



Georgia Commission on Dispute Resolution

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

Find a Local Court ADR Program Find Approved Training Find a Registered Neutral Continuing Education Frequently Asked Questions

Be Neutral - November 2014

A publication of the Georgia Office of Dispute Resolution

Message from the Commission Chair: Welcome Back & Pardon our Progress

I would like to give a hearty “welcome back” to the **Be Neutral** publication. Many of you may have wondered over the past year, “Where has Be Neutral been?” I can assure you that this valuable newsletter was not forgotten, but publication was temporarily deferred while the Office of Dispute Resolution (Office) was under renovation. While the Office hasn’t externally displayed a vibrant “Pardon our Progress” sign, I can assure you that internally, the Commission on Dispute Resolution (Commission) and Administrative Office of the Courts (AOC) have been working diligently to revamp the Office.

One major transformation can be seen by the Office and AOC building upon their symbiotic relationship in order to increase the efficiency and flexibility of both agencies. Long time Office director, Shinji Morokuma, was promoted to the new role of Program Director, Office of Certification and Licensing for the AOC, where he now serves as director for both the Office of Dispute Resolution and the Commission on Interpreters. In return, the AOC is providing the Office with a deep pool of valuable resources and skilled employees in many diverse areas including legal services, investigations, human resources, registration, budget & finance, and administration.

During this transition, Shinji and the Office have been innovative leaders in the implementation of the new online registration system which is ready for the current registration season. Also, the Commission has been focusing on meaningful strategic planning to make sure that both the vision and mission for the future of the Office are met and are sufficient to help the Georgia Supreme Court fulfill its Constitutional mandate to “provide for the speedy, efficient, and inexpensive resolution of disputes and prosecutions.

Fortunately, along the way, Commission member Ray Chadwick was willing to undertake the initiative to reconstitute the Liaison Committee to seek to build upon the valuable relationship with neutrals and to enhance the services provided and value added to registrants. Thank you to Ray and others for their efforts in this endeavor and for the much needed revival of the Be Neutral publication.

I appreciate your patience while the Commission, Office, and AOC work to improve this organization and the services provided to neutrals and to the citizens of this State. I am certain that the decisions and advances that are being made today within this organization will be fruitful and worthwhile for many years to come.

Judge Charles Auslander, Commission Chair



Judge Charles Auslander

A Message from the Liaison Committee Chair



Ray Chadwick
Liaison Committee

Recently all registered neutrals and ADR program directors received an email from me as Chair of the Liaison Committee of the Georgia Commission on Dispute Resolution in which I asked for comments, questions or suggestions concerning the Commission and Georgia Office of Dispute Resolution. Prior and subsequent to my emails, I had telephone discussions with a number of neutrals and program directors. Some have sent emails as well. The results are being provided to the Commission and GODR.

The Commission’s Chair, Judge Charles Auslander, wants to ensure that neutrals and program directors have the opportunity to be aware of the work and activities of the Commission and GODR. Further, that neutrals and program directors have open lines of communication with both. He has asked the Liaison Committee to assist in achieving these goals. Of course, this is not meant to preclude direct communication with the Commission or the GODR.

The Liaison Committee is working closely with Shinji Morokuma, Director of the GODR, on a quarterly e-newsletter that will contain articles, announcements, and other information on various topics. Should you have anything you would like to submit for further issues please send it to Shinji or me.

Risking the adage “be careful what you ask for,” I invite you to contact me by email or telephone with comments, suggestions or questions. My email address and office number are rchadwick@chadwickmediation.com and 706-823-4250. Shinji’s are: Shinji.Morokuma@gaaoc.us and 404-463-3788.

2014 Registration Renewal Season in Full Swing

The 2014 registration renewal season opened on October 1 – a month earlier than in previous years – so registered neutrals would have to time familiarize themselves with the new Georgia Court Registrar, which several judicial branch agencies are using to provide better service in their certification and licensing functions.

Renewal and
Reinstatement
Instructions for
Georgia Courts
Registrar

The on-time renewal deadline is December 31, 2014. A late fee equal to your regular renewal fee will apply after that date, so please renew before the end of the year.

To renew, you must use the new Georgia Courts Registrar to create a profile, answer a questionnaire, upload your continuing education form, and pay your renewal fee.

[Read Full Article](#)

2014 ADR Institute Registration Opening Soon

"Registration will open soon for the 21st ADR Institute and 2014 Neutrals' Conference, to be held Friday, December 12, at the State Bar of Georgia Conference Center in downtown Atlanta, from 8:15 am to 3 pm. Come learn about current thinking in the ADR field and network with friends and colleagues. This year's conference will again feature a full roster of dispute resolution scholars and leaders offering thought-provoking presentations on a wide range of topics."

The conference will be live simulcast to the State Bar annexes in Tifton and Savannah.

"6 hours of CLE (including trial practice, ethics and professionalism hours) and 6 hours of CE will be available. Early registration fees will remain as they were last year at \$170 for attorneys needing CLE and \$115 for neutrals. On-site registration will be \$200 and \$145 respectively. The fee includes a boxed lunch and written materials."

