

The Supreme Court of Ohio

MEMORANDUM

TO: Chief Justice Maureen O'Connor

CC: Stephanie Elliott Hess, Interim Administrative Director
Stephanie Graubner Nelson, Director of the Court Services Division
Catherine Geyer, Manager of the Dispute Resolution Section

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

DATE: January 3, 2019

RE: Commission on Dispute Resolution 2018 Annual Report

Pursuant to Sup.R. 16.10, Magistrate Richard “Dick” Altman, Fulton & Henry Counties, Chairperson of the Commission on Dispute Resolution (hereafter Commission), with assistance from Magistrate Marcie Patzak-Vendetti, Mahoning County Juvenile Court, Vice Chairperson, hereby submits the Commission on Dispute Resolution’s 2018 annual report. The Commission greatly appreciates all of the work and leadership that has been provided to it by Catherine Geyer and the staff of the Dispute Resolution Section. Without their work and leadership, the Commission would not have been able to accomplish those items set forth below and most specifically, the first statewide Dispute Resolution Conference which was held in March of 2018. This conference drew over 400 attendees and included 40 presentations. Based upon the responses from attendees, this conference was an overwhelming success. Additionally, we would like to thank the staff of the Court Services Division and the Judicial College Division for their assistance with this Conference.

Purpose of Commission on Dispute Resolution

The purpose of the Commission is to advise the Supreme Court and its staff on the promotion of statewide rules and uniform standards concerning the use of dispute resolution in Ohio courts; the development and delivery of dispute resolution education and professional development activities for judges, magistrates, court personnel, attorneys, and court-affiliated dispute resolution professionals; the development and delivery of dispute resolution services for disputes arising among state, county, and local public officials throughout Ohio; and the consideration of any other issues the Commission deems necessary to assist the Supreme Court and its staff regarding the development and delivery of dispute resolution programs and services.

2018 Activities and Accomplishments

The Commission met at the Thomas J. Moyer Ohio Judicial Center in January, April, and November. The Commission’s subcommittees also met via in-person meetings and conference calls throughout the year. The Commission’s activities and accomplishments include the following:

- *The Subcommittee for Government Conflict Resolution Services (GCRS):*
 - Provided recommendations regarding the use and growth of the dispute resolution program for disputes among public officials;

- Proposed and presented GCRS Rules of Superintendence that, if adopted, would govern the GCRS program and strengthen the administration of the program;
 - Updated the roster of GCRS neutrals;
 - Received over 800 views on the Dispute Resolution Section GCRS web page over the last two years.
- *The Subcommittee for Process and Procedure:*
 - Continued its work on the revision of Sup.R. 16 Mediation with the goal of ensuring quality programs and skilled mediators throughout the courts of Ohio. Recommendations to change Sup.R. 16 went out for public comment in August;
 - With the collaboration of members of the Advisory Committee on Domestic Violence, the Commission completed the pilot program to mediate certain types of civil stalking protection order (CSPO) cases and received feedback from the pilot site courts recommending the program be implemented on a statewide basis. We presented information on the CSPO mediation pilot program at the American Bar Association's ADR Spring Conference in Washington, D.C. April 4-7, 2018;
 - Developed a Probate Court Dispute Resolution rule of superintendence focused on encouraging probate courts to use dispute resolution options, including eldercaring coordination, a national pilot dispute resolution program dedicated to the care and safety of elders. The rule, proposed as Sup.R. 79 went out for public comment in August.
- *The Subcommittee on Strategic Planning:*
 - Worked with the Dispute Resolution Section to host the Court's first statewide Dispute Resolution Conference titled "*Integrating Contemporary Dispute Resolution Processes into Today's Courts*;"
 - Developed advanced trainings and roundtables for courts and court-connected dispute resolution professionals;
 - Piloted mediation in qualified civil stalking protection orders;
 - Created educational videos on court-connected dispute resolution options to enhance access to justice for self-represented litigants;
 - Worked with the Ohio Channel to produce a Dispute Resolution Oral History project and Documentary title "Dispute Revolution";
 - Identified faculty to deliver training to court-connected dispute resolution professionals consistent with Sup.R. 16 Mediation, Sup.R. 90.05 Parenting Coordination, and Sup.R. 90.07 Continuing Education;
 - In response to truancy HB410, developed a School Attendance Toolkit for youth at risk of becoming involved in the Juvenile Justice System;
 - Received a grant award from the JAMS Foundation to develop Web Application (an "app") containing conflict resolution education for school-aged students at risk for becoming involved in the juvenile justice system;
 - Supported three local courts in eldercaring coordination ("EC"), a national pilot program focusing on the care, needs, and safety of older adults. EC is the first dispute resolution program in the country for probate courts and is modeled after parenting coordination. Experts project an increase in probate court cases nationwide, as the elderly population grows. EC will provide the courts with an effective tool to deal with this increased caseload and create positive outcomes for the families.
- *The Subcommittee on Education, Training and Experience of Mediators:*
 - Worked with the Dispute Resolution Section and the Judicial College to develop the first online specialized divorce and family mediation training required by Sup. R.16;
 - Worked with Dispute Resolution Section staff and the Ohio Channel to create video vignettes to enhance access to justice by self-represented litigants. The educational videos will be available to local courts to demonstrate differences in settlement conferences, mediation, early neutral evaluation, and collaborative law.

- *The Subcommittee on School Attendance:*
 - Created a School Attendance Toolkit to assist schools and juvenile courts in providing dispute resolution options for school-aged students at risk for involvement with the juvenile justice system. The Toolkit addresses recent changes in Ohio’s truancy laws.
 - Supported the Dispute Resolution Section in developing a school attendance pilot program, including the development of a Web Application (an “app”) through grant funding from the JAMS Foundation administered by the Association for Conflict Resolution. The app is being piloted in Greene County because it has one of the highest truancy referrals in the state. The mobile web application was developed in partnership with, and will be maintained by, the Ohio Department of Education. Resolution Systems Institute in Chicago is providing evidenced-based research for the pilot project.

- *Dispute Resolution Training and Education:*

In conjunction with the Dispute Resolution Section, we:

 - Conducted 21 training events over 44 days, with 413 attendees, nearly 300 of whom were attorneys, and conducted 6 roundtables for parenting coordinators;
 - Hosted over 400 attendees at the first statewide Dispute Resolution Conference;
 - Increased by 62 percent the number of people who completed the Fundamentals of Mediation online learning in 2018 with 336 people compared to 207 people in 2017;
 - Began development of Specialized Divorce and Family Mediation online learning.

The Commission would be pleased to welcome you to our meetings in 2019: January 25, April 5, July 19, and November 22.