is based on collaborative problem solving among staff, volunteers and community members.

*Community mediation is effective at resolving a wide variety of community-based disputes*

One of the themes running throughout the Nine Points is the idea that everyone in the community is a potential peacemaker. Community members might contribute to making peace by opening the door to the library so mediation can happen, or by telling a friend that the service is available. They might hand

out brochures at a fair or they might serve as a volunteer mediator. And, the primary action people can take to create peace in their neighborhood is to resolve their own conflicts using mediation and peaceful conflict resolution.

Some of this may seem obvious. For those who have been in the community mediation field for decades, this may look familiar, as it shares some of the same philosophies with the programs that evolved out of civil rights and community empowerment movements in the 1970s. We would like to think that it is obvious, too, but what we find is that many community mediation centers have become so distracted by the real everyday concerns about keeping funding coming in and keeping caseloads high that they have stopped challenging themselves to move continually towards meeting the goals that the Nine Points outline.

When centers make these Nine Points the foundation for every decision they make, from the scheduling of a single case to developing a strategic plan, these Points are anything but obvious. Their impact can be ground-breaking. This article highlights examples of some of these points in action. Sections

include contributions from Maryland community mediation program staff. Each section highlights what these points can look like and how they can affect us, our centers and the communities in which we work.

#1 Train community members—who reflect the community's diversity with regard to age, race, gender, ethnicity, income and education - to serve as volunteer mediators.

The diversity of community mediators not only affects participants' ability to feel connected to their mediators, diversity also affects the experiences of the mediators as they learn from each other, and the message mediation centers send to participants about who can do this work.

Michele Ennis Benn's experience training for the Mid-Shore Community Mediation Center highlights the power of people from all parts of the community learning together and from one another.

During a particularly challenging exercise in a recent training, many people were struggling with their new skills in



*Mediators gather in front of the Community Mediation Program office in Baltimore City, Maryland*



*Caroline Harmon demonstrates her point at a training session for community mediators.*

is wrong with the whole thing at once. So I check the fluids, the brakes, different parts of the engine. In the same way it seems like when people come in for mediation there is all of this noise or something is not working and we say back what we hear and break it down into an issues list so that they can figure out what they want to do to fix each piece.”

This breakthrough was not only a milestone for this young mediator but also for the retired schoolteacher, the federal agent, the director of a local non-profit, the Department of Juvenile Services worker, the college football player, and the public health nurse, all of whom benefited from his astute insight. The impacts of truly diversifying our mediator pool can be incredibly powerful as this diversity forces us to challenge our assumptions (about age, race, education and economic background) and can shift everyone’s perspectives.

Also inherent in Point One is the idea that everyone in the community is a potential mediator and everyone in the community is a potential mediation participant. Tracee Ford’s story highlights the idea of fluidity among mediator and participant, and how the diversity of our current mediators affects the message we send to others about who can become a mediator.

“I can’t stand these people and they ain’t too fond of me either.” Those were my thoughts as I sat down as a participant in my first mediation. At this point, I didn’t know too much about mediation. What I did know was that this group of five African-American women that I volunteered with on a regular basis was not getting along. We had reached the point of vicious public name calling. We knew that we could not continue like this because we had already lost members as a result of this conflict. Even if we left the group, we were in a small community and would keep running into each other. We decided to give mediation a shot.

strategic listening and reflecting while creating an issues list. A 16-year-old young man who was working on his G.E.D. and training to be an auto mechanic spoke up and said, “I think that mediation is like when someone brings in their car because it is making strange noises or rattling and they don’t know what is going on. So, we ask them to describe what is happening and then say back what we heard them say and then we start to break it down into parts. I can’t fix a car or even figure out what

Our group works hard to provide a safe place to address our experiences with racism, sexism and whatever else life can deal to women of color. I was more than a little nervous at the idea of a third party coming into our group who might be male, white or both. Often the group had been accused of “reverse” racism because we intentionally created a space exclusively for women of color. I was worried that at a time when the group’s conflicts made us so vulnerable we might be assailed with further challenges to our existence as a group. I really felt like we needed a mediator who looked like us. I was relieved to see an African-American woman introduce herself as our mediator. Not only was she a woman of color, she was an excellent mediator. I was inspired.

