

# Medley of Mediation Stories

These stories and articles were collected by sending an e-mail to the NAFCM and VOMA listserves. Some people submitted more information than others. Included you will find:

- Victim-Offender Mediation/Conferencing Stories (Stories 1 – 34)
- Community Mediation Stories and Articles (Stories 35 – 50)
- Truancy Prevention Mediation Stories (51 – 53)

All stories submitted were included. The stories are not in particular order. They have been minimally edited. This compilation is only meant to be used to continue “spreading the word” about mediation! I hope you find it useful. Thanks to those who contributed!

Amy Dowell  
VORP Director  
Bloomington, IN

Note: In addition to the 50+ stories included here, many more Victim-Offender Stories can be found in the Newsletter of VORP of the Central Valley (Fresno, CA). The newsletter includes a story in every issue and grants permission to republish the stories with appropriate credit. Go to <http://www.vorp.org/vorpnews/> to get to the newsletter directory.) (In Adobe Acrobat format).

## 1) Boys, Ages 8 And 9, Fight

From: Jon Singer Lancaster Area Victim Offender Reconciliation Program (LAVORP) lavorp@supernet.com	Author: Jon Singer, Volunteer Mediator Source/info: Mediator Corner - January 2001 Category: Victim-Offender
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This case involved a meeting between two boys (8 & 9) and their parents. One of the boys was cited for fighting with the other and was referred to LAVORP via a Youth Aid Panel.

After case development we met to see whether any healing between the boys was possible. During the first stage of the meeting it was obvious that how the fight got started was “up for grabs.” Of course, it is not surprising that 2 boys this young would differ on “who struck who first.” But, each did express his own view and the feelings experienced as a result of the incident.

They then agreed that the future was more important than the past. They said that they did not want to continue fighting and calling out nasty names to one another.

What happened next was what is so rewarding about victims and offenders coming together. One of the parents had the boys stand next to each other. At 5’ 4” and 3’ 6” the contrast was stark. “See,” the parent said, “one of you is big and the other small, and what happens to you both?” “We get called names” the boys replied. “So, you have something in common.” “Yes,” the boys said with a gleam in their eyes.

They then sat down and agreed that: they would be friends, try not to call each other names, use their skills to keep peace in the neighborhood and alert a parent or other adult if “trouble was brewing” with themselves or other kids. It did not go unnoticed that the parents also took this opportunity to get to know one another better and acknowledged a desire to work with the boys and each other to everyone’s benefit.

This is what LAVORP is about; giving victims, offenders and their support people a chance to participate in our justice system, repairing broken relationships and providing an opportunity for reconciliation which in turn can lead to safer communities.

## 2) Stolen And Damaged Autos

From: Jon Singer Lancaster Area Victim Offender Reconciliation Program (LAVORP) lavorp@supernet.com	Author: Ron Rickers, Volunteer Mediator Source/info: Mediator Corner – September 2001 Category: Victim-Offender
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Breaking and entering, three stolen and damaged autos, vandalism to other vehicles, stolen license plates, a botched insurance adjustment, \$5200 in restitution, 3 offenders and 4 victims, one of which will experience several years of financial hardship as a result of this experience. This was the case at hand. It took 6 weeks to complete the initial meetings and another month before the mediation meeting could be held.

The meeting began with the usual feelings of uncertainty and tension. After the offenders had told what they had done, one of the victims explained that he didn't hate any of them and that he

had come there to help them. It was as if a cloud had lifted in the room. The body language changed and people began to talk freely. Parents of offenders and the victims talked about the hardships they all had had to contend with as a result of these crimes.

Restitution discussions followed and each of the offenders voluntarily acknowledged the damages for which they were responsible. Some payments were made at the meeting; the balance were to be completed in a week.

Everyone left with a good feeling. The victims told their stories and were fairly compensated. The offenders made a clean breast of things but also learned they would never be able to compensate the victims for all their losses. They witnessed first hand the forgiveness and honest concern of the victims for each of them. One hopes they never forget that meeting. The harm was addressed, victims restored to the extent possible and offenders held accountable. That is Restorative Justice.

### 3) Co-Offender To Burglary

From: Jon Singer Lancaster Area Victim Offender Reconciliation Program (LAVORP) lavorp@supernet.com	Author: Lucy Mannix, Volunteer Mediator Source/info: Tell Me Again, Why Do We Do This? (Mediator's Corner) – December 2001 Category: Victim-Offender
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It was time to talk about restitution. The victim began, “Your coming here, and facing me like a man about what you did, means a lot.”

I felt tears well up. This is what it is all about. This is why we do this – trying to get offenders and victims to face each other about the crime. We get offenders that can't face the victim and victims that are too angry to deal with the offender. But when a case comes to a joint meeting and you can witness a real exchange and the resulting forgiveness, it makes all the effort worthwhile.

This offense was a burglary. Only one offender was assigned to LAVORP, the other was in a facility outside of Lancaster. As it turned out, the youth I was working with was a tag along and did not instigate the burglary, or take any of the items himself. But, also, he didn't stop his friend, or walk away, or call the police.

The victims explained what they experienced when they arrived home and discovered doors left open and items missing. Their young children heard the parents talking and ran to their rooms to see if their favored toys were still there. What would have happened if they had been home when the burglars broke in? How did the family pet react? Was it someone who knew them, their schedule, or had been watching the house? The burglary caused upset and fear, especially for the wife and children, that lasted several months.

The youth was able to hear this, understand, and say, “I'm sorry.” They discussed how he could make amends. He had a job and had been saving money so he could offer a reasonable restitution. He and his mother would go to the bank and bring back the full amount right after the meeting. The victims were restored for their missing items and got answers to the questions that had been nagging at them.

When I left them, they were busy talking about the youth's job and people and places they knew in common.

The youth had done something for which he was ashamed. Today, he did something for which he could be proud. And, the victim was restored. That is Restorative Justice.

#### 4) Stolen Shoes

From: Jon Singer Lancaster Area Victim Offender Reconciliation Program (LAVORP) lavorp@supernet.com	Author: Jim Shenk, Volunteer Mediator Source/info: Tell Me Again, Why Do We Do This? (Mediator's Corner) – March 2002 Category: Victim-Offender
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The case was a simple one. A pair of new sneakers was stolen from the boys' locker room at school. The offender's mother turned him in to the principal and the shoes were returned. The two teenagers did not know each other but both agreed without hesitation to mediation. When asked what restitution he would want, the victim told me he only needed to hear the other kid's apology and hoped it would help him learn a lesson.

Would there really be any satisfaction, particularly for the victim? I was not sure. There was palpable tension at the beginning of the joint meeting. While this did not go away totally, things relaxed somewhat when the offender immediately apologized to the victim. Later the victim's mother told the offender's mother how much she appreciated that she turned her own son in to the principal. And when the victim said he accepted the apology, hoped the offender had learned a lesson, and was not asking for any restitution, it seemed to surprise the offender who was "prepared for whatever would be asked." "I would have deserved it," he said.

The meeting took only 30 minutes. By the end, I believe the victim could indeed walk away with a sense that this might help the offender to make better choices in the future. And the offender could rest assured that the victim will not retaliate. As a relatively new mediator, I was also surprised with how much this affected both mothers. This was a real embarrassment for the offender's mother. It was quite important for her to hear the other's appreciation for turning her own son in. There was also a nice touch when the offender's mother noted that she understands the challenge of raising teenagers.

I do not anticipate that these two parties will become friends, but the mediation will allow them to move on without the burden of guilt, anger, and nagging questions. That makes it worth the effort.

#### 5) Youth Burglarizes Neighbor's Home

From: Jon Singer Lancaster Area Victim Offender Reconciliation Program (LAVORP) lavorp@supernet.com	Source/info: Tell Me Again, Why Do We Do This? - By Sylvia Yoder, Volunteer Mediator – June 2002 Category: Victim-Offender
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They were neighbors, friends that felt like family for fifteen years. Suddenly, a rift divided them cutting off all communication and leaving feelings of anger, criticism, sadness, and vulnerability.

At the heart of the matter were a troubled fifteen year old and his friend who agreed to burglarize his neighbor's home. His parents were devastated.

When I first met the fifteen year old and his parents he told me details of the incident with his mother filling in. The two of them struggled to say what they wanted in different ways, somewhat frustrated with each other's attempts. What was important for one was not for the other. The mother clearly wanted me to understand the situation and especially that these neighbors, the victims, had been their friends for a long time.

When I first met the victim family, parents of two young sons, they talked about the long friendship. They were angry about the incident, felt betrayed, violated, and wondered why it had happened. Feelings of guilt for calling the police were tempered by a need for justice and retribution. Thoughts of "I feel sorry for him" gave way to frustrated anger and threats of lawsuits. A lawyer was consulted. Five months of total breakdown in communication resulted. Police suggestions to the offender not to talk to the victims and victim vulnerability seemed to place a brick wall between the two homes.

I was privileged to observe healing and reconciliation between the two families after weeks of on/off attempts to bring a joint meeting together. The meeting lasted one and a half hours with intense sharing of feelings and mingling of tears. I attribute the healing of these families to their desire to restore peace between them. Their efforts and attempts to understand each other yielded fruits of satisfaction and forgiveness, a springboard of good will toward each other evidenced in genuine hugs voiced with "It's been a long time."

A wonderful ending. It feels great when good communication happens.

## 6) Cars Egged

From: Jon Singer Lancaster Area Victim Offender Reconciliation Program (LAVORP) lavorp@supernet.com	Author: Jon Singer, Volunteer Mediator Source/info: Tell Me Again, Why Do We Do This? Sep- tember 2002 Category: Victim-Offender
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Perhaps you are old enough to remember the day when smacking someone's mailbox or throwing eggs at cars was considered fun. Well, things have changed and these are incidents which today will cause a juvenile, and their parent(s), to have an unwelcome visit by the police.

I recently held a conference where four juveniles and their parents met with two victims whose cars were egged. The outcome was a strong testimony to what restorative justice can do in holding offenders accountable and "making things right" for victims. Unlike one victim who chose not to attend the conference but had damages of \$800 (for which the youths paid) the two victims that attended the conference had relatively small financial losses; \$20 each to wash their cars. However, this was an instance which testifies to the meaning of restorative justice which holds that victim empowerment is tantamount to any financial settlement.

Each victim explained how alarming it was to get a call from the police at 4 a.m. The one victim explained that in addition to the nuisance of getting the car cleaned, he had been up since 6 a.m.

of the day of the conference (held at 7 p.m.) and had not yet been home in order to meet with the youth.

The other victim became emotional as he explained how pleased he was to see the youth and their parents step forward to be accountable to him and the other victim.

In the end, all that the victims asked of the offenders was that they learn from the experience, not offend again and complete the requirements imposed by the Youth Aid Panel.

This type of powerful experience is what keeps us involved in helping bring peace to the community.

