

# RE:solutions

Iowa Association of Mediators

Volume 15, Issue 2, Summer Newsletter

**IAM**  
Founded 1994

## Table Of Contents

<u>TITLE</u>	<u>PAGE</u>
President's Letter	1
Mediation Tip	2
April Meeting Minutes	2
Spring Conference Review	4
Calendar	5
IAM Committees	6
Newsletter Note	7
Mark Your Calendar	7
Certification	7
IAM Board	7

## President's Letter

By Terry Parsons, New president

In 1987 the Ericson Mediation Center trained me to disclose any prejudice at the beginning of a session, which seems applicable to my term as IAM President. First and foremost, I must confess to love this organization and its members, who must have the most positive cumulative attitude ever assembled. I see merit and value in all mediation styles and models. I firmly

believe in IAM's mission to promote the understanding and use of mediation in the State of Iowa and interpret that to include understanding among the mediators of Iowa.

As a caveat, many of you have heard me refer to this group as the "warm and fuzzy people." Which is one of its many charms. I am not particularly warm and fuzzy. At the end of the day, despite all of the trainings and all of the study, I am a lawyer and see the world through that lens. But I will endeavor to tone down my aggressive nature. When I fall short, I hope the members will call me up short. Nicely.

In the coming months I have several goals for our organization. The first is to build on our reputation for excellence in education by establishing dates, locations, and content for our meetings well in advance to assure everyone with an interest has the opportunity to attend those sessions. Building on the enthusiasm of the membership at Spring Conference, the Board has set meetings for July 16, 2010 at Grinnell; November 11-12, 2010 in Des Moines; January 7, 2011 in Williamsburg; the Heartland Regional Conference hosted by IAM May 5-6 2011 in Des Moines; and November 10-11, 2011 in Cedar Falls. Details of those conferences, and the opportunity to register for them, will be posted to the web site



Steve Schoddee presents awards to George Elliott (past president) and introduces our new president Terry Parsons at our Spring conference.

*(Continued on page 3)*

---

## Mediator's Tip



Steve Schoddee

Have you ever been a mediator where one party has a lawyer and the other does not? Of course you have and it is a bit worrisome because you are naturally concerned that the party without representation might be disadvantaged in some way. Still the parties want to get on with the mediation and you do have that mediation agreement form that explicitly states, among other useful things, that the parties are advised to seek legal advice before signing off on any agreement etc.

Still the session(s) go reasonably well and because you a, skillful mediator, an agreement appears to have been reached. The question now seems to be how best to close. Should the parties sign off in your office and depart? Here is another option you may wish to consider. Perhaps it would be better if they did not sign off in your office today, but the represented parties lawyer take the notes to his/her office and put it in proper form and then submit the document directly to the unrepresented party. This is what might have happened anyway without you, and it does give the unrepresented party one last opportunity to consult with their best friend or not as they see fit.

If the unrepresented party then decides they need a lawyer after all, isn't everyone better off? ∞

## General Membership Meeting Summary

Iowa Association of Mediators

April 30, 2010

The general membership meeting of the Iowa Association of Mediators was called to order by president George Elliott at 1:00 p.m. April 30, 2010 at the Hotel Fort Des Moines in Des Moines Iowa.

Minutes of the previous meeting were approved as provided in written form and published in the newsletter.

Treasurer A. M. Fink reported IAM has sixty-three paid members and six thousand seventy-three dollars ninety-nine cents (\$6,073.99) in the treasury. Steve Sovern moved, it was seconded and unanimously carried A.M. Fink be reimbursed \$10.70 for out-of- pocket expenses.

Legislative Committee chair Steve Sovern reported there is concern that at least one of the court-roster family law mediation programs being formulated across the state precludes non-lawyer mediators from serving as roster mediators for family law mediations where any financial issues are discussed. Members were asked to monitor the trend and to be pro-active in keeping our organization aware of developments in this area.

