



THE MEDIATION CENTER OF THE PACIFIC, INC.

Annual Report

July 1, 2011 - June 30, 2012

245 N. Kukui Street, Suite 206
Honolulu, Hawaii 96817
Tel: 521-6767 Fax: 538-1454
www.mediatehawaii.org

**FY 2011-2012
BOARD OF DIRECTORS**

Officers

President

Cynthia T. Alm
(2013)**

Vice President

Gerald Clay
(2013)*

Secretary

Warren Haight
(2012)**

Treasurer

Eric S. Austin
(2012)**

Directors

Sidney Ayabe
(2012)**

Ann Botticelli
(2012)**

Thomas W. Cestare
(2014)*

Lee W. Erwin
(2012)*

David H. Franzel
(2015)**

Patricia Hamamoto
(2014)*

Connie Harper
(2013)*

Andrew Hipp
(2013)*

Peter S. Knapman
(2013)*

Dee Dee Letts
(2013)*

Judge Victoria Marks (Ret.)
(2013)**

Ron Matayoshi
(2013)*

Bruce McEwan
(2013)**

Peter E. Robb
(2013)*

Abelina M. Shaw
(2012)*

Judge Melvin Soong (Ret.)
(2012)**

Emeritus Directors

Charles H. Hurd

Susan Lampe

Ruth Tschumy

* Serving first three-year term

** Serving second three-year term

STAFF

Executive Director

Tracey S. Wiltgen

Deputy Director

Jessica Stabile

Mediator & Program Development Manager

Nathan Nikaido

Client Services Manager

Valerie Vegas

Client Services Coordinators

Kahala Dotson & Kanoe Paauhau

Special Programs Coordinator

Deborah Yeoh

Administrative Assistants

Rannette Oga & Kanoe Paauhau

Morning & Afternoon Receptionists

Starsha Cleaver & Theo Fujiyoshi

Evening Receptionists

Allen Dever & Dennis Erickson

Office Volunteer

Jane Jones

PROGRAM DEVELOPMENT & QUALITY ASSURANCE COMMITTEE

Bruce McEwan, Chair

Cynthia Alm

Gerald Clay

Lee Erwin

Peter Knapman

Judge Victoria Marks (Ret.)

FUNDRAISING COMMITTEE

Susan Lampe, Chair

Cynthia Alm

Ann Botticelli

Warren Haight

Charles Hurd

Peter Robb

Ruth Tschumy

PERSONNEL COMMITTEE

Connie Harper, Chair

Peter Robb

NOMINATING COMMITTEE

Cynthia Alm, Chair

Warren Haight

Abelina Shaw

FINANCE COMMITTEE

Eric Austin, Chair

David Franzel

Warren Haight

INVESTMENT COMMITTEE

Sidney Ayabe, Chair

Lee Erwin

Dee Dee Letts

Judge Victoria Marks (Ret.)

Judge Melvin Soong (Ret.)

BUSINESS DEVELOPMENT COMMITTEE

Connie Harper, Chair

Ann Botticelli

David Franzel

Warren Haight

Patricia Hamamoto

Dee Dee Letts

Ron Matayoshi

Abelina Shaw

Meeting the Needs of Oahu's Communities



The Mediation Center continues to be extremely fortunate to have so many supporters and friends who help us make a difference in Hawaii. With your support, in FY 11-12, the Board of Directors, staff and volunteers focused their energy on growing the Kupuna Pono Program for elders and their families, strengthening the Divorce Mediation Program, and expanding community outreach to neighboring communities.

To strengthen its role in increasing access to justice, the Mediation Center worked closely with the Hawaii Access to Justice Commission, its committees, and other civil legal service providers (i.e. Legal Aid Society of Hawaii, Volunteer Legal Services of Hawaii, the University of Hawaii's Elder Law Program, Hawaii Disability Rights Center, etc.). Additionally, the Mediation Center participated on the Legal Services Committee of the Alzheimer's and Other Dementia's Task Force (ADTF) to increase outreach and support of the legal needs of the state's elderly population and their families.

To further develop the Kupuna Pono Program, the staff designed and conducted training in the area of Adult Guardianship Mediation and thanks to the Friends of Hawaii Charities, also created and conducted a training in Family Conferencing for Elder Issues. These trainings were the second in a series designed to build capacity to assist elders and their families. To promote the benefits of the Kupuna Pono Program, the Mediation Center staff participated in a one-hour show broadcast on Olelo and a one-hour Elder Law television show broadcast on OC17.

Thanks to Family Law Attorney William Darrah and funding from the Pettus and Bretzlaff Foundations, the Mediation Center initiated work on strengthening its Divorce Mediation Program. The Comprehensive Divorce Mediation Program was developed to offer divorcing couples the opportunity to work through all of their issues to complete an uncontested divorce. Additionally, two new training curriculums were developed, including the Accelerated Divorce Mediation Training for Family Law attorneys and the Advanced Divorce Mediation Training for current divorce mediators.