## 7) 3 Girls Harass Male Classmate

From: Victim Offender Conferencing of Montgomery County 26 W. Main Street, Norristown, PA 19401 610 277 9320 (ph) 610 2775126 (fax) VOCofMC@aol.com	Category: Victim-Offender (in Schools)
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A detective at a local police department referred a case to Victim Offender Conferencing in lieu of charging the participants with harassment. The offenders were three 14-year-old girls, and the victim was a male classmate. The victim told police that the three girls had encouraged another boy to beat him up at school. On top of that, the same girls had continually harassed him for several years, to the point where he no longer wanted to attend school. The girls in turn claimed that the boy had also been guilty of name-calling and similar offenses, but that no one in the school would believe them. They felt that it was a grave injustice that they were in trouble for their actions, but that he was not. All four sets of parents were frustrated that their children were coming home from school and complaining about the situation almost daily. The father of one offender said that for years, he had known there was a problem, but had no way of addressing the situation. "I asked the school to let us all sit down, parents and kids, to talk to each other. They would never let us." All parties were eager to do a conference to see if they could make some changes.

At the meeting, all four juveniles and their parents sat down together, and each party had a chance to tell their story. Over the course of ninety minutes, all four kids admitted that they had all made mistakes over the years, and that each was sorry for a few specific incidents. All parties agreed that their primary concern was changing their interactions from negative to more positive, so that they could all concentrate on their schooling and not have to worry about each other or disciplinary action. With parental support, the kids reached a twelve-part agreement. Some items concerned things that they should not do, such as no name-calling and no drawing pictures in class of each other. Other items were about things that they should do: respect each other, tolerate each other. At the end of the conference, all parties vocalized that they felt good about the decisions they had made. In an evaluation, the mother of the victim wrote "this is an opportunity that should be offered to all kids who are harassed or intimidated at school."

## 8) The Park And The Gun

From: The Dayton Mediation Center 330 S. Ludlow Street, Dayton, Ohio Phone (937) 333-2345. Fax (937) 333-2366. <a href="http://www.domediation.com">http://www.domediation.com</a>	Category: Victim-Offender
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The two sisters, Amy and Liz, were playing in the park when they became involved in a confrontation with two boys who were driving by in a car. The boys shouted at them and displayed what looked like a gun. The girls were terrified and ran home. The girls' parents notified the police. The boys were identified. Based on consideration by a court official, the case was referred to mediation.

The parents were outraged that such a crime would go to mediation. They consented to the mediation but only on the condition that their girls would not have to see or be in the same room as the boys. They also learned that if they weren't satisfied with the outcome of the mediation, they could have their case referred back to court.

The girls and their family had only recently relocated their home from an inner-city crime-ridden neighborhood. Their new home was in a small suburban community. The park was near their home, and nowhere were there any signs of infringement to anyone's safety.

The park incident was a shock to the girls, their family and, once word got out, to the whole community. Since the incident, the park had not been used.

Because the parents of the victims were adamant about the girls not seeing the offenders, the mediator met with the boys and their parents and the girls and their parents separately. These sessions were intended to find out what everyone wanted to accomplish and how they wanted to go about the mediation process. These sessions also helped both parties talk about what happened, what they expected from each other, and what they wanted the mediator to pass on to the other party.

After two separate sessions with each group, the parents of the girls decided they wanted to talk directly with the boys and their parents. After only fifteen minutes the girls' parents requested that their daughters come into the room to "hear this".

What prompted this request is that the girls' parents learned that although the boys, Robert and Billy, did have a pellet gun, they had never been in trouble, were generally responsible kids, and were very involved at school. They were also visibly devastated by what their "prank" had caused. They didn't intend to traumatize the girls and now realized the problems their actions had caused. They wanted to show the girls that they were sorry and that no one needed to be afraid of them.

Once the girls were in the room, everyone talked for over an hour. The boys got to hear from the girls and the boys worked hard to express their understanding of the girls' reaction and to sincerely apologize for what they had done. All three families took it upon themselves to create a shared plan to tell their small community what they had accomplished together and to reestablish the reputation of the safety of their park so kids would start playing in it again.

## 9) Inmate Mediator Listens Better

From: Jim Boyd focusmediation@netscape.net	Category: General Mediation
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I was leaving, after meeting with our inmate mediators (Dillwn Med. Security) when one inmate said " I wish we were getting more mediations, but one thing is, I'm getting along a lot better with my wife when she visits. I think it's because I'm listening better."

## 10) Checks Stolen from Mailbox

From: Amy Dowell Monroe County VORP P.O. Box 6282, Bloomington, IN 47407 vorp@bloomington.in.us, (812) 336-8677	Category: Victim-Offender Mediation
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Mediation took place between juvenile, Greg C, his father, Mr. C, and victim, Mr. B for the offense of Possession of Stolen Property. Greg and his co-defendant took mail from Mr. B's mailbox. This mail contained checks written by Mr. B. With the stolen checks, they purchased 30-day subscriptions to pornography sites and electronic equipment. Greg C was arrested and ordered to participate in VORP. A direct mediation occurred that lasted approximately 1 1/2 hours. Greg took responsibility for his actions and answered all of Mr. B's questions. Mr. B was very angry over this incident, but stated that since he was a Christian, he forgave Greg. Both families were neighbors and attended Ellettsville Christian Church together. However, the C's quit attending approximately one year before this incident occurred. After the mediation occurred, the C family contacted Mr. B, who is an elder at Ellettsville Christian Church, and asked to meet with him about their returning to Church.

## 11) Items Stolen from Unlocked Cars

From: Amy Dowell Monroe County VORP P.O. Box 6282, Bloomington, IN 47407 vorp@bloomington.in.us, (812) 336-8677	Category: Victim-Offender Mediation
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A direct mediation occurred between two juveniles and one adult over a theft incident. The two boys had taken items from the victim's unlocked car and were arrested. They were ordered to participate in VORP. During the mediation, the victim stated that a similar incident happened to him and he met with his victim. He wanted the boys to know that it was a beneficial to meet and this would not scar their lives. The victim asked that the boys replace a CD adapter, which was broken by the theft. The boys, their parents, and the victim agreed to meet at Target, after the mediation, where they could replace the adapter with the victim. This occurred with the satisfaction of all parties.

## 12) Phone Mediation with Young Shoplifter

From: Amy Dowell Monroe County VORP P.O. Box 6282, Bloomington, IN 47407 vorp@bloomington.in.us, (812) 336-8677	Category: Victim-Offender Mediation
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A referral was received from the Juvenile Probation Department concerning “Julia,” who had been arrested with an older friend attempting to sell approximately \$400 worth of clothing at a local resale store. The clothes still had price tags on them and were from stores in the mall. At their arrest, both offenders admitted guilt. Both had previously shoplifted from local stores.

After Julia agreed to participate in VORP, staff visited the stores which had been victimized to explain the program and seek their participation. Most declined to participate due to corporate policy, but one store agreed. The program was explained to the regional loss prevention manager, Dave, over the phone. He was very interesting in talking to the offender, especially after he learned her young age.

The case was then assigned to a trained volunteer mediator. Through the mediation process—which in this case took the form of a conference call— Dave spoke directly to the offender and her mother on how shoplifting affects many people as well as the store’s bottom line. He also voiced his genuine concern for her and her future, not only because of his work, but also as a parent. He cautioned her about the risks of moving from shoplifting to more serious crimes.

Next, Julia told her story, acknowledging that she knew what she had done was wrong and what she had learned since her arrest. She also provided an assurance it would not happen again.

Then options were discussed for how Julia could make it right with Dave. First Dave asked Julia to write him a formal letter of apology detailing her understanding of consequences of shoplifting on retailers and the community. Dave then suggested she try to arrange with someone at her school to have him make a presentation on “Career Day.” Julia said she thought this was a very good idea. They agreed that there would be a second conference call for Julia to report to Dave the information obtained from her school.

A written agreement was drawn up at the end of the mediation and signed by Julia, her mother the mediator and then mailed to Dave.

While this is not a classic VORP case—usually victims and offenders meet face-to-face—it illustrates how the mediation process can produce creative solutions that can hold offenders directly accountable for the harm they have done. It also demonstrates some of the benefits for victims, offenders and the community.

## 13) Business' Window Smashed

From: Anne D. Pokras Community Mediation Center 222 St. John Street, Suite 254, Portland, ME 04102 Tel. 207 772-4070, E-mail: cmc1@maine.rr.com website: communitymediation.net	Category: Victim-Offender
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The offender smashed the victim's office window, damaging property and disrupting business. The victim was angry, upset and skeptical about whether meeting with the offender would help. After screening and preparing all participants, the victim and offender met together. The victim talked about this crime from his perspective, about his anger and frustration - he asked tough questions. The victim deeply appreciated hearing from the offender, as the offender showed sincere remorse, was honest about his history, and truly understood the effect of his actions and was willing to be accountable to the victim and to the victim's needs.

The victim was surprised: he was reminded of a difficult time in his past. He did not feel "soft" for the offender - he believed that just as he had changed, so too could the offender change for the better. With restitution, going through the juvenile justice system and changing his life, the offender could help the victim by not re-offending and by becoming a useful member of his community.

Both the victim and offender were dramatically affected by going through the Victim-Offender Conferencing process. The offender made positive changes and did seasonal work for the victim.

## 14) A Letter From a Young Person

From: Calgary Community Conferencing #206, 8989 Macleod Trail South, Calgary, Alberta CANADA T2H 0M2 www.calgarycommunityconferencing.com Doug Borch, (403) 974-1963, dborch@gov.calgary.ab.ca	Source/info: October 2001 Newsletter Category: Victim-Offender
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A young person and his friend decided to break into a neighbor's home. They took valuable items, which included a watch that had belonged to the homeowner's grandmother and a coin collection.

Both young people were arrested for the incident and one young person was referred to community conferencing. Since this incident the homeowner's 5 year old son found it increasingly difficult to feel safe at home and had a hard time sleeping at night. He was afraid that the same people who broke into their house would break in again.

At the community conference the young person heard the impact his actions had on this family. Many of the items stolen had sentimental value to the family, which increased their sense of personal violation. The young person then had a chance to think about the impact of his behavior on the others. He developed a proposal during some private time which included: Buying the 5 year old a night-light, writing a letter of apology and contributing money towards the missing coin collection.

The following is the apology letter written by the young person.

*"I know that saying sorry will not bring back any of the items that were taken from your home, nor will it help your 5 year old son get to sleep at night without having to make sure that the doors are locked. Nor will it repair your broken marriage, and it definitely won't make your daughter feel any different about me, but I can't go back in time and undo what was done, because believe me I would. I'm sorry that I did not think about the consequences of my actions, I'm sorry that I did not think about the extent of the hurt that would come to you and your family because of my actions. I cannot tell you in words how much it saddens me to know that a 5 year old boy cannot sleep at night because of what I did, but I hope that the night-light that I gave him makes a difference, even if it's only a little one. I only wish that I would've known the hurt that I caused before I did what I did. I never, ever, would have done it. In closing I only ask that you somehow can find it in your heart to forgive me for my actions and for the pain that I caused you and your family."*

## 15) Reflections of an Observer to a Community Conference

From: Calgary Community Conferencing #206, 8989 Macleod Trail South Calgary, Alberta CANADA T2H 0M2 www.calgarycommunityconferencing.com Doug Borch, (403) 974-1963, dborch@gov.calgary.ab.ca	Author: Chris Meaden, Student Services Specialist Source/info: June 2001 Newsletter Category: Victim-Offender/Community Conference
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I was reminded of the theme of an African story when I observed a recent Community Conference - it takes a village to raise a child. Thirteen people - parents, school leaders, facilitators - supported four young men as they considered their roles in a recent incident. Some of these individuals had worked together in the past through both school and community endeavors such as soccer and Scouts. Now, circumstances had brought them together again, the context much different.

