



# Georgia Commission on Dispute Resolution

Provide for the speedy, efficient, and inexpensive resolution of disputes and prosecutions

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## Be Neutral - June 2015

A publication of the Georgia Office of Dispute Resolution

### Welcome to the June 2015 Issue of *Be Neutral*

Summer is but a couple of days old, but from around the state we're getting reports that everyone is already sweltering. So take a few minutes, find somewhere cool, and enjoy this quarter's issue of *Be Neutral*.

#### New Features

You will note that there are some new features in this issue. First, we have added a section to allow us to report on news about Georgia ADR professionals. From someone who has won an award to someone who has published a book to the passing of a member of our community - you'll find it all here. However we can only do this if you keep us in the loop. Therefore we need you to send us information for inclusion to [gcr.neutrals@georgiacourts.gov](mailto:gcr.neutrals@georgiacourts.gov)

In addition to news about your colleagues, we have also added a section titled "What We're Reading" to allow us to highlight articles in the general media pertaining to ADR. Feel free to share these with others in whatever way you find most convenient and, as above, if you find an article that you believe others would enjoy, please forward the link to us at: [gcr.neutrals@georgiacourts.gov](mailto:gcr.neutrals@georgiacourts.gov)

One of the feature articles in this month's issue talks about growing our industry and what each of us can do to help make that happen. If you have found a unique way to educate the public, we would be interested in hearing about it.

*Ray Chadwick, Liaison Committee Chairperson*  
[rchadwick@chadwickmediation.com](mailto:rchadwick@chadwickmediation.com)



### Mark Your Calendar!

Are you aware that the meetings of the Georgia Commission on Dispute Resolution are open to the public? Take the time to attend the next one to get a sense of all the hard work Commission members do for our profession in Georgia.

**Date:** Wednesday, August 12  
**Time:** 2 – 4 p.m.  
**Location:** Conference Room 1, State Bar of Georgia Conference Center, 104 Marietta St. NW, Atlanta

### In Depth Articles



Gary Wisenbaker

#### Practice Tip: Growing the ADR Industry Begins With US

While average Georgians are not inclined to want to deal with a legal system or its acolytes, they don't seem to think that they have a choice where there's a legal wrong to be addressed. No matter the grievance, whether they've suffered a physical or economic injury, they feel like they simply have to deal with the legal system. As members of the ADR team, we need to do a better job of educating the public on the alternatives. And we can do that best by pointing out the facts at every opportunity in a way that gets their attention.

[Read Full Article](#)

#### Practice Tip: Arbitration: The Other Alternate Dispute Resolution



Tracy Ann Moore

All of us have been in these kinds of situations: a client comes to you with an issue that is causing high conflict with a former spouse, but it seems too minor to litigate. Or perhaps you are in mediation and all of the major issues are agreed upon, but you just can't get a decision on one issue, like the morals clause or division of personal property. Perhaps your client feels that the judge assigned to the case is biased or your experience indicates the judge may likely rule against your client on a particular issue. Although it may seem like it's time to just throw in the towel and litigate, it is important to consider a different way to resolve cases -- arbitration.

[Read Full Article](#)



Ray Chadwick

### Practice Tip: What You Might Say When Asked About Mediation - Part II

I no longer say that what is good about mediation is that it results in a "win-win" for those involved. Rather, I have come to believe, and say, that what is good about mediation is that it is a "no lose-no lose" opportunity. In the words of Messrs. Jagger and Richards, you get what you need to end a lawsuit or dispute.

[Read Full Article](#)



### Marketing Tip: Seven Specific Ethical Marketing Issues

While we previously have discussed the ethical hurdles that arise when marketing your practice in the digital era, a recent speech I gave in front of a national group of mediators brought fresh ethical issues to mind and expanded my thoughts on those that we have already discussed. A sampling of these thoughts are presented for your consideration.

[Read Full Article](#)



### Practice Tip: College Tuition Clauses in Divorce Settlement Agreements

On May 11, 2015, the Supreme Court of Georgia issued a decision regarding the interpretation of a divorce settlement agreement's clause that required, paraphrasing here, the Father to pay for college tuition for his daughter "for so long as the child - attends school full time." What prompted the dispute was Father's refusal to reimburse Mother for her payments of multiple semesters of college tuition. His argument: the daughter attended college only part time.