Finally, in response to Foreclosure crisis in Hawaii, the Mediation Center worked with the Judiciary's Center for ADR to create a two-day foreclosure dispute resolution training that was conducted on Oahu and the island of Hawaii for a total of more than forty mediators.

Finally, the Mediation Center was fortunate to create a new Deputy Director position in August 2011 and to hire Jessica Stabile to fill the position. Jessica has been a great asset to the Mediation Center and has helped to strengthen operations and grow services. We are delighted to have her be a part of the team.

These are just a few of the many accomplishments that were made possible through the generosity of your financial contributions and the thousands of hours donated by the mediators, trainers and directors of the Mediation Center's Board. Thanks to you, the Mediation Center continued to help more people talk and resolve their conflicts creatively in FY 2011-20112.

Mahalo Nui Loa for making it all happen!



Mahalo for Your Support

Aloha United Way
Bretzlaff Foundation
Combined Federal Campaign
Earl & Margery Chapman Foundation
Foodland Supermarket, Ltd.
Friends of Hawai'i Charities

Hawai'i Community Foundation
Hawai'i Justice Foundation
The Harry and Jeanette Weinberg Foundation
Jhamandas Watumull Fund
Pettus Foundation
Western Union

UNDER THE MEDIATION MOON

Peacemakers

\$6,000

Robbie and Cynthia Alm

Collaborators

\$3,000

Ayabe Chong Nishimoto Sia &
Nakamura LLLP

Clay Chapman Iwamura Pulice & Nervell

Charles and Susan Hurd

Dee Dee Letts & Warren Haight

Bruce McEwan

SMS Research

Conciliators

\$1,500

Alston Hunt Floyd & Ing

Dispute Prevention & Resolution, Inc.

Lee Erwin

Patricia Hamamoto

Susan Lampe & Ruth Tschumy

Judge Victoria Marks (Ret.)

Mercury Club

Mid Pacific Institute

CONTRIBUTIONS

Collaborators

\$3,000 & Above

Robbie and Cynthia Alm

Sidney and Gloria Ayabe

William Darrah

Patricia Hamamoto

Mediators

\$1,500 & Above

Anonymous

Ekimoto & Morris LLLC

Honolulu Board of Realtors

McCorrison Miller Mukai

MacKinnon LLP

Bruce McEwan

Tracey Wiltgen

Conciliators

\$1,000 & Above

Ann Botticelli

David and Susan Chandler

David and Sonia Franzel

Robert Carson Godbey & Ellen

Godbey Carson

Bonnie Harwick

Bill and Susan Lampe

Schlack Ito LLC

Partners

\$500 & Above

Dispute Prevention & Resolution, Inc.

Jacqueline Earle

Richard Ekimoto

Lee Erwin

Charles and Susan Hurd

Aleta Klein

Meadow Gold Dairies

Laurie Tochiki

Chiye Wenkam

Howard and Jana Wolff

Resolvers

\$250 & Above

Anderson Lahne & Fujisaki LLP

Susan Barr-Brandon

H. William and Sandie Burgess

Louis and Sue Chang

Clay Chapman Iwamura Pulice &

Nervell

Linda Colburn

Gina-Patricia Holdorff

Kem and Junko Lowry

Law Offices of Philip Nerney

Nathan Nikaido

John Stallman

Bill Watts

Robert Witt

William T. Wright, Jr.

Friends

\$100 & Above

Peter Adler

M. Anne Anderson

Allen M. Arakaki CPA, Inc.

Stephanie Araki

Daniel Bent

Herman and Patricia Brandt

Robin Brandt

Judge Michael Broderick (Ret.)

Eileen Cain

Idea Canevascini

Beverly Cardinal

Chunmay Chang

Dawn N. Chang

Rev. Ronald and Betty Ching

Kerry Cloward

Perry Confalone

Paul Cunney

Diehl & Weger

Gary Gill & Susan Essoyan

Gregory Frey

Lawrence Foster

Robert Frame

Jed Gaines

Raymond J. Griffin

Gaylien Hall

John B. Hall

Steven Hartley

David Heenan

Carl Hennrich TTEE

Andrew Hipp

Amy S. Hubbard

Susan Ichinose

Iris Ito

Jon Iwatani

Frederick S. Izumi

James Jennings

Clayton Kamida

Robert and Marcy Katz

Elizabeth Kent

Jo Ann Kocher

Judge Evelyn Lance (Ret.)

Elaine Lemons

Robert and Anna Lessard

Katherine Li

Friends (cont.)