They entered the room, separately, quietly finding a place in the circle. I sat apart from the group, ready to analyze the proceedings as an educator - to learn from skilled facilitators, study an alternative to traditional discipline, discover more about a process, which could be used to teach empathy and problem solving in schools. I was not disappointed. The facilitators had visited each of the boys and the families in preparation for the conference; throughout the afternoon they used questions to provoke thought and give direction. They ensured that individuals had an opportunity to discuss the circumstances and the emotions around the event in question. In many school discipline situations, we, as adults, determine the consequences of a student's actions.

During the Community Conference, the adults had an opportunity to model and teach problem solving but in the end, each of the boys determined his own action plan for the future. When one boy offered to replace damaged items, adults and adolescents in the group offered suggestions about how this money could be used to make a positive impact in the school community. As an observer, however, I could not simply analyze, separate my mind and my heart. I felt the beginning tension, the anger, the fear and the confusion. As the afternoon progressed, this tension dissipated. A boy spoke of his desire to become a positive leader. A father walked across the

circle and shared his wish for a fresh start as he shook the hand of a boy who had harassed his son. Community Conferencing is restorative justice that reflects both responsibility and caring. That afternoon, I felt a sense of hope. I had watched a village work together to raise its children.

## 16) A Supportive Letter to a Young Person

From: Calgary Community Conferencing #206, 8989 Macleod Trail South Calgary, Alberta CANADA T2H 0M2 www.calgarycommunityconferencing.com Doug Borch, (403) 974-1963, dborch@gov.calgary.ab.ca	Author: Doug Borch Source/info: June 2001 Newsletter Category: Victim-Offender/Community Conference
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This letter was written sometime after a victim, whose vehicle was stolen and damaged by a fifteen year old young person, chose to meet him in a Community Conference.

I am sorry I was unable to be in court for your sentencing as I was working that day. I was informed that it went very well for you. Your choices to do the conference and how you "were" in the conference paid off. Now you have another big choice to make- how to "be" and how to "use" the three months you were sentenced.

I am aware that you are almost finished with my box. I received your instructions on how to protect my car in the package. Thank you for that. I have decided what I want the box to hold- my dreams and your dreams. Do you remember what you told me you wanted for your future?- to be a carpenter, have a home and family.

I want you to write that and put it in the box. My dream is to do a special course in complementary healing and meditation. When I finish the course I will be able to teach it. It will be something I can do when I can no longer handle the very hard physical demands and stresses of nursing. This course is very expensive and I have to go to the States to take it several times. I am going to have to work very hard to afford it. Every year we can visit the box and see how close we are to our dreams. The hard part is that very few people are able to leap to their dreams. Mostly it is hard work and small steps forward - and sometimes steps backwards.

You are lucky, in that you know your talent and what you like to do - "carpentry". Think of the steps you have to take to get really good as a carpenter and to be successful at it. As much as you don't like school the first step is completing your High School Diploma. While you are working on that try to find a carpenter to work with and learn from. (It doesn't matter what he pays you. What you will learn is most important) Next can be a course at SAIT or something like that. By the time you are the same age as the individual who stole the car with you; you could be very close to accomplishing your dream.

It's not easy. But if you know where you want to go, that will help you to make the right choices to get there. You won't always make the right choices. You do know how it feels when you have made a "right" choice. You described it when you have a job and were working hard to help your mother. You felt it when you chose to do the Community Conference. The right choice is always a good feeling when it is happening, and whenever you think about it. Bad choices bring us consequences we don't want - we have to take responsibility for that and learn to make better

choices. You are always able to change yourself (not other people). Whenever you have to make a choice NOW (to be angry, to fight, to how you think others expect you to be) I want you to hear my voice in your ear saying: "Is this choice going to put you towards your dreams or the other way?...towards trouble or even maybe back to jail?" This goes for choosing to study or not study, obey the rules or not obey the rules. You have so much potential and you deserve to be the best you can be.

My choice to meet you in the conference paid off big for me. My seeing my own brother again through you, when you described yourself, made me contact my three brothers and the response has been wonderful. We are getting together the May long weekend. We rarely talked about our traumatic childhood, but even over the phone things are starting to pour out. I think it will be a very healing weekend for all of us. I am so happy for that because my one brother is very ill and we may not all be together again. I will think of you on that weekend.

All the best to you. I am looking forward to receiving my box.

## 17) An Interview with a Student Participant

From: Calgary Community Conferencing #206, 8989 Macleod Trail South, Calgary, Alberta CANADA T2H 0M2 www.calgarycommunityconferencing.com Doug Borch, (403) 974-1963, dborch@gov.calgary.ab.ca	Author: interviewed by Tami Wyld and Darrel Heidebrecht Source/info: June 2001 Newsletter Category: Victim-Offender/Community Conference
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The following is an interview with a high school student who participated in a Community Conference. She was involved in a fight outside her school and was suspended for the remainder of the semester. She represents how young people can learn from their mistakes, get back on track, and be successful. Community Conferencing appreciates her willingness to include her interview as part of this newsletter. We wish her much success in the future.

### *1. What do you remember your first thoughts were about Community Conferencing?*

Initially, I thought the conference would be a quick and easy way to get out of trouble. I have had experience with peer mediation and so I thought my understanding of the process would make it easier to be a participant. I soon learned that it took a lot of time and effort and was surprised that I had something to learn through the experience.

### *2. Why was it important for you to be a part of the conference?*

I wanted to get everything out in the open because all of the rumors going around the school didn't make sense. I didn't want to be known as "the girl who got kicked out" and wanted to regain respect in the school. I wanted to restore my reputation for when I returned as a student after my time away. At the time other students were very curious about the process and had a lot of questions about the experience. However, it was a shock to come back to school and not be supported by my fellow students. Others began to make inaccurate conclusions about my absence, but my choice to stay away was to take the time necessary to figure out my life and get things back on

track. I did receive support from all the teachers in the school which helped me to complete my courses at home and to graduate.

*3. How significant was your adult supporter in the process?*

She was a big support for me in many ways, especially as I faced challenges in my personal life. She was there to listen.

*4. You spoke about your experience at two recent events, what was that like?*

Speaking at both events was a great opportunity to share about how I learned to deal with problems differently. I had previously been Class President up until the incident which resulted in the community conference, and I speaking at these events made me feel like a leader again. Sharing my story felt a lot more meaningful, than just talking as a school representative. I will never forget the experience of being interviewed for the A-Channel, while at Master's Academy for a conference on Bullying.

*5. In looking back, how did the CCC change things for you? In what ways?*

Being involved in a Community Conference helped me to open my mind to the experience. I went in thinking that because I was familiar with mediation that I wouldn't learn anything, however I discovered the experience is more difficult as a participant and that I had much to learn. Now when I'm involved in arguments I find myself listening a lot more. I realize the importance of having the right people present which made it possible for things to work out. I think the other student felt confident and safe back in the school. I am also communicating a lot better with my family.

I have told this story "1000 times" and it will remain a pivotal point in my life. I have worked very hard to get my life back on track again. I work full time, am living at home again, and just attended my high school graduation.

*6. What plans do you have for the future?*

I plan to save up for a car and then attend SAIT.

## 18) "The Experience was Worth It! " by Cheryl

From: Calgary Community Conferencing #206, 8989 Macleod Trail South, Calgary, Alberta CANADA T2H 0M2 www.calgarycommunityconferencing.com Doug Borch, (403) 974-1963, dborch@gov.calgary.ab.ca	Source/info: January 2001 Newsletter Category: Victim-Offender/Community Conference
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Last January we were the victims of a break and enter that truly turned my world upside down. We have just flown in from spending a wonderful family New Years' in Hawaii and nothing could dampen our spirits. Both of our daughters were so excited about school in the morning and catching up with their friends.

Driving up we noticed a light on that should not have been. The garage door opened and we saw that our second vehicle was gone! Trying not to touch anything we walked from room to room together, amazed at the mess and the total disregard someone had shown for our prized possessions. We all had the awful feeling that it was somebody who knew us by the items taken and actually hoped that it was when we discovered missing photos of our oldest daughter off of her bedroom wall. The microwave was beeping and the food inside was still warm— that discovery was frightening for the kids and we later found out that we had just missed our intruders by 15 or 20 minutes.

We spent the night cleaning up broken glass after the police left. They too, thought it must have been someone who knew us and stated this type of crime was usually solved by peers. Kids love to brag was the theory here. I concluded we would never find out because not only would it take some bragging, but also it meant telling a parent or teacher before we could ever get to the bottom of this crime. That made me angry all over again not to mention helpless.

That night I got sick! It wasn't your routine flu that lasts for a few days, no this was the one that lasted over 30! It included two trips to the hospital for IV's and scans for a brain tumor. My doctor kept telling me it was the stress of the break-in, and I, who was tough as nails, really found that hard to believe.

As it turned out the police were right about peers being the ones to solve our break and enter. A couple of teens who were erroneously being blamed ended up being the first to go to the school officer and inform him about what they heard. The Constable then in short order got to the bottom of everything—charges were laid and we in turn thought that that was the end of everything.

A short time later we received a letter asking if we would be interested in participating in a program that would bring us face to face with one of the young persons involved in the crime. This letter was discussed over the dinner table and all family members had differing opinions. By this time we knew it was a classmate of our oldest daughter Erin, and also we were not the only family hit over the holidays. I was still so angry that I immediately wanted to tell this young person what I thought of him. My husband stated he had little faith in such a program— it was a waste of time because the criminal would only be participating to score brownie points with the judge.

Our daughter wanted to confront the YP— they had known each other for years and she could not understand how he could have done this. She was also bothered by the fact that he would sneer at her at school and constantly made references of what he had done to us in front of she and her peers. My youngest daughter wanted nothing to do with the program. Her fear and the thought of attending the same school the next year actually kept her up at night. (By this point we had installed a security system to help our family feel safe again)

Our first meeting with the facilitators came as quite a shock. I fully expected a pair of bleeding hearts to come into my home and explain why we should forgive this awful person. Instead we met with two no nonsense individuals who believed that Simon needed to hear the impact of everything he had done to us that night. We were to hold nothing back about his little thrill-seeking episode. They also told us about the success rate of this type of program and that perhaps it

might even help me to get over my anger. Both points I highly doubted, but my oldest daughter and I said that we would give it a try. My husband and younger daughter still felt that it was fruitless and did not want to waste their time.

