

# MediationTN

## Community Mediation Centers In Tennessee

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# Community Mediation Centers in Tennessee

The first center began in 1986, ten years before Rule 31 was adopted by the Supreme Court. The most recent center was created 2 years ago. **Currently there are six active centers:**

Anderson County, CMS(1986)

Cumberland County VORP/CMC(1987)

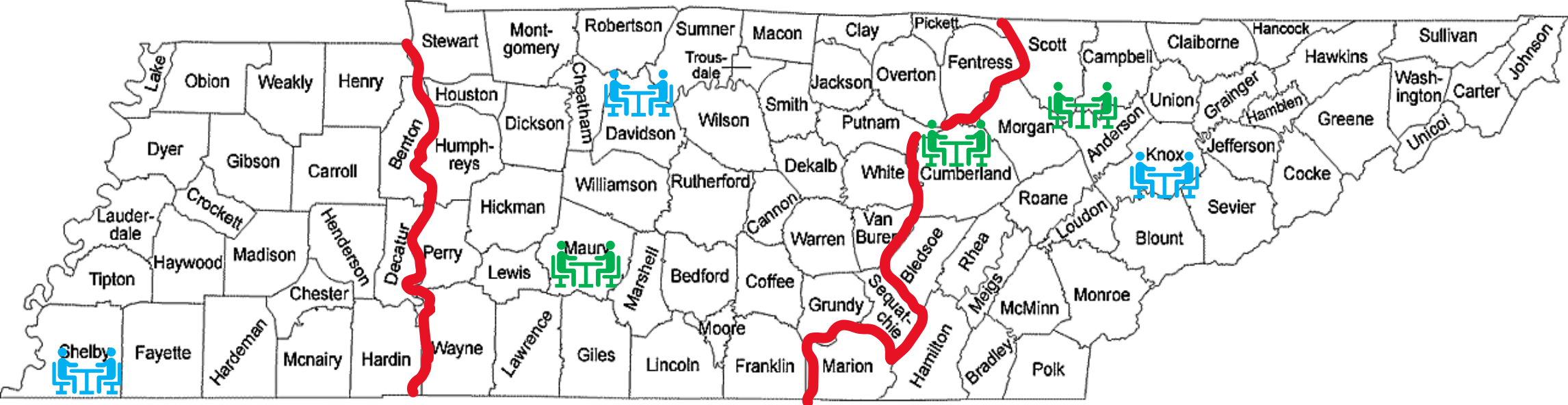
Davidson/Metro NCRC (1990)

Knox County CMC (1994)

Maury County TMS (1995)

Shelby County CJAM (2018)

# Tennessee Mediation Centers & Programs



CMC Grand Division "Hubs"



Active Tennessee CMCs

# What is a Community Mediation Center?

- It is a private **non-profit** or public agency governed or advised by a **diverse board of directors**.
- Trained **community volunteers** are the primary **providers** of mediation services.



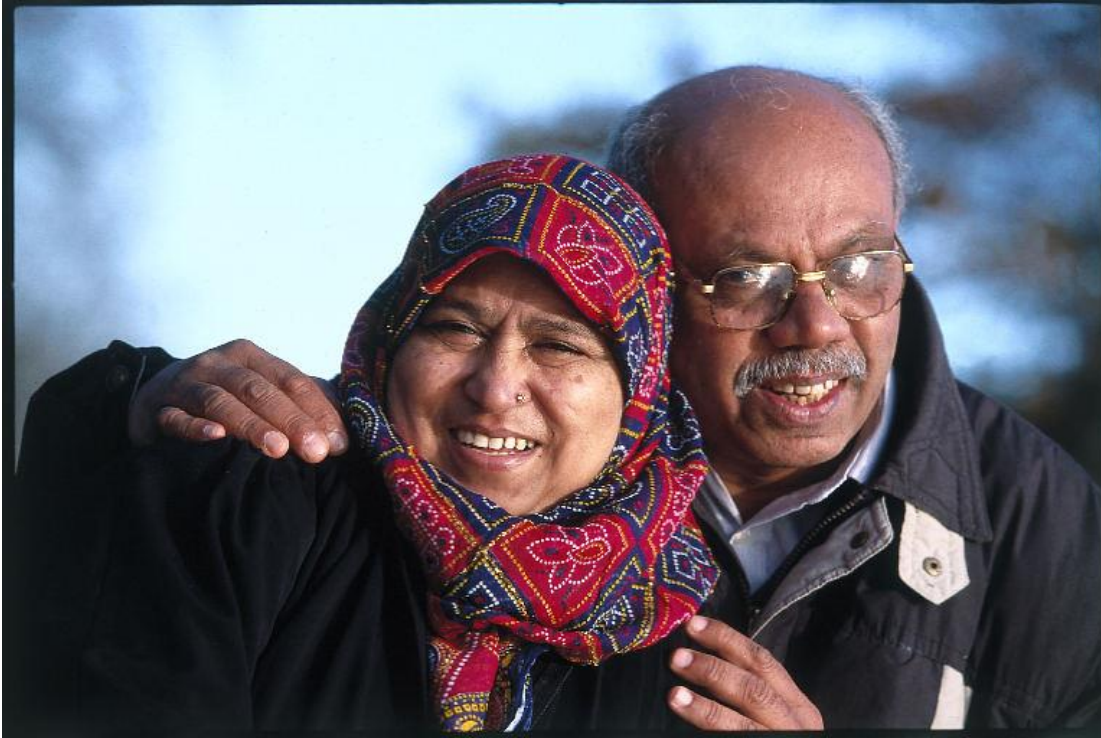
# What is a Community Mediation Center?



