



## July 2018 NEWS

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### President's Message by: John Duval

#### Visit TAPM's New Website

The Board is happy to announce that our new TAPM website (<https://tapm.wildapricot.org>) is up and ready to provide improved support for the TAPM membership.

As you explore the site, you will find new and more sophisticated elements, including:

**YOUR PROFILE and PERSONAL PAGE:** With our new website, you have full control over your public profile page, as well as many other elements. This enables you to update your contact info, your professional headshot, and your areas of specialization at will. You may also tailor your privacy settings, email subscriptions, photo albums, and invoices. Current members, please check your email inbox: you will receive a one-time link to sign in to your site, where you can establish your own password. If you have not received an email, check your spam folder. If you really have not received an email regarding your personal page, please send word to Board VP Sara Figal at [sara.figal@gmail.com](mailto:sara.figal@gmail.com). If your membership has lapsed, and you wish to renew at this time, you may contact Sara Figal to re-activate your old profile page instead of starting from scratch.

**PUBLIC SEARCHES:** As always, the public can search the member directory, so do keep your profile current. Another incentive: the homepage has a constantly revolving "Featured Member" profile, so make sure your photo is up-to-date!

**RECORD KEEPING:** A new feature that we particularly value is that, in addition to your public profile, your private page has two tabs-"Invoices and payments" and "My event registrations"--that keep track of your membership status and renewal date, and that maintain a record of TAPM-related events that you attend.

**CALENDAR:** With the new Upcoming Events section of our homepage, you'll be able to keep up with membership calls, professional conferences, training opportunities, and more across Tennessee.

**BLOG:** While the TAPM Board will be responsible for the blog content, all members are invited to take an active role in presenting thoughtful and relevant content.



**DISCUSSION FORUMS:** This new site offers a robust forum page. Members may engage topics already posted, or they can create new ones. Non-members may read the posts but cannot respond. This new feature, found under the "Member Forums" tab, offers a new opportunity for collegiality and collaboration across Tennessee.

We sincerely appreciate your active role in TAPM and we feel that this new site will only strengthen your role and TAPM's role within the state for mediation. If you have any questions do not hesitate to make contact with any of our Board members or myself.

Most sincerely,

John Duval  
TAPM Board President 2018-2019  
Tennessee Council of Conflict Mediation  
[john@wemediateconflict.com](mailto:john@wemediateconflict.com)

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## Don't miss the 2018 Equal Justice University Conference!



The Tennessee Alliance for Legal Services invites you to attend the 41st Equal Justice University conference! Co-hosted by the Tennessee Bar Association, EJU is the annual gathering of nearly 200 lawyers, advocates, and pro-bono attorneys involved in providing civil legal service assistance across Tennessee.

This year, we'll explore ***Overcoming Adversity: Hope in Challenging Times***, commemorating historic events such as the 50th anniversaries of Martin Luther King Jr.'s assassination and the Fair Housing Act. While delving into legal history, EJU 2018 will offer up to 15 CLE credits, networking opportunities with equal justice champions, and dynamic speakers.

**There are special rates for TAPM members to attend the conference. View the following links to learn more information.**

- [Registration](#)
  - [Agenda at a Glance](#)
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## Silence

by: Regina Newson

The art of listening is knowing when to keep silent. This is especially true in mediation. So many times, we fill the silence with empty chatter. Then we (mediators) are left to sort through that chatter...what is important and what is not. As mediators we need to remember that silence is one of the tools in our tool box.

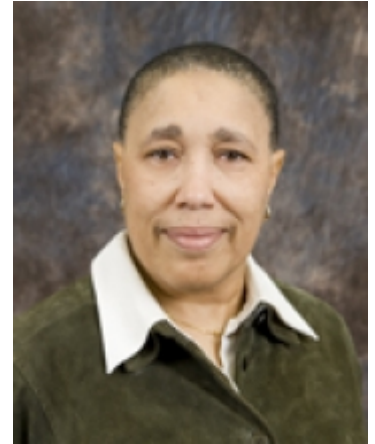
Our silence allows us (mediators) to be present in the mediation in that moment. The participants look at us and know that we are with them. They know that we are engaged by the eye contact that we are making, our posture...which is straight, shoulders erect, a slight tilt of the head, and facial expression.

The mediators body language can open up the mediation or shut it down. Often times the mediation will hinge on what we bring to the mediation. That sense that we are with the participants. No one wants to be alone. Mediation is foreign to our clients. Often times this is the first time they have been in mediation. Many will never be in a mediation again. Establishing that rapport with the parties at the beginning is the most important thing that the mediator will do in the mediation.

Out of these silences will grow opportunities for better understanding of the parties and how they came to be with you. There are no coincidences in mediation, these are only divine appointments. Each mediation is a great opportunity for us (mediators) to grow professionally and personally. Each mediation should stretch your imagination and force us to confront our own bias.

Silences allow the mediator to process what is being said by the parties and those with them, but it also allows us to hear and see what is not being said aloud.

Silence is the great communicator.



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## Featured Mediator

### Alan Hall

Alan Hall has a diverse practice of business and employment law along with a complementary litigation and mediation practice in middle Tennessee. He has been licensed since 1996 and served as the Inspector General for the TN Dept. of Human Services. Prior to becoming licensed he had a successful career in banking.