So it came down to a Sunday afternoon in June that we and another fellow victim were going to meet the YP face to face. Both my daughter and I discussed staying home that day— my husband kept saying how he was afraid that I would get sick all over again and that none of this was really worth it. I don't know what I expected now in looking back— the YP had always been so arrogant and had never shown any remorse over what he had done.

The YP had to explain what he had done, virtually step by step. The YP's father and best friend were present and you could tell it was difficult for them to hear those details. It didn't sound quite so "cool" now with his father and friend hanging on every word. The facilitator covered every detail – what prices the pawnshops paid for items sold, why various acts of vandalism were committed and what he was thinking every step of the way. When it came time for us to speak I was finally able to tell him exactly what I thought of him and boy did that feel good. (At one point he questioned my involvement in the program if I thought he was unredeemable) I told him that this was the only format that would allow me to express my thoughts to him – I certainly couldn't show up at his home or to the school, but here I felt I could say anything without the fear of retaliation. I was so proud of my daughter as she spoke. She told the YP how hurt and angry she had been and then about her being fearful for my health. When she told him how scared her sister was of him now, he actually seemed shocked. Slowly we could see that something was clicking with him. Part of the process includes the criminal offering suggestions on what he planned to do to make right this terrible wrong. My daughter and I enjoyed this part of the program because the YP's suggestions showed he had actually put some effort into fulfilling the list he gave us.

My story seems to be on its way to a happy ending as far as this YP goes. This young man has lived up to all his promises so far. He does not sneer or taunt my children. My younger daughter says he has made a conscious effort to stay out of her way and she now feels safe. This program in my mind saved Simon and put him back onto the right path. He now plans to go to university and from what we have heard has far exceeded his time in paying back the community. He has put his volleyball skills to good use by participating in fundraisers for the brain injured. He no longer associates with the other two involved with our break and enter (both of whom have since quit school and are still not walking the "straight and narrow"). The YP did his best to help police nail the two others, but for some unknown reason they have never been charged.

I never would have believed the effect that this program could have had when I first walked into that hall meeting. Looking back the concept almost seemed too simple. To tell someone how his actions had affected us doesn't sound like it could be a life altering experience, but let me tell you that I saw first hand that it truly was.

## 19) Boy Karate Kicks Man in Chest

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Source/info: summarized from Marshall and Merry 1990: 55-7 Category: Victim-Offender
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A 13-year-old boy was arrested for a disturbing act of violence: he had delivered a karate kick to 'Mr Robertson', a disabled man who suffered from heart trouble. Mr Robertson knew 'Dan', the boy concerned, who had teased his daughter, also aged 13, and spread a rumour that she was having sex with her father. Mr Robertson spoke to him about this, telling him that it was dangerous to spread such rumours; a few days later, they met in the street, and Dan kicked him in the chest.

Mr Robertson, Dan and Dan's mother were willing to take part in mediation. The mediator explained that Dan's mother was only present because of his young age, and Dan himself should do the talking. Dan said that he was only repeating a rumour that he had heard from others, and that he and his friends had been sniffing glue; Mr Robertson explained what a trauma would have been caused to his family if Social Services had followed up such an accusation. Dan admitted that he had not thought about that; he also described how he had been worried about Mr Robertson, because he had a grandparent and an uncle who had both died of heart attacks.

Mr Robertson said that he thought Dan had been very brave to come to the meeting and talk as he had done; he seemed basically a 'decent chap' and should come and knock on his door next time he felt like sniffing glue. Dan said he had been frightened of the meeting, but was glad he had gone through with it; he was surprised that Mr Robertson had been so understanding, and not angry.

Dan received a formal caution, and reported that recently, when asked to join a glue-sniffing session, he told his friends that he had arranged to go elsewhere, and had visited Mr Robertson.

## 20) Driver of Stolen Cars Hits Girl

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Category: Victim-Offender
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Tom, aged 18, with no driving licence, was driving a stolen car and knocked down a six-year-old girl, Sally. She was in intensive care and for a short time her life was in danger, but she recovered; however, she suffered from nightmares and a phobia about being in the bath, because it made her think of being underneath the car.

Tom, who came from a difficult background, was sentenced to four months in a young offenders institution, and a mediation worker visited him there. He was willing to apologize, though not enthusiastic. The worker then visited Sally and her parents, who at first were distressed and did not want to listen, but became interested, and although the mother did not want to meet Tom, the father and Sally agreed to do so. There had been a suggestion that he might offer her a teddy bear as a present, and the parents agreed that this would be appropriate.

Tom was terrified before the meeting, but made his apology (in very few words) and offered the teddy bear. Sally left her father, walked across to take it, and gave Tom a hug. He was very moved by this, and so were the mediators. The father asked to speak to him alone; the mediators said that they must be present. He described his feelings when he was called from his work to the hospital, and how he was so angry that he might have killed Tom if he had met him then. But he recognized that Tom had been brave in coming to the meeting, and said that it had helped him to get over his anger. Sally had no more nightmares, and was able to bathe without being afraid.

Tom felt pleased at having taken part. But he was later arrested for stealing another car.

## 21) Right-Wing Group Attacked

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Source/info: Projekt Handschlag (1998) Jahresbericht 1998. Projekt Handschlag, Kaiserstrasse 61, 72764 Reut- lingen, Germany Category: Victim-Offender
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Members of a right-wing youth group were having a barbecue, drinking and playing right-wing songs, when they were attacked with baseball bat and starter pistols by a group whose parents came from Croatia, Somalia, Turkey and Germany. The result: seven people injured, two needing outpatient treatment; a cassette player smashed, and a flag burnt.

The accused admitted the acts, but showed little remorse, because they thought the other group 'needed to be taught a lesson'. Nevertheless the prosecutor referred the case to the victim/offender mediation service.

At the first interview with the accused, they saw themselves more as victims than offenders; they had 'done what they had to do', but it had gone a bit wrong. However, they agreed to mediation.

Of the seven injured youths, only four wanted to take part; they saw themselves as martyrs, being also rejected by the community, and this confirmed their right-wing attitudes. But in the preparatory meetings, which form part of the victim/offender mediation process, they were treated as the victims, and their injuries were taken seriously, so they no longer felt that everyone was against them. As members of the community they felt entitled to claim compensation, which was assessed at the equivalent of about £1700; it was agreed that the multi-party mediation would take place when the offenders had paid part of this, to show that they were serious about the meeting.

The accused were reluctant to agree; but the substantial compensation made them understand the seriousness of what they had done. So some installments were paid, and three months later a meeting took place. At first the atmosphere was very tense, but as they went over the incident, they realized that both groups had behaved in much the same way. Both had been drinking and hurling insults. In this atmosphere a rumor started that the right-wing group was going to attack the others, who therefore attacked first. When they all saw this, the chasm between them shrank a little. The attackers had paid about a third of the compensation, so it was agreed how the remainder would be paid, and the two groups left almost amicably. The one was relieved at avoiding a court appearance, and the other felt that their injuries had been acknowledged. Later contacts with both groups showed that they had behaved correctly since the meeting.

## 22) Teenager Grabs Woman's Handbag

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Category: Victim-Offender
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A teenager was caught grabbing a woman's handbag outside an underground station late at night. He and his victim were willing to meet, with a youth worker; his mother and the victim's husband also came. He admitted the offence, and explained that he wanted money to take part in a big celebration; he apologized both to the victim and to his mother for the distress he had caused them. He was doing well at school, and was afraid that this incident would harm his prospects. The victim said she was not concerned about the money, but she wanted him to do some community service for people less fortunate than himself, to make him realize how lucky he was.

It was arranged that he would work for a project which helped disabled children to learn to ride; he would avoid certain young people with whom he had been associating; and that his school would allow him to stay and complete his examinations.

## 23) Woman Threatened at Work With Knife

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Source/info: Much shortened, from Church Council on Justice and Corrections (1996: VII - IX) Category: Victim-Offender
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A young robber threatened a woman with a knife when working in a convenience store. She was extremely traumatized, suffered nightmares, and her health deteriorated, but her family and friends were impatient with her, and colleagues even teased her because during the attack she had wet herself with fright. She was not invited to submit a victim impact statement because she was not identified as the victim - the store was. She wanted to be included in the process, and was terrified that the young man would come back to get her as he had threatened. She needed answers to the questions that had haunted her. The young man was sentenced to five years' imprisonment, and when his parole hearing came up she traveled for four hours to attend it, but was not allowed to speak to him. Finally she was able to contact a victim/ offender mediation service, which arranged a meeting. The young man had no idea of the effect on his victim, and explained that all robbers say things like that, but don't mean them. She told him that she forgave him and wished him well in the future. Since that meeting she has had no nightmares. Staff feels that it was a maturing experience for him, and there is a much better chance that he will respond to rehabilitative treatment.

## 24) Victim of Assault Wants Offender to Get Help

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Category: Victim-Offender
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The victim of an assault said he did not want to meet the offender, but knew that the latter's aggressive behavior was due to alcohol problems and the break-up of a relationship. What the

victim wanted was to know that the offender was receiving and accepting help with those difficulties.

## 25) Teenagers Tease Smaller Children

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Category: Victim-Offender
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Teenagers had been roughly teasing smaller children who were playing in the street, and this made them frightened and upset. The parents of the younger children wanted the teenagers to understand what the experience had been like for the victims; it was arranged that they would help with a play project for young children in the summer holidays. They did this, and the play project organizer praised their work warmly.

## 26) Burglar Wants to Apologize to Victims

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Category: Victim-Offender
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A burglar wanted to apologize to his victims, the couple whose house he had burgled, who agreed that he could write to them from prison (he was serving a three-year sentence). He wrote and said that he had been trying to imagine how they felt when they discovered the burglary; he had done it because he needed money for drugs. Like many offenders, he came from a disturbed background. They wrote back, and said they were willing to meet him face-to-face. He said afterwards that he nearly didn't go through with it because he was so ashamed; their letters had been so kind, and showed that they were thinking about him. At the meeting he said that he would go to a drug rehabilitation center, and would find new friends. They asked what he would do if he met his old friends again; he said 'I wouldn't go back with them, because I would be thinking about you, and wouldn't want to let you down'.

## 27) Break-In at Special Needs School

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Category: Victim-Offender
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A young man broke into a school for children with special needs, looking for things he could sell so that he could buy drugs. As he broke a window and climbed over a table, he broke some models made by the children - which had been difficult for them, because of their disabilities. When he was told about the effect on the children, he was very sorry, and himself spent a long time making some models to replace the ones he had broken.

## 28) Robber Takes Money from 81-Year-Old Woman

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Source/info: Summarized from information supplied by Sheffield, England, Victim/Offender Mediation Project, and its Annual Report 1996-97 Category: Victim-Offender
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Lillian is an 81-year-old lady living alone. A robber broke into her house while she was there and stole £17; she struggled to hold onto it, and several of her fingernails were broken. The incident was especially upsetting for her because there had been a similar incident two years previously, shortly after the death of her husband, in which a larger amount of money was stolen.

