



ADR

NEWS

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IMPORTANT NEWS

The ADRC's Twelfth Annual ADRC Workshop will be held Friday, November 7, 2014 at Lipscomb University in Nashville. Please note that the Workshop will *ALWAYS* satisfy the CME requirements for *BOTH* general civil and family listed mediators. Registration materials will be emailed soon. We look forward to seeing you there!



At the July 29, 2014 quarterly meeting of the Alternative Dispute Resolution Commission, the Commission adopted the following policies:

ADRC Policy 18. An applicant deferred for Rule 31 listing must cure the specific listing deficiency requirement within one (1) year of being placed on deferral status. If the specific listing deficiency is not cured within one (1) year, applicant must reapply for listing. For an applicant deferred for Rule 31 listing before the adoption of this policy, he/she must reapply for listing if the specific listing deficiency requirement is not cured on or before one (1) year from the approval date of this policy.

ADRC Policy 19. A Rule 31 listed mediator must renew his/her listing on or before December 31 of each year. The renewal fee for renewal applications received on or before December 31 of each year shall be \$100.00. The renewal fee for renewal applications received between January 1 –January 31 shall be \$125.00. The Rule 31 listed mediator who renews his/her listing during this time will still be in “active” status and can conduct Rule 31 mediations. If a renewal application and fee are not received by January 31 for the current renewal year, the Rule 31 listed mediator shall be placed on inactive status. The renewal fee for renewal applications received on or after February 1 for the current renewal year shall be \$200.00.

ADRC Policy 20. The renewal fee for renewal applications received from inactive Rule 31 listed mediators shall be \$200.00.

To see all of the ADRC policies, go to

<http://www.tncourts.gov/programs/mediation/re-sources-mediators/policies>.

PRO BONO OPPORTUNITIES

By: Stephen L. Shields, Esq.

As most of you are aware, Rule 31 requires that we make ourselves available for pro bono mediations.¹ However, if you are like me, opportunities to mediate a pro bono case have been very limited. From time to time, I would get a referral from Legal Services but they were few, if any. As a result, I and several other Memphis Bar Association ADR Section members planned and implemented what we refer to as the "Mediator of the Day Program" in General Sessions Court. Specifically, one General Sessions Judge has a pro se litigant docket and prior to calling the docket, the "mediator of the day" advises the litigants that they may utilize the mediator's services without cost. The litigants can announce to the court that they want their case referred to the mediator; and, on occasion, the judge has required the litigants to go to mediation. The success rate has been very good. Many of these cases involve family members and emotions are high and really should not be in court at all. Mediation is by far a better venue for resolving such disputes.

Subsequently, in talking to a member of the Access to Justice Commission, I suggested that the Mediator of the Day Program be implemented in all General Sessions Courts (or even other courts). That suggestion was passed along to Judge Dwight Stokes, Chair of the General Sessions Courts Conference Group. Judge Stokes thought it a good idea. Thus, one of my responsibilities is to develop a list of volunteers in each city and county who would work with the General Sessions Court in their area to develop such a program. Essentially, the way the program works would be similar to the Memphis program. Mediators would volunteer for specific dates. You appear in court and explain the benefits of mediation and if parties want to mediate, the case could be mediated at that time or if necessary, rescheduled to a later time and date - prior to the trial date. All of the procedures, basic presentations and forms will be made available to those interested. That of course brings me to my request. If any of you are interested in working on the development of a Mediator of the Day Program in your area, please let me know. Email me at sshields@jsyc.com. If all goes according to plan, sometime this fall, we will be in contact with volunteers to help explain and train mediators for the Mediator of the Day Program so that the program can be implemented in your area.

About the Author:

Stephen L. Shields, BA, J.D., LL.M., is a partner in the Memphis based law firm of Jackson, Shields, Yeiser & Holt. His legal practice focuses on employment, labor, education and construction law matters. He is a Rule 31 listed general civil mediator and an approved Rule 31 trainer. Mr. Shields is also an Adjunct Professor at the University of Memphis School of Law where, since 1980, he has taught the course on Alternative Dispute Resolution. Mr. Shields will make a presentation about the Mediator of the Day Program at the 12th Annual ADRC Advanced Mediation Techniques Workshop on Friday, November 7, 2014 at Lipscomb University in Nashville.

