

Center for Alternative Dispute Resolution

The Judiciary
State of Hawaii



Annual Report

Report Number 30

July 1, 2017 to June 30, 2018

*Presented to the
Thirtieth Legislature*

*Pursuant to
Hawaii Revised Statutes §613-4*

Aloha,

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

CADR:

- 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; and
- Promotes alternative dispute resolution through training and education.

This report summarizes CADR's work during Fiscal Year 2017 - 2018.

Sincerely,
Mark E. Recktenwald
Chief Justice

Highlights from Fiscal Year 2017 - 2018

Programs

CADR designs and helps implement alternative dispute resolution (ADR) programs for state and county governments. The programs encourage parties to avoid unnecessary litigation and encourage early and fair conflict resolution.

Direct Services

CADR provides mediation, facilitation, and process design services for cases involving public policy.

- From its inception to the end of Fiscal Year 2017 - 2018, the Hawaii Appellate Mediation Program brought in 698 cases, and 53 percent of those cases settled or partially settled. During Fiscal Year 2017 - 2018, the Hawaii Appellate Mediation Program settled or partially settled 11 cases.
- The First Circuit Family Court Paternity Mediation Program mediated 41 cases.
- CADR assisted the Campaign Spending Commission with its strategic planning.

Training, Education, Research and Outreach

CADR provides training workshops for State and City and County employees:

- Working It Out: Skills for Managing Conflict.
- Foundation for Collaborative Leadership.
- Handling Difficult Situations in the Workplace.
- Mediation in the Workplace.
- Planning and Facilitating Effective Meetings.

CADR provides/hosts training workshops for the public:

- National Issues Forum Institute *Train the Moderator*.
- *Girl Scouts Mediation Workshop* - Judiciary History Center, The Mediation Center of the Pacific.
- *The Uniform Family Law Arbitration Act, Act 113* (2017 legislation) seminar.

Highlights from Fiscal Year 2017 - 2018

CADR provides and supports educational outreach:

- The Mediation Center of the Pacific's *Early Access Mediation and Kupuna Pono* programs.
- Association for Conflict Resolution - Hawaii activities.
- *Headed for court? Mediation offers more control, lower cost* - Honolulu Star Advertiser.
- Educational brochures for district courts.
- Participated in Kettering Foundation's *Deliberative Democracy Exchange* with State legislators and Centers for Public Life.
- Interview on the Mike Buck Radio Show: *Hope for Homelessness*, with the Institute for Human Services and The Mediation Center of the Pacific. Discussion covered the Early Access Mediation program and the availability of free mediation of landlord/tenant cases at the district courts.
- Peer Mediation Conference, Sue Chang, Mediation Works.

CADR co-sponsors seminars and lectures with legal and ADR organizations, including the Hawaii State Bar Association - ADR Section; Association for Conflict Resolution - Hawaii Chapter; The Columbia Law School Mediation Clinic; Native Hawaiian Bar Association; The Mediation Center of the Pacific; UH Manoa Matsunaga Institute for Peace and Conflict Resolution; Accord 3.0; and the Hawaii Friends of Restorative Justice:

- Two encores of *Native Hawaiian Peacemaking Concepts* (Hooponopono) featuring Beadie Kanahale Dawson, Esq.; aired on OLELO TV, now available with English closed captioning at: <https://www.youtube.com/watch?v=tfOWmnOIWyo>
- *Indigenous Conflict Resolution: Practice and Integration* panel discussion held at the Hawaii Supreme Court and aired on OLELO.
- 2018 Access to Justice Conference: *Technology in Mediation to Increase Access to Justice*.

Highlights from Fiscal Year 2017 - 2018

- Talk Story: *Culture and Conflict Resolution* at UH Manoa, Matsunaga Institute for Peace and Conflict Resolution.
- *Public Participation in a Polarized Era - The Good, The Bad, The Future.*
- *Strategies to Bridge Cultural and Generational Gaps in Conflict Resolution.*
- Hawaii Friends of Restorative Justice *Community Dialogue on Race.*
- Talk Story: *Connecting Theory to Practice for Intentional Application of Alternative Dispute Resolution Tools.*
- National Issues Forum Institute *Coming to America - Who Should We Welcome, What Should We Do?*
- Office of Hawaiian Affairs Taskforce on Hooponopono.
- *Multilateral Negotiation, Tools for Conflict Resolution and Prevention:* Two sessions explored the process of multilateral negotiations and how this model could be applied to address social, political and economic issues.
- Conflict Resolution Day Proclamation and Volunteer Mediator Ceremony.

Community Mediation Centers

Fiscal Year 2018 (7/1/17 to 6/30/18) Report Information: The Mediation Centers of Hawaii, Incorporated served 6,752 clients in Fiscal Year 2018.



Mediation. It Works!

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*With grateful appreciation for her dedication to the profession of alternative dispute resolution, General Frances Mossman will be missed.

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