

Center for Alternative Dispute Resolution

The Judiciary
State of Hawaii



Annual Report

*Report No. 22
July 1, 2009 – June 30, 2010*

*Presented to the
Twenty-Fifth Legislature*

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

Aloha,

The focus of the Center for Alternative Dispute Resolution (Center) is making alternative dispute resolution (ADR) broadly available in Hawaii. ADR offers opportunities for early, party-driven, efficient, and fair solutions.

The Center:

Designs and helps implement ADR 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 ADR through training and education

This annual report summarizes the Center's work during FY 2010.

Sincerely,

Mark E. Recktenwald,
Chief Justice

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Programs

The Center designs ADR 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 (1) the Family Court, 1st Judicial Circuit, on the Oahu Child Welfare Mediation Program, designed to resolve Child Protective Act cases for divorce cases and on the Volunteer Settlement Master Process, and (2) the Third Circuit on the Mediation Foreclosure Pilot Project
- Administered the Hawaii Appellate Mediation Program

Direct Services

The Center provides mediation, facilitation, and process design services for cases involving public policy. Because of resource constraints, the Center cut back on direct services. This past year, the Center:

- Facilitated meetings of the Committee on Children in Family Court (foster children)
- Facilitated meetings of the Detention Home Interagency Services Team
- Assisted the Department of Health with its Advisory Group on pandemic flu vaccinations
- Facilitated and participated in meetings with the Judiciary and the Hawaii State Bar Association regarding civil litigation

Training, Education, Research & Outreach

The Center promotes ADR through training, education, and outreach. Center trainings included:

- *Communication Skills*
- *Train the Trainer (Communication Skills)*
- *Basic Facilitation Skills for Better Meeting Management*
- *Beyond Basic Facilitation: Complex Cases*
- *Beyond Basic Facilitation: Conflict Analysis*
- *Handling Difficult Situations in the Workplace*
- *Mediation Skills You Can Use*
- *Negotiation Skills You Can Use*
- *Compassion Fatigue and Building Resiliency*
- *Nonviolent Communication*

The Center held public forums addressing the following topics:

- Apology During Conflict
- Fifty Years of ADR
- Restorative Justice: Application of 'Healing Memories' in Hawaii
- 2010 ADR Legislative and Court Updates
- China and Southeast Asia: Transforming Models of Mediation



Mediation. It Works!

The Center:

Maintained an active website
Published newsletters, drafted magazine articles, and spoke on ADR-related topics to over fifteen organizations
Helped plan and host the statewide Peer Mediation Conference for middle and high school students
Distributed a new video, Restoring J, which was created by Searider Productions

Community Mediation Centers

The Center administers the Judiciary's Purchase of Services contract for mediation and related dispute resolution services state-wide. The contractor, Mediation Centers of Hawaii, Inc., serves as an umbrella organization for the 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, Inc.,
Mediation Program (245-4077)
Kuikahi Mediation Center (Hilo)
(935-7844)
Mediation Services of Maui (244-5744)
The Mediation Center of the Pacific, Inc.
(Oahu) (521-6767)
West Hawaii Mediation Center
(885-5525)