The group came to some agreements and figured out a way to work with each other. It felt miraculous. I liked what was happening, but I was more impressed by how it was happening. I was motivated that someone who looked like me was making it happen and began to question if this was something I could also do. It was nearly two years before I could get into a mediation training myself. I now know the rigorous training that mediators go through to learn to remain neutral and avoid making judgments. I now believe that there are many mediators who are male, white or both who could have provided the high-quality service that our mediator provided our group. I feel certain that I would have left feeling heard and not judged by them. However, despite their expertise I doubt any of them would have been able to convey the message that her presence gave me—“Hey, you can be a mediator, too.”

#3 Hold mediations in the neighborhoods where the disputes occur. Community mediation centers that offer mediation services in the actual neighborhood where the dispute occurs are harnessing existing community assets, building community power, providing a safer, more convenient process for mediation participants, modeling collaboration, and effectively spreading the word about mediation. Below, Caroline Harmon describes the importance of Point Three to the community mediation work in Baltimore City.

Community Mediation Program (CMP), in Baltimore City, Maryland, works with 115 mediation sites to provide free mediation in the same neighborhood where a conflict occurs. CMP’s site network is made up of community centers, church basements, library meeting rooms, hospital conference rooms, student centers on college campuses, public school buildings, non-profit offices, city-run recreation centers, shelters, community development corporations, tenant council offices and rental offices, supervised visitation centers, and more. Each site receives a placard to post on its window or door emblazoned

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with "Conflicts Are Resolved Here with Mediation" and the CMP phone number.

Too often, low- and moderate-income neighborhoods and towns are classified in terms of need—as in, what can professionals charitably donate to people in need? Community mediation in the neighborhood where the dispute occurs acknowledges the strength and power that is already in the neighborhood. By mediating in that neighborhood, a powerful statement is made—"you already have all the resources you need to resolve your conflicts." Community mediation skills, values and communication styles can be put to work at your local library or your own kitchen table.

Using neighborhood destinations for community mediation sessions is also more convenient for mediation participants; therefore, they are more likely to come to mediation. There is not only convenience, but also safety in the familiar. For most people, a local recreation center feels far more "safe" than a courthouse or police department, in spite of—or maybe because of—the absence of security guards, sheriffs or metal detectors.

Working with grassroots local groups and city-run neighborhood-based programs also helps citizens learn about the assets already in place around them. Time after time, CMP mediation participants tell our volunteer mediators that they had passed a local community center or non-profit office hundreds of times, but never knew what these places offered until they attended a mediation in that site. For example, they may have known that the library was there, but didn't know about the children's programs, or that their local church was offering free GED classes.

Creating 115 separate "doors" into the mediation process in Baltimore has been one of our most powerful tools for spreading the word about mediation's potential as a force for community-building. Our mediation sites make referrals to mediation, host community conflict management trainings, refer potential volunteer community mediators, and generally serve as our best ambassadors.

#6 Mediate community-based disputes that come from referral sources including self-referrals police courts community organizations civic groups religious institutions government agencies and others.

The goal of Point Six is that a center be connected with so many organizations and agencies that community members can be connected to community mediation regardless of where they go when they are in conflict. Point Six is about being integrated into the fabric of a community through its civic groups, community organizations, religious institutions and agencies. A second story from Michele Ennis Benn highlights the fact that these partnerships go beyond the passive act of "receiving referrals." They are active, living partnerships which seek creative ways to increase peace and the control people have over their own lives, through training, education, mediation and participatory decision making.