[Read Full Article](#)

## In The News

*"In the News" is a new feature of the GODR newsletter designed to keep readers abreast of happenings with their fellow ADR practitioners. Whether it be awards, a new book published, a profile published, etc., we want to know about it so we can share it with you and others.*



Elmira B. Barrow

Elmira B. Barrow, a 1996 graduate in Political Science from the University of West Georgia, received the "Service to Humanity" award from UWG's national alumni association on April 11, 2015. The award is given to a person whose service to humanity enriches persons or community while bringing credit to the UWG and or the alumni association. According to UWG alumni association, Elmira was recognized for her expertise, conscientious service, and tireless advocacy for the advantages of mediation in Carroll County and in the Coweta Judicial Circuit. Over the course of her involvement in the field of mediation, Elmira, currently coordinator of the Coweta Judicial Circuit ADR Program and the Carroll County Mediation Center, has secured access to mediation services for persons in superior, state, magistrate, probate, and juvenile courts in the Coweta Judicial Circuit. In addition, the association said, she has gone above and beyond the call of duty to educate UWG students and the general public about alternatives available to them for resolving disputes in ways that have the potential to achieve win-win-solutions. She has also provided invaluable internship opportunities to UWG students and to students enrolled at Kennesaw State University's Master of Science in Conflict Management program. The association added that Elmira's dedication and commitment to making a positive, transformative difference in human lives through the mediation of disputes between and among local citizens of all ages has been evident to anyone fortunate enough to have worked with her.

## What We're Reading

*We all read articles in the general media that talk about how mediation is used, about court decisions involving mediation, or about tangential*

issues such as body language and negotiation. "What We're Reading" is a new section of this newsletter designed to share some of the best of those articles with you. Inclusion of articles here does not imply an endorsement of the author's thesis - rather they are included to spur discussion among you and your colleagues. Read something recently that others would enjoy? Send it along, and we'll look at publishing it in the next issue.

Read

**Parties Opening Statements in Mediation - Yes or No ?**

Read

**Why Trying to Make Mediation a Profession is Contrary to its Purpose**

Read

**Mediation in the Estate PLANNING Process**

Read

**10 Proven Tactics for Reading People's Body Language**

Read

**Elder Mediation Could Soon Become a Staple in Age-Related Care**

## Marketplace

### LIMITED TIME SALE - Save 30% on Your Marketing



Have you been thinking about using email or events to market your practice? Constant Contact (the company we use to create & email this newsletter) has a [30% off sale good through midnight Eastern time on Monday, June 30th](#) for new customers. In addition, they'll give you another 10-15% off if you prepay for 4 or 6 months of service! Not only do they offer newsletter services but with their Email Plus (Toolkit Essentials) product you also get things such as their survey & event tools included at no additional charge.

**Link to purchase:** <http://www.constantcontact.com>

**Promo Code:** **SPJUN30** (note - you must enter this at checkout)

**Product to purchase:** Email Plus (or Toolkit Essentials)

## CE Calendar

Check frequently at 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 videos on our website that registered neutrals can watch for free to earn CE credit. Each video is at least 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. Remember, registered neutrals are required to take at least 3 hours of CE each year in order to renew their registrations. 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.

June 29

### Teleconference: Family Mediation and Domestic Violence

**Presenter:** Association for Conflict Resolution

**Time:** Noon – 1 PM EST

**Location:** Teleconference - Online / 605.562.3140 **Access Code:** 474131

**Cost:** Free

**Info:** Association for Conflict Resolution

**Potential CE Hours:** 1 hour

July 15-17

### Three-Day Parenting Coordination / Facilitation Training

**Presenter:** Cooperative Parenting

**Time:** 8:AM - 4PM

**Location:** The Mian Bldg, 1106 N. State Hwy 360 (1106 N. Watson Rd) Ste 500, Gran Prarie, TX 75050

**Cost:** \$490-Early Bird Fee (on or before July 2, 2014) \$540 after July 2, 2014

**Contact Info:** <http://www.cooperativeparenting.org>

**Potential CE Hours:** 24

July 18-19 & Aug 1-2

### Civil Mediator Training for Lawyers

**Presenter:** The Mediation Center of Savannah

**Time:** 8 AM - 4 PM

**Location:** The Mediation Center of Savannah  
5105 Paulsen Street, Suite 125D, Savannah, GA 31405

**Cost:** \$1,000

**Contact Info:** Wendy Williamson, 912.354.6686

**Register online at:** <http://mediationsavannah.com>

**Potential CE Hours:** 28

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