



## Be Neutral

December 2012

A Publication of the Georgia Office of Dispute Resolution



### From the Director: What are We to Do?

The inevitable year-end countdowns of the most significant moments of 2012 will undoubtedly begin and end with the mass shooting at Sandy Hook Elementary School in Newtown, Conn.

We learned the horrifying news that Friday morning during our ADR Institute, the day each year that Georgia neutrals gather around our common passion for conflict resolution. Like the rest of the country, our stunned minds and broken hearts could at first muster only the most simplistic thoughts. Who? How? Why?

Now, almost two weeks later, more helpless questions float through the fog, though the answers are no closer to grasp: What are we to do when the inconceivable is born into horrible reality? How should we respond when the unimaginable solidifies into confounding fact? What is the remedy when the inviolable is ripped asunder?

According to [The Nation](#), there have been at least 16 mass shootings in 2012, leaving 84 dead. FBI statistics show that the annual rate of mass shootings has stayed steady over the last 30 years, according to the [Los Angeles Times](#). But the death toll this year has been particular high. In fact, the [Washington Post](#) reports that two of the deadliest shootings in U.S. history took place this year – in Aurora, Colo., and now Newtown. Sadly, conflict, and its constant cousin, violence, are inevitable and unpredictable.

So what are we in the peace profession to make of this latest tragedy? I don't have an answer. I doubt any one individual does. But as in any crisis, there are opportunities for action for those of us who identify ourselves as conflict resolvers.

First, many of us peace professionals have our roots in the healing professions. Our training, our skills, our intuition, are invaluable in times of pain and crisis. We are in a position to help people to talk, to share, to be, to help every child and every adult make their own sense of this latest senselessness.

Second, our attention – and sometimes the finger of blame – have been pointed at the possible causes of this latest mass shooting: easy access to assault weapons; the eroding American family; poor treatment for mental illness; socialization of boys and men; bullying in schools. Regardless of your positions on these issues, we can promote communication, compassion, collaboration, and conciliation in ways that create honest and productive dialogue about what happened in Newtown and what our society can do to keep something like that from happening again. We can help our diverse citizenry to find common ground in a vision of a society that still values peace and still abhors violence.

Please keep your friends and families close as we mark the end of 2012. May the new year be remarkable for how peaceful it is.

Shinji Morokuma, Director, GODR  
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### On-time Renewal Season Runs November 1-December 31

The 2012 registration renewal season ends **December 31, 2012**. Any renewal applications submitted after December 31, 2012, will be considered late, and late fees will apply. The late renewal deadline is April 30, 2013. Neutrals who do not renew by that date will be considered inactive. All neutrals will need to renew, except those with a registration expiration date of

# RENEWALS

1/1/2014. Check your information by logging into your neutral account. Find login instructions [here](#).

Just as last year, only online renewals will be accepted in order to streamline the renewal process. Online renewals should take most neutrals 5-10 minutes to complete.

**Renewal Applications:** Online renewal access will be available through your personal online. The online renewal application is already populated with your personal information, so most of you will need only to enter your continuing education information before proceeding to payment. Find login instructions [here](#).

**Renewal Fee:** The basic renewal fee is \$125; it is \$150 for those registered in domestic relations mediation. **Note:** if you submit your application online after December 31, 2012, it will be considered late, and your renewal fee will double to \$250 ~ \$300. We don't want you to have to pay the late fee, so please submit your online application before December 31, 2012.

You will have the choice of paying your renewal fee with a credit card through PayPal or by submitting a check. **You do not need to have or create a PayPal account to use the PayPal function.**

Note: If you are a volunteer neutral – that is, you receive **no** compensation, no matter how small, providing ADR services within or outside a court program – you and your court-connection program director can submit a sworn affidavit with your renewal application to have your fee waived this renewal season. **To be considered a volunteer, you must have provided ADR services to a Georgia court program in the past year.** [2012 volunteer affidavits](#) are available under [“Forms and Applications.”](#)

**Continuing Education Requirements:** All renewing neutrals must submit 3 hours of continuing education that they have taken in 2012. You cannot carry over CE hours from previous years or toward future years. **CLE and CJE qualify as neutral CE as long as they were earned and not carried over.** See the [“Help! I Need CE!”](#) link for information on all the ways you can earn CE credit.

**Online Renewal Instructions:** Renewing online is fast and easy because most of your personal information is already filled in online. All registered neutrals have an online neutral account created automatically for them. If you have never logged in to your online account, **you must activate your account before using it the first time.** Please see how to activate your existing neutral account by going to [“Neutral Account Login Help”](#) link. Then proceed as directed below.

To renew online, click on [“Login To Your Neutral Account”](#) at the top of the web page. The login page will appear in a new browser window. Enter your login ID and password. **Your login ID is the first four letters of your last name and the last four digits of your SSN (i.e. smit1234).** If your old password does not seem to work, try “password” (without quotation marks). If you have forgotten your personalized password, choose the “Forgot Password” function on the main login screen. After you are logged in, select “Renew Registration” in the menu. Follow the prompts and instructions carefully. Once you fill out and submit your online renewal form:

A summary of your online renewal form will be created in your browser. Please print a copy for your records;

If you paid through PayPal, please print a receipt of your PayPal renewal fee payment for your records.