\$100 & Above

Justice Steven Levinson (Ret.) and
Catherine Levinson
John Lockwood
Virginia Low
Joanne Lundstrom
MacDonald Rudy Byrns O'Neill & Yamauchi
Judge Victoria Marks (Ret.)
McDonalds
William and Judge Marie Milks (Ret.)
Thomas Mitrano
Joy Miyasaki
David Molenaar
Chief Justice Ronald Moon (Ret.) and
Stella Moon
Sharon Moriwaki
Marni Murdock
Poranee Natadecha-Sponsel
Joyce Neely
Philip Nerney
Melanie Okazaki
Blake Okimoto
Ron Oster
Barbara Polk
Cheryl Prince
Richard Proctor
ProService Hawaii
Chief Justice Mark Recktenwald
Ute Regan
Michael Riordan
Peter Robb
Craig Robinson
Frank Rothschild
Jim Rudosky
Rai Saint Chu
John and Dorothy Seigal
Robert Schmidt
Abelina M. Shaw
Judge Melvin Soong (Ret.)
Monica Suematsu
Clyde Sumida
Jeff Swartz
Owen Tamamoto
Ruth Tschumy
Yoshiharu Ueno
Bettina Uris
Adrienne Valdez
Craig and Debbie Wagnlid
Judge Diana Warrington (Ret.)
Jeff White
Carleton Williams
Deborah Yeoh
Calvin and Leslie Young
Raymond J. Zeason

Supporters

\$35 & Above

Marla Acosta
Natalie Afalava
Allen Arakaki
Richard Baker
John Barkai
A.M. Bernson
Jerome Berlinger
Jeannie Browne
J. William "Ned" Busch
Kevin Chang
Jim Dannmiller
Thomas and Louisa Di Grazia
Loretta Dubin
Justice James Duffy Jr. (Ret.) and
Jeanne Duffy
Patricia Dunn
Marie Ferdun
Alice Fung
Dona Hanaike
Scott Hashimoto
Constance Hassell
Edna Hussey
Louise Ing
Sandra Jordan
Lynne Kaneshiro
Judge Faye Koyanagi
Edward and Annie Lee
William Lee
Clarence Liu
Thomas Loudat
Julie Mikami
Richard Morris
Lynn Murison
Peter Nakagawa
Howard Nobunaga
Senator Suzanne Chun Oakland
Melanie Okazaki & Eugene Villaluz
Calvin Pang
Judge Karen Radius (Ret.)
Marcia Sakamoto-Wong
Calvin Say
Sherrie Seki
Harry Spiegelberg
Howard Stephenson
Becky Sugawa
Ken Takayama
Michael Tanigawa
Steven Trecker
Christine Urban
Richard Wada
William and Georgina Yuen

**MICHAEL NAUYOKAS
INNOVATION AND
EXCELLENCE IN MEDIATION
FUND CONTRIBUTIONS**

Cynthia Alm
Anderson Lahne & Fujisaki LLP
Donald and Susan Anderson
Jane Aquino
Suzanne Aquino
Max Besenbruch
Jim Bickerton & Deborah Kim
Judge Michael Broderick (Ret.)
Cedric and Patricia Choi
Jerry and Vanny Clay
Kerry Cloward
Lawrence Foster
Jed Gaines
Randy and Joey Harris
Carl Hennrich
Michael Herb
Jerry and Mahilani Hiatt
Andrew Hipp
Louise Ing
Frederick S. Izumi
Elizabeth Kent
Dan and Lisa Klerman
Thomas and Joanne Kost
Deborah Leim
Justice Steven Levinson (Ret.)
James Leavitt, Jr.
Ron and Coralie Matayoshi
Bruce McEwan
Justice Sabrina McKenna
Frank and Mary Nauyokas
Joyce Neely
Sharon On Leng
Chief Justice Mark Recktenwald
Seth Reiss
Jim Rudosky
Pamela Tamashiro
Steven Trecker
Deborah Yeoh

IN KIND CONTRIBUTIONS

Peter Adler
Alakea Properties LLC
Robbie and Cynthia Alm
Aloha Graphics
Paul Alston
Judge Riki Amano (Ret.)
Charlene Anaya
Linda Anzai
Arcadia Retirement Residence
Donnie Asam
Sidney Ayabe
John Barkai
Bruce Barnes
Judge Hillary Benson-Gangnes
Daniel Bent
Barbara Bishop
Dr. Patricia Blanchette
Ann Botticelli
Judge Mark Browning
Kristin Bryant
Wendy Burkholder
J. William "Ned" Busch
Thomas Cestare
David Chandler
Dawn N. Chang
Louis Chang
Jerry and Vanny Clay
Linda Colburn
Michael Collins
Dr. Barbara Cook
James Cooke
Seth Corpuz-Lahne
Charles Crumpton
William Darrah
Nicholas DeWitt
Howard Dicus
Tom DiGrazia
Joni Domingues
Jerry Durham
John Edmunds
Richard Ekimoto
Thomas Farrell
Mark Fergusson
David Franzel
Mel and Theo Fujiyoshi
Jeff Gilbreath
Andrew Goff
Sonja Gonzaga
Joey Gottesman
Connie Harper
Steven Hartley
Hawaii Self Storage