- CMC services are based on a **core belief** that individuals of all ages and backgrounds are **capable of resolving their own disputes** – effectively, inexpensively, and peacefully – **with assistance from trained volunteer mediators.**



# What is a Community Mediation Center?



- It provides **direct access to the public** through self-referral.
- It strives to **reduce barriers to mediation services**, including physical, linguistic, cultural, programmatic, and economic barriers.

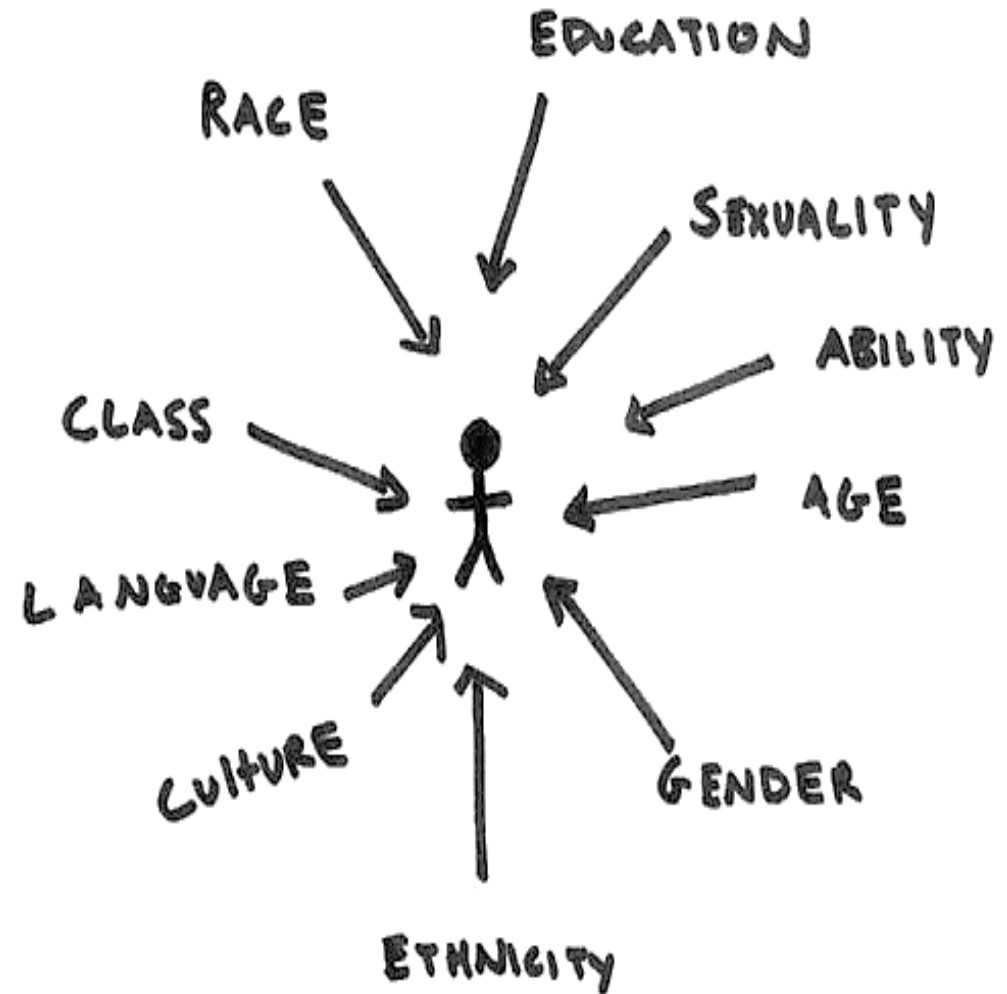
CMCs are dedicated to **providing dispute resolution services and training to all people**, especially those who cannot afford traditional services offered through the courts.

