



**annual report  
2018-19**

*Conflict Happens  
and Mediation  
Can Help!!*



## Dear Supporters of CDRC,

One of the joys of being the President of the Board of the Community Dispute Resolution Center and an active volunteer mediator is that I get to see both sides of what we do. I have something to do with CDRC every week: interacting with staff, encouraging the board, or volunteering as a mediator. It is a unique perspective.

And this year, beginning January we began a new and exciting chapter in CDRC's many decades-long presence in Tompkins, Chemung and Schuyler Counties. Collaborating with the Alternative Dispute Resolution Center of the New York State Court system we were one of the pilot projects for their new effort to initiate Presumptive Mediation in the court system. That is right. The State chose us to begin their new program. Why did they do that?

They chose us because we have a proven record of excellence in mediation, a state-wide respected Executive Director, and they knew CDRC could do the job.

Presumptive Mediation could change the whole face of dispute resolution centers in New York State. Instead of having first appearances in family court parties will come to dispute resolution centers first. That means that we at CDRC will see every party who files a family court petition before they see a judge. Our visibility and workload will increase dramatically. We can only hope that the New York State Court System will realize quickly the financial and efficiency savings and that it will result in increased funding for all dispute resolution centers.

I have had two of these presumptive mediation cases to mediate already. I noticed immediately that the parties did not come to the table feeling "defeated" and "exasperated" with the court system. They had not even been to court yet! Instead they came as parties who could immediately benefit from our practice of Transformative Mediation – helping them seek their own resolution to their own dispute.

2019 was an exciting year for CDRC – and 2020 will be a year of growth and continued excellence in service to our communities. I hope that you will join me, and the Board, in making a financial commitment to CDRC. We are worthy of your trust to make our communities a better place to live.

**Michael Hartney**

President, CDRC Board of Directors

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# Presumptive ADR

In early 2018, Chief Judge Janet DiFiore created the Statewide ADR Advisory Committee. The purpose of this Committee was, as part of Judge DiFiore's Excellence in The Courts Initiative, to explore how courts throughout the State of New York could take advantage more effectively of Alternative Dispute Resolution.

In February of 2019, the Committee delivered an Interim Report to Judge DiFiore. While this report was complex and contained a wide range of recommendations, the overarching message was that there were practical, financial, and other advantages to dramatically increasing the role of ADR within the courts.

As a result, in her State of The Judiciary address, Judge DiFiore announced the beginning of Presumptive ADR in the courts. In her words, "We are all in on Mediation." Rather than assuming that court was the default process for cases and allowing parties to opt-in to Mediation, instead all parties in civil cases are to be offered the opportunity to mediate before they go to court. Only in those cases where the case is screened out, and agreement is not reached, or the parties explicitly opt out will they proceed to a First Appearance.

This announcement was made in May of 2019. Judge DiFiore and Chief Administrative Judge Lawrence K. Marks clarified that each Judicial District was to create and implement a plan for Presumptive ADR, working with local courts, bar associations, and other stakeholders. A draft plan was to be due no later than September 2019.

The largest and most experienced practitioners of Alternative Dispute Resolution (ADR) in the state are the Community Dispute Resolution Centers (CDRCs). In addition, many CDRCs have established relationships with County, Family, City, Town, and Village Courts. This made the CDRC network the logical place to go for the bulk of ADR services to the Judicial Districts. Over 1,500 practitioners are trained and certified with the CDRCs statewide, offering an immediate resource in the implementation of Presumptive ADR.



Our Code of Ethics requires that all our services be Neutral, Voluntary, and Self-Determined. As a result, even in the context of Presumptive ADR, the parties must have an opportunity to decline the service, and to decline to reach an agreement.

Our Code of Ethics requires that all our services be Safe. As a result, even in the context of Presumptive ADR, we must be careful to exclude those cases inappropriate for the service. That includes those cases with a history of Domestic Violence, those with charges of Child Abuse or Neglect, and those with the immediate potential for violence, threats, and intimidation in bad faith.

Our Code of Ethics (as well as Judiciary Law 21-A) requires that our services be Confidential. As a result, we are greatly limited in what information we can share with a referring court. This includes only whether the parties declined the service, whether we were able to reach the parties, whether an appointment was scheduled, whether an appointment was held, and whether or not the parties reached agreement.

In the Matrimonial Part and Large Claims Part of Supreme Court, as well as in Surrogate's Court, referrals for Presumptive ADR are likely to be forwarded to neutrals on the Court Rosters. While this will include some CDRC-affiliated practitioners, those referrals will likely not be sent directly to the CDRC.

Family Court and the City/Town/Village Courts have the most to gain from cooperation with the CDRC in implementing Presumptive ADR. Many of these courts have existing relationships and procedures with their local CDRC to build upon. Cases can often be disposed more quickly, and much more inexpensively, by a CDRC compared to the traditional, adversarial court process.

In partnership with Tompkins County Family Court Judge John Rowley and Dan Kos with the Office of Alternative Dispute Resolution, CDRC began a Presumptive ADR program in Tompkins County in January of this year. This past year we opened 77 cases that were referred from the court with over 80 individuals participating in mediation. We have received positive comments from parties who have participated in this process (see