

# RESOLUTIONS

A PUBLICATION OF NEW MEXICO MEDIATION ASSOCIATION

JANUARY 2020

## WELCOME NEW MEMBERS!

### PROFESSIONAL CATEGORY

Mr. Wendell Lane	Attorney at Law	Albuquerque, NM
Ms. Magdalena Vigil-Tullar	Tullar HR and Mediation	Albuquerque, NM

## THANK YOU RETURNING MEMBERS!

### PROFESSIONAL CATEGORY

Ms. Charna Lefton	Charna Lefton & Assoc.	Albuquerque, NM
Ms. Susana Munoz	The Justice Legal Team	Las Cruces, NM
Ms. Lorie Nawman	NM Public School Auth.	Albuquerque, NM
Ms. Molly McIntosh	Molly L. McIntosh LLC	Albuquerque, NM
Mr. Michael J. Shane	El Paso Lawyers	El Paso, TX

### VOLUNTEER CATEGORY

Ms. Shannon Baxter		Albuquerque, NM
Ms. Brenda Horvath		
Ms. Leslie Kryder	Spring Rains Consulting, LLC	Albuquerque, NM
Ms. Melody Martínez		Albuquerque, NM
Ms. Bonnie Yoakum		Clovis, NM

THANK YOU FOR JOINING OR RENEWING **YOUR** ASSOCIATION!! Learn more about our new members and our renewing members under the "**FIND A MEDIATOR**" tab of the Association website: <http://newmexicomediationassociation.org>. 2 options exist: Professional Mediators and Volunteer Mediators. **CHECK IT OUT!!!**

**Members are asked to submit Proof of Qualification to Mediate in New Mexico including copies of basic 40-hour completion in addition to any Family Law or other area of certification to the Association to confirm qualifications PRIOR TO PLACEMENT IN THE ONLINE DIRECTORY. Send these documents to [info@newmexicomediationassociation.org](mailto:info@newmexicomediationassociation.org). THANK YOU!**

## MISSING THE NEWSLETTER AND THE LATEST NMMA UPDATES?

The Association records have over 300 names of members of the past many of which are still involved in ADR activities around the state. The names and contact information on the website are for those that we have records of being dues paid members for 2020/21. We miss you and want you back if your

**name is not on the website!** This is OUR Association and value your participation. We cannot succeed without you involved and expressing your voice on what the issues and needs are. As a Totally volunteer group, your board wants and needs you to help them develop programs and tools to benefit you in the ADR community. We have a choice, sit back and watch or be a part of the change needed to grow, prosper and benefit our ADR community in New Mexico, please join with your efforts AND your dues payments to help us meet the needs of the ADR community in New Mexico!

## 2021 OFFICERS

Ted Ramirez	Conflict and Dispute Resolutions	Las Cruces	President
OPEN			Vice President
OPEN			Secretary
OPEN			Treasurer

## BOARD OF DIRECTORS

Sue Thorson	Mediator	Albuquerque
Sandy Martinez	NM State Personnel Office	Santa Fe
Justin Owens	NM PED	Santa Fe
OPEN		

CONGRATULATIONS to Justin Owens who has accepted a position with the NM Department of Education. Great reward for an up-and-coming gentleman!

If you need to contact a board member or officer, please consider using the [info@newmexicomeditationassociation.org](mailto:info@newmexicomeditationassociation.org) or contact one of the above if needed.

## BOARD MEETINGS

During the Calendar year, your Board and Officers have regularly scheduled Zoom Conference calls. You are welcome to participate if you have items that need to be discussed or just to listen in. Check the online calendar for dates and times.

Call in Instructions can be obtained from EMAILING [info@newmexicomeditationassociation.com](mailto:info@newmexicomeditationassociation.com). Calls usually last 1 – 2 hours and we utilize the Zoom system for the calls.

Please plan to join us – this is your Association, and your ideas, opinions and participation are welcome!

## COMMITTEE ACTIVITY

**Annual Meeting:** Given the current environment we find ourselves in, we did not have an annual meeting. As you can see above, nobody wanted to continue serving with Ted (bad breath, body odor, gnarly tooth and unkept promises and insane work habits were most commonly cited) We need members who will spare a few hours a month to help put ideas forward to maintain and grow this association! Now, more than ever, the practice of mediation is needed and our participation in charting this course makes a difference!

**Grievances:** We are proposing a “Draft” guideline for board consideration on how we as an Association can best handle these concerns in the future.

**By-Laws:** were last revised in 2006 and the times and conditions have changed. We have a draft proposal on the table since early 2020 that needs to be vetted and moved forward. Contact Ted if you'd like to help provide input.

**Credentialing and Certification Guidelines:** The goal is to insure and recognize ADR professionals that maintain the latest skill sets and experiences and that ADR trainers are most current and experienced in areas of required training. Maintaining current records of ADR professionals CEU, MCLE can be of value by creating the ability for NMMA to offer courts and judicial officers a list of ADR professionals that meet the state criteria when a need for a qualified ADR professional is needed. NMMA would be the repository of such records and would be responsible for maintaining the listing of Credentialed, Certified ADR professionals in the state. We welcome your input.