He has been married to Vickie for 20 + years and has 2 children, Anna, a sophomore at the University of Mississippi, & Charlie, a junior at Centennial High School.

He has been rated as a preeminent lawyer by his peers and has, for the last 3 years, received the Attorney for Justice award for the Administrative Office of the Courts. He attends Harpeth Hills Church and is in charge of the church's Room at the Inn ministry.

#### **In finding your niche what area do you practice in? How did you get started in this?**

My mediation practice is as diverse as my law practice. I have particular expertise in employment law and closely held (including family) business disputes. I also specialize in pre-litigation mediations.

I participated in several mediations and thought I had something to offer in this area.

#### **What is in your mediator tool kit? What is your favorite or most used tool?**

All of the standard tools: brackets, proposals, etc. My favorite or most used is helping both parties try and understand the other through empathy.



**Once you have been selected as the mediator, what do you do to prepare the attorneys and their clients for the mediation?**

I try to level set expectations and obtain commitments to engage in the process with an open mind.

**If you were a superhero/mediator what would be your name and slogan?**

"The Invisible Man" - They don't even know I have been there.

**What is your pet peeve in mediation?**

Intractability - Refusal to honestly engage

**Are you married/do you have kids/pets etc?**

Wife- Vickie; Head of Human Resources for Williamson County School Board; Daughter- Anna; Sophomore University of Mississippi; Son- Charlie; Junior, Centennial High School; and Dog- Albus; Golden Doodle

**Why did you become a mediator?**

I thought I could offer a positive experience for people and help return some civility to difficult times in people's lives.

**What is your favorite mediation read and why?**

Mediating Dangerously: The Frontiers of Conflict Resolution by Kenneth Cloke

It goes beyond the usual technical aspects of mediation and delves into the interpersonal, spiritual aspects of conflict resolution.

**What are you most afraid of in mediation?**

One party being unable to see options.

**How do you debrief yourself after a mediation?**

Talk with experienced colleagues. Update my personal database on what worked, what did not.

**Personal or professional accomplishments you are particularly proud of:**

Attorney for Justice Award for 3 consecutive years

**Please complete these sentences:**

"I have a burning desire to live fully."

"People tell me I look like Anderson Cooper."

"If I could have a 30 minute conversation with anyone (alive or otherwise, famous or not), I would want to speak with Albus Dumbledore."

**What do you see for the future of mediation?**

More flat fee, focused mediations that may only seek to resolve one or two issues before litigation is even filed.

**Knowing what you now know about life etc., would you choose the same career path? If not, what would you like to do?**

Yes.

**Is there anything else that you want to tell TAPM members about yourself?**

I am happy to speak at your gatherings or sit down and talk over a cup of coffee. I love hot chicken and good bar-b-cue.

**What is your contact information? Name, address, phone number, email address and website**

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## From the Editor's Desk by: Regina B Newson, Editor

**Important News: TAPM has a new number. It is 615-775-9686.**

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### TAPM DUES

Have you renewed your TAPM DUES? Your dues expire on the one year anniversary date of your last payment. We hope you will continue to support TAPM and renew today.

TAPM appreciates your being a member and you, as a member, receive benefits in return!

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**Marketing Tip: Mediation is a tool** - treat it as such. Think of yourself as a complete package. What are you selling? Are you knowledgeable about human resources, can you consult on EEO cases, are you a trainer...what kind, therapist, recruiter or what? Whatever your background, use it to obtain work. You will be able to utilize your mediation skills to enhance what you are doing personally and professionally.

**This has been reprinted with permission of the Administrative Office of the Courts (ADR) from their ADR FALL 2017 Newsletter.**

### IMPORTANT DATES

**July 24, 2018** - ADR Commission Meeting, AOC Office, Nashville.

**August 17, 2018** - Rule 31 Mediator Applications Deadline for ADRC review on October 11, 2018.

**October 11, 2018** - ADR Commission Meeting, AOC Office, Nashville.

For a list of approved Continuing Mediation Education courses, please go to:

<http://www.tncourts.gov/programs/mediation/resources-mediators/continuing-mediationalducation>.

### IMPORTANT NEWS

To file online mediation reports, go to: <http://www.tncourts.gov/programs/mediation/resourcesmediators>.

A mediator who has not renewed his/her listing on or before January 31, 2018 has been placed on inactive status as of February 1, 2018, and therefore cannot conduct court ordered mediations. The renewal form and fees information for late renewal can be found on the AOC website: <http://www.tncourts.gov/programs/mediation/resources-mediators/policies>

On the renewal forms it is important to remember to provide proof of continuing education hours. ADR asks that providers provide a list of attendees to their classes; however, it is the responsibility of the mediator to provide this proof. It is suggested that all mediators request two (2) copies of hours of attendance - one for their records and one for the provider.

A list of approved CME courses can be found at: <http://www.tncourts.gov/programs/mediation/resources-mediators/continuing-mediational>

If you have forgotten your username and password needed to submit an online mediation report, please contact Caitlin Vasser, Programs Assistant, at (615) 741-2687 or by email at [caitlin.vasser@tncourts.gov](mailto:caitlin.vasser@tncourts.gov).

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If you have an article that you want published in the TAPM Newsletter, please contact the Editor, Regina B. Newson at [reginnewson@bellsouth.net](mailto:reginnewson@bellsouth.net).

[Click here to visit our website](#)