



Be Neutral

October 2013

A Publication of the Georgia Office of Dispute Resolution

From the Director: Were Back!



Hello, again! Be Neutral is back after a 6-month hiatus during which the GODR staff focused on some other pressing matters. Thanks to all of you who emailed us asking what happened to the newsletter. We appreciate that you missed it. We will be publishing at least quarterly, and more frequently as news requires and resources allow. Were trying to cram a lot of information into a small space, so here are a few quick news items to share with you:

Wanted: Writer on Appellate Family Cases and Mediation: I am sad to report that Mary Ellen Cates has retired as the columnist for our CaseWatch for Mediators. Mary Ellen has written monthly articles for Be Neutral since September 2010, and this issue will be her last. For the past three years, she has helped translate important Georgia Supreme Court family law decisions, and we are grateful for her dedication to keeping her fellow mediators and attorneys up to date. If you are a family law attorney mediator who keeps up with Georgia Supreme Court family law decisions, and you would like to serve your fellow mediators, please [contact me](#) as soon as possible.

Summary Jury Trial Experiment: Griffin Circuit Chief Judge Christopher Edwards is about to start offering the ADR process of summary jury trial in his courts. Summary jury trial is an abbreviated trial, usually just one day, where the litigants present their case before a presiding judge and a jury selected from the county jury pool. The jurors deliberate then issue a nonbinding verdict that the parties can use to advance settlement discussions. The litigants can also interview the jurors after they issue their decision. This will be the first time that summary jury trial has been officially offered in a Georgia court.

Improv Workshop for Attorneys and Mediators: Good improvisational skills are also good conflict engagement skills. Thats the premise behind an unusual Conflict Engagement Improv Workshop for Attorneys and Mediators, sponsored by the Center for Law, Health & Society at Georgia State University College of Law. The workshop, on Wednesday, October 23, will focus on listening openly, being in the moment, noticing offers, accepting new ideas, building connection, and seeing opportunities for creativity and collaboration in all kinds of situations. Space is limited. Click [here](#) for more information and registration.

Important Changes to Georgia Law: For the first time, the Georgia juvenile code will recognize mediation as an essential process in juvenile justice. The new Juvenile Justice Reform Law, which was signed into law this past spring and which takes effect January 1, 2014, is a comprehensive modernization of Georgias old juvenile code. Mediation is integrated into the code at O.C.G.A. §§ 15-11-20 thru 25. To see the full text of the law, click [here](#). Also, the Court-Connected ADR Act was amended during the 2013 legislative session to explicitly state that civil ADR filing fees collected by local court programs can be used for juvenile court mediation. That change took effect July 1, 2013. For the latest code, click [here](#).

Juvenile Grandfathering Ends November 1: Mediators who wish to be grandfathered into the new registration categories of delinquency mediation and deprivation mediation based on their prior

training and experience have until November 1, 2013, to complete all of the requirements. To see the requirements for grandfathering, click [here](#) and scroll to page 15. Mediators who have submitted grandfathering requests that are pending are strongly encouraged to contact our office as soon as possible before the deadline.

Ogeechee Circuit Staffing Change: The Ogeechee Circuit ADR Program has a new program director. Registered mediator Stefferdy Barlow has taken over from long-time director and registered mediator Judith Oglesby. Click [here](#) for updated contact information.

Save the Date: The 20th Annual ADR Institute and 2013 Neutrals Conference is scheduled for Friday, December 13, 2013. The spotlight speaker for our 20th anniversary conference will be nationally known autistic activist and bestselling author [Temple Grandin](#). Stay tuned for registration information!

More next month! Thank you for your service!

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GREAT NEWS! No affidavits, No IDs to Renew for U.S. Citizens

Changes to Georgia law mean great news for neutrals who are renewing their registrations during the 2013 renewal season, November 1-December 31, 2013.

U.S. Citizens: Registered neutrals who are U.S. citizens and who provided the Office an affidavit of lawful presence in the U.S. and a copy of a valid, secure, and verifiable ID during the 2012 renewal season, will NOT have to provide those documents again during 2013 renewal season. That means that for the vast majority of registered neutrals, registration renewal can once again be a quick and entirely paperless process.

Non-U.S. citizens (legal permanent residents and aliens): Registered neutrals who are not U.S. citizens must still submit a lawful presence affidavit and a copy of a secure and verifiable document to renew. However, the revised immigration law limited the use of foreign passports as of July 1, 2013, and changed what can be accepted as a secure and verifiable document from non-U.S. citizens. Foreign passports can now only be accepted if accompanied by certain documents from the Department of Homeland Security or the United States Citizenship and Immigration Services. Foreign citizens not physically present in the U.S. are not directly required to show they are lawfully present in the U.S., but because foreign passports can now only be accepted as secure and verifiable with certain documents that show lawful presence, foreign citizens are now indirectly required to show lawful presence in the U.S. if submitting a foreign passport as a secure and verifiable document.

Here is the Georgia Attorney Generals list of acceptable secure and verifiable documents:
<http://tinyurl.com/nrt77rw>

CaseWatch for Mediators: Custodial or Noncustodial Label Critical for Divorcing Parents

When parents divorce, the child custody arrangements are important for them to know whom their children stay with during what period, how often, and for how long. But the labels of custodial



children stay with, during what period, how often, and for how long. But the labels of custodial parent and noncustodial parent that come with custody arrangements also have serious financial implications for the parents. In this months CaseWatch for Mediators, Mary Ellen Cates, Esq., divorce attorney and registered mediator, analyzes a curious and confusing case in which the courts swapped the custodial / non-custodial labels between the parents several times.