She contacted the victim/offender mediation service herself after reading about it in the local newspaper, and after being informed by the police that a 22-year-old suspect had been arrested. She wanted to meet him face-to-face to tell him that she was both angry and hurt; she said that meeting him would 'put many ghosts to rest'. A meeting was arranged in the prison where he was held, at which she also told him that the two incidents had made her a prisoner in her own home - she daren't leave doors or windows open. He apologized and said that he had been on drugs; also his mother had tried to help him and he had thrown this back in her face, and he now regretted the hurt he had caused her. He had no money with which to repay Lillian, but she suggested that he should undertake treatment for his drug addiction, and he agreed to this. He was later sentenced to three years' imprisonment; we have no information as to whether drug treatment was available for him in prison, but we have heard that he does some charity work from prison. He said afterwards that the experience had made him look at his life and where he wants to go; Lillian expressed sympathy for the position of offenders generally and thought that unemployment and lack of opportunity may contribute to their behavior.

## 29) Boy Arranges Robbery at Work

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Source/info: Case history from Carolyn McLeod, Coordinator, Community Justice Program, Washington County Court Services, Stillwater, Minnesota, USA Category: Victim-Offender
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Peter was a 16-year-old schoolboy. He had a part-time job after school, and was trusted to count the money received in the business and take it to the bank. One day he was found tied up, lying on the floor; the till was open and the money gone. He said that a gang of four or five boys had come into the store, tied him up, and taken the money. But when he was questioned he changed his story; no one else remembered seeing four or five boys enter the store at that time, and no one else's fingerprints were found on the till. Eventually he confessed that the 'robbery' was arranged by him and a 17-year-old friend, Sam. He handed back the money he still had. The court placed him on probation, and referred the case for assessment to see if victim/offender conferencing was appropriate (Did the victim wish to meet him? Was he willing to meet her? Were they both mentally and emotionally capable of taking part in the process?).

The victim wanted to talk to Peter, because several questions were still unanswered. Peter's parents agreed to the meeting, but Sam's did not. A conference was held with the victim, Peter and his parents, and two mediators. The victim told her story, and Peter told more details of the robbery than he had done before. He had brought money from his savings to pay the remainder of his half of

the money stolen, and said that if Sam didn't pay the other half, he would pay that as well. Peter agreed that he should do something more than hand back the money, because of the worry and betrayal experienced by the victim; she suggested that he should do a cleaning task that would take 16 hours. At this point Peter's father asked if he could speak; he thought that 16 hours was not enough, and 40 would be more appropriate to the seriousness of the offence. After some discussion Peter agreed to do the extra work, for the local community.

The victim was pleased with the outcome. Peter said he felt better now it was over, and three years later has not re-offended - but Sam has.

### 30) Burglary Offender with Drug Problem

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Source/info: Sheffield Victim/Offender Mediation Project (1997) Annual Report 1996-97. SV/OMP, 342 Glossop Road, Sheffield S 10 2 HW. Category: Victim-Offender
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‘Paul’ started experimenting with drugs when he was fifteen, and progressed to cannabis, LSD, Ecstasy, heroin and cocaine. He served several prison sentences for burglaries, and went through detoxification, rehabilitation programs and methadone prescriptions. He suffered powerful withdrawal symptoms. The victim of one house burglary asked the victim/offender mediation service if he could meet Paul. Through this Paul learnt about the upset he had caused the victim and his family, and began to think about the effects of his actions on other people as well as himself. One of the mediators wrote afterwards: “It was quite a solemn moment when Robert and Paul sat down around the table. Robert spoke first and as he was telling Paul about the effects of the burglary on himself and his family, the atmosphere in the room seemed to change. I felt touched to feel a relationship being formed between these two people. Usually I am cynical but something really did happen on that day. Robert expressed the hope that Paul would get off drugs and stop burgling. Paul promised Robert in their agreement that he would attend a rehabilitation unit for his heroin addiction. Afterwards he wrote to say how glad he was that he had taken part in mediation.”

### 31) Youth Damages Lorry

From: Martin Wright m-w@dircon.co.uk Home 0044 (0) 20 8671 8037 Work +44 (0)20 8671 8037	Author: Martin Wright Source/info: November 17, 2002 Category: Victim-Offender
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A young boy, ‘Tom’, had been convicted of damaging a lorry. When he was visited, it was apparent that he came from a disorganized family, but a youth worker visited him, and discussed the effects of crime on victims and ways in which he might make reparation. The victim, ‘Mr Roberts’, was then visited, and he explained the specific effects on him; on a further visit, this was described to the young person, who had admitted breaking into the lorry.

When Mr Roberts was asked whether he would accept an apology, at first he was very angry, and said he wanted to chop the offender’s hands off. This raised doubts about whether the case was suitable for mediation; but such initial reactions are not unusual, and after he had told the worker more about the background, it was decided to go ahead.

Mr Roberts was the manager of an engineering factory, and was very tired of having to get up in the middle of the night to call the police and deal with the damage caused by burglars and vandals. With three very young children, he and his wife did not get as much rest and relaxation as they needed. He was also concerned that if the youth had released the brake of the lorry, or tried to drive it out into the road, either the youth or other people might have been killed. He wanted to meet Tom face to face and tell him how he felt.

When Tom was told about the effects of his actions on Mr Roberts, he was willing to meet him, accept responsibility for what he had done, and apologize. Both were prepared separately for the meeting, and told about the mediation process and its rules. When they met, there was little for the mediators to do: the exchange of views went very well, ending with Mr Roberts calling Tom 'son', offering him a handshake, then putting an arm round his shoulder and wishing him well for the future. Tom was surprised that he had been treated fairly, reasonably and respectfully by Mr Roberts.

When a check was made some months later Tom had not offended again, although he had been considered a high risk.

### 32) Boy Threatens to Slit Teacher's Throat

From: Gary Balgemann, Victim Assistance Coordinator. garybalgemann@yahoo.com Probation Department VOC diversion program	Category: Victim-Offender
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A boy in seventh grade made angry comments to friends about slitting his teacher's throat and doing harm to others in school (because he was angry with the teacher who offered him a chance to redo an assignment, but reduced the grade from an A to a B because it was late). His comments were reported and alarmed staff and students, resulting in his expulsion. At one of three conferences, the teacher (who enjoyed him and thought they had a good working relationship) and her husband shared how surprised and frightened they had been. The husband, powerless to protect his wife at her job, shared the flashback he had to his school days when he was threatened and beaten up on his way to or from school in a tough neighborhood and felt helpless to protect himself. In addition to the school's requirement that the boy be involved in counseling during the school year, the couple asked the boy to help others who have been hurt by working in his church's family shelter program. The teacher asked first, however, that he read the following story:

*There was a young boy who got angry very easily and very often. One day his father told him that every time he got angry he was to pound a nail into their fence. The boy began to pound nail after nail. After some time he began to tire of the pounding and began to be angry less often. The day came when he didn't get angry and didn't pound a nail. He went to his father and excitedly proclaimed his success. His father then told him, then, to begin removing one nail a day on each day that he controlled his anger. The boy started pulling out the nails one by one. When the day came that all the nails were gone, the boy called his father to see that he had again succeeded. His father was proud, but asked him to look at the fence. "Do you see the holes that have been left by your pounding and pulling?"*

*his father asked. "Yes," the boy replied. "Remember, son, that your anger has caused them, and that words spoken in anger wound like a knife. Even if a knife wound heals, it leaves a scar."*

I don't know if this would be of interest, but it eventuated in the boy's reintegration into the school and eventual graduation to high school. It has been two years since the conferences and he has not become further involved in the juvenile justice system.

### 33) Steak Thrown in Face

From: RESPECT Victim Offender Mediation Program Seventh Circuit Juvenile Court Services 351 E. Kansas Street, Liberty, MO 64068 Kathleen Bird, Director, Office of Dispute Resolution Services, (816) 792-7681	Category: Victim-Offender
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Ted and Alice (fictitious names) agreed to mediate their dispute about restitution in a juvenile matter. Ted had been adjudicated for assault on Alice. The Juvenile Court found that Ted had burned Alice's face when he flung a grilled steak at her during a confrontation about service at the restaurant where he had a summer job. Alice had testified at the adjudication hearing and wanted to be paid for her time off work. The juvenile officer making the referral to mediation reported that Alice was very angry and did not feel that the Juvenile Court has extracted a "pound of flesh" from Ted. After screening and separate conferences with each person, a joint session proceeded.

Alice stridently made her opening statement first. She relayed how she had separated from her husband earlier in the year, struggled to make ends meet, and then gone to this restaurant with her two children for their first meal out after she got back on her feet. She was dissatisfied with how her steak was cooked and sent it back twice. The second time she took it to the counter. Ted cursed at her. This upset her greatly since her husband's abusive language was one of the reasons she separated from him. She was disappointed that her children had to hear that language from Ted as well. Alice stated that she works a job that pays by the hour. When she was subpoenaed to testify, she lost four hours of pay. This created a monetary hardship for her household.

Ted, quite and cowed, spoke next. He stated that he had worked 13 hours that day because one of the cooks did not report to work, and his supervisor had left earlier in the day. He was scurrying around to fill orders as best he could. Ted admitted that he acted inappropriately when Alice complained about her steak (it cost him his job), but that he also reacted to some colorful language that Alice used. As a result of losing his job, he could not make payments on his car and lost his car. His girlfriend then dropped him because he did not have wheels. He also discussed the terms of his probation from the Juvenile Court with Alice. A change in the demeanor of Alice and Ted occurred during this sharing of information. Alice relaxed and become more conversational, engaging Ted person to person. Ted grew more assertive, remaining respectful, and able to make eye contact.

The exchange of consequences each experienced from the event impacted the discussion of restitution. Alice was prepared to forget about the loss of income upon receipt of Ted's apology. Ted seemed content that this would be the extent of his penance. The mediator, however, engaged

them in reality testing about the proposal. Both Ted and Alice admitted that the loss of half a day's pay would have consequences for Alice's children. Alice realized that this gesture was expensive for her. Ted recognized that the gesture was too expensive for her children. Ted somewhat grudgingly agreed to pay Alice for her lost wages by a certain date. A few weeks later, Ted sent a check to the mediator to pass on to Alice. The check was for the full amount of Alice's lost wages plus an additional amount Ted included at his own to go the Alice's children for another meal out with their mother.

### 34) Business Vandalized

From: Shoshi Goldfus Victim Offender Conferencing of Montgomery County 26 W. Main Street, Norristown, PA 19401 610 277 9320 (ph) 610 2775126 (fax)	Category: Victim-Offender
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John, a struggling high school student, vandalized a small business. Both John and the business owner, Mr. Smith, agreed to participate in the Victim Offender Conferencing program of Montgomery County. At their meeting, John told his story to Mr. Smith and Mr. Smith explained the impact that John's vandalism had on him and his business. Together, Mr. Smith and John decided that the appropriate restitution for this crime would be for John to work at Mr. Smith's business until he had put in enough hours to pay for repairing the damage he had caused. Mr. Smith was so impressed with John's work in the ensuing weeks that he offered John a paid part-time job once his restitution was over. John has not been in trouble with the law since then and has learned a new skill. Mr. Smith feels that by participating in the program, he has both contributed to the community and received the repayment that he needed.

