

Center for Alternative Dispute Resolution

The Judiciary
State of Hawaii



Annual Report

Report No. 25

July 1, 2012 to June 30, 2013

*Presented to the
Twenty-Seventh 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 report summarizes the Center's work during Fiscal Year 2013.

Sincerely,
Mark E. Recktenwald,
Chief Justice

Highlights from Fiscal Year 2012 - 2013

Programs

The Center designs and implements alternative dispute resolution programs for state and county governments to help the public avoid unnecessary litigation and encourage early and fair conflict resolution. This past year, the Center:

- Administered the Hawaii Appellate Mediation Program
- Assisted the Family Court, 1st Judicial Circuit, with the Oahu Child Welfare Mediation Program, the Volunteer Settlement Master Program, and a pilot for on-site mediation of paternity cases
- Assisted in preparing the Judiciary's application to the Department of the Attorney General for Foreclosure Assistance Program funds

Direct Services

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

- Provided assistance for the Judiciary's Strategic Planning process
- Consulted with and assisted other branches of state government on a variety of issues
- Facilitated a series of meetings for the Campaign Spending Commission

Highlights from Fiscal Year 2012 - 2013

Training, Education, Research & Outreach

The Center promotes alternative dispute resolution through training, education, and outreach. The Center provided classes on the following subjects:

- *Better Meeting Management*
- *Beyond Basic Facilitation - Conflict Assessment*
- *Beyond Basic Facilitation - Meeting Management*
- *Handling Difficult Situations in the Workplace*
- *Mediation Ethics*
- *Mediation Skills*
- *More Handling Difficult Situations in the Workplace*
- *Negotiation Skills*
- *Understanding Foreclosure Mediation*
- *Vicarious Trauma and Resiliency*
- *Working It Out: Skills for Dispute Resolution*

The Center hosted public forums on the following:

- *Addressing Gender Identity and Sexual Orientation Issues that Arise in Mediation*
- *Alternative Dispute Resolution and Legal Aid*
- *Collaborative Law*
- *Legislative and Court Updates*
- *Mediating Non-Litigated Public Policy Issues*
- *Mediation via Skype*
- *Oahu Child Welfare Mediation Program*
- *Plowshares and the Community Conflict Transformation Program*
- *The Uniform Mediation Act and Rule 408 - Two Approaches to Protect Mediation Communications*
- *Tips for Teaching Alternative Dispute Resolution*

Highlights from Fiscal Year 2012 - 2013

The Center made presentations to agencies, schools, and organizations on alternative dispute resolution-related topics.

The Center published newsletters on alternative dispute resolution-topics, including:

- Implicit Bias
- Mediation and Environmental issues
- Mitigated Speech
- Resilience
- Using Neutral Language

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 (Maui County)
Phone: 808-244-5744
- The Mediation Center of the Pacific, Incorporated (Oahu)
Phone: 808-521-6767
- West Hawaii Mediation Center
Phone: 808-885-5525

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Mediation. It Works!



Mediation. It Works!

Hawaii State Judiciary
Center for Alternative Dispute Resolution
417 South King Street, Room 207
Honolulu, Hawaii, 96813
Phone: 808-539-4237; Fax: 808-539-4416
Email: cadr@courts.hawaii.gov
Website: www.courts.state.hi.us/cadr