

2-28-2023

## **IV.ii.b; 13-08 Dispute Resolution Center Reports and Schedule 2009 - 2010 Mediator's Dialogue**

Betty L. Brown-Chappell PhD  
*Eastern Michigan University*

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*Community Service  
Dispute  
Resolution Center*  
**Sally Brush**

*May 5, 2010*

**From:** Betty Brown-Chappell [bbrownch@emich.edu]  
**Sent:** Wednesday, May 20, 2009 10:09 AM  
**To:** Sally Brush  
**Subject:** Re: Mediators' Dialogue tomorrow, May 20th

*20/25 minutes  
dialogue*

I am unable to attend this but as promised here is my brief paragraph about the mediation on Monday.

I co-mediated with another woman whom I had worked with once before. An African-American man observed. I am African-American and the other woman is White. We both have MSW degrees and had had a previous luncheon coordinated by Sally during which we discussed our personal backgrounds and take on racial issues. I believe that this led to a significant degree of comfort and trust when we were presented with a case involving a property dispute between a young African-American woman and a middle-aged White woman. The issues on the small claims case compliant made by the African-American woman were trespassing and destruction of property.

After opening the session I asked the two parties to take turns describing the issue from their own perspectives. Fortunately, my co-mediator made sure that we also read the appropriate warnings regarding confidentiality, etc. and asked the two to sign a waiver agreeing to mediation; she also pointed out that the two were both Christian women. They agreed. This was done very smoothly. We then proceeded to hear from the two parties.

It was very difficult to understand the issues as presented verbally so my co-mediator and I asked the parties to draw a diagram of the property and the areas in dispute. Once this was drawn, it became more apparent what the nature of the dispute was. We (mediators out loud) then read the property descriptions that each had brought (when they read them, they tended to obscure the pertinent details.)

The plaintiff made a comment that she really did not mind the respondents grandchildren (over 17 in number) on her property but did mind when she woke up and saw some "scary large white men on her property." The respondent took umbrage at this.

At this point I related a story about my own family and an old friend who was afraid of my son and husband (also AA) when she saw them approaching in the dark. I stated, "As a woman she was afraid of large males." The complainant then stated that she was afraid (even though she is a veteran of the Iraq war) because she had never met the neighbors and was frequently not home due to the fact that she is a touring opera singer.

The respondent mentioned that she had not met the plaintiff because she had moved into the area while the plaintiff was away helping her mother who subsequently died. At this time my co-mediator and I suggested that perhaps the two should meet and they began making plans to do so. It appeared that they were relieved to find that each wanted better relationships. My co-mediator praised them for this.

We further agreed to a means to resolve an issue of a fence/hedge and joint use of the access route.

These agreements were put in writing and the two left while discussing plans for a cookout or other social occasion.

Sally debriefed all three from DRC.

----- Original Message -----

From: "Sally Brush" <brushs@ewashtenaw.org>

# TAKE AWAY POINTS

- ① Identify what you bring Assets/Challenges to table as a mediator
- ② Establish trust understanding betw Mediators Sally + training
- ③ different from each other use strengths/challenges to benefit mediation
- ④ Use of all parties, mediators incl) commonality of female/alone/fear unful and defused social tension
- ⑤ suggests framing scenarios for practice on finding commonality



⑥ Communication betw Mediators to preserve process

email

- ① Slavery by Generator Name
- ② Passing Strange

Case

- ① defendant Kicks on Plaintiff land
- ② defendant Sows on plaintiff "
- ③ 2 never meet/talked
- ④ Comfort each other at end

## Sally Brush

**From:** Mikel Brown [brownm17@michigan.gov]  
**Sent:** Tuesday, August 18, 2009 10:36 AM  
**To:** Sally Brush  
**Subject:** Re: Save the dates!  
**Attachments:** Mikel Brown.vcf

Hello Sally,

I meant to share with you on numerous occasions about the mediation that I watched.

There were co-mediators in that situation and there was a property dispute. One person was very challenging and deceptive while the plaintiff was trying to be accommodating. There clearly were underlying issues related to trust entitlement and race that made it difficult for them communicate.

The mediators did an outstanding job of complementing each other, being patient and polite while listening carefully to what was said. The fact that they were different and had different backgrounds helped in their complementing each other and allowed them to gather needed information and interject in a way that brought out more accurate information, but just as important the barriers to communication were broken down and the process moved forward speedily to an acceptable agreement for both. Afterwards they even exchanged contact information to maintain contact when they had not been interacting for an extended period of time prior to the mediation. It was a pleasure to watch them work together.