### 35) Fist Fight Between Neighbors

From: Tracy Gould Community Mediation Center Post Office Box 5942, Columbia, SC 29250 (803) 714-1176, mediation@mindspring.com	Category: Community Mediation
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Two neighbors got into a fight. Both were injured and one was charged with disorderly conduct. The Municipal Judge referred them to mediation. While waiting for the session to start, they began talking and realized that they knew each other and their families. Once in the mediation, they apologized immediately, asked for forgiveness and vowed that the next time a misunderstanding occurs they talk to each other directly before reacting in anger.

### 36) Neighbors Disagree About Yards

From: Tracy Gould Community Mediation Center Post Office Box 5942, Columbia, SC 29250 (803) 714-1176, mediation@mindspring.com	Category: Neighbor/Neighbor (community mediation)
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Two neighbors who had known each other for fifteen years although recently were they both growing angry with the other. One was mad because the other didn't keep his yard up and the other was mad because the first let his cat use his yard as a litter box. Animal Control was called the trust level between the two diminished drastically as the anger level increased. They were

referred to mediation where they were able to express their concerns in a safe environment and they were able to understand the other's position. Apologies were exchanged and a pact was made to keep the communication lines open.

### 37) Employer Withholds Paycheck

From: Tracy Gould Community Mediation Center Post Office Box 5942, Columbia, SC 29250 (803) 714-1176, mediation@mindspring.com	Category: Employer/Employee (community mediation)
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A school employee called the CMC because her employer had withheld her paycheck without an explanation or a warning. The employer told CMC staff that he had overpaid her and he withheld her next paycheck to correct the mistake. He offered to go talk to her about it and explain what happened. After their discussion, the employee was satisfied with the explanation and said that what upset her the most was not knowing what was going on. With the conciliation efforts of the CMC staff, they were able to discuss this matter and resolve it between the two of them.

### 38) Barking Dog

From: Trip Barthel trip9@ix.netcom.com	Category: Community Mediation
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Several years ago I was asked by a homeowners association to help resolve a dispute over a barking dog. Unfortunately there is no shortage of barking dog disputes but this one had some interesting differences that I'd like share. I think mediation is more about asking the right question at the right time than almost any other skill.

We had about 12 people show up for the mediation and I had the chairs arranged in a semi circle. I didn't know who owned the offending dog so everyone was given equal status.

I began by asking everyone to come to the flip chart and show where they live on a hand drawn map and tell how long they had lived there. I think we can use more than words on flip charts. Then I asked everyone to tell me about their dog and I found out that everyone owned a dog and each of them wanted to share. Next I asked what was acceptable behavior for a dog in this neighborhood. Some said that they were okay in the front yard and on the street, and others said in the house or back yard only. This helped us develop a dog code of behavior.

Finally I said what should be done about dogs who can't live within those guidelines. We ended up with the best list of about 20 options, including having a radio play, installing a dog door, socializing with other dogs, doggie valium and doggie day care. We placed the list in low cost to high cost order and there was agreement that they would be tried in that order. Because the whole group openly participated in a spirit of helping and without accusation, we were able to build the neighborhood relationships and resolve the issue.

After the mediation, the homeowner association representative did say that the offending owner was scared to be there although even by the end of the mediation I never found out who that person was, and by that time it didn't seem to matter.

## 39) Neighbor Revving Engine

From: Ian Heisey, Mediation Coordinator Bellaire-Puritas Development Corporation 4370 W. 140th Street, Cleveland, OH 44135 216.671.2710	Source/info: July 1999 Category: Neighbor/Neighbor (community Mediation)
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Last summer we began having problems with our neighbor revving his engine while working on it in his driveway. This was not only a noise disturbance but also caused carbon dioxide fumes to enter our home causing breathing problems for me.

At first we did nothing, hoping the problem would stop. After waiting two months, I could no longer take the noise or the smell, so I contacted Councilman Martin Sweeney. He informed what could be done--either the prosecutor's office or mediation. At that time, mediation was not what I wanted because by then my emotions were running high and all I wanted was to press charges against these people.

Soon after, I was contacted by Bellaire-Puritas Development Corporation (BPDC) and I agreed to meet with them to discuss the mediation process. I was very skeptical and believed the prosecutor was the only route we could take, but I agreed to give mediation a try. The day of the mediation came and we met with our neighbor. The tension was thick and I had the feeling the mediation would not work, but I was pleasantly surprised because by the time the mediation was over, we had open communication with our neighbor and we were able to come to an agreement that worked for both of us.

It's been three months since our mediation and our problem has been solved. What's better is that now our neighbor has become our friend. Mediation was the best thing we could have done. If we had gone to the prosecutor, the problem would have gotten worse because our emotions would be tenser, our neighbor would be less likely to come to an agreement, and a friendship would not have come out of the turmoil.

## 40) Skateboarding in the Street

From: Ian Heisey, Mediation Coordinator Bellaire-Puritas Development Corporation 4370 W. 140th Street, Cleveland, OH 44135 216.671.2710	Category: Neighborhood Mediation
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In the summer of 2002 our office received complaints about kids skating boarding in the street and not yielding for cars. The parents adamantly refused to tell their kids to not skateboard in front of their house because they said the local parks were not safe and that this way they were supervised right in front of their house. They event told the police they would continue to let their kids play there. A neighbor who lived down the street was upset that he thought the kids were being disrespectful and not getting out of the way of his truck when he drove by. He felt disrespected by these kids and one day he stopped his truck, picked up the skate ramp and shoved it to the side of the street. The kids were angry and claimed that he destroyed a ramp that they had worked hard to build. The next time the kids saw the older man in the red pick up truck, they flipped him the bird and waited to the last minute to get out of the way.

The man in the truck called the police but they never came out. He was more and more upset, and decided to take a picture of the kids and the ramp because he felt he might need it for evidence because the police were not responding. Well, when he snapped a picture of the kids, the parents heard about it and were livid, suspecting him of being a "pervert." They marched down to his house and yelled threats at him from the front yard. Tension was quickly escalating.

All parties agreed that something needed to change and they were willing to meet. At the day of the mediation, a lot of story telling put things in perspective about how the parties felt. The man in the red truck explained that he wasn't trying to intimidate the kids or ruin their skateboarding, but that he felt disrespected. The kids and parents vented that they felt the man in the truck (whose name they now know) was being reckless. When feelings were shared and more information was given, including an explanation by the man in the truck that he took a picture because he didn't think anyone was believing him, apologies were extended and phone numbers were exchanged. The conflict that was quickly growing was now transformed into new neighbor relationship.

Upon evaluating the mediation weeks later, both parties said the situation had improved and both sides give friendly waves to each other when they see each other on the street.

## 41) Dispute Over Prizes Settled With Indirect Mediation

<p>From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor, Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/</p>	<p>Category: Business Mediation</p>
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A local store did a promotion which was based on survival skills, inspired by shows currently popular on television. The winner would get several fairly expensive home entertainment items. However, the first hurdle was to be selected to compete; chances were given to people who deposited entry blanks at the store for random selection.

Party number one submitted several entries for family members, and was greatly surprised to find two were selected. However, one of those selected could not compete, and the rules allowed a substitution. A substitute was found, and a verbal agreement was reached that stated, in effect, that since it took both the entry [party one] and the substitute [party two] to use the second entry, the parties would share the prizes, although who would get what items was not determined. There was no agreement between number one and the other candidate, the family member.

As luck would have it, the finals came down to the family member and the substitute, and the winner was the substitute, who agreed to eat bugs while the family member declined. However, at this point party number two, the substitute, insisted on all the prizes, stating that missing a day of work and eating bugs earned the right to claim them. Party number one instantly objected to the store making that award, and filed a small claims case. The store did not want to get in the middle and said that the prizes would be awarded to no one until the matter was settled.

In this Ohio community the small claims court refers about ninety percent of its cases to the local mediation center in hopes that the disputes can be resolved in that setting. Usually these disputes are resolved in mediation, with the parties offering their perspectives and designing solutions together, at the mediation table. Resolving this dispute, however, was not done through traditional mediation, but rather by using a facilitated process with the mediation center staff acting as a go-between to help collect information and to facilitate a resolution.

When the matter was first discussed it became apparent that neither party was clear about the total value of the prize. The mediation center inquired on their behalf, as a neutral third party, and learned it was \$2,599.00. The manager, anxious to have this problem resolved, offered to cancel the individual items and instead award two prizes, store credits worth \$1,299.50 each, if the parties would agree and sign a paper that they would not pursue the matter in court.

The following is from the community mediation center employee who facilitated the agreement:

I approached both parties with this concept and they agreed. We were able to successfully [reach a resolution to] this case in three days and had a signed agreement. Both parties were ecstatic and could not wait to sign the agreement [and] hurry to the store to claim their prizes. [Company name] was thrilled to have this over quickly and quietly.

## 42) Family Tension

<p>From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor, Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/</p>	<p>Category: Family Mediation</p>
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The family was in a state of high tension, threatening to come apart. Teenagers were feeling that both their contributions and their requests were being ignored. Dad was trying to handle his responsibilities and to make up for some previous parenting mistakes, but was having trouble balancing time, chores, and responding to requests. Mom, the major wage earner, felt stressed and under-appreciated. Doors had been slammed hard enough to break glass. Although there was no violence toward any person, the police had been called once when things got very hot.

The parents spoke to a staff person at one of Ohio's mediation centers. The parents then discussed the possibility of mediation with the teenagers, and all agreed that they loved each other, they didn't want things to get worse, but that without help the next blowup could involve greater emotional hurt than before, making healing that much more difficult. The family chose to try to mediate their way out of this deteriorating situation.

The mediation began with each person sharing their perspectives on the problems, explaining things from their point of view; complaints, concerns, and wishes, each holding the floor for as long as necessary, with the mediator asking appropriate questions and summarizing what was

heard to assure clarity. Since they were able, in a calm setting, to fully explain their point of view, all members of the family were able to really hear and begin to appreciate the others' concerns and frustrations.

Once a verbal mediated agreement that addressed all concerns was reached, it was written in readily understandable terms and signed. One month later the mediator was contacted and told that, although the agreement was working quite well, adjusting to it had brought to light some other relationship problems. In a second, shorter mediation session the same pattern was followed, and the family stated that they felt comfortable with the new agreement and was confident it would work for them.

### 43) Tenant Tension

From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/	Category: Community Mediation
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Sue lives in a multiple-unit apartment for senior citizens. She has worked hard all her life but now lives on a limited income. Mary is another resident of the apartment building, with a similar life situation.