Hawaiian Electric Company
HawaiiUSA Federal Credit Union
Andrew Hipp & Anthea Lewis
James Hoenig
Frank Hogan
John and Kim Holzman
Arlynn Howell-Livingston
Leo Hura
Charles and Susan Hurd
Louise Ing & Mike Sitch
JMD Beverages
Jason Johnson
Hugh Jones
Jane Jones
Keri Kalilikane
Douglas Kaya
Kealii
Elizabeth Kent
Miles Kimhan
Derek Kobayashi
Jo Ann Kocher
Susan Kroe-Unabia
Kukui Children's Foundation
Bill and Susan Lampe
Roberta Lee-Driscoll
Giuseppe Leone
Dee Dee Letts
Stephen Levins
Alan Ma
Scott Makuakane
Judge Victoria Marks (Ret.)
Judge Linda Martell
Dr. Kamal Masaki
Bruce McEwan
McNeil Wilson Communications
Robin Stout Migala
Judge Marie Milks (Ret.)
Thomas Mitrano
Reina Miyamoto
David Molenaar
John Morris
Mei Nakamoto
Joyce Neeley
Philip Nerney
Dennis Oshiro
Susan Park
Pepsico Beverages Co.
Cheryl Peterson
Leta Price
Randy Prothero
Seth Reiss
Dr. Craig Robinson
Adam Rosenberg
Frank Rosthchild

Wendy Saito
Andy Smith
Tytina Smith
Donald Spafford
John Stallman
Sue Sylvester-Palumbo
Sutherland Events
Owen Tamamoto
Clyde Tanaka
Marylynn Tanji
Beth Tarter
Jim Teson
Ruth Tschumy
Eugene Villaluz
Ryker Wada
Where Talk Works
Jana Wolff
Beth Worrall-Daily
Ray Yamate & Chuck Buckla
Raymond J. Zeason

Bringing people together to talk and resolve their differences

FY11-12

Referral Source	Mediated: Agreement	Mediated: No Agreement	Conciliations	Closed	Pending	Total
Attorney	34	18	2	37	13	104
HCRC	11	13	0	7	4	35
Circuit Court	0	0	0	2	0	2
Family Court	68	50	4	33	23	178
District Court	469	525	2	21	4	1021
DOE	27	0	0	6	0	33
Police	1	0	0	5	0	6
Family/Friend	30	14	1	29	4	78
Self	39	21	1	87	18	166
Social Service Agency	3	0	1	3	0	7
Other	17	8	0	34	9	68
TOTAL *	699	649	11	264	75	1698

* Includes pending cases carried over from prior year

OUTCOMES *

* Reported by mediation participants through written surveys completed at the end of each mediation

OUTPUTS

Mediation is useful process	93%	Number of mediation hours	3,617
Would use mediation again	89%	Number of mediation sessions	1,432
Mediation clarified my issues	81%	Number of people served through mediation programs	4,130
Agreement resolved the problem	63%	Number of hours in training & education	154

Permanently restricted funds are the Harry and Jeanette Weinberg Foundation endowment of \$1,000,000 and the Earl and Margery Chapman Foundation match of \$300,000.

* **NOTE: Based on audited financial statements.**

July 1, 2011 to June 30, 2012		Prior Year
Revenue & Support:		
Contributions:		
Donated services	479,718	426,268
Net assets released from temporary restrictions	51,659	73,107
Unrestricted contributions	63,283	60,884
Total contributions	594,660	560,259
Government contracts	257,215	207,248
Program service fees	92,009	76,897
Special events, net of direct cost	24,640	21,002
Investment & other income	6,673	684
Total Revenue & Support	975,197	866,090
Expenses:		
Mediation services	879,484	782,678
Management and general	74,333	78,373
Fundraising	18,837	6,906
Total Expenses	972,654	867,957
Change in Net Assets	2,543	(1,867)

Statements of Cash Flows		
	As of June 30, 2012	Prior Year
CASH FLOWS FROM OPERATING ACTIVITIES		
Increase in net assets	17,206	41,209
Adjustments to reconcile increase in net assets to net cash provided by operating activities:		
Depreciation	3,412	4,065
Net realized gains (losses) on investments	0	(7,115)
Net unrealized gains (losses) on investments	(2,150)	(47,946)
(Increase) decrease in:		
Accounts receivable	12,761	(21,056)
Prepaid expenses and other current assets	189	2,069
Increase (decrease) in:		
Accounts payable	6,210	1,987
Accrued liabilities	(12,750)	8,488
Net cash provided (used) by operating activities	24,878	(18,299)
CASH FLOWS FROM INVESTING ACTIVITIES		
Sales of investments	350,000	630,203
Purchases of investments	(362,873)	(644,366)
Additions to property and equipment	(3,170)	0
Additions to deposits	0	0
Net cash used by investing activities	(16,043)	(14,163)
CASH FLOWS FROM FINANCING ACTIVITIES		
Addition to note payable	0	0
Repayment of note payable	(954)	(1,041)
Net cash provided by financing activities	(954)	(1,041)
NET INCREASE (DECREASE) IN CASH	7,881	(33,503)
CASH – Beginning of the year	182,583	216,086
CASH – End of the year	190,464	182,583

