



March 2020 News

News from the Tennessee Association of Professional Mediators

Dear TAPM Members,

The TAPM Board has decided to postpone the annual seminar. We made this decision in light of ongoing concerns related to the COVID-19 (coronavirus) and our commitment to maintain the health and safety of seminar attendees, TAPM members, and employees.

We look forward to presenting the seminar and honoring Justice Connie Clark with the Grayfred Gray Public Service in Mediation Award later this year, and sincerely hope you will be able to join us once we reschedule the event.

Please contact Nayeli Chavez at nchavez@tals.org if had previously registered for the annual seminar or luncheon for a refund of your seminar registration fee. In the alternative, if you prefer, TAPM can retain the registration fee and apply it to the rescheduled seminar.

In the next few days, the TAPM Board will decide whether to proceed with its annual meeting and election of officers, and will notify TAPM members.

Thank you for your understanding.

**Sincerely yours,
John C. Duval, President**

STUCK

(Help, I don't know what I am doing?)

By Regina Newson

Have you ever sat through a mediation that ended in impasse? When you left the mediation what did you think of it? What did you learn from it? Why did it end in impasse?

When you left the mediation what did you think of it? Usually when you leave a mediation, there is a point of decompression. Most of us have developed a routine...sit down at a desk and do nothing for 30 minutes to an hour, go for a walk, meditate or do something to take our mind off where we have been. In mediation we walk briefly with people we do not know, often don't like and will not like after the mediation is over. We listen to them as they spew their anger and frustration of their lives. We try to help them work through their feelings, emotions, and come out on the other side feeling better about their situation. We try to help them find that common ground.



No matter where they are today, at one point in the relationship there was common ground. As mediators we must remind them of things that they have in common.

But what about the mediators? How does the client's anger and frustration affect the mediator? I have heard some say, "It does not affect them. It is the party's problems and their solutions." That is true to some extent, but you as a mediator have been invited to the conflict. The minute that you accept them as clients, you have accepted the invitation to their conflict. You have become part of the conflict.

As a mediator, you must define your role in the conflict. The first person that you need to define your role to is yourself, then the clients. You must be careful not to get sucked into the conflict. You are supposed to be neutral and impartial. At all times you must know yourself, your personal biases, and how to control your own personal responses. Because it is easy to become involved in the conflict, we must constantly monitor our own reactions to what is going on in the room. You will be checking in with your clients as well as yourself.

When a mediation deteriorates, there are questions that you should be asking yourself such as.... What was the real sticking point in the mediation? What part did I contribute to this impasse? Did I give in to soon, why? Did I understand the conflict? There are always underlying issues...did I identify those issues. Did you bring those issues to the forefront and discuss them?

There are lots of articles on impasse. They tell you things to do to get past the impasse...review the progress that has been made, refocus the discussion on the future, return to brainstorming, change the subject, consider a temporary plan to name just a few ways to get past the impasse.

These articles generally discuss impasse between clients. This article is about you the mediator. This requires that we do some soul searching of yourself. This is not an easy process. This makes you look at you and see yourself through another lens. As you look at yourself you begin to recognize that in some mediations you may have triggered responses from the clients, which led to impasse.

You have to ask yourself how do I not do the same thing in the next mediation? You have to monitor your reactions and body language while in the mediation. Remember, every mediation is a learning experience about ourselves and our clients.

What are you learning about the process and yourself?



Featured Mediator

Sonja S. Walton

My career began approximately twenty-nine (29) years ago, and my experience in Human Resources allowed me to enhance my professional skills, i.e., providing support to management staff by improving the quality of management functions, and conflict resolution. I received an Associate of Applied Science Degree in Information Technology from Northwest Mississippi Community College, Senatobia, MS. I obtained my undergraduate degree from Belhaven University, Jackson, MS in Business Administration with a concentration in Human Resource Management, and a graduate degree from Strayer University, Washington, DC. Post graduate education as a Rule 31 General Civil Mediator.



My effectiveness in Human Resource Management has not only demonstrated patience, rather, a passion for employee relations. Thereby, effectively working with individuals to resolve conflict.

I am a commissioned Notary Public for Tennessee and Mississippi.

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

A colleague invited me to co-mediate with her. It was an honor to serve.

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

N/A I have not had enough experience in the mediation area at this time.

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

iSofei; "Here to Save the Day!"

What is your pet peeve in mediation?

Parties who attempt to speak over others.

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

Yes, for twenty years. I have two phenomenal children: A wonderful son, Victor, in his senior year at MS State University majoring in BioMedical Sciences, with an aspiration to become a doctor. An amazing daughter, Victoria, in her junior year in high school, a second-degree black belt who has competed in Great Britain/United Kingdom twice bringing home a bronze and gold, with aspirations of becoming a 9th Degree Grand Master. I have a three-year-old Yoranian (Pomeranian/Yorkie Mix) named Apollo.

Why did you become a mediator?

Having a background in Human Resources; I have a desire to resolve conflict and encourage healthy relationships.

What is your favorite mediation read and why?

*Crucial Confrontations: Tools for Resolving Broken Promises, Violated Expectations and Bad Behavior by Kerry Patterson.
It speaks to more than one area of conflict.*

What are you most afraid of in mediation?

Parties that may have underlying issues, whereby, mediation isn't the tool to assist with

their conflict.

How do you debrief yourself after a mediation?

A relaxing evening meditating or an evening meal at a nice restaurant with an nice ambiance.

Personal or professional accomplishments you are particularly proud of:

Personal: Being able to escort my children to the United Kingdom for tournaments and fun.