¹ **Rule 31, Section 18(d) Pro Bono Service.** As a condition of continued listing, each Rule 31 Mediator must be available to conduct three pro bono mediations per year, not to exceed 20 total hours. At the initiation of a mediation, the court may, upon a showing by one or more parties of an inability to pay, direct that the Rule 31 Mediator serve without pay. No Rule 31 Mediator will be required to conduct more than three pro bono proceedings or serve pro bono for more than 20 hours in any continuous 12-month period.

~ Roll Call ~

Congratulations to the following Newly Listed Rule 31 Mediators! These mediators were approved for listing at the ADRC Quarterly Meeting on July 29, 2014.

Ms. Anita C. Autry, General Civil
Ms. Andrea M. Ayers, General Civil
Ms. Suzan B. Baker, Family
Ms. Zelda L. Bartee, Family
Mr. Christopher I. Belford, General Civil
Ms. Ashley E. Bentley, Family
Ms. Alyssa C. Bernhardt, General Civil
Ms. Kimberly A. Best, General Civil
Ms. R. Michelle Blaylock-Howser, Family
Mr. Aubrey L. Brown, General Civil
Ms. Patricia D. Campbell, Family/DV
Ms. Nancy V. Clark, Family
Dr. Charles H. Clark, Jr., General Civil
Mr. Kurtis A. (Kurt) Cornett, Family
Ms. La Chandra D. Denton, General Civil/Family/DV
Mr. Radford H. Dimmick, Family
Mr. William W. Dunlap, General Civil
Mr. Sam D. Elliott, General Civil
Ms. Jenny L. Falconer, Family
Mr. William H. Farmer, General Civil
Mr. William N. Frasch, General Civil
Ms. Candace R. Garner, Family
Mr. Charles A. Giannetto, General Civil
Ms. Gloria D. Giannetto, General Civil
Dr. William A. Guice, Family
Mr. Daniel K. Habenicht, General Civil
Mrs. Kim L. Harris, General Civil/Family/DV
Mr. Phillip Gordon Hollis, Family/DV

Mr. William L. Horn, General Civil
Mr. Carl I. Jacobson, General Civil
Ms. Lisa K. Jones Jonhson, General Civil/Family/DV
Mr. Ternaee T. Jordan, Jr., General Civil
Ms. Laura A. Keeton, General Civil
Mr. Jonathan P. Lackey, General Civil
Mr. Travis M. Lampley, General Civil
Ms. Jerra H. Leek, Family/DV
Mr. Stephen R. Leffler, General Civil
Ms. Carolyn A. Linge, Family
Ms. Tamara Y. Lockner, Family
Ms. Yvonne Yee Won Louie-Horn, General Civil
Mr. Charles E. Love, General Civil
Ms. Jasmine M. McMackins, Family
Mr. Brandt M. McMillan, General Civil
Ms. Jessica N. Meeks, General Civil
Ms. Danielle N. Mitchell, General Civil
Ms. Camila C. Neslin, General Civil
Ms. Mable Oliver Osemwegie, Family
Mrs. Karen E. Phillips, Family/DV
Rev. Linda J. Post, General Civil
Mrs. Stephanie J. Sawyer, General Civil
Mr. Brian L. Schuette, General Civil
Mr. Kenneth E. Stone, General Civil
Mr. Christopher S. Taylor, Family
Mr. Danny M. Thomas, Family
Mr. Jeffrey M. Vincent, General Civil
Mr. Gary W. Woodall, General Civil



Save the Date:
The 12th Annual ABA Advanced Mediation and Advocacy Skills Institute
will be held at the Hyatt Regency San Antonio
in San Antonio, TX October 16 & 17, 2014.

For more information and to register, visit www.americanbar.org/dispute.



Important ADRC Dates

September 11, 2014.....Rule 31 Mediator Applications Deadline for ADRC review on November 6, 2014

November 6, 2014.....ADR Commission Meeting, Holiday Inn-Vanderbilt, Nashville

November 7, 2014.....ADR Commission Workshop, Lipscomb University, Nashville

We Would Like to Hear From You!

In an effort to encourage education and communication between and for Rule 31 listed mediators, the ADRC accepts proposed article submissions from Rule 31 listed mediators and others in the *ADR News*. All submissions may or may not be published and are subject to editing according to the Program Manager's discretion. If you are interested in submitting an article for possible publication in the *ADR News*, please contact Claudia Lewis, AOC Programs Manager, at Claudia.Lewis@tncourts.gov.