**Membership:** stands at 60 paid members. We need to grow this and understand that if we as an Association cannot provide members a reason to belong that is of interest to them, we will not grow. A few years ago, our VP at the time, reached out via an online survey, emails and personal phone calls asking what needed to be done to get members back on board (returning members). We understand over-extension of our time, we get that maybe not enough opportunities exist for ADR professionals to make a business work and we understand years of participation and burnout. The "Lunch and Learn" concept was too narrow a focus for our ABQ members. Members outside of ABQ felt they were not represented on the Board and Officers or in learning opportunities. Board meetings and activities were always centralized..... Enough of the reasons "WHY NOT" ..... your board and officers are different, have tried being more transparent and with the advent of ZOOM plan to move the remote learning online to attract and interest a wider audience statewide. **GET BACK ON BOARD!!! This is YOUR Association!!**

## ADR COMMISSION

The January scheduled Commission meeting was cancelled last minute as the NMSSC has not acted to select a chairperson or accept the requested appointments of those asked or chosen to serve on the Commission for 2021 and beyond.

## ONLINE DISPUTE RESOLUTION UPDATE

They said it couldn't be done. I said it shouldn't be done. Nine months ago, hosting Mediations, Arbitration. Family Relations Negotiations or Training online while sitting in my study at home would have been unthinkable. I had so many fellow mediators opt out because they were not in favor of online anything in connection with mediation. It had to be face-to-face, intimate, physically present or they were out. Anything else would be second class, unprofessional, unethical, and downright JUST WRONG, or even un-doable.

Well, needs must. Circumstances change. "Adapt or die" as someone once said. I have conducted many actual mediations successfully online.

We took the decision to shift to an online platform.

The flexibility of current technology to deliver this sort of sound and visual experience is remarkable. The one downside can be poor connectivity from time to time and everyone really needs a laptop or desktop. But these are issues of the times anyway.

What have we learned to do which is useful generally?

- use a good web platform for materials and indeed for every aspect– and provide clear online instructions throughout.
- make sure everyone has the appropriate technology and is able to use it well (for example, switching from and to “gallery view”)
- get a good balance to the mix of media and bear in mind that people learn differently.
- make time for individual conversations prior to mediation to help people who may be struggling – and create specific social slots.
- practice complex sessions with parties in advance – and ensure video and slide presentations are high quality and easily accessed.
- have a good team, with someone looking after the admin throughout – and ensure the leader can operate all the technology too.
- take your time, explain what you are doing, don’t assume everyone is hearing and seeing the same thing, take and encourage bathroom breaks.
- have confidence in the quality of what you are offering and have fun – it is all good learning.

There is much to learn from and to do better next time. And there will be a next time. So, it can be done – indeed, we can all do it.

*John Sturrock is Founder and CEO of Copromoted Stories*

## NAMES IN THE NEWS

Congratulations to **Josh Pando**, who will take the place of Mateo Page as the New Statewide ADR Program Manager.

Congratulations to **Mateo Page**, former Statewide ADR Program Manager and NMMA Advisory Board member for his promotion within the AOC/NM. It was our pleasure to have had Mateo’s presence and advice on our board.

Congratulations to **Abby Foster**, who was named Magistrate Mediation Program Manager for the State. Abby had been Remote Mediation Coordinator for two years and has been instrumental in 2020 as the need to increase Online and electronic mediations has increased for the statewide Magistrate Courts.

**IN MEMORIUM:** This Association and our mediation community lost a legend, voice, pioneer, and advocate for Mediation in New Mexico. **Wallace “Wally” Ford** of Albuquerque passed from this earth late in 2020. I had long asked Wally to serve as an advisor or officer of this group as we tried to resurrect the momentum and activity of the Association, but his mission was larger; to introduce the practice of Elder Care Mediation in New Mexico. You will be missed Wally!

## TRAININGS ON THE HORIZON

### UNM ANDERSON SCHOOL OF MANAGEMENT

#### BASIC MEDIATION TRAINING AND CERTIFICATION

Saturdays, March 6 thru April 24, 2021

Time: 9 a.m. – 3 p.m.

Online

Contact UNM at [cpd@unm.edu](mailto:cpd@unm.edu) with questions

Early bird discounts are offered before February 1, 2021

## JOB OPPORTUNITIES

## ZOOM TIPS FOR ADR PROFESSIONALS

Courtesy ABA/ADR Committees Newsletter – Judith Starr

### GOT A GOOD ONLINE MEDIATION OR WFH TIP? SHARE IT WITH THE NMMA!

It's time to refresh your settings! Zoom has both mandatory and discretionary upgrades, so unless you have arranged to have your settings updated automatically, you will need to check to see if there are new non-mandatory upgrades. Do this by going into zoom client and clicking on your picture. Among the items that will show up in your dialog box is check upgrades. I did so recently and discovered there was one so after reading the description I clicked on upgrade and it took just a few seconds. Among the new features is the ability of participants to choose their breakout room. This will show up as a choice when you, as host of an ongoing meeting, click on breakout rooms. While this is likely not a function you want for mediations, it can be a useful function for meetings.

This is also a good time to review your account settings and determine if you have the best security settings and the meeting settings that work best with the way you practice. For security, end-to-end encryption is one of the newish functions – but it requires participants to use the desktop app, mobile app or zoom rooms. So, if you have clients who only access zoom through their web browser or mobile phone (as I do) this will not work for you. On the non-security side, think about how much you want to control sound and video when parties are entering meetings. It is purely a matter of preference, but it is good to go over these functions in light of how they work in your daily practice. This review can help you deal with small annoyances that crop up regularly. **(Judith Starr, ABA)**

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*The planet does not need more successful people. The planet desperately needs more peacemakers, healers, restorers, storytellers, and lovers of all kinds."*

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DALAI LAMA

**MEDIATION QUOTE OF THE MONTH**