

# **Center for Alternative Dispute Resolution**

**The Judiciary  
State of Hawaii**



## **Annual Report**

*Report No. 23*

*July 1, 2010 to June 30, 2011*

*Presented to the  
Twenty-Sixth Legislature*

*Pursuant to Hawaii  
Revised Statutes, §613-4*

Aloha,

The Center for Alternative Dispute Resolution (Center) ensures that alternative dispute resolution is available in Hawaii. Alternative Dispute Resolution offers opportunities for early, party-driven, efficient, and fair solutions.

The Center:

- Designs and helps implement Alternative Dispute Resolution programs for state and county government
- Mediates and facilitates public policy disputes referred by elected or appointed government officials
- Manages the Judiciary's Purchase of Services contract for mediation and related dispute resolution services
- Promotes alternative dispute resolution through training and education

This annual report summarizes the Center's work during Fiscal Year 2011.

Sincerely,  
Mark E. Recktenwald,  
Chief Justice

## Highlights from Fiscal Year 2010 - 2011

### Programs

The Center designs Alternative Dispute Resolution programs for state and county departments to help the public avoid unnecessary litigation, and encourage early and fair conflict resolution. This past year, the Center:

- Collaborated with the Family Court, 1st Judicial Circuit, on the Oahu Child Welfare Mediation Program, designed to resolve Child Protective Act cases and on the Volunteer Settlement Master Process for divorce cases
- Administered the Hawaii Appellate Mediation Program
- Collaborated with Department of Commerce and Consumer Affairs in developing the Mortgage Foreclosure Dispute Resolution Program based on Act 48
- Collaborated on a pilot project for on-site mediation of Temporary Restraining Order cases at District Court (1st Judicial Circuit)

### Direct Services

The Center provides mediation, facilitation, and process design services for cases involving public policy. This past year, the Center:

- Facilitated meetings of the Committee on Children in Family Court (foster children)
- Facilitated and participated in meetings with the Judiciary and the Hawaii State Bar Association about civil litigation
- Provided technical assistance to state departments for their meeting series

## Highlights from Fiscal Year 2010 - 2011

### Training, Education, Research & Outreach

The Center promotes Alternative Dispute Resolution through training, education, and outreach. Center trainings included:

- *Communication Skills*
- *Basic Skills for Better Meeting Management*
- *Beyond Basic Facilitation*
- *Beyond Basic Facilitation: Conflict Analysis*
- *Handling Difficult Situations in the Workplace*
- *More on Handling Difficult Situations in the Workplace*
- *Overview of Mediation Skills*
- *Overview of Negotiation Skills*
- *Compassion Fatigue and Building Resiliency*

The Center hosted public forums addressing the following topics:

- The Ethics and Physics of Effective Mediation
- Mandatory Reporting in Mediation: Elder Abuse
- Restorative Justice: Application of 'Healing Memories' in Hawaii
- Using Mediation to Break Political Impasse
- Restorative Justice in Brazilian Prisons
- Getting the Best of Anger (Nonviolent Communication)
- Alternative Dispute Resolution and Real Property Issues

The Center:

- Maintained an active website
- Published newsletters on Alternative Dispute Resolution-related topics
- Helped plan and host the statewide Peer Mediation Conference for middle and high school students
- Spoke to numerous organizations on ADR-related topics, including mediation ethics.

## Community Mediation Centers

The Center administers the Judiciary's Purchase of Services contract for mediation and related dispute resolution services statewide. The contractor, Mediation Centers of Hawaii, Incorporated, is an umbrella organization for five community mediation centers throughout the state.

The community mediation centers, which provide trained mediators for thousands of cases each year, are:

- Kauai Economic Opportunity, Incorporated,  
Mediation Program  
Phone: 808-245-4077
- Kuikahi Mediation Center (Hilo)  
Phone: 808-935-7844
- Mediation Services of Maui, Incorporated  
Phone: 808-244-5744
- The Mediation Center of the Pacific, Incorporated (Oahu)  
Phone: 808-521-6767
- West Hawaii Mediation Center  
Phone: 808-885-5525



**Mediation. It Works!**

## VOLUNTEERS

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**Mediation. It Works!**



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