



March 2019 NEWS

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President's Message

A Quest

By John Duval and Regina Newson

*"Learn from Yesterday, Live for Today, Hope for Tomorrow.
The important thing is not to stop questioning."*

By Albert Einstein

John Duval and I were having lunch and we talked about his role as a therapist. We talked about how people come together and work together. Not every person who contacts him does he take on as a client. Somehow he knows who he can help and who he cannot.

As I read this quote, I thought about that conversation with John and how this quote applies to us as mediators. Every mediation that we conduct is an opportunity to learn about those around us and more importantly about ourselves. When we look at others, we see some part of ourselves in them, we hear them speak and know that we too have said some of these same things. We have even done some of the things that they have done which has brought them into a mediation setting.

You are probably asking the question of why this is important for mediators to understand. It is important because the people that we mediate cases with are no different than us. We all view the world through different lenses, but we are all connected. Understanding those connections become important to the mediation process - your role as the mediator and their role as the parties and their representatives. If we do not understand the connections the mediation is doomed. We must understand how we are all connected, sometimes shifting roles to look through another's lenses. The landscape around us is constantly changing so the view through the lens (life) is always changing.

As mediators it is our job to help our fellow man understand these connections. In understanding these connections, we have a better understanding of ourselves and the world around us.

Every mediation that we conduct is filled with questions...questions that are driving the discussion, and hopefully leading the parties to a better understanding of themselves, finding their connections and drawing on these connections to reach a resolution of their issues.



After the mediation is over, we too should have lots of questions for ourselves...what did we learn about ourselves from the mediation, how we could have handled the mediation differently, did we understand how we were connected to all of the parties in the mediation.

We should never stop asking the question of "How can I make this world a better place?"



Annual Seminar

APRIL 5, 2019
Lipscomb University
DR. JON S. EBERT

"AN INTRODUCTION TO MOTIVATIONAL INTERVIEWING"

Professor Ebert is a licensed clinical psychologist with extensive clinical and consultation expertise in the assessment and delivery of services to children and families who have experienced traumatic stress and mental health challenges.

Motivational Interviewing is based on four major principles, as follows:

1. Empathy
2. Developing Discrepancy
3. Rolling with Resistance
4. Supporting Self-efficacy

With these four principles in mind, a motivational interviewer will attempt to elicit change talk by creating a neutral, safe environment where the client can explore their ambivalence regarding change. This is done in an empathetic yet directive manner - the interviewer listens non-judgmentally while directing the client toward a desired change by asking neutral, exploratory questions that develop a discrepancy between the client's values and current behavior. As the discrepancy widens, the client becomes motivated to change his behavior to reach the values he espouses.

In addition to the presentation by Dr. Ebert, there will be ethics presentations to include: Key insights into the significant changes to Rule 31 and Remaining Neutral in the Age of Social Media and Search Engines.

We'll let you know when the seminar registration site is open. In the meantime, to ensure you get the TAPM rate for this seminar, make sure your membership is up to date on the TAPM website!

Renew/Join TAPM:

\$100.00 Annual Dues
\$150.00 Annual Seminar 4/5/2019 CLE/CME Fee
\$250.00 Total Due

NON TAPM Member

\$300.00 Annual Seminar 4/5/2019 CLE/CME Fee Due

Early Bird Rate Expires 3/22! Add \$50 to the seminar fee beginning 3/23.

[Click Here to Register](#)

Featured Mediator

G. Coble Caperton

I received a B.A. in Political Science and Urban Studies from Rhodes College in Memphis, TN and went on to study law at University of Memphis. I am a Listed Rule 31 General Civil and Family Mediator. I have been admitted to the Tennessee Bar and the United States District Court, Western District of Tennessee, United States Court of Appeals, Sixth Circuit, United States Supreme Court and the United States District Court, Northern District of Mississippi. I am a member of the Memphis Bar Association and the Tennessee Bar Association. I am active in the Family Law Section and the Environmental Law Section of both of these Associations. I am partner at Rice, Amundsen & Capeton, PLLC. I practice in the areas of civil litigation, federal and state courts, personal injury law, environmental law, general corporate and business litigation, family law, general civil and family mediation.



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

General civil litigation

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

My ability to connect with a party and convince him/her that I am trying to help them.

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

Request a mediation statement from them containing the status of the case and the last offers made.

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

The Resolver.

What is your pet peeve in mediation?

Attorneys who have five problems for every solution.

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

I am not married and do not have children other than the four legged ones.

Why did you become a mediator?

Mediation is a much more effective and efficient way to resolve controversies.

What is your favorite mediation read?

The Promise of Mediation: The Transformative Approach to Conflict by Joseph P. Folger and Robert A. Bush

What are you most afraid of in mediation?

Parties or attorneys who have no intention to compromise.

How do you debrief yourself after a mediation?

I always review how it went and the actions that made the case settle or not settle.

Personal or professional accomplishments you are particularly proud of?

I am a life member of the University of Memphis Alumni Association. I am a member of the Alumni Association of Rhodes College. I am a volunteer attorney with Memphis Area Legal Services, Inc - Victims of Domestic Abuse Program. I serve on the Paralegal Studies Advisory Committee for Southwest Tennessee Community College. I am a Fellow in the Memphis Bar Foundation and the Tennessee Bar Foundation and I am on the board of the Tennessee Supreme Court Historical Society. I was a hearing panel member of the Tennessee Board of Professional Responsibility for six years and I performed moral fitness exams for the Tennessee Board of Law Examiners for many years. I am currently a member of the Memphis ADR Inn of Court and have been a Master in the Leo Bearman Sr. Inns of Court.