Professionally: The years of experience in Human Resources and working with parties to resolve conflict.

Please complete these sentences:

I have a burning desire to *Obtain my Juris Doctorate.*

People tell me I look like *Taraji P. Henson.*

If I could have a 30 minute conversation with anyone (alive or otherwise, famous or not), I would want to speak with *my mother (Bettie Jean Strickland).*

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

Absolutely. But I would have pursued my Legal Degree at the undergraduate level opposed to Business Administration.

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

I absolutely love volunteering my time to help others.

What is your contact information?

*Sonja S. Walton, HRMBA, TAPM
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From the Editor's Desk

by Regina B. Newson

The ADR has been working hard to get all Listed Rule 31 Mediators in their system. Below is a listing of who you would need to contact for help with your listing with them.

This has been reprinted with permission of the Administrative Office of the Courts (ADR) from their ADR Letter dated December 23, 2019 to all Rule 31 Listed Mediators.

We encourage you to continue to your Annual Renewal here: <https://adrrenewal.tncourts.gov/>

THANK YOU for your willingness to embrace this new process. If you hit a roadblock, email us at any time and we will help you through the steps.

The ADR Portal login and help team can be reached at ADRRegistration@tncourts.gov and 615-741-2687:

User Accounts & Login: Amy Park

CMEs and Renewals: John Jefferson & Stephanie Brake



HELPFUL LINKS:

ADR Portal for Reports and Renewal:

<https://adrrenewal.tncourts.gov>

Resources for Mediators:

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

Login How To Guide:

http://tncourts.gov/sites/default/files/docs/access_management_portal_user_guide.pdf

ADR Portal How To Guide:

http://tncourts.gov/sites/default/files/docs/adr_mediator_guide.pdf

If you need CMEs before Dec 31st:

<http://tncourts.gov/programs/mediation/resources-mediators/continuing-meditation-education>

As a reminder, please find relevant excerpts of Rule 31 regarding CME's and the Annual Renewal and Policy #16 below:

16. A Rule 31 listed mediator must renew his/her listing on or before December 31 of each year. The renewal fee for renewal applications received on or before December 31 of each year shall be \$100.00. The renewal fee for renewal applications received between January 1 –March 31 shall be \$150.00. The Rule 31 listed mediator who renews his/her listing during this time will still be in "active" status and can conduct Rule 31 mediations. If a renewal application and fee are not received by March 31 for the current renewal year, the listing lapses. (Adopted 07/29/14) (Revised 4/23/19)

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

Section 15. Additional Obligations of Rule 31 Mediators

<https://www.tncourts.gov/rules/supreme-court/31>

Rule 31 Mediators must maintain a current mailing address, e-mail address, and phone number with the Programs Manager of the Administrative Office of the Courts. Any change of mailing address, e-mail address, or phone number must be provided within thirty days of such change.

(a) Continuing Mediation Education

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

(1) Courses for continuing education under this Rule may 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.

(i) General Civil Mediators - The six hours shall consist of:

(A) Three hours in mediation continuing education, of which at least one hour shall be related to mediation ethics, and

(B) Three hours general continuing education.

(ii) Family Mediators - The six hours shall consist of:

(A) Three hours in mediation continuing education, of which at least one hour shall be related to mediation ethics, and

(B) Three hours continuing education in family law.

(iii) Meeting the Rule 31 Family Mediator listing continuing education requirements will also meet the Rule 31 General Civil Mediator listing continuing education requirements. For dually listed Rule 31 Mediators who were not initially listed in the same year, the Mediator shall complete the hours required in Section 15(a)(2)(i-ii) of this Rule every two years based on the initial listing year of the Family listing.

(3) Rule 31 Mediators who are attorneys are not exempt from the continuing mediation education requirements of Rule 31 Section 15(a) of this Rule as a result of the age exemption for continuing legal education pursuant to Supreme Court Rule 21, Section 2.04(c).

(4) Failure to comply with continuing education requirements by March 31 following the year the hours were due will result in the lapse of the Rule 31 Mediator's listing. Mediators cannot choose to have their listing(s) lapse and then have the listing(s) re-activated upon completion of CME hours that were past due.

(5) A mediator whose credentials have lapsed for failure to comply with CME requirements must re-apply to the ADRC for listing and must have taken all required training per section 14. If previous training was completed prior to six years from the re-application for listing, it is no longer valid and the applicant must re-take the training pursuant section 14. CME hours for dually listed mediators are due every two years based on the initial listing year of the Family listing. Failure to renew or comply with CME requirements based on the initial listing year of the Family listing will result in the lapse of credentials for both listings. Per (a)(2)(iii) of this section, meeting the Rule 31 Family Mediator listing continuing education requirements will also meet the Rule 31 General Civil Mediator listing continuing education requirements.

(b) Annual Renewal of Rule 31 Mediator Status. As a condition of continued listing, each Rule 31 Mediator must file an annual renewal form with the AOC Programs Manager stating that he/she is in good standing with any professional licensing agency or organization, if applicable, provide proof of attendance/completion of required continuing mediation education, and must pay the annual registration fee set by the ADRC. If all requirements of a Rule 31 Mediator's annual renewal have not been completed by March 31 of the renewal year, then the Rule 31 Mediator's listing lapses.

Please note: This is a general reminder notice that is being sent to all Rule 31 Listed Mediators. Please disregard if you have already submitted your 2020 Renewal requirements to the AOC. Programs staff will contact you directly if additional information is needed to process your renewal.

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

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



TAPM Dues Are Now Due

Dues are \$100.00

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.



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