Salisbury Urban Ministries works in what is considered a tough neighborhood with high drug and crime rates. Several of their employees come from the neighborhood. Together they work to strengthen this community by becoming a part of it. They provide GED programs, after-school activities, God's Kitchen on Saturdays with hot meals and health screenings, and Kids Café in the evenings where kids get help with homework, eat a hot meal, and learn about taking care of themselves physically, mentally and spiritually.

The Center for Conflict Resolution (CCR) in Salisbury has received a number of mediation referrals from Salisbury Urban Ministries involving a wide variety of conflicts and individuals. But our partnership goes beyond just referrals. Salisbury Urban Ministries asked CCR to facilitate a collaborative decision making process as they designed and implemented a neighborhood project. The process involved a number of agencies and residents, and ensured that decisions were made by the people affected by the project.

CCR also collaborated with Salisbury Urban Ministries to provide conflict resolution training and services at Kid's Café and God's Kitchen. Each year CCR participates in the Salisbury Urban Ministries health fair—a time when the com-

munity comes together for dancing, eating and learning about one another

When the Ministerial Alliance and the Black Ministerial Alliance merged in our community a few years ago, Salisbury Urban Ministries worked with other churches to hold a choir camp and bring children throughout the community together to sing and play. The coming together across racial and class lines was powerful. The Center for Conflict Resolution was honored to be part of this by providing community building and conflict resolution training to everyone involved.

#7 Educate community members about conflict resolution and mediation. As most mediation practitioners know, mediation is often considered a "well-kept secret." Point Seven certainly focuses on the importance of informing the community that mediation exists, but it goes beyond information. Point Seven is about educating ourselves and the community about collaborative, peaceful and creative conflict management. It means that we are not only advertising the existence of services, we are also challenging everyone to consider what is and is not working about our approaches to conflict.

For example, I recently facilitated a physically interactive exercise that allowed community activists to explore various approaches to conflict with a variety of possible outcomes. At the end of the presentation, someone came to me and said, "You know, we have been having a problem with a landlord in this community for a long time. We've reported him to a number of city agencies and filed suit against him several times. It never occurred to me until today that maybe we should try to talk to him."

In another presentation to a group of community residents, the group was discussing the idea that non-violent conflict resolution did not mean being a doormat. In fact, it requires that people stand up for them-

selves while also considering other people's needs. Close to the end of the discussion, a woman stood up and said, "Excuse me I'm really sorry to leave now, but I have to go home and talk to my sister. I have never had the guts to tell her some things I need to say and if I don't do it right now, I may lose my nerve."

Even a short presentation can have a profound impact. Erricka Bridgford tells a story about running into a woman in a mall a year after the woman had attended a presentation on mediation. The woman told Erricka that the presentation had really challenged her to see how the choices she made in conflicts could affect whether the outcome was positive or negative. She said she had changed the way she spoke to her children and started listening to them. She credited the presentation with planting seeds which had radically changed the way her family operated.

While these people may or may not end up using mediation, an important, and nearly immeasurable, part of the outreach work is that by speaking to the power and potential of collaborative conflict resolution, people challenge themselves and each other to make different choices in conflict.

#8 and #9 Maintain high-quality mediators by providing intensive, skills-based training apprenticeships, continuing education and ongoing evaluation of volunteer mediators. Work with the community in governing community mediation programs in a manner that is based on collaborative problem solving among staff, volunteers and community members. Hidden and often overlooked in Point Nine is the challenge to mediators to use mediation for their own conflicts, both those related to the mediation program and their personal conflicts. If we believe in mediation, we will be willing to bring our own disputes to mediation, with all the risk and humility that this may require.

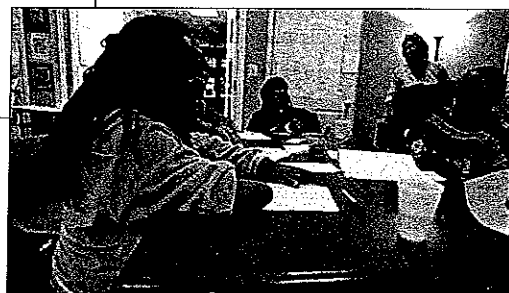
Somehow the idea that mediators might use mediation for their own conflicts seems foreign to many. Mediators say, "but I have the skills, so..." Certainly mediators use their skills daily to bring peace to their communities, workplaces and families. And, since they are also human beings, there are some topics that they feel so passionately about that they cannot distance themselves enough from their own emotions to serve as both participant and mediator.