"PLEASE NOTE: Due to the closure of the Spring St. viaduct in downtown Atlanta, the Spring St. entrance to the Bar conference center's parking deck is blocked. The only entrance will be from Marietta St. For more information on the closures and detours, please check the State Bar's website."

Check back under "What's New" on the GODR website or check the Institute for Continuing Legal Education's seminar schedule.



In Depth Articles

Mediator Practice Tips: Child Support Calculators and Worksheets

Divorcing parties with minor children are required by law to submit a child support worksheet to the court before being granted a divorce (O.C.G.A. § 19-6-15(m)).* Therefore, mediators who neglect to ensure that parties have completed child support worksheets are doing their clients an enormous disservice and may be committing malpractice. Missing paperwork can delay divorces by months, severely disrupt families, and increase costs. And please make sure that the figures in the child support worksheet equal those in the mediated agreement they accompany.

Make it a habit to check the Georgia Child Support Commission website at least once a month so you don't miss out on the latest updates of the child support calculator. In fact, it is a good practice to start at the Child Support Commission website when beginning work on any child support worksheet. Right now you should be using version 9.0, which was released in July 2014.

If you need a brush-up on the child support worksheets, the Georgia Child Support Commission has posted five online tutorials to help you.

*The only exception to this requirement is for protective orders or consent agreements issued by the court under O.C.G.A. § 19-13-4 to end acts of family violence.



CaseWatch for Arbitrators: 11th Circuit Sanctions for Frivolous Allegations of Arbitrator Bias

"Charges that an arbitrator was biased, had exceeded her powers, and had failed to receive evidence were roundly dismissed as meritless and wasteful of judicial resources by a district court and a federal appeals court this year. The appeals court emphasized its displeasure with the case by awarding the respondent, Ritz-Carlton Hotel Company, LLC, double its costs against claimants and claimants' counsel."

[Read Full Article](#)

Marketing Tips: Ethical Hurdles to Marketing Your Mediation Practice Digitally

The Internet has been a wonderful invention for sharing information, and it has made it easier for people – including ADR professionals – to find the resources they need to succeed. However, as more opportunities have arisen on the Internet, we've also seen people misuse digital resources for marketing in ways that could be construed as unethical.

[Read Full Article](#)



Open Enrollment for Private Health Insurance Exchange Begins Nov. 15

The open enrollment period for the private health insurance exchange available to Georgia-registered neutrals will begin on November 15, 2014, and will remain open until February 15, 2015. If you are dissatisfied with the health insurance choices available to you in the public exchanges, then you may find what you are looking for in the private exchange. Visit www.memberbenefits.com/godr or call Member Benefits at 1-800-282-8626 for more information.

If you do not enroll during the open enrollment period, individuals will need to experience a qualifying life event to enroll in a qualified health insurance plan through the exchange. Below are some guidelines for how the Special Enrollment Period works:



Members must experience a qualifying life event in order to open up a Special Enrollment Period. What is a qualifying life event?

- * Birth or Adoption*
- * Marriage or divorce*
- * Move to a new coverage area*
- * Involuntary loss of coverage*
- * Loss of Medicaid/CHIP eligibility*
- * Loss of Subsidy eligibility*
- * Current plan closes*
- * Gaining citizenship*
- * Leaving incarceration*

Effective Date Rules

- * Enroll between the 1st and 15th of the month: Effective 1st day of following month
- * Enroll between the 16th and 31st of the month: Effective 1st day of the second following month

"If none of the above qualifying life events have occurred, there are still options that you may want to consider, such as a Short-Term Health Plan. ? But the easiest solution is to enroll before February 15, 2015. Visit www.memberbenefits.com/godr or call Member Benefits at 1-800-282-8626 for more information about qualifying for a Special Enrollment Period or Short Term Health plans. "

*Effective date is based on the date of event.

CE Calendar

Check frequently at our [website](http://www.memberbenefits.com/godr) 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 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. 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.

December 12 **21st Annual Alternative Dispute Resolution Institute and 2014 Neutrals' Conference**
Time: 9 am – 4 pm
Location: State Bar of Georgia Conference Center, 104 Marietta St. NW, Atlanta, GA 30303
Cost: TBD
Contact Info: Registration information will be posted when available
Potential CE Hours: 6 hours

December 12 **How to Use Mediation Skills in Your Field of Expertise**
Presenter: PeaceMaker Solutions, LLC
Time: 8:30 a.m. - 12:30 p.m.
Location: Mansour Center, 995 Roswell Street NW, Marietta, GA 30060
Cost: \$100
Contact Info: www.peacemaker-solutions.com or 404.644.5523
Potential CE Hours: 3

December 13 **Marketing Your Mediation Practice in the Digital Era - Ethically, Efficiently & Effectively**
Presenter: Digital Smart Tools, LLC
Time: 8:00 a.m. - 4:00 p.m.
Location: [The Glenn Hotel](#) (adjacent to the GA Bar Association)
Cost: \$445 GODR Members (group discounts available)
Contact Info: www.digitalsmarttools.com/GODR2014.htm or 404.592.3367
Potential CE Hours: 6

Share This Publication

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 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 !