Please complete these sentences:

"People tell me I look younger than I am."

"If I could have a 30 minute conversation with anyone (alive or otherwise, famous or not), I would want to speak with Winston Churchill. He was one of the greatest leaders in modern times."

What do you see for the future of mediation?

Continued growth but with the increase in number of people doing it, many will be weeded out. You must be a professional and successful mediator.

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

I would absolutely pick the same path.

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

There is much to learn about mediation. Keep learning.

What is your contact information?

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

Come join us on April 5, 2019 at David Lipscomb University to hear Dr. Jon S. Ebert talk about motivational interviewing. As mediators we are all questioning our clients, framing and reframing their statements in an effort to help them reach a resolution that works for them. This is another that we will be able to use for years in our practice.

The 17th Annual Advanced Mediation Techniques Workshop will be held on October 11, 2019 at Lipscomb University. Please take a moment to review your e-mail settings and ensure the ADRRegistration@tncourts.gov is a trusted account so you receive important updates.



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

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! Check out the savings on the upcoming Annual Seminar you'll receive by being a TAPM member.

**Renewing Annual Dues:
\$100.00 Annual Dues**

**\$150.00 Annual Seminar 4/5/2019 CLE/CME Fee
\$250.00 Total Due**

**NON TAPM Member
\$300.00 Annual Seminar 4/5/2019 CLE/CME Fee Due**

Early Bird Rate Expires 3/22! Add \$50 to the seminar fee beginning 3/23.

[Click Here to Register](#)

Marketing Tip: Speaking Opportunities - Seek out speaking opportunities at CLEs, companies, local clubs...Rotary, Lions, and such, local radio stations and public TV channels. As a mediator it is our jobs to educate the public about mediation. Know the benefits of mediation and be able to explain what and how mediation may be able to help people get greater access to Justice.

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

IMPORTANT DAYS

April 23, 2019 - ADR Commission Meeting, AOC - Nashville

June 4, 2019 - Rule 31 Mediator Applications Deadline for ADR Commission review on July 23, 2019

July 23, 2019 - ADR Commission Meeting, AOC- Nashville

August 13, 2019 - Rule 31 Mediator Applications Deadline for ADR Commission review on October 10, 2019

October 10, 2019 - ADR Commission Meeting, AOC- Nashville

October 11, 2019 - ADR Annual Workshop, Lipscomb University - Nashville and online live stream

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

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

IMPORTANT NEWS

Rule 31 has been amended effective November 1, 2018. The amended rule was published on November 1, 2018 here:

[//tncourts.gov/rules/supreme-court/31](http://tncourts.gov/rules/supreme-court/31)

To file online mediation reports, go to: <https://www.tncourts.gov/programs/mediation/resources-mediators>

2019 RENEWALS

The deadline for submission of your 2019 Renewal Form was December 31, 2018. ADRC Policies 19 and 20, which set out the renewal fee structure, can be found on the AOC website.

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

If you were initially listed in an EVEN year, please be mindful that your Continuing Mediation Education hours completed during the 2017-2018 period were due by December 31, 2018 in order to renew for the 2019 calendar year.

If you are unsure of your initial listing year, please visit:

<http://www.tncourts.gov/programs/mediation/find-mediator> to search for your listing and view your initial listing year.

You may visit <http://www.tncourts.gov/programs/mediation/resources-mediators/continuing-meditation-education> to view courses that have been submitted by providers and approved for CME credit. Please be sure to look in the Credit Approval column to see what type of CME credit the course will qualify for.

Please refer to Rule 31, Section 18:

(a) To remain listed by the ADRC, Rule 31 Mediators shall comply with the following continuing mediation education requirements:

(1) Courses approved for continuing education under this Rule include but are not limited to, courses approved by the Commission on Continuing Legal Education & Specialization, programs approved by professional licensing agencies, programs provided by not-for-profit community mediation centers and not-for-profit mediation associations.

(2) Rule 31 Mediators must complete six hours of continuing mediation education every two years.

(A) General Civil Mediators - The six hours shall consist of: (i) Three hours in mediation continuing education, of which at least one hour shall be related to ethics, and (ii) Three hours general continuing education.

(B) Family Mediators - The six hours shall consist of: (i) Three hours in mediation continuing education, of which at least one hour shall be related to ethics, and (ii) Three hours continuing education in family law.

(C) For dually listed Rule 31 Mediators who were initially listed in the same year, meeting the Rule 31 Family Mediator Listing continuing education requirements will also meet the Rule 31 General Civil Mediator listing requirements.

(3) Rule 31 Mediators who are attorneys are not exempt from the continuing mediation education requirements of Rule 31 Section 18(a) as a result of the age exemption for continuing legal education pursuant to Supreme Court Rule 21, Section 2.04(c).

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.

If you have forgotten your username and password needed to submit an online mediation report, please contact Stephanie Brake, Programs Assistant, at (615) 741-2687 or by email at education.ADRRegistration@tncourts.gov.

If you have an article that you want published in the TAPM Newsletter, please contact the Editor, Regina B. Newson at reginanevson@bellsouth.net.

[Click here to visit our website](#)