OUR MISSION AND SERVICES

The Mediation Center of the Pacific is a not-for-profit, Aloha United Way Agency. For 33 years, the Mediation Center has served Oahu's communities by offering high quality mediation and dispute resolution services, including conflict resolution training for organizations and businesses.

The underlying goals of the mission are:

- **ACCESS:** to ensure that high quality alternative dispute resolution services are accessible to groups and individuals in all of Oahu's communities, focusing on those communities that are underserved.
- **OUTREACH:** to promote broad community understanding and use of alternative dispute resolution by providing and supporting training, awareness and educational activities in varied organizational and community settings.
- **QUALITY:** to continually improve the quality of dispute resolution services through training, evaluation and revision.
- **SELF SUFFICIENCY:** to broaden community support and representation, secure multiple sources of funding, and provide adequate resources for its operations, programs and its most valuable asset – the volunteers.

The Mediation Center's purpose has been identified as "building stronger communities through families, schools, the workplace and neighborhoods by reducing conflict; building collaboration; improving communication; teaching skills in managing conflict and self sufficiency; and providing a model of practice for conflict resolution."

To accomplish its mission, the Mediation Center offers six key programs, including Community Mediation; Specialized Mediation; ACCESS ADR; Schools and Youth; Poor and Needy; and Training.

COMMUNITY MEDIATION

The Community Mediation Program provides mediation services for a broad variety of cases involving relationships between neighbors, co-workers, families and friends. To support the mission of providing affordable services, the Mediation Center has developed an excellent recruitment and training system, enabling it to rely upon a pool of approximately 150 professional mediators who volunteer their services. To be eligible to mediate cases in the Community Mediation Program, each mediator is required to complete approximately 45 hours of training, mediate ten cases with mentor mediators, and be successfully evaluated for mastery of basic skills. After completion of their Apprenticeship, mediators are required to complete 20 hours of continuing education annually. Services offered through the Community Mediation Program include:

- **Consumers and Merchants:** Billing disputes, contract clauses, poor merchandise or service and similar issues are referred from Hawaii's Regulated Industries Complaints Office (RICO), Hawaii Better Business Bureau (BBB) and others.
- **Landlord/Tenant:** Disputes regarding payment of rent, security deposits and damage can be resolved directly at The Mediation Center rather than filing a complaint at District Court.
- **Employment/Job Related:** Workplace conflicts arising between co-workers from personality clashes, employment disagreements, discipline, office atmosphere, downsizing, and cultural or generational differences are referred to mediation by Human Resource Professionals, Management or others.

- **Family Business Disputes:** Small family owned businesses often foster unique problems from blending personal and business ties. Through mediation, agreements can be reached and relationships preserved.
- **Family Estate Planning:** Decisions about property division, loans, asset management and appointment of trustees.
- **Elder Issues:** Family decisions about caregiver selection, housing options, financing care, and other related issues.
- **Juvenile Restitution:** Victims, juveniles and the parents of the youth have the opportunity to meet face to face to work out some form of restitution.
- **Neighbors:** Barking dogs, over-hanging trees, smoke and noise are just a few of the issues that may be mediated between neighbors. Cases are self-referred, as well as through the courts, police, friends and others.
- **Temporary Restraining Orders (TROs):** Friends, neighbors, classmates, and co-workers may request District Court to issue a TRO. When appropriate, cases are referred by the courts to mediation. The mediators assist the parties in resolving the underlying issues or defining clear boundaries to limit contact and stay away from each other.
- **Court On-Site Mediation:** The Mediation Center provides mediators directly on-site at District Court for all pending lawsuits in Small Claims Court and Summary Possession matters, as well as for select TRO cases.