We say publicly that to use mediation is not an admission of failure. When we use it ourselves, we demonstrate that we really believe everyone has conflict and can use assistance once in a while.

Equally important, being participants in mediation helps us as mediators to be more reflective about our own mediation practice. In fact, as Erricka Bridgford's story highlights below, using mediation oneself can be



Caroline Harmon (left) role playing with Erricka Bridgford (right).



Erricka Bridgford (left) and Tracee Ford (far right) enjoy a training session.

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an important part of the continuing education mentioned in Point Eight

After three years of being a mediator, I found myself at the mediation table as a participant. The fine details of the conflict aren't important for the purposes of this article. Just know that my husband and I felt we were right and entitled to financial restitution and the other guy thought he was right and entitled to financial restitution. Sound familiar?

The experience was important to me for two reasons. The first is that it reinforced for me the idea that everyone, including (or especially) mediators can benefit from mediation at some point in their life. The second is that it served as a really important learning experience for me—reinforcing for me the importance of people feeling heard and challenging me to check my judgments.

As mediators, it is so easy to begin judging the participants. We judge them privately in our own heads, and we commiserate about them to our co-mediators after the case is done. We think we are still acting neutrally during the mediation, but our judgments are probably subtly coming through.

Participating in mediation gave me a chance to feel what it is like to be in the client's chair. No one could understand how two years of struggle and frustrations were creating the raving lunatic that showed up to mediation that day. Sitting in the participant role reminded me that as a mediator, I don't know all the stuff that is making folks say the things they are saying in mediation. I have to work hard to let people know that whatever they bring to this space will not be judged and the decisions are theirs to make. When any of us look at ourselves at our worst in conflict, or when we are really passionate and not feeling heard, we are probably acting much like those people we are judging. Perhaps that is why we are judging. Being a participant helped me pull the beam from my own eye.

Being a participant also helped reinforce for me the power of reflecting back to participants the feelings, values and topics they have discussed, and the fact that rushing this can escalate the situation. As a participant, I sat at that table ranting and raving about how sad I was to be having this conflict. I yelled and hollered about how the other guy had greatly inconvenienced me and my family. I cursed him for helping to ruin my relationship with a dear friend. The mediators said to me,

"So it sounds like you have some strong emotions about this. What do you want to do about it?"

Now that reflection is problematic for a few reasons. Yes, I did have a lot of strong emotions about this conflict. It would have really helped me to feel heard if they had named those "strong emotions" and reflected back what was important to me. Instead, it seemed like a patronizing statement to get me to shut up so we could do problem-solving. It was way too soon for anyone to be asking me how I wanted to resolve the conflict. I needed everyone to understand how this had affected me before I could even think about what we should do about it. Once the mediators got that, they made space for me to describe what was going on for me in that conflict.

While I was not completely happy with every aspect of the process, I still feel that mediation was much more productive than any other previous communication. I felt more comfortable speaking frankly which helped me to trust the written agreement more than any other agreement that we had made over the last two years. And, if nothing else, the experience will make me a more effective and less judgmental mediator myself.

Those of us who have experienced the situations described in this article feel blessed to be part of work that not only changes people's lives and relationships, but also changes us and works toward changing communities and systems. We also know we have a long way to go. Self-reflection and constant challenges to our approach are crucial to keeping community mediation strong. The Nine Points are a strong foundation. Still, we regularly ask ourselves if these points say everything we believe is at the core of community mediation, or if they say it in the best way possible. Each year we discuss whether we need another point. This might be the year. Let's never stop asking ... ☺

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*Lorig Charkoudian with her daughter, Aline.*