George Elliott reported for the Conference Committee that subject to confirmation by the leaders of the other Heartland Conference of Mediators member organizations, the 2011 Heartland Regional Conference will be held May 5 and 6, 2011 in Des Moines. IAM is responsible to host the conference. Scarlett Lunning-Huey and George Elliott will serve as co-chairs of the conference committee.

Barb Musgrove reported for the Public Education Committee there is an on-going need for articles for the newsletter. She requested members submit articles to her for inclusion in the newsletter.

There was no report by the Audit Committee.

On behalf of the Nominating Committee Lois Crane proposed the following slate of new officers and board members:

*(Continued on page 3)*

---

*(Continued from page 1)*

as soon as feasible to allow maximum lead time.

Responsiveness to the membership is the second goal. Our organization will build on the work Steve Sovern has begun in using the web-site for quicker response to new membership applicants. At our Spring Conference we took time to poll the general membership on issues of importance. IAM will continue to look to the general membership for guidance to assure this organization serves the needs of its members.

Expansion of our membership base is the third goal. Our group has a great deal to offer Iowa mediators. Our conferences are an excellent opportunity to not only obtain formal continuing and advanced education, but to exchange insights and ideas with other mediation practitioners from around the state. The web-site membership listing, particularly with telephone numbers and links to e-mail addresses, gives members public visibility and allows quick access by members to other practitioners. We have endeavored to keep our membership and conference costs low to be respectful of both the volunteer mediator and the paid professional and expect to continue that pricing policy.

Finally, in the coming months IAM will evaluate our written policies and procedures to determine whether they continue to best meet the purposes for which they were designed. Committees are evaluating our current bylaws as well as our policies and procedures for mediator certification and report back to the Board and membership. If these issues are important to you it will be imperative to attend meetings to voice your opinions.

Mediation is first and foremost an opportunity. A chance to design a future that makes the most of the opportunities in the present. Thank you for the opportunity to be part of designing IAM's future. ∞

*(Continued from page 2)*

President: Terry Diane Parsons  
Vice President: Tom Carney  
Secretary: Terry Helinski  
Treasurer: A.M. Fink  
Board Members: Emily Bartekoske  
Chris Crilley  
David Goodman  
Terry Helinski  
Robert Himshoot  
Barb Musgrove

Upon the motion of Harvey Schneider, seconded and unanimous vote the slate of officers and directors was approved. President Elliott announced the newly elected board members would join the carry-over board members Lin Yoder, A.M. Fink, and Tom Carney, along with the committee chairs and committee co-chairs for the coming year, on the IAM board.

The Board addressed the unfinished business issue of the status of the newsletter. Harvey Schneider moved and it was seconded the newsletter be issued only in electronic format for the next year. Steve Schodde moved and it was accepted as a friendly amendment the newsletter be issued only in electronic format for two issues and in both electronic and paper format for two issues. After spirited discussion, the motion was defeated.

Harvey Schneider moved, it was seconded, and passed the newsletter be issued only in electronic format for the coming year.

There being no further business the meeting was adjourned at 1:25.

Respectfully submitted

Terry Diane Parsons, Secretary ∞



# IAM Spring conference 2010

More than fifty mediators from across the state participated in the April 29<sup>th</sup> and 30<sup>th</sup>, 2010 annual Spring Conference at the Hotel Fort Des Moines. The conference workshop *Emotions in Conflict: Finding Wisdom Among Distractions* was presented by Milwaukee mediator, trainer and psychotherapist Sue Bronson. Ms. Bronson, an Iowa native, is the lead author of *Self-Assessment Tool for Mediators*, now published in four languages, and teaches family and divorce mediation at the University of Wisconsin-Milwaukee-School of Continuing Education and De Paul University. From the Thursday evening session focusing on the physiological aspects of response to conflict to the closing minutes on Friday providing participants with a list of practical responses to dealing with emotional aspects of conflict in mediation, the group was engaged and informed by her presentation.