[Read Full Article](#)



CaseWatch for Arbitrators: Court of Appeals Decision Out of Step on Arbitration

Starting with the U.S. Supreme Court, the trend in federal courts and many state courts, including Georgias, is toward policies that encourage and support arbitration. So thats what makes a recent Georgia Court of Appeals decision so shocking. In this CaseWatch for Arbitrators, John Allgood, Esq., veteran attorney, registered mediator and arbitrator, explains how the Court of Appeals ruling is out of step with the federal courts and Georgia courts.

[Read Full Article](#)



Marketing Tip: ADR Professionals Top 10 Marketing Mistakes

Its almost the end of the calendar year. So, hows business? Could it be better? Any successful marketing plan will ensure that you will be known, be found, and be remembered by potential clients and referral sources. However, there are numerous ways in which you can screw up each step. In this months Marketing Tip, master marketer and mediator Michele Gibson lists the most common marketing mistakes ADR professionals make and shows you how to fix them.

[Read Full Article](#)

GODR MEMBER BENEFIT SPOTLIGHT Marketing Your Practice: Special Offer to Registered Neutrals

You're an ADR professional - not a marketing professional so GODR has arranged for you to obtain professional marketing services at a discount. For example:

- | | |
|--------------|--|
| \$399 | Single page web presence and 4 stock newsletter issues |
| \$699 | Three page website and 6 stock newsletter issues |
| \$149 | Creation of a business page on LinkedIn or Facebook |

These discounts are only available to GODR members. For more information about these and other discounted marketing products please [CLICK HERE](#).



Noteworthy Upcoming Events



Association for Conflict Resolution Annual Conference, Oct. 9-11, Minneapolis. Click [here](#) for information and registration.

Georgia State University Annual Conflict Resolution Symposium, Oct. 17, 3- 7 pm, Georgia State University, \$35. 3 CE hours. Click [here](#) for information and registration.

Conflict Engagement Improv Workshop for Attorneys and Mediators, Oct. 23, Atlanta, \$40, space limited. 3 CE hours; CLE available. Click [here](#) for information and registration.

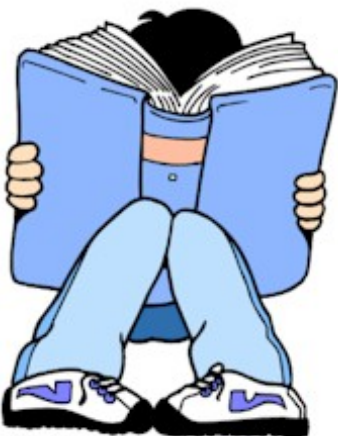
Emory University Law School Regional Negotiation Competition, Nov. 2-3. Judges needed. Contact [Jess Zeletes](#), Alternative Dispute Resolution Society. Click here for information: <http://tinyurl.com/l9ym3u2>

Atlanta Bard All Lawyer Musical Comedy and Parody, A Courthouse Line X: Back in the Black, Nov. 9-11, 14th St. Playhouse, Atlanta. To benefit the Atlanta Bar Foundations charitable programs. Apparently the theme involves evil mediators taking over the legal profession. Ha! Tickets \$37.50 at www.14thstplayhouse.org

ABA Advanced Mediation and Advocacy Skills Institute, Nashville, Nov. 21-22, Nashville, co-sponsored by GODR. Each plenary panel features an expert mediator, a high-powered in-house counsel or judge, and a skilled outside counsel. Break-out session discussions are facilitated by leading mediators. Georgia-registered neutrals receive \$795 early bird special rate (ABA membership not required) through Oct. 11. [Click here](#) for information and registration.

20th Annual ADR Institute and 2013 Neutrals Conference, Dec. 13, State Bar of Georgia Conference Center, Atlanta. Registration will be through the Institute for Continuing Legal Education. Stay tuned for registration announcements.

What We're Reading



The internet can be a wonderful thing when it comes to sharing information. Below you will find articles that have caught our interest in recent days. Please send us any unique content that you find so we can share it with everyone in the next issue.

The White House and Congress Need a Mediator
<http://tinyurl.com/nhdqjsq>

How to Sabotage a Mediation
<http://tinyurl.com/nty3z5h>

How Incentives Demoralize Us
<http://tinyurl.com/mf8yxyh>

Email Communication a Binding Contract?
<http://tinyurl.com/p27wvad>

GODR MEMBER BENEFIT OF SPECIAL 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](#).

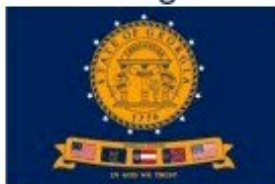
We've also arranged for special benefits on professional liability insurance for registered mediators and arbitrators with [Complete Equity Markets](#). See our [website](#) for more information or contact [Betsy Thomas](#) or [Kaitlyn Hassal](#), 800-323-6234, and tell them you're a Georgia registered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



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 Allison Vaughn and Andrew Brandt 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.



Upcoming CE and Training Offerings

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 four 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.

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!

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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