It highlighted how mediators bring in "baggage" of their own which has both valuable tools as well as trash. Having two mediators who have different tools can really be a significant benefit in addressing the not so obvious, but very important issues that may be bogging down the process. This was a fantastic illustration of how that can work. Thank you very much for the opportunity to observe-

Mikel  
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Mikel S. Brown MSW  
Trainer/Consultant  
Child Welfare Training Institute  
3038 W. Grand Blvd Ste. # 4-500  
Detroit, Mi  
[brownm17@michigan.gov](mailto:brownm17@michigan.gov)  
(313)456-1368  
Inter-Group Project Coordinator  
Better Choices DV Program  
(734)834-8643  
[mikelsbetterchoices@hotmail.com](mailto:mikelsbetterchoices@hotmail.com)

*Perspective on  
rules of behavior  
and*

*Books  
Hope and the Unseen  
Dogs without Collars  
Shen Castle*

*5/5 11<sup>30</sup> / DRC*

*Sally - building trust → lunch*

- (1) Case and debris*
- (2) background*

*(3) ~~for~~ police acting } Plaintiff*

*(4) social work : background  
disrupt waiting humane*



# The Dispute Resolution Center

## Mediator Brown Bags 2009/2010

When: November– June, 2009-10

Time: 11:30 – 1:00 once a month on Wednesdays

Where: Large Conference Room, 110 N. Fourth Ave.

RSVP with Sally Brush at [brushs@ewashtenaw.org](mailto:brushs@ewashtenaw.org) or (734) 222-3745



### Date Topic/Presenter

November 4



**"Mediator Tool Kit: Tactics for Addressing Difficult Situations and Personalities"**

Attorney-Mediators: Toni Raheem and Earlene Baggett Hayes

*Registration Fee required for continuing education certificate*

December 2



**"Fair Housing and Bankruptcy Issues in Mediation"**

Pam Kisch and Attorney-Mediator Barb Kessler

*Registration Fee required for continuing education certificate*

January 13



**"Working with People with Disabilities in Mediation"**

DRC Mediator Maymette Dolberry and Law Student Jessie Kirchner

February 3



**"Balancing the Table: How to Make the Outsider Feel Welcome at the Table"**

DRC Mediator Lori Saginaw and Law Student Jessie Kirchner

March 3



**"Opening Statement and Co-Mediation Model"**

DRC Mediator Nancy Soderholm

April 7



**"Defusing Emotions: When to Quit"**

DRC Mediators Ina Klingenberg, and Judie Bridges

May 5



**"Mediation Discussion and Debrief"**

DRC Mediators Betty Brown Chappell, Janet Garabrant, Mikel Brown

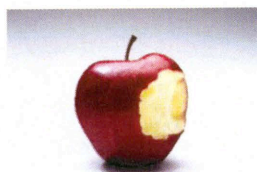
June 2



**"Impartiality in Mediation"**

Attorney Mediator Brian Pappas

*Registration Fee required for continuing education certificate*



#### Fee Schedule

DRC Volunteers: Free

DRC Guests: \$15.00

Receive a certificate: \$25.

The DRC staff reserves the rights to make any changes.

Carmelita Mollins  
Monday

# The Debate Resolution Center Mediator Training Days 2008/2010

When: November - June 2009-10  
Time: 10:30 - 1:30 on Wednesdays  
Where: Large Conference Room, 110 N. Fourth Ave.  
RSVP with Sally Brush at brush@debatecenter.org or (734) 332-3745

Co-Introducer  
Date

November 4

Attorney-Mediator, Tom Hübner, and Justice Support House  
Attorney-Tool Xtra: Tools for Addressing Difficult Situations and Resolutions

December 2

Paul Hübner and Bankruptcy Issues in Mediation  
Kris Kisch and Attorney-Mediator Garp Kessler

January 13

Working with People with Disabilities in Mediation  
DRC Mediator Myronette Dolberry and Law Student Jesse Kisch

February 3

Resolving the Tabor: How to Make the Gender Fair Wage  
DRC Mediator Tom Hübner and Law Student Jesse Kisch

March 3

Opening Statement and Co-Mediation Model  
DRC Mediator Nancy Schuchman

April 3

Defining Emotions: When to Quit  
DRC Mediators Joe Klingerberg and Julie Bridges

May 3

Mediation Discussion and Debate  
DRC Mediator Garp Kessler, Tom Hübner, Mike Brown

June 3

Mediation in the Workplace  
Attorney-Tool Xtra: Tools for Addressing Difficult Situations and Resolutions

Registration  
\$100 for 1 day  
\$200 for 2 days  
\$300 for 3 days  
\$400 for 4 days

The Debate Resolution Center reserves the right to make changes.