In the planning workshop and general meeting, the membership discussed matters of importance to the group including the future of the newsletter, use of personalized features on the new web site, and dates for upcoming meetings. In response to the membership, the new board set tentative dates of July 16, 2010 for a summer meeting; November 11-12, 2010 for fall conference on cultural differences in mediation; January 7, 2011 for a winter board, committee, and Heartland conference final planning meeting; May 5-6, 2011 for the Heartland Regional



Speaker, Sue Bronson, explains activity to participants at IAM Spring Conference.

Conference; and November 10-11, 2011 for a fall conference symposium on mediation education in Iowa.

President George Elliott having concluded his three-year term of office, the group elected new officers as well as making changes in the composition of the Board of Directors. Terry Diane Parsons, attorney mediator with Olsen Parsons Law Firm in Cedar Falls, Iowa will serve as President. Tom Carney, a Des Moines based mediator with Carney Consulting L.L.C., & serve as Vice President; Terry Helinski, Mediation Coordinator for the Family and Children's Council in Waterloo will serve as Secretary; and A.M. Finkwill mediation consultant and Professor Emeritus in the department of Mathematics, Ames will serve as Treasurer. IAM Board of Directors members are now: Emily Bartekoske, an associate with Clark, Butler, Walsh and Hamann Law Firm, Waterloo;

(Continued on page 6)

# IAM CONFERENCE AND EDUCATION CALENDAR

<b>July 16, 2010</b>	<b>Mediator's Chautauqua</b>	<b>Grinnell College</b>
8:00 a.m. to 9:00 a.m.	Board Meeting (all members welcome)	
9:00 a.m. to 10:00 a.m.	Committee Meetings	
10:00 a.m. to 10:15a.m.	Break	
10:00 a.m. to noon	Conference Session	
Noon to 12:45 p.m.	Lunch (Cost included in registration)	
12:45 p.m. to 2:15 p.m.	Conference Session	
2:15 to 2:30	Break	
2:30 to 4:00	Conference Session	
<b>November 11 – 12 2010</b>	<b>Fall Conference – Cultural Issues in Mediation Des Moines</b>	
Tentative Schedule:		
Thursday November 11 session		
12:30 p.m. to 1:00 p.m.	Registration	
1:00 p.m. to 5:30 p.m.	Conference Session	
5:30 p.m. to 6:30 p.m.	Social	
Friday November 12 session		
8:00 a.m. to 9:00 a.m.	Board Meeting and Committee Meetings	
9:00 a.m. to noon	Conference Session	
Noon to 1:00 p.m.	Luncheon	
1:00 p.m. to 4:00 p.m.	Conference Session	
<b>January 7 2011</b>	<b>Winter Planning Meeting</b>	<b>Williamsburg</b>
10:00 a.m. to 2:00 p.m. Board and Committee Meetings Final Preparation for Heartland Regional Conference		
<b>May 5-6 2011</b>	<b>Heartland Regional Conference</b>	<b>Des Moines Area</b>
November 10-11, 2011 Fall Conference Mediation Education In Iowa, Cedar Falls		

---

*(Continued from page 4)*

Christine Crilley, Crilley Mediation Services, Hiawatha; George Elliott, Elliott Mediation Associates, Des Moines; David Goldman, Babich, Goldman, Cashatt & Renzo, P.C., Des Moines; Robert Himshoot, Adjust Instructor UNI, Cedar Rapids; Scarlett Lunning-Huey, Iowa Mediation Service, Des Moines; Barb Musgrove, Results Unlimited, Marengo; Steve Schodde, Schodde Law Firm; Steve Sovern, Sovern Mediation, L.L.C. Cedar Rapids; Annie Tucker, Mediation Services of Eastern Iowa, Iowa City; Des Moines; Lin Yoder, Oscaloosa.

As tokens of IAM's appreciation for all of George Elliott's hard work in steering the organization he was presented with a clock and with a wall plaque. The group recognized that during George's tenure we saw our name change from the Iowa Association for Dispute Resolution to the Iowa Association of Mediators, made a dramatic change in our web presence and accessibility, and hosted or co-hosted several excellent continuing education events. George's contributions are appreciated.