Conflict began when Mary was voted in as the tenant association president. Sue and Mary are both given to strong, freely expressed opinions, and they have different ideas about how the association should operate and what activities it should sponsor. This personality clash between them lead to multiple incidents in front of other residents, some of whom brought the conflicts to the attention of the building manager. Eventually friction between Sue and Mary resulted in a physical altercation. The incident caused the other residents to become even more involved and to declare sides. Shortly afterward Sue lost an item in the laundry room and accused Mary, at which point the building manager gave Mary and Sue an ultimatum to stop being disruptive or face eviction.

This community's mediation center was asked to provide mediation services, and Sue and Mary agreed. At the mediation issues and concerns were identified, with each party given an opportunity to fully express the situation as she saw it and how she felt about it. Sue believed that Mary was not really listening to her concerns or that Mary even cared. Further, Sue was surprised to discover that Mary did listen and take note of Sue's ideas, but felt threatened about Sue's leadership with the tenants; Mary was afraid Sue's strong opinions would make it very difficult for her [Mary] to lead. Sue did not appreciate Mary's lack of respect or acting out when they disagreed. Both parties wanted each to explain the rationale for certain decisions and actions. Both parties came up with solutions to their concerns, and an agreement was reached.

To summarize the agreement: Sue and Mary developed a system to communicate that allowed open expression and sharing, then critical time to process emotions before responding. One simple technique they developed involved using the “T” (sports time out) sign.

The outcome was complete agreement. When both parties were contacted four months post mediation they reported the agreement is still being kept and there has been no additional conflict.

## 44) Empty House Blues

From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/	Category: Community Mediation
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Joan lived next door to a vacant home. The owner of that property, Larry, did not live on the premises nor wished to sell it, and had stated that he was perfectly content with the situation. Joan, on the other hand, was upset with the situation; she did not like the idea of an empty house and the potential for problems such as vandalism and break-ins. In addition, the lawn occasionally got very long and weedy before a contractor would come and mow.

Over the years city inspectors demanded that certain repairs be made to the property. Although Larry complied each time to the city’s satisfaction, Joan was unhappy that she would have to see, next door, a situation such as a broken downspout or overgrown bushes for a month or more before the city would inspect, and several more weeks before the work would be completed. On occasion Joan would contact Larry to report a concern about the property but there was never a conversation, only a brief opportunity to make her concern known.

Eventually the roots of a tree on the property line began to cause damage to Joan’s driveway. Joan was certain the tree belonged to the adjoining property. According to Joan, Larry would not return her calls about this latest concern. Joan contacted the local community mediation center for information about its services.

The mediation center contacted Larry and invited him to consider mediation, but he declined, denying any responsibility for the tree. Information on mediation was mailed to both parties. Eventually Larry contacted the center staff, asking them to become involved. He would not meet with Joan alone but would meet if the center would act as a neutral third party.

In mediation the two parties had the most extensive conversations of their relationship, so that the total process consumed several hours. A variety of concerns were identified and solutions offered. Regarding the tree, Joan received permission to cut it down. She was willing to assume the cost, and was allowed to keep the wood for firewood. In addition, Joan and Larry agreed to procedures for more effective communication in the future.

## 45) Moms' Misunderstanding

From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/	Category: Community Mediation
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Julie and Carole are neighbors who have lived on the same block for six years. It is a neighborhood where the homes are close together, parking is on the street, and everyone knows everybody. Julie and Carole both have school age children who attend the same school, participate together in sports, and play together. Both moms stated that their children had a friendly and supportive relationship prior to the following incident.

Something occurred at school that was not resolved and all the kids came home with a different story. Whatever happened caused a rift in the playgroup. Kids were teaming up and picking on one another. The whole neighborhood became involved as rumors flew and defenses went up. Car pools and childcare were disrupted. Julie and Carole each became more defensive.

This went on for a couple of weeks when two of the kids began to fight after one child was rejected from a neighborhood game. Julie and Carole jumped to conclusions, involved their husbands, and the police were called in. After investigation, the police referred the situation to mediation.

A mediation was conducted. Julie and Carole shared with each other that both thought the other was a good mom, and that they would trust each other to reward or discipline the other's children. They were able to express their concerns, generate solutions, and make agreements that they both believed would solve the immediate conflict and provide pathways for resolving similar disputes in the future. A key component was that both parties agreed to consult each other on the details of any dispute rather than automatically assuming that the situation was as reported by their children.

## 46) Two Girls And A Fight

From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/	Category: Community Mediation (court referred)
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The two girls, Sarah (sixteen) and Angie (seventeen) years old, had fought with each other in a mall parking lot. It wasn't a planned encounter; the meeting just happened. The fight was an expression of outrage—both felt like victims of the other and both were taking advantage of the moment to take revenge.

Both families responded to the court-generated letter and agreed to attend the mediation. Everyone dressed up for the occasion, and the girls especially seemed to be perfectly attired.

The parents wanted to find out what was causing the problem between the girls and help them straighten the matter out so they could go on with their lives. The girls wanted to provide some information to each other, apologize, and get the incident behind them.

When asked how they wanted to manage the session, one of the girls, Sarah, suggested that the two of them be allowed to talk without the parents present. The parents supported this process issue. Sarah then requested that the girls' conversation needed to be confidential from the parents. The parents again concurred with this; however, Angie objected. She had heard that Sarah's parents thought she was an awful person and she needed the mediation process to clear her reputation.

Sarah's parents and Angie then had a conversation that convinced Angie that they had not formed any clear opinions. They told her that they understood that both girls created the situation and they didn't blame her for the problem. Angie expressed appreciation for their acceptance of her and consented to continuing without the parents present and with the confidentiality condition.

For the next hour the girls talked with only minimal involvement from the mediators. They didn't know each other well. In the last several months, through counseling and self-reflection, they both had been learning a lot of new things about themselves. They slowly began to share their personal insights and stories with each other. Most of this information was new to the other.

Angie had a daughter and was convinced that in order to provide a perfect upbringing for her, she had to keep the child's father as her boyfriend. In the past, she had taken every drug she could find. But now she was involved in therapy, where she had recently discovered that she had been blaming all her problems on Sarah because Sarah had had an affair with her boyfriend. She said she now understood that she couldn't blame all her problems on Sarah.

Sarah revealed that she had slept with a lot of guys and most kids saw her as a druggie. She had tried to commit suicide several times. Because of her therapy, she understood that she hated herself. She had been pursued by Angie's boyfriend and had the affair with him only after he told her that he and Angie were finished. She said that, once they slept together, he never talked to her again. Sarah was learning a lot about herself in therapy, including the fact that she had a drug problem. She said that her life was turning around and was looking good when they had the fight. Things had been pretty bad since then, but she was continuing to fight her self-hate and was no longer using drugs.

As the girls talked, they expressed some sympathy for each other. At times they acknowledged each other. Sarah understood why Angie was mad at her about her relationship with Angie's boyfriend. Angie said she accepted Sarah's statement of the boyfriend's denial of his relationship with Angie. Sarah apologized for the affair. Angie heard this apology and restated that she was beginning to understand how she blames others for her problems. They shared some common frustrations with the boyfriend and the pitfalls of depending on him as either a friend or a father.

Angie and Sarah opened up to each other. They talk about what they understood about themselves and how such understanding revealed how they got into the fight. The sympathy from Sarah was clear but Angie's was more tentative. Angie seemed to be articulating well how she mistakenly blames others. However, because it was such a new understanding for her, she wasn't able to verbalize her acceptance of Sarah's apology.

When the mediator asked the girls what else they wanted to do, they said they should ask their parents to come back in to the room. But first the girls had a short conversation about what they wanted to tell the parents. They decided to tell their parents that the talk had cleared things up between them. They wanted all charges to be dropped and wanted to put the incident behind them. They agreed that this was sufficient.

## 47) Various

<p>From: Cynthia M. Joyce          Community Mediation, Inc.          cynthia.joyce@community-mediation.org          New Haven, CT, 203-782-3514</p>	<p>Category: Community Mediation (various)</p>
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### Housing

A woman who had been homeless as a result of a series of crises received a security deposit to enable her to obtain housing. She expressed to CM's Housing Coordinator her profound thanks for "treating her as a human being."

### Interracial Dialogue Program

Temple Emanuel of Greater New Haven, a white Reform synagogue in Orange, and Maranatha Church of God in Christ, an African-American Pentecostal church, began a relationship by visiting each other's services as a way to begin dialogue across both racial and religious lines. In the Spring of 2000, the congregations began a series of dialogues that cemented the relationships that had begun the year before. Not only did the dialogues result in a number of personal friendships (including that of the two clergymen, Rabbi Brieger and Elder Wilkins), but the groups developed many plans for future action including a clothing and food give-away on the New Haven Green and ongoing sharing of personal and religious experiences.

### Parent/Teen

"Thanks for the energy and time you have put toward reuniting me with my son," a mother writes to CM's Family Coordinator. "You have been my shining ray of light."

### School

Two girls, both about 16, had a fight and agree to mediation. They had been best friends before their fight. The mothers agreed to mediation but both wanted the girls to stay away from each other. The girls felt differently and decided that they will renew their friendship, since they realize the problem that led to their fight had been caused by a third party.

## Youth

The children of two neighbors get into a playground fight. The neighbors, though friends, are protective of their children and upset over the incident. CM is called in. The children take the lead in getting relations back on track. One child says, “I just want to go back to playing with everyone again.”

## 48) Various 2

From: Charles Pillsbury chapillsbury@igc.org	Category: Community Mediation (various)
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There are a million stories in the naked city, goes an expression from a celebrated television series of the late fifties and early sixties. The same might be said of Community Mediation, Inc., the oldest non-profit community-based mediation program in Connecticut, which has scored many successes since it was formed in 1981. Behind each of these successes is a story. Following are just a few.

- “Thanks for the energy and time you have put towards reuniting me with my son,” a mother writes to CM’s Family Coordinator. “You have been my shining ray of light.”
- In another family parent/teen case, a mother and her 14-year-old daughter don’t see things the same way. The mother doesn’t feel she has enough control over her daughter and the daughter doesn’t feel she has enough freedom of movement to associate with her peers. After CM mediation services over a period of weeks the two compromise and mother and daughter express thanks that the agency’s intervention has helped them each get in touch with each other’s feelings.
- The owner of a social club has a dispute with a patron who refuses to obey club rules. The owner says the patron refused to leave club premises; the patron says the owner improperly placed his hands on her while asking her to leave. When the case comes to Court the presiding judge asks the parties to try to work their dispute out and directs them to CM. Through CM the people talk and LISTEN to each other. The owner apologizes; the patron is satisfied with the apology.
- The kids of two neighbours get into a playground fight. The neighbours, though friends, are protective of their children and upset over the incident. CM is called in. The kids take the lead in getting relations back on track. One kid says, “I just want to go back to playing with everybody again.”
- Two girls, both about 16, have a fight. Both are receptive to CM mediation services. They had been best friends before their fight. The mothers agree to accept mediation but both mothers want the girls to stay away from each other. The girls feel differently and conclude that they will renew their friendship because they now realize the problem that led to their fight had been caused by a third party.
- A woman who had been homeless as a result of a series of unfortunate occurrences receives a security deposit to enable her to obtain housing. She expresses to a CM housing coordinator her profound thanks for “treating her as a human being.”