**Background Check Authorization:** If you've already submitted your “permanent” authorization form, you don't have to send us again. If you haven't submitted your permanent authorization, please download, sign and send us the [form](#), under [“Forms and Applications.”](#) Scan and e-mail, fax or mail us the signed form. **Your application will not be processed without a signed authorization form. Mail, e-mail, or fax your signed form to us.**

**Lawful Presence Affidavit and ID:** The lawful presence affidavit and supporting ID are required again this year, even if you submitted them with your last application. The General Assembly did not amend the Illegal Immigration Reform and Enforcement Act of 2011 (O.C.G.A. § 50-36-1(e)), during the 2012 session. That means that all renewing neutrals will once again have to submit documentation that they are in the U.S. legally.

Therefore, as of January 1, 2012, before your registration can be issued, renewed or reinstated you are required to:

# SEASO

1. **Execute a signed and sworn affidavit verifying your lawful presence in the United States.** The affidavit to use for this purpose can be found at the GODR website under “Forms and Applications” or directly at this link:

<http://www.godr.org/files/GODR%20Lawful%20Presence%20Affidavit.pdf>

2. **Include with the affidavit a copy of a secure and verifiable document issued to you by a state or federal jurisdiction or recognized by the United States government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies.** A complete listing of acceptable secure and verifiable documents, as determined by the Office of the Attorney General, Georgia, can be found at the Attorney General’s website under “Key Issues,” then “Immigration Reports,” or directly at this link:

<http://law.ga.gov/documents/list-secure-and-verifiable-documents-0>

**Registration Benefits:** In addition to a professional credential issued by the Georgia Supreme Court, your registration as a neutral entitles you to several other exclusive benefits that can save you money, time and aggravation. These include [group-rate professional liability insurance for neutrals](#); [group and individual health, vision, and dental insurance](#), [retirement products](#), and [more](#). You will also continue to receive our new monthly e-newsletter, which is designed to enhance your knowledge and practice as a neutral. We are working to create more value-added programs for neutrals, courts and trainers.

**Some Tips:** If you are mailing us important information, first make copies and file them, then send the material via a service that provides tracking and delivery confirmation. If you are faxing us important information, keep the fax transmittal confirmation. If you are e-mailing us important information, request a return receipt when your message is delivered or read (many e-mail programs allow this) and save it. Or save our responses to your e-mails.

**For More Information:** Please contact us at [gaodr@godr.org](mailto:gaodr@godr.org) or 404-463-3788 if you have further questions about the renewal process.

## 2012 Renewal Season Key Dates

**Application Submitted November 1-December 31, 2012:** On-time renewal, fees \$125 (non-domestic), \$150 (domestic), 3 CE hours required.

**Application Submitted January 1-April 30, 2013:** Late renewal application required, fees double to \$250 (non-domestic), \$300 (domestic), neutral in “lapsed” status until renewed, can still handle court-connected cases through April 30, 2013.

**Application Received/Post-Marked May 1, 2013, and later:** Reinstatement application required, fees double to **\$250** (non-domestic), **\$300** (domestic), 8 hours of CE required, neutral in “inactive” status until reinstated, **cannot** handle court-connected cases starting May 1, 2013.

**Alert: Renewing neutrals will have an opportunity to give us feedback on the registration renewal process and on their contacts with our office. Please look for the link to the online survey in the e-mail confirming that your registration has been renewed. If you can spare a moment, please take the survey and tell us your thoughts. Thank you!**

**\*\*Always send important documents to GODR via a service that offers tracking and delivery confirmation.\*\***

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## **CaseWatch for Mediators: Financial Help from Family Could be Considered ‘Income’**

Most of us have received financial assistance from family members from time to time, and we probably have given some assistance also. It's a natural thing to do. But when it comes to the financial calculations around divorce, those loans and gifts of money might just be counted as income for purposes of child support. In this month's CaseWatch for Mediators, Mary Ellen Cates, Esq., divorce attorney and registered mediator, highlights a recent case when a mother's long-term support of her adult son affected his child support obligation when he divorced his wife.

[Read Full Article](#)



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## **CaseWatch for Arbitrators: Contract to Arbitrate Can be Struck as Sanction for Discovery Abuses**

Trial courts have various sanctions at their disposal to punish plaintiffs and defendants who violate the rules of litigation fair play. In this CaseWatch for Arbitrators, John Allgood, Esq., veteran attorney, registered mediator and arbitrator, discusses a Georgia Court of Appeals case in which a party was denied a contractual opportunity to arbitrate claims as a sanction for discovery abuses.

[Read Full Article](#)

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## **Marketing Tip: Marketing Your Mediation Practice Ethically**

As regular readers of this column are well aware, a concise and creative marketing plan is critical to the success of any ADR or legal practice. But mediators need to be particularly careful that their marketing efforts don't inadvertently lead them to violate ethical obligations such as confidentiality. In this month's Marketing Tip, master marketer and mediator Michele



Gibson offers you examples of what to do – and what not to do – when selling yourself as a mediator.