SPECIALIZED MEDIATION

The Specialized Mediation Program provides mediation services in areas such as divorce, paternity, civil rights, adult guardianship, condominium, real estate, mortgage foreclosure and special education. Mediators who provide services in the Specialized Mediation Program are experienced mediators who have completed additional training in the specific area and have subject matter knowledge in that area. The training curriculum in each area includes the policies, protocols and laws governing the respective area, as well as modifications to the basic mediation model designed to assist parties in reaching resolutions on the issues unique to the area. The mediators are required to participate in quarterly workshops, trainings and updates to remain current in the specialized areas. The areas include:

- **Divorce:** Mediators assist parties with property division, child custody and visitation, spousal support and other issues involved in marital separation. Mediators also help the parties improve communication, develop “Parenting Plans”, and work through the divorce decree to ensure that they have addressed all issues to finalize the uncontested divorce on their own.
- **Paternity:** Mediators assist unmarried couples with children to resolve issues of custody and visitation, where the child(ren) will live, a child’s name and medical insurance coverage.
- **Civil Rights:** The Mediation Center receives referrals from the Hawai’i Civil Rights Commission (HCRC) and Legal Aid Society of Hawai’i involving various types of workplace, housing and merchant discrimination complaints.
- **Adult Guardianship:** Mediators assist families in dispute regarding who should make decisions for their elder member.
- **Condominiums:** Disputes arising between owners, board members, property managers, resident managers, vendors and others relating to condominium or homeowner associations. Issues include violations of house rules, by-laws, declarations and more.
- **Real Estate:** Disputes between buyers, sellers and real estate agents involving sales, rentals and encroachments.
- **Mortgage Foreclosure:** Neutrals assist lenders and borrowers of owner-occupied residential property in both Judicial and non-Judicial foreclosures.

- **Special Education:** The Mediation Center offers conciliation and mediation services to assist parents of children with special needs and schools to resolve conflicts, as well as facilitation of Individualized Education Plan (IEP) meetings to promote collaboration and effective meeting management.

ACCESS ADR

The Mediation Center maintains a separate panel of experienced mediators and facilitators referred to as ACCESS ADR (Affordable and Accessible Dispute Resolution Options). The panels were created in response to requests from clients who desire access to low-cost services with the option of reviewing the background and selecting the dispute resolution professional to meet their specific needs. Clients pay an hourly fee for the services, which can be provided anywhere statewide. The mediators and facilitators are independent contractors who apply to be on the panels.

SCHOOLS AND YOUTH

The Mediation Center works with public and private schools throughout the State to create and support a culture of peaceful conflict prevention and resolution. Services provided include training and workshops for adults and youth, consultation, mediation and facilitation. Additionally, the Mediation Center creates opportunities to support the development and preservation of young mediators and peer mediation programs in the schools through collaborations with the Hawai'i Association of Conflict Resolution (ACR Hawai'i), the Hawai'i State Judiciary's Center for Alternative Dispute Resolution (CADR), the University of Hawaii's Program on Conflict Resolution, and other professional mediators, to host events such as the annual Posters for Peace Contest for elementary students and the annual Statewide Peer Mediation Conference for middle/intermediate and high school student peer mediators.



POOR AND NEEDY

While the Hawai'i Access to Justice Commission has worked hard since its inception to address the growing needs of the low-income and gap group populations in the State, solutions remain complex, costly and obscure. The Mediation Center is the only low-cost alternative dispute resolution option for individuals in the low-income population on Oahu. In addition to providing direct mediation services, the Mediation Center also conducts trainings for the poor and needy as well as for groups serving clients in the low-income population to provide them with skills that will enable them to better serve their clients.

The Mediation Center is fortunate to have an endowment from the Harry and Jeanette Weinberg Foundation that supports the provision of services to the poor and needy. In addition, the Mediation Center is a recipient of funding from the Indigent Legal Assistance Fund (ILAF) that supports the provision of dispute resolution services to members of the indigent population in Hawaii.

TRAINING

Throughout the year, the Mediation Center offers training in conflict resolution, mediation and facilitation to the public, government agencies, businesses and the military on a fee-for-service basis. The outside training services support the goals of improving Self-Sufficiency and Outreach. Through the program, hundreds of individuals develop a better understanding and use of conflict resolution and mediation skills for preventing and resolving conflicts within their respective organizations and communities. All proceeds from the program directly benefit and support the Mediation Center's Community Mediation Program.

YEAR IN REVIEW: 2011 - 2012

In fiscal year 2011-2012 (FY11-12), the Mediation Center served a total of **6,017 people** through its mediation and training programs including managing **1,698 cases** and conducting **174 hours of trainings and workshops** for mediators, businesses and organizations throughout the State. These accomplishments were made possible through the dedication of the approximately **200** facilitators, mediators and trainers who donated **3,273 hours** of their time to assist Hawaii's people in preventing and resolving conflict.

Community and Specialized Mediation

In FY11-12, the Mediation Center continued to provide mediation services for a broad variety of disputes under the Community and Specialized Mediation Programs, including domestic, special education, family, landlord/tenant, condominium, and civil rights, among others. Of the **1,348** cases mediated, **52% resulted in written agreements overall and 60% of the in-house cases resulted in written agreements.**

"Your help was greatly appreciated!"

"I am very happy to have a mediator. It will definitely help the situation in the future."

"Both mediators were fair and non-judgmental. Kept us on track on the issues."