There is often a thin line in life between success and failure; for many people there is also a thin line between sleeping on a bed in their home and on a paper bag on a sidewalk. “People need to understand the face of homelessness,” says a CM Housing Coordinator. “Today, it is ‘those’ people; tomorrow, it could be you or me.” This focus on empathy is a hallmark of CM programs and services.

These are just a few of the stories at CM. Many more could be cited such as the agency’s facilitation of discussions between a group of African-American Jews and a segment of the broader Jewish community to promote greater understanding between the two groups and to clear up misconceptions. Or the efforts to promote dialogue between predominantly white and predominantly black Christian churches; the fostering of dialogue between local Muslims and other citizen groups following the September 11 World Trade Center tragedy.

The agency has also worked to facilitate police dialogue with community residents in support of community policing programs and cooperated with other individuals and groups to tamper down misunderstanding over such divisive community issues as the Malik Jones case.

The cases handled by Community Mediation are by their nature diverse. And while every matter is not resolved, most are. It has been said that talk, talk, talk is better than fight, fight, fight. “That is the rule of thumb at CM,” says a staffer. “Our first priority is simply to get people to sit down and listen to each other.”

## 49) Divorced Parents Not In Agreement While Raising Teen

From: Tammy Childress Willcox Director of Education and Facilitation The Conflict Resolution Center Post Office Box 9025, Morganton, NC 28680 828-584-2191, 828-584-6604 fax conflictresctr@hci.net	Source/info: “It’s a two-way street”, The Conflict Resolution Center’s Newsletter, Volume 2, edition 1 January 21, 2002 Category: Family Mediation
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The high school counselor referred divorced parents and their teenaged daughter to CRC. The teen’s issues included disruptive behavior, lack of interest in school, being non-communicative with teachers and the counselor, decline in grades, and drug use. The counselor was having a difficult time getting the parents together without verbal hostility to discuss the issues of the teen.

CRC mediators met with the entire family to explore the issues that each person presented. Separate caucuses (meeting one on one with each participant) were necessary at times to encourage open sharing. The embittered parents had been divorced for two years and were not in agreement on many fronts— discipline, family communication, and problem solving. As a result, they felt the teen learned how to manipulate both households as a survival technique. The teen didn’t feel as if her voice was ever heard and that her parents used her as a pawn to injure the other.

The mediators worked through several sessions. The parents, in a meeting where the teen was not present, focused on the best interests of the teen and how they could help her work through her issues collaboratively. It took time, but they proposed common ground rules to take effect in both households. They established a joint communication plan that allowed them to civilly address issues presented around shared parenting—visitation, illness, holidays, blended house-

holds, education, grades, drugs, sex, college, etc. Finally, they discussed how they could most effectively engage the teen in conversation in order for her voice to be heard and understood.

A subsequent meeting was held with the parents and the teen where the parents shared their concerns and the steps they had brainstormed to address them. Feedback was solicited from the teen, who was both surprised and relieved that her parents were focusing on communication and the fabric of the family unit, although in a different configuration. The teen offered constructive ideas around curfews, 'house rules,' and communication.

Feedback from the family following mediation indicates that, although implementation of the plan was difficult and uncomfortable in the beginning, the successes were encouraging and motivated them to continue the task of working together. The school counselor notes a marked difference in the attitude and behavior of the teen at school.

## 50) A Note From A Truancy Mediator

From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/	Category: Truancy Mediation
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Dear Ed: The majority of the mediations I have conducted appear to me to be success stories and many of them include more than one of the themes you mentioned. A composite of these mediations would include some element of a misunderstanding corrected, a large dose of student-teacher bonding, along with a parent and/or a teacher ready to go the extra mile to help the student succeed with the mediation agreement.

Often the student gets off on the wrong track with regard to attendance or participation in school (for any one of dozens of reasons), and once off track the downward spiral begins. He/she quickly gives up hope that they can catch up, motivation plummets, and negative reinforcement ensues. In mediation the student encounters caring adult(s), a focus on his/her unique talents and strengths, an opportunity for a fresh start, and clear options from which to choose (including the likely positive/negative consequences of each). In this scenario, a successful mediation paves the way and develops the plan for the upward spiral toward improved attendance and participation in school--and perhaps additional boosts in self-confidence and positive social interactions as well.

In a properly facilitated mediation, the clear options (and likely consequences) almost always include an explanation of the school policy on attendance, and may include the procedure for filing with the juvenile court. If this is considered appropriate the explanation is provided by the principal or attendance officer, not by the teacher or mediator.

These mediation stories are so numerous that no one entire story stands out in my mind. Sometimes the events that trigger the downward spiral are a bullying experience, an illness, mixing with "the wrong crowd", a divorce (single parent at work before and after school), etc. The stu-

dent's unique talent may be in music, art, leadership, sports, social skills, and an emphasis can be put on re-connecting, revitalizing the student's interest, participation, and success in utilizing that talent. The fresh start could be a chance to make up missed work, the opportunity to move to the next grade with his/her peers, or the mending of a relationship.

This program is so important in the lives of these students and I hope it continues to be funded.

Signed: A Truancy Mediator

## 51) Chronic Tardiness and Anger

From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/	Category: Truancy Mediation
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A mother came to a requested mediation to discuss her son's chronic tardiness and his displays of anger towards other students and occasionally the teacher. This therefore was not the usual in-school truancy mediation which addresses unexcused absences, but the mediation format was followed.

During the session the mediator asked the mother if she knew the reason for her son's anger, to which she responded that he was having problems dealing with his father's abrupt non-participation in his life. When asked if she thought counseling might help, the mother responded that while it might she could not afford counseling. This led to a discussion of available community resources, and the mother agreed that she would support and encourage her son attending counseling if it could be made available at a cost she could afford. She also reported that she had applied for a county medical card but had not received a response.

The mother was asked if it would be acceptable for the mediator to link her with a social worker who might be able to resolve the situation, and the mother was pleased to agree. Since the social worker was not in the room it was noted in the written agreement that the parent had given permission for an outside agency to be contacted. The social worker was able to quickly intervene, and in fact by the middle of the next day was able to get the medical card issued and schedule an appointment with a counseling service that accepted the medical card for its fees.

Prior to the mediation the principal had stated that suspension was imminent, but at the end of the mediation said that suspension would not occur at that time because the student would be attending counseling and the principal hoped that would produce a positive outcome.

## 52) Unexcused Absences

From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/	Category: Truancy Mediation
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An elementary student was missing many afternoons, all unexcused. The mother appeared for the mediation acting quite stressed, wringing her hands and looking tired and under a lot of pressure. She seemed worried about dealing with the school principal.

The early part of the mediation was devoted to discussing the principal's concern about the student and the student's education. As this progressed the mother stated her similar concerns, and became more comfortable with the conversation, more comfortable talking to the principal.

When asked the reason for the student missing school so many afternoons, the mother thought that the mere fact that she signed her child out was sufficient, she didn't realize that it was still an unexcused absence. She apologized for that error, then took a deep breath and stated " We leave in the afternoon so my son can go to therapy, he was sexually molested. I didn't tell anyone because this is a small community and I didn't want to embarrass my son."

The principal indicated that she would like to respond, and the mediator turned to her. The principal stated that she thought that the truancy mediation should be stopped, as she was changing the afternoon truancies to excused absences. She then asked the mother what she and the school could do to help.

## 53) Poor Attendance

From: Edward M. Krauss, Director of Community and Court Programs Ohio Commission on Dispute Resolution and Conflict Management 77 South High, Riffe Center, 24th Floor Columbus, Ohio 43215-6108 ph 614 752 9681, fx 614 752 9682 ed.krauss@cdr.state.oh.us, www.state.oh.us/cdr/	Category: Truancy Mediation
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A mediation was held with an eighth grade student who had poor attendance and problems getting along with some of the other students. Also attending were his mother and a school official who dealt with truancy and delinquency problems for the district.

During the initial part of the session, about 45 minutes, the student was frustrated, head down on his arms, occasionally crying. He complained that some of the other students picked on him and about relationships with his father and his siblings that lived elsewhere. He also stated that his mother was struggling financially while working a physically demanding job and he wanted to

quit school and find work to help her. He was looking forward to dropping out as soon as he legally could, and did not want to discuss regular attendance.

Throughout this discussion his mother remained calm, expressing concern that if her son would not attend school the courts would take him away from her, and possibly send him, her, or both to jail.

The school official was firm but fair in describing what the student needed to do and the consequences of not going to school. He also suggested that this student's absences were very minor compared to most of his cases, that since the student went to school most of the time the problems with other students couldn't be all that bad. He offered help by going with the student to the school and trying to help him work out his peer relationship problems.

The parties called a time-out to let the mom and son talk over what they wanted to do. When all returned, the student was still adamant that he was not going to attend school. The school official's position was that there was no agreement and that a referral would be made to the juvenile court. The official then left, concluding the mediation.

Rather than just dismiss the family the mediator took the responsibility to make sure the mother and son were clear about where things stood. This evolved into a spontaneous parent-child mediation. In the course of this the mediator thought it might be helpful for the student to look at smaller segments of time, and smaller pieces of the problem, rather than the problems and failure he anticipated in the years ahead. The mediator asked what the student would do the following day, and after some thought he responded that he would attend school, since there were no acceptable alternatives. A discussion about plans for a week away got the same response. At the same time the mother was stating her strong desire to work things out, that she didn't want to lose him to the court system.

As the session progressed the student became more positive, stopped crying and for the first time made eye contact with the mediator. After some further discussion the student said he would try to continue attending and seek resolutions for his problems.

Since the school representative was no longer available a mediated agreement could not be reached or drawn up, but mother and son wanted to make a statement to the court. The mediator told them that the standard agreement form could be used to record their feelings, although it would not be an agreement since the other party was no longer at the table. During this process the student became increasingly interested in finding the right words for the statement, and the mediator reports that the student became fully alert, was sitting up straight and speaking in an articulate fashion, even smiling on occasion. The mediator's impression was that this came from the student sensing some control, some feeling of empowerment over his situation.

After the agreement was drafted the mediator promised that it would be delivered promptly to the official who had been present earlier, and that it would be described as an expression of the student's willingness to try to work towards a positive change in his attendance and peer relationships.

The mediator reports that there was no effort in the second, parent-child mediation to force an agreement, but rather a focus on helping the student summarize, by careful reflection of the student's comments, his own position, seeking clarification and comfort with the process. While the mediator was careful not to act in place of the missing school official, the mediator did feel comfortable in playing back the district's position [as expressed earlier by the official] for purposes of clarity. In reporting this story to the Commission the mediator's final sentence was "Trust the process." Well said.