The meeting concluded with brief planning sessions by committees and the new board.

Thanks from IAM go out to the planning committee headed by Steve Sovern and George Elliott and assisted by Terry Helinski, Barb Musgrove, and Terry Parsons for organizing an educational and enjoyable conference. We also appreciate Barb Musgrove's contribution of the colorful pens and the Iowa Mediation Service's contribution of conference folders. A special thanks to Annie Tucker for conducting the Friday evening planning session and to Rhonda Herum for stepping in to assist with the conference at the last minute.

We look forward to seeing everyone July 16<sup>th</sup> in Grinnell when we will continue to work on IAM projects, including consideration of bylaws and certification changes, planning for our upcoming conferences, and enjoying the company of our fellow mediators. The workshops will emphasize ethics and will meet the IAM mediator certification annual requirement for ethics continuing education.<sup>∞</sup>

## Iowa Association of Mediators (IAM) Committees for 2010-11

If you would be willing to serve on a committee for IAM, choose from the list below and add the committee(s) to your registration form on page 8 of this newsletter. Remember this is your organization and it will only be as strong as the IAM membership makes it.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Membership               | <input type="checkbox"/> Agenda                 | <input type="checkbox"/> Resolution                  |
| <input type="checkbox"/> Newsletter               | <input type="checkbox"/> Mock Mediation         | <input type="checkbox"/> Divorce/Community Mediation |
| <input type="checkbox"/> Standards/Best Practices | <input type="checkbox"/> Conference Bookstore   | <input type="checkbox"/> Restorative Justice         |
| <input type="checkbox"/> Legislative Liaison      | <input type="checkbox"/> Grants                 | <input type="checkbox"/> School Mediation            |
| <input type="checkbox"/> Planning                 | <input type="checkbox"/> International Conflict | <input type="checkbox"/> Other                       |

## NEWSLETTER

The next issue of our newsletter will be coming out before we know it. If you have any articles or other information that you feel the membership will find interesting, please e-mail it to Barb at your earliest convenience. Remember, this newsletter belongs to all of us and is a way to reach a lot of people at once.

## Mark Your Calendar

July 16, 2010 Our Sprig Meeting and Conference will be in Grinnell on July 16<sup>th</sup>. See the web site to register.

Other events of interest- June 10-11 Milwaukee, Wisconsin University of Wisconsin at Milwaukee School of Continuing Education: *Elder Care Mediation*. More information at: [www/scemediation.uwm.edu](http://www/scemediation.uwm.edu)

August 13-14, 2010 in Des Moines, Iowa: Second Annual International ADR Society Congress: *The Complex Role of the Mediator in ADR* (15 hours CLE, 2 hours ethics applied for) More information at:

## Certification Protocols and Review

Steve Schodde (Chair), Lois Crane, Barb Musgrove and Mark Zanger are on the certification review committee. They are reviewing current requests for certification approval under our existing guidelines and will report to the Board about accepting those requests at the July 16<sup>th</sup> meeting. They will also be reviewing our Certification standards and will be making at least a preliminary report at the July meeting. If you would like to have additional input in that process, you might wish to contact these folks individually.∞

## Iowa Association of Mediators, 2009-2010

### President

Terry Parsons  
PO Box 809  
Cedar Falls, IA 50613  
[tdhp@prodigy.net](mailto:tdhp@prodigy.net)

### Vice-President

Tom Carney  
6932 NW 98<sup>th</sup> Street  
Jonston, IA 50131  
[carneyconsulting@msn.com](mailto:carneyconsulting@msn.com)

### Immediate Past President

George Elliott  
3712 Lindlavista Way  
DSM, IA 50310  
[sagle@aol.com](mailto:sagle@aol.com)

### Secretary

Terry Helinski  
500 E 4<sup>th</sup> Street  
Waterloo, IA 50703  
[thelinski@fccouncil.net](mailto:thelinski@fccouncil.net)

