



Association for  
Conflict Resolution  
Dallas Chapter

# Newsletter

Vol. 2, No. 4

October 21, 2008

## President's Message

By Fred Lewis

This letter will be my last as president of the Dallas Chapter of the Association for Conflict Resolution. In looking back over the past year I want to thank the board and the members of Dallas ACR for making this a year of progress. We as an organization have been able to broaden our reach into the Dallas Family Courts and get an entrée into the U. S. District Court. In addition to that doors are open to the law firms that can benefit from utilizing the mediation services of our multidisciplinary membership.

We have been able to attract some new members starting out in the mediation profession, some very experienced new members all of whom bring new ideas and talent to our organization. Considerable time, effort and a spirit of cooperation put forth by our current board and our members has made Dallas ACR one of the premier mediation groups in North Texas.

I ask that all our members give their full support to our incoming president Jerry Cosby and the board which consists of a great team that will lead us to bigger and better things in conflict resolution.

I thank you for giving me the honor of serving as your president. I look forward to all of our members having a successful mediation career.

Sincerely Yours,

-----Frederick D. Lewis, President

## Election of Officers Oct. 28

ACR Dallas Chapter election of officers will be Tuesday, October 28, at Center for Community Cooperation, 2900 Live Oak St., Dallas, Texas 75204. The meeting will start with a light supper at 5:30. The regular meeting will start at 6:00.

Featured speaker will be Frederick Barrow with Littler Mendelson law firm who will speak on "Marketing your Mediation Practice."

The Nominating Committee, comprised of Martha Johnson, Chairperson, and past-presidents Kay Elliott, and Joe Hewitt, will present a slate of nominees to the membership. Nominations may also be made from the floor.

Nominees are: President-Elect - Gene Roberts

Secretary - Marc Lilly  
Assistant Secretary - Audrey Moorhead  
Treasurer - Connie Blair  
Assistant Treasurer - Pam Rhodes  
Director at Large - Ken Burdin  
Director at Large - Sherri Cotton  
Student Director at Large - Arlinda Whitaker

Jerry Cosby, who was elected President-Elect last year, will become President at the close of the October 28 meeting.

Gene Roberts is an attorney, serving on the Board of Directors this past year.

Marc Lilly is a recent graduate of the ADR program at El Centro and has started his own ADR practice. He has attended Jerry Cosby's Saturday morning mentoring program.

Audrey Moorhead has her own law and mediation offices in Dallas and has been involved in a wide variety of state and local organizations.

Connie Blair has served in various offices including member of the Board of Directors.

Ken Burdin is one of the most successful mediators in Dallas. He has 12 mediators in his firm. He was one of the presenters at the 2008 Texas Association of Mediators Convention.

Sherri Cotton is a mediator and attorney from Ft. Worth and has been active in ACR Dallas for the past year. She formerly practiced law and mediation in Nebraska.

Arlinda Whitaker is a student in the El Centro ADR program and she wants to use her mediation skills in community settings; she was formerly employed as a juvenile probation officer. She has attended Jerry Cosby's Saturday morning mentoring program.

Terms of new officers will begin after the October 28 meeting.

ACR Dallas Secretary Glenn Currier said, "To have a right to vote in this meeting, it is necessary for members to be current on their dues prior to the October 28, 2008, election of officers. The ACR Dallas Board has promulgated a policy that members must be current in their dues at least five days prior to the October 28, 2008 meeting. If someone is not a currently paid member, their dues must be in the ACR Dallas Mailbox by Wednesday October 22, 2008." The address is: ACR-Dallas Chapter, PMB 105, 18484 Preston Rd., Suite 102, Dallas, TX 75252. (This notice was emailed to all members on October 9, 2008.)

## ACR Annual Conference in Austin

The Eighth Annual Conference of the Association for Conflict Resolution (ACR) was held in Austin September 24 -27. The four-day program was entitled "Aspirations, Possibilities, and Realities: Expanding Principles, Practice and Research in a Changing World."

The Annual Conference is the major event of the year for the national ACR organization of which Dallas Chapter is a part.

## ACR Dallas Judges' Panel Held Sept. 23

Judge Sally L. Montgomery said she would sanction people who do not pay a mediator's administration fee in cases that are settled and the mediator is not notified. Judge Montgomery, Dallas County Court at Law No. 3, was speaking at the September 23, Judges Panel of ACR Dallas.

She was one of five judges participating in the panel moderated by ACR Dallas President Fred Lewis. Also participating were Carl Ginsberg, Judge of the 193<sup>rd</sup> District Court; Ken Tapscott, Judge, Dallas County Court at Law No. 4; Victor Lander, Judge, Dallas Municipal Court No. 9, and Municipal Courts Administrative Judge; and Jim Jordan, Judge, 160<sup>th</sup> District Court.

Judge Montgomery sends every case to mediation. To get on her list of approved mediators she said to give a resume' to her court coordinator with a rate schedule.

The mediators' market share is shrinking as more mediators are added, said Judge Ginsberg. Since there are more mediators, there are fewer cases for each, he said. He discussed making a new mediation order "with teeth" that would require disclosure of the representative who would appear at the mediation and certify that he/she had full authority to settle. "If they don't show up with authority to settle, notify the Court," he said. District Courts are seeing an increase in foreclosures and debt default cases, Judge Ginsberg said.

Judge Tapscott said he rarely gets a complaint about a mediator. If he hears a complaint he requires the person making the complaint to put it in writing and copy the mediator.

Judge Lander recently took over as Municipal Courts Administrative Judge. He said the municipal courts are an untapped resource for mediators. His particular court deals with code enforcement cases. Those and urban demolition orders would be suitable cases for mediation, he said.

Judge Jordan said he leaves it up to the attorneys to name their own scheduling order including trial date. If the attorneys can't agree on a mediator, he will name one. Judge Jordan said he has seen mediation grow from nothing to what it is now. He views mediation as a natural process. "The parties control the process rather than me," he said. To get on his list of approved mediators, the Judge said to go to his courtroom and tell the bailiff you want to see him. Leave information on your areas of expertise.

Judge Jordan said he sometimes will cancel a mediation order if both attorneys say the case is impossible. Regarding his preference of mediators, he said, "If I know you will stay with the case, it makes a difference."

## Past Presidents Honored

President Fred Lewis presented three past-presidents with plaques honoring them for "Outstanding Service" to ACR Dallas at the September 23 meeting.

Honored were Sheikha Susie Hobeiche, Joe Hewitt, and Kay Elliott.



Fred Lewis gets a smooch from Kay Elliott as he presented her with a plaque honoring her for outstanding service. Visible in the Judges Panel are Sally L. Montgomery, Ken Tapscott and Carl Ginsberg.



Past Presidents Sheikha Susie Hobeiche, and Joe Hewitt get a plaque and a laugh from President Fred Lewis.

### So Smile

Smiling is infectious; you catch it like the flu,  
 when someone smiled at me today, I started smiling too.  
 I passed around the corner and someone saw me grin,  
 when he smiled I realised I'd passed it on to him.  
 I thought about that smile then realised its worth,  
 a single smile, just like mine, could travel round the earth.  
 So, if you feel a smile begin, don't leave it undetected,  
 let's start an epidemic quick, and get the world infected!

---Author Unknown

## Why Go to ACR Meetings?

By Joe Hewitt

At the close of a sermon on the Ten Commandments a visitor shook the pastor's hand and said, "Thank you for that sermon. It caused me to change my mind. I no longer needed to do a bad deed."

"Oh," the Pastor said with increasing interest. "Which commandment was such a help to you?"

"Well, I came to church this morning planning to steal a hat, but when you got to the commandment, 'Thou shalt not commit adultery,' I remembered where I left my hat."

What good reasons do we have for attending ACR Dallas monthly meetings? Fellowship and camaraderie, social enjoyment, getting together with people of similar interests are good reasons. Networking, getting together with peers, rarely has direct benefits, but in the long haul the more friends you have the better off you will be. That may sound mercenary, but it's not if we follow the old rule, "To have friends, be a friend."

By organizing and meeting together we can do together what would be difficult or impossible to do alone. For example:

**Lobbying.** Because of the efforts of early mediation proponents, Texas has excellent laws regarding mediation. Many of our members worked for years to found Texas Mediators Credentialing Association (TMCA) that allows professionals to police themselves without relying on legislation.

**Publicity.** Through the website, [www.dallasacr.org](http://www.dallasacr.org), the Newsletter, and email communications members can be kept informed. There is also more opportunity for mass media publicity through the organization than there would be through individual mediators. The speakers bureau helps get the word out about mediation to service clubs, businesses, and lately educational institutions. Before and after monthly meetings members have an opportunity for idea exchanges.

**Continuing Education.** Each meeting provides continuing education for mediators. Through the organization many educational opportunities arise each year.

**Mentoring.** Seasoned mediators volunteer their time to help new mediators.

Some mediators are in it for the money; it's a living, and reconciling people is fulfilling. Others are in it only to serve our fellow man with no payment expected. Both do the same thing but for different reasons and different rewards. We have, however, a common process and common goals: conflict resolution.

"Agree with thine adversary quickly whiles thou art in the way with him. . ." Matthew 5:25.

"Blessed are the peacemakers for they shall be called the children of God." Matthew 5:9.

---Joe Hewitt [info@joebhewittmediator.com](mailto:info@joebhewittmediator.com)

The ACR Dallas Newsletter is published by the Association for Conflict Resolution, (ACR) Dallas Chapter, 18484 Preston Rd., Suite 102, PMB 105, Dallas, TX 75252. To submit articles for the Newsletter, send to Joe Hewitt, Editor, (preferably by email) [info@joebhewittmediator.com](mailto:info@joebhewittmediator.com). Fax, 972-772-9886, or mail to 684 Prince Lane, Rockwall, Texas 75087. The ACR Dallas Newsletter is distributed to members via email. To receive a copy via fax, send a request to Fax No. 972-772-9886. Further information is available on our web site, [www.dallasacr.org](http://www.dallasacr.org).

## Dallas ACR Officers for 2007-2008

President, Frederick D. Lewis, [frederickdoglew@sbcglobal.net](mailto:frederickdoglew@sbcglobal.net)

(Took office automatically at close of the October, 2007, meeting, having been elected President-Elect in 2006.)

President-Elect, Jerrell J. "Jerry" Cosby, [texasmediationgroup1@juno.com](mailto:texasmediationgroup1@juno.com)

(Will take office as president at close of the October, 2008 meeting.)

Secretary, Glen Currier, [currier@DcccD.edu](mailto:currier@DcccD.edu)

Treasurer, Connie Blair, [BlairCLC@aol.com](mailto:BlairCLC@aol.com)

Assistant Treasurer, Josephine Rosser, [JRosser@DMS-adr.org](mailto:JRosser@DMS-adr.org)

Director-at-Large, 2007-2009, Martha Johnson, [MLJlawyer@sbcglobal.net](mailto:MLJlawyer@sbcglobal.net)

Director-at-Large, 2007-2009, Gene Roberts, [Gene.Roberts.theRobertsFirm.net](mailto:Gene.Roberts.theRobertsFirm.net)

Director-at-Large, 2007-2008, Carol Barnes, [BarnesCarol\\_1732@yahoo.com](mailto:BarnesCarol_1732@yahoo.com)