[Read Full Article](#)

## GODR MEMBER BENEFIT SPOTLIGHT – HEALTH INSURANCE

Georgia Registered Neutrals have access to health plan specialists that have extensive experience in working closely with professionals.



Our hybrid plan concept can often save you money on premium dollars without sacrificing the quality of your benefits. We build you a package that combines high deductible major medical coverage with our association group medical expense indemnity plan. This hybrid of multiple coverage's often results in comparable benefits as stand-alone lower-deductible major medical plans, but at significant premium savings. Included with all HealthPlan Advantage packages:

- ▶ Major Medical Coverage
- ▶ Medical Expense Indemnity Coverage
- ▶ Consult-a-Doctor Benefit
- ▶ Optional Dental / Vision

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Individual major medical applications are fully underwritten and may have limitations and exclusions. Please speak with a Member Benefits Insurance representative with questions about medical underwriting. Health insurance plans only available in Florida and Georgia.

If links in this email are not working, please visit [www.memberbenefits.com/godr](http://www.memberbenefits.com/godr)

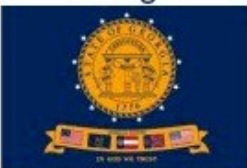
Products sold and serviced by BPC Financial, the administrator of the Georgia Office of Dispute Resolution (GODR) Insurance Programs. GODR is not a licensed insurance entity and does not sell insurance.



## Publicly Available Resources for Georgia ADR Professionals

We encourage you to visit the [blog](#) created by Georgia State University law professor Doug Yarn and GSU law students Alex Salzillo and Alicia Mack to inform and encourage discussion. Please add it to your reading list, send the link to your colleagues, and visit often. The address: <http://georgiaadr.wordpress.com/>

Georgia



Mediators Network

And don't forget the [Georgia Mediators Network](#), a great Facebook resource for the latest mediation news and articles from around the world. The page has been visited tens of thousands of times in just the few short months it's been around. Use the information there to pump your own professional web pages and your expertise. The Georgia Mediators Network is the brainchild of registered mediator Michele Gibson, our marketing columnist and newsletter producer.

**Benefits: Exclusive Insurance Products for Registered Neutrals**



Georgia-registered neutrals are entitled to participate in several insurance and retirement programs that have been designed specifically for them. If you need insurance, are planning for retirement, talk to the experts at [BPC Financial](#). They manage our new exclusive insurance and retirement program, and they can advise you on your insurance needs and help you find good deals on major medical insurance, healthcare savings accounts, dental and vision insurance, term life insurance and more. Registered neutrals receive the benefits of underwriting concessions, enhanced benefits, or reduced premiums and fees compared to shopping for similar products on the open market. Check out the [GODR Registered Neutrals Insurance and Retirement Programs website](#).

We've also arranged for special benefits on professional liability insurance for registered mediators and arbitrators with [Complete Equity Markets](#). See our [website](#) for more information or contact [Betsy Thomas](#), 800-323-6234, ext. 472, and tell her you're a Georgia registered neutral!

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## Upcoming CE and Training Offerings



Renewal season is right around the corner, and everyone needs 3 hours of CE to renew. Check our [website](#) for the latest CE and training offerings. Remember, any ADR-related training you take counts as CE as long as you took it since your last renewal or your initial registration, whichever comes later. Lawyers, any CLE you took during that same time period counts as CE. Likewise, judges and CJE. Accountants and other professionals with CE requirements, same thing.

And remember, we have posted three videos on our website that registered neutrals can watch for free to earn CE credit. Each video is one-hour long. Neutrals are free to watch the videos as many times as they wish, but we can only award 1 CE hour credit for each video once a renewal season. Please note the date you finished viewing each video so you can report it on your renewal form. Look for the link, "[Continuing Education Videos](#)," in the main menu of our website. For more information on what qualifies for CE, please see the "[Help! I Need CE!](#)" link on our website.

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## Be Neutral Back Issues Available Online



*Be Neutral* is sent monthly to all registered neutrals, generally at the beginning of the month. If you missed an issue, our back issues are posted at the bottom right of our website, under "[Newsletter Archive](#)." Please take a look. If you know people who want *Be Neutral*, please direct them to our subscription box at the bottom right of our [website](#), where they just need to enter their e-mail addresses. Please forward this newsletter to anyone who might be interested in ADR in Georgia courts. Forward it just as you would any other e-mail. If folks who are not registered neutrals want to receive the newsletter free of charge, they can submit their e-mail addresses in the subscription box at the bottom right of our [website](#). And sending us feedback is easy – just reply to this e-mail as you would any other e-mail. We want to hear from you!

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## Spread the Word

Please forward this newsletter to anyone who might be interested in ADR in Georgia courts. Forward it just as you would any other e-mail. If folks who are not registered neutrals want to receive the newsletter free of charge, they can use the subscription box at below this text or submit their e-mail addresses in the subscription box at the bottom right of the home page of our [website](#). And sending us feedback is easy – just reply to this e-mail as you would any other e-mail. We want to hear from you !

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