### Treasurer

A.M. Fink  
222 S. Russell  
Ames, IA 50010  
[afink@iastate.edu](mailto:afink@iastate.edu)

### Auditor

Hank Ostwald  
[ostwaldh@rconnect.com](mailto:ostwaldh@rconnect.com)

### Board Members

Emily Bartekoske  
[emily.bartekoske@cbwhlaw.com](mailto:emily.bartekoske@cbwhlaw.com)

Christine Crilly  
[clc@crilleylaw.com](mailto:clc@crilleylaw.com)

David Goldman  
[dgoldman@babichlaw.com](mailto:dgoldman@babichlaw.com)

Robert Himshoot  
[himshoot@hotmail.com](mailto:himshoot@hotmail.com)

George Elliott  
[scagle@aol.com](mailto:scagle@aol.com)

Scarlett Lunning-Huey  
[scarlett@iowamediatiionservice.com](mailto:scarlett@iowamediatiionservice.com)

Barb Musgrove  
[barbs\\_results\\_unlimited@yahoo.com](mailto:barbs_results_unlimited@yahoo.com)

Steve Schodde  
[sschodde@qwest.net](mailto:sschodde@qwest.net)

Steve Sovern  
[sovern@mediate.com](mailto:sovern@mediate.com)

Annie Tucker  
[admin@mediateiowa.com](mailto:admin@mediateiowa.com)

Lin Yoder  
[linyoder@mahaska.com](mailto:linyoder@mahaska.com)

### Standing Committees

Scarlett Lunning-Huey  
[Scarlett@iowamediatiionservice.com](mailto:Scarlett@iowamediatiionservice.com)

Lin Yoder - Membership  
[linyoder@mahaska.com](mailto:linyoder@mahaska.com)

Barb Musgrove - Newsletter  
[barbs\\_results\\_unlimited@yahoo.com](mailto:barbs_results_unlimited@yahoo.com)

Steve Sovern & Barb Musgrove  
Co-chairs of Public Education  
Committee

Steve Sovern - Legislative Liaison  
[sovern@mediate.com](mailto:sovern@mediate.com)

**RE:solutions** is published quarterly by the Iowa Association for Mediation. Stories and editorials should be submitted to Barb Musgrove at [barbs\\_results\\_unlimited@yahoo.com](mailto:barbs_results_unlimited@yahoo.com). The editor reserves the right to edit all materials submitted for publication. Any opinion expressed in this publication is that of the individual writer and does not necessarily represent the official position of IAM, unless otherwise noted.

# IAM Membership Form

Please Print

Date \_\_\_\_\_

Name \_\_\_\_\_

Organization \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Phone (H) \_\_\_\_\_ (W) \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

I am a: Volunteer Professional

Area of Practice (Please circle):

Family/Divorce \* Community \* Schools \* Farmer/Creditor  
Organizational \* Public Policy \* Labor \* Workplace  
\* Small Claims \* Victim-Offender \* Civil Rights \* Human Rights  
\* Commercial \* Other:

Membership Level:

\_\_\_\_ Organizational \* (\$150)  
\_\_\_\_ Benefactor (\$50)  
\_\_\_\_ Regular (\$50)  
\_\_\_\_ Student, K-College (\$30)

\* An organizational membership is considered a sponsorship and carries no voting rights.

Annual membership fees are due each April and are not prorated. Dues support the annual conference, publication of the newsletter and operating expenses. Dues are not used to support any political party or candidate.

If you are interested in serving on an IAM committee, please indicate which one below after viewing the list of standing and ad-hoc committees on page 6.

Committee: \_\_\_\_\_

Please submit this form, along with your dues, to IAM. c/o A.M. Fink, Treasurer, 222 S. Russell, Ames, IA 50010 or online at [iamediators.org](http://iamediators.org)

# RE:solutions

*Iowa Association of Mediators*

**IAM**  
Founded 1994

601 Howard Ave, Marengo, Iowa 52301