"The mediators were patient and listened to us."

"I'm very thankful and really appreciate your services. It really cleared up our situation and eased our stress."

"Thank you to the volunteer mediators for their help. They did a great job."

"I'm very glad I have done this. The two mediators were very nice and very helpful. Thank you."

"I really liked the openness and creative options that could be available in our decision making process."

"Mediation was helpful to address issues in a calm matter. We were able to solve our issues and hopefully stick to the agreement."

"I truly appreciate the efforts of both mediators who were great listeners and tried to mediate a compromise/agreement."

"Thank you very much for showing me that the problem could be solved."

"Frankly, we did not hold out much hope of resolution, so were pleasantly surprised at outcome. Both sides have a long road ahead, but it's a first big step in right direction."

"I wish I had come in when I had the problems in the past. Definitely brought me peace. Thank you."

"I am truly satisfied with our mediators assigned to us. They showed they really cared, and we came to an agreement for the sake of our kids. I believe it was well worth it!"

"Appreciate this service as an option. Mediators are skilled and supportive."

"I am very happy with the mediation process. The mediators were very helpful and nice. Very happy I came."

"The Mediation Center is an indispensable tool to assist disputants to work towards the goal of a resolution agreeable to all parties."

To ensure that the mediators maintained high quality skills as well as subject matter knowledge in the specialized areas, **154 hours of internal trainings and workshops** were conducted in FY11-12 including: Accelerated Divorce Mediation; Adult Guardianship Mediation; Advanced Divorce Mediation; Advanced Mediation; Basic Mediation; Best Practices in Divorce Mediation; Building Rapport in Mediation; Divorce Law in Hawaii; Divorce Mediation Best Practices; Facilitation; Family Conferencing for Elder Issues; Foreclosure Dispute Resolution; On-Site TRO Mediation; and Special Education Mediation and Facilitation. In addition, mediator gatherings such as The Mediation Center Town Hall, Mediator Talk Story Session, and Mediator Recognition & Holiday Gathering were held during the fiscal year.



The Mediation Center is grateful to the professional mediators and outside experts who contributed over **182 hours** of their time to assist with the trainings and workshops including: **Cynthia Alm, Judge Riki Amano (Ret.), Linda Anzai, Professor Bruce Barnes, Daniel Bent, Barbara Bishop, Dr. Patricia Blanchette, Judge Mark Browning, Wendy Burkholder, Louis Chang, Gerald Clay, Linda Colburn, Michael Collins, Dr. Barbara Cook, James Cooke, Seth Corpuz-Lahne, William Darrah, Nicholas DeWitt, Joni Domingues, Jerry Durham, Thomas Farrell, Jeff Gilbreath, Andrew Goff, Sonja Gonzaga, Connye Harper, Steven Hartley, Dr. James Hoenig, Frank Hogan, Arlynnna Howell-Livingston, Leo Hura, Charles Hurd, Jason Johnson, Hugh Jones, Keri Kalilikane, Kealii, Elizabeth Kent, Miles Kimhan, Derek Kobayashi, Roberta Lee-Driscoll, Giuseppe Leone, Dee Dee Letts, Stephen Levins, Alan Ma, Scott Makuakane, Judge Victoria Marks (Ret.), Dr. Kamal Masaki, Bruce McEwan, Robin Stout Migala, Reina Miyamoto, John Morris, Mei Nakamoto, Joyce Neeley, Philip Nerney, Dennis Oshiro, Cheryl Peterson, Leta Price, Randy Prothero, Seth Reiss, Dr. Craig Robinson, Adam Rosenberg, Wendy Saito, Tytina Smith, Donald Spafford, Clyde Tanaka, Marlynn Tanji, Jim Teson, Ryker Wada, Jana Wolff, Beth Worrall-Daily and Raymond Zason.**

ACCESS ADR

The Mediation Center staff and ACCESS ADR panelists provided 35 hours of mediation and facilitation services for individuals in private businesses, schools, government agencies, nonprofit organizations and other businesses throughout the State.

Schools and Youth

The Mediation Center once again collaborated with **Mediation Works, ACR Hawai'i, the Hawai'i Department of Education, Hawai'i State Judiciary's Center for Alternative Dispute Resolution (CADR), University of Hawaii's Matsunaga Peace Institute's Program on Conflict Resolution** and private mediators to host the 25th Annual Statewide Peer Mediation Conference held on February 24, 2012 the University of Hawaii Campus Center Ballroom. More than 120 students and adults hailing from 8 middle and high schools located on the islands of Oahu and Kauai participated. The Conference format involved facilitated discussions that focused on generating ideas to support and sustain Peer Mediation Programs statewide. The theme of the Conference, 25 Years Towards Peace, offered workshops on a broad variety of current topics impacting today's youth such as: "Digital Tattoos: Real Ethics in a Virtual World;" "Virtual Mediation Lab;" "Netiquette;" and more. The students uniformly agreed that the Conference helped them to learn new skills and ideas that they would take back to their respective schools to strengthen and grow their Peer Mediation Programs.



