

Grand Teton
Mediation Association

<http://www.gtmediators.org>

Links to web sites:

Grand Teton Mediation Association (GTMA)
Idaho Mediation Association (IMA)

Links to pages in this issue:

FROM the Prez: "It's About the Humanity"

The Meeting Room:

The GTMA luncheon will be at **Happy's Chinese Restaurant 549 Park Ave.**, Idaho Falls and begin at 11:30 AM on **August 13, 2007**. We have **two featured speakers** this month. One will be **Ms. Wendy Selditz**. She is the **CEO** for the **Greater Idaho Falls Association of REALTORS(R)** and the **Snake River Regional Multiple Listing Service**. These are two distinctly different corporations dedicated to the real estate industry in Eastern Idaho.

She holds a Master's of Science degree in Human Services and a BA in sociology. Originally from Syracuse, NY, she came to Idaho Falls via stops throughout the country and the world! She lived overseas for 20 years where working as a civilian for the Department of Defense, primarily **the Marine Corps, third Marine Division** on Okinawa.

She has been happily married for 32 years and has two grown daughters. Notwithstanding the fact that Wendy is profoundly deaf, she is an accomplished speaker and reads lips equally well.

Our second speaker **Maris Cukurs** is a nationally trained mediator that the REALTORS(R) in Idaho utilize for mediation disputes.



Henry Henscheid, President

email: hmgmediation@srv.net



New Online Course Launched

Gary Schriener, J.D., CPM, and a practicing Attorney at of Conflict Resolutions Associates, LLC, has launched a series of online accredited mediation courses that can be taken at your own pace. For further information go to:

<http://www.virtual-mediation.com/selfstudy.html>

Additionally, Gary is also the **Bonneville County Small Claims Mediation** supervising Attorney, a GTMA and IMA member and was recently elected to the IMA office of secretary.

Congratulations on your accomplishments Gary!



Thank You Michelle Ziel!

Our thanks to Michelle for her very informative presentation to our members on the day to day operations of the Grand Teton Mall, the security, and the manner in which disputes are mediated.



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“Articles From The Prez”

“It’s About the Humanity”

I recently had the opportunity to conduct a mediation training workshop for new Small Claims mediators in Southeastern Idaho. One of the people asked to comment on the value, benefit and process of mediation was Judge Ralph Savage from Idaho’s Seventh Judicial District. He spoke about the savings in time and money; the statistical success in reaching agreement, the data on the agreement compliance rate-but then he said, “And it’s more humane.”

Huh?? Did he say “humane”??? What’s ‘humane’ got to do with anything? Our goal is to be fast, efficient, get to the bottom line and move on!! Right? We’ve got pressure, Man! Deadlines! Places to go! People to see! Things to do! Besides, if they want ‘humane’, you shouldn’t be in a courtroom anyway! We’re all about justice here!! Right?

Well Yes and No. After mediating cases and observing Judges for several years, it’s become clear to me that when a case is heard in Court, the Judge is very limited in the ruling he/she can deliver. Those limits are defined by the facts of the case as the Judge sees them, and the Law as the Judge sees it. All of the Judges I’ve observed try to consider the impact of a decision on the parties, but that only goes so far. When we go to Court, we get a ruling, a decision; when often, in our minds we were really seeking ‘Justice’. Frequently I hear:” It’s not fair!” And the response: “But it’s the Law”.

Mediation is different. We are only limited by two things what is illegal or unethical, and what the parties are willing to agree to. We may sometimes try to re-visit the conversation the parties might have had initially, in order to resolve the situation. We ask them to consciously consider the interests, needs and feelings of the others impacted by their decisions and actions. We consistently ask questions we don’t have the answers to, (unlike the courtroom) in order to discover an unsaid and unknown obstacle.

Our most important goal is understanding. Often a case that does not result in an agreement, does allow for the views and interests of all parties to be clearly expressed and heard. That is success! If, however, we drag a written agreement from the ‘cold, dead hands’ of our clients, I’m not sure the same success is achieved.

Aside from the legal issues, the difference is often simply a recognition and respect for the individuals involved. Far too often they are only seen as statistics, numbers, demographics, classifications and categories. As surprising as it sounds, one of the greatest needs people express in mediation is not to be reduced to paper (again), but simply ‘To Be Heard’! If we can do that, in mediation, and in everyday life, people will feel ‘Justice’. Because, as Judge Savage said, “It is about the Humanity!”

Guidelines for Member Submitted Articles

Member submitted articles on mediation that ***pertain directly to mediation*** are welcomed. With the exception of those announcements by members seeking elective offices of the GTMA, no articles will be accepted that are submitted to make a political statement or to take a political position. When submitting an article, it would be appreciated that the person include a photograph of themselves. Announcements of GTMA and other meetings received no later than the 1st day of the month will be included. The GTMA newsletter will usually be emailed out the first or second week of each month.

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