CMCs can schedule and hold mediations at a time and place convenient to the participants.



# What is a Community Mediation Center?

- CMCs focus on serving those for whom traditional services have not worked in the past because they did not address underlying issues or were not culturally appropriate.





# A rising tide lifts all mediator boats!

CMCs engage in **public awareness campaigns** and educational activities about the **values and practices of mediation and other forms of ADR...**

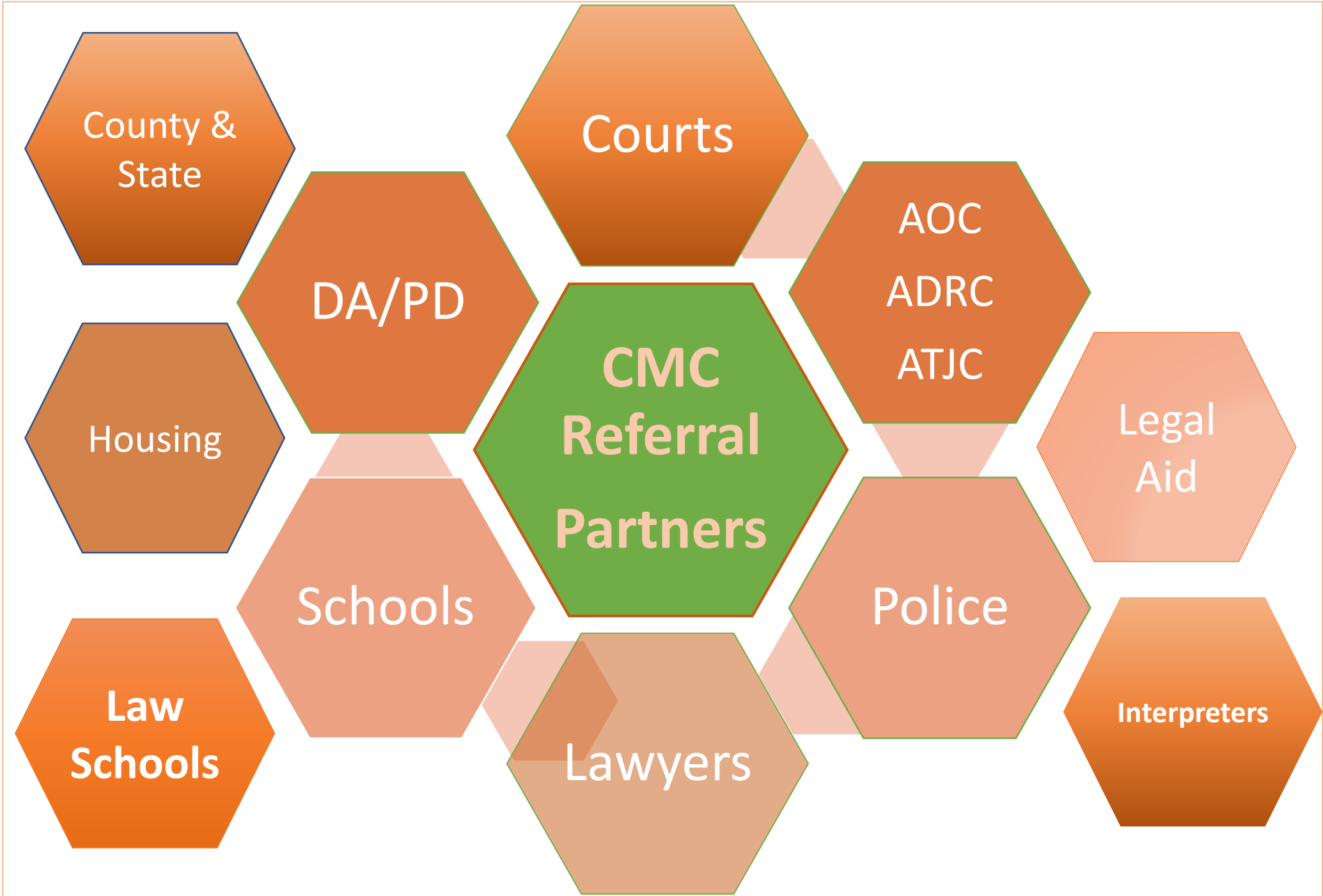
By so doing, **mediation awareness is increased and benefits all practitioners.**

# What is a Community Mediation Center?

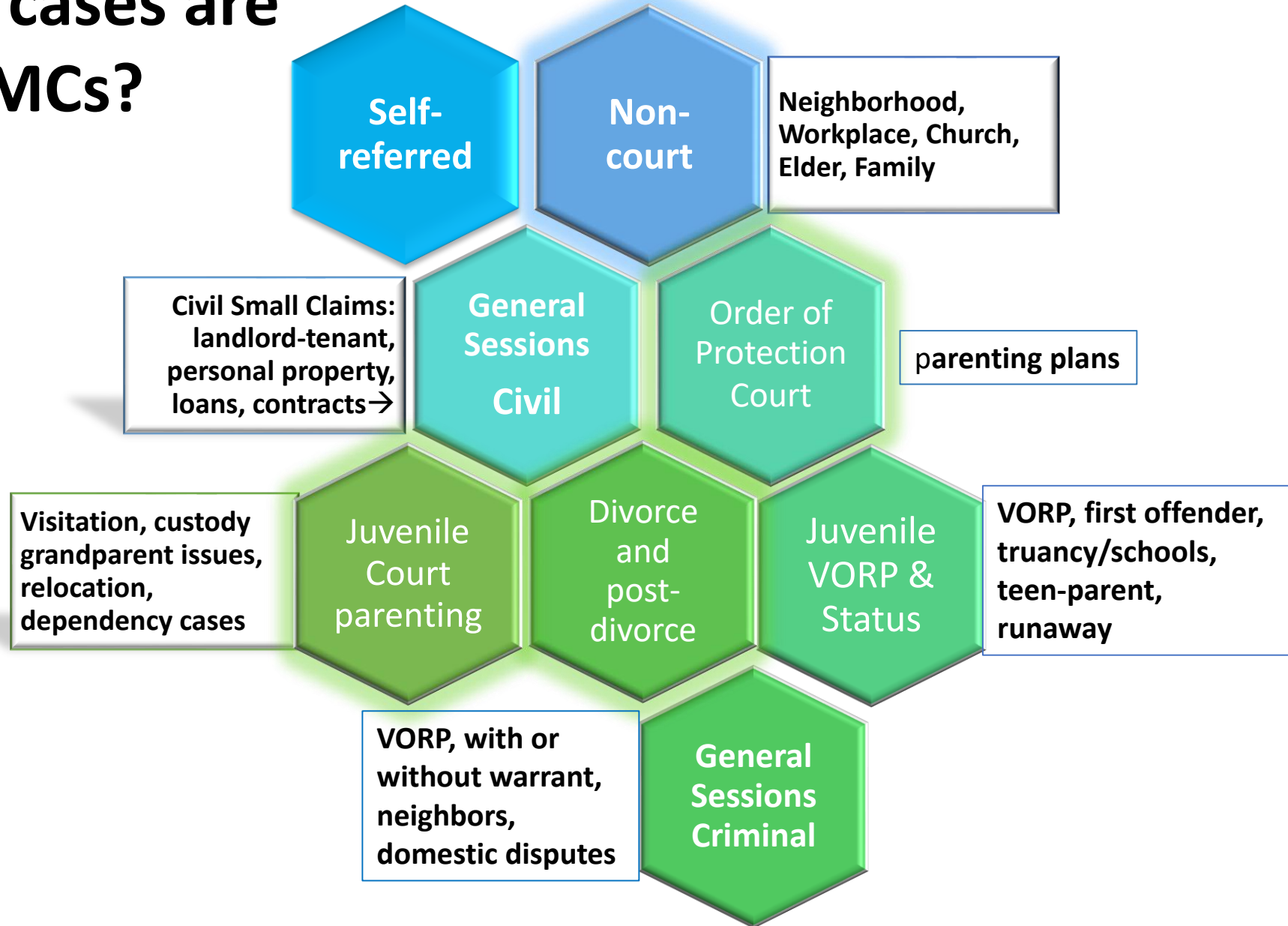
It provides a forum for dispute resolution at the **earliest stage of conflict**

- It is an alternative to judicial system at **any stage of conflict**.

It saves public dollars (county and state) by empowering disputants to resolve disputes outside of court.



# What kind of cases are referred to CMCs?



# Pro Se/Self-Represented Parties

- In approximately **85% of cases coming to CMC**, one or both parties are pro se
- CMCs can claim a **high positive outcome rate** because of the attention they pay to self-represented parties' needs:
  - Intake and screening
  - Interest-based mediation skills
  - Assigning home work
  - Knowledge of community resources
  - No marathon sessions

# Benefits of CMC Mediation for Pro Se Clients

- Non-coercive, voluntary
- Unbiased
- Comprehensible / transparent
- Informative
- Attentive to party interests
- Private
- Preceded by screening for safety issues and whether legal advice is needed
- Access to justice

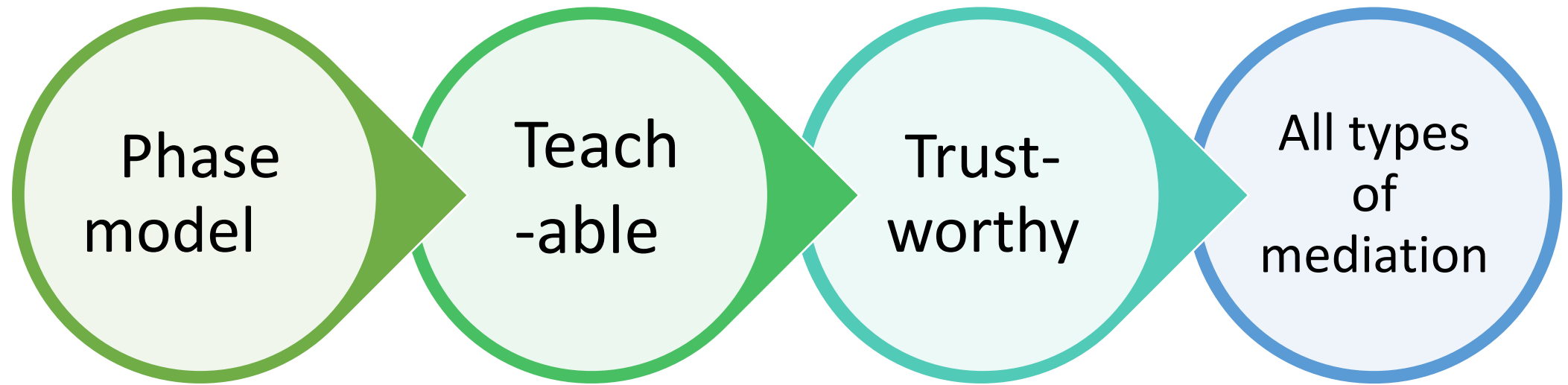




# **CMC provides mediation using a facilitative approach.**

- Parties retain control of the outcome.
- Focus is on helping parties find interest-based solutions that work for everyone.
- Mediators serve as Process Guides, not content experts.
- Sometimes the mediation is “mandatory” but settlement is always voluntary.

# A Mediation Process Model



# Steps in Pro Se Mediation Process

1. Introducing the Mediation Process/  
Agreeing to Mediate
2. Telling the Stories
3. Creating a Task Statement
4. Turning Issues into Choices:  
Brainstorming
5. Evaluating Choices
6. Making the Agreement  
(Carrying out the Agreement)



# Skills & Ethical Obligations of a Pro Bono Mediator

- Values party self-determination
- Is Impartial
- Upholds confidentiality
- Does not give advice
- Care and safety in concluding the mediation
- Welcomes mentoring, training, and continuing education
- Pro bono work



COMMUNITY MEDIATION HELPS  
ELIMINATE

BARRIERS to  
Access to Justice

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# The Tennessee Supreme Court ADR Plan with Community Mediation Centers: Process Illustration