Poor and Needy

With the continued support of the **Harry and Jeanette Weinberg Foundation** endowment, **Hawai'i Justice Foundation, Pettus Foundation, Bretzlaff Foundation, individual contributions** and the proceeds from the annual Under the Mediation Moon fundraiser, the Mediation Center was able to continue providing services to the growing number of clients in the low income and vulnerable populations. To support the provision of increased services to these populations, the Mediation Center



remained actively involved with the Consortium of Legal Service providers, and the Access to Justice Commission and its various committees. Efforts focused on outreach and increasing pro bono services, including: participating in an Open House at the Kukui Center for members of the Chinatown community; facilitating a series of community meetings at Mayor Wright Housing; participating in a community outreach event with the Access to Justice Commission in the windward Oahu communities; and participating on a panel about the status of Foreclosures in Hawaii at the annual Conference sponsored by the Access to Justice Commission and the Hawai'i State Bar Association.

Training

A total of **86 hours of external trainings/workshops and presentations** were conducted for various agencies, businesses, schools and individuals including: Easter Seals; Learning Disabilities Association of Hawaii; Kids Hurt Too; Foster Youth Coalition; Family Promise; Hale Kipa; Hawaii Immigrant Justice Center; Catholic Charities; the Community Children's Councils; the Family Law Section of HSBA; Arcadia Retirement Residences; and various members of the community. To promote mediation in the area of divorce, the Mediation Center was a co-presenter for the monthly Divorce Law in Hawai'i Program hosted by the Hawai'i State Judiciary. The Mediation Center staff also taught a Mediation Workshop for the University of Hawai'i's William S. Richardson School of Law from August through October. Finally, various forums addressing issues relating to dispute resolution were provided for diverse audiences in collaboration with ACR Hawai'i, the ADR Section of the Hawai'i State Bar Association, the Access to Justice Commission, and the Hawai'i State Judiciary.



Fundraising and Community Relations



Thanks to a pro-active Board of Directors and generous supporters, fundraising efforts were increased this fiscal year to offset the reduction in funding from the Judiciary, Aloha United Way and the Endowment. The celebration of the Mediation Center's 33 years of providing high quality yet affordable mediation and dispute resolution services to

Hawaii's communities at the 5th Annual **Under the Mediation Moon** on May 5, raised additional funds to support Community Mediation and increased access for individuals in the low-income and underserved populations. Moreover, the event was an opportunity to celebrate 25 Years of Peer Mediation and Collaborative Leadership in the Schools and to pay tribute to the three honorees: Ellen Godbey Carson, Sue Chang, and Sascha Julia Franzel.



Looking Ahead in 2012 - 2013

Key goals for FY 2012 - 2013 include: 1) continuing the development and expansion of the Comprehensive Divorce Mediation Program; 2) expanding the Kupuna Pono Program to assist elders and their families; 3) refining the Foreclosure Mediation Program on Oahu, Maui and Kauai; and 4) creating a virtual mediation room.

To maintain the momentum in the development and expansion of the Comprehensive Divorce Mediation Program, the staff has already scheduled another Best Practices in Mediation Workshop for experienced mediators. Additional staff training and community outreach to promote the Program is also being developed and will be implemented over the next few months.

The next steps in the development of the Kupuna Pono Program are to partner with two or more community health centers to establish a direct referral process for families with a member recently diagnosed with Alzheimer's disease or other dementia to participate in a family conference; and create a pilot adult guardianship mediation program for families in dispute over guardianship of an elder.

The Foreclosure Mediation Program is being restructured to meet concerns raised by lenders including client preparation, accessibility for out-of-state participants, and obtaining key documents prior to the mediation session. Pre-mediation instructions and preparation have been incorporated into the Program to ensure the greatest possibility of success. Staff training to implement the changes will be conducted to ensure consistency and efficiency in all cases.

The Mediation Center will also create a virtual mediation room with Skype and video conferencing capabilities. The modified room will provide greater access for parties to work through their issues in mediation when one party is off-island or physically not able to participate at the Mediation Center's office. The new technology will strengthen the Kupuna Pono Program because often, one family member resides on another island or the mainland. The modifications to the room will be supported by a fund created in the memory of mediator Michael F. Nauyokas who unexpectedly passed away in September 2011. This room will help to further the Mediation Center's mission of providing high quality mediation and dispute resolution services that are affordable and accessible.

Finally, the Mediation Center will work closely with Mediation Services of Maui (MSM) to assist their expansion of mediation and dispute resolution services for Maui County. The Mediation Center will help MSM to create a divorce mediation program and will conduct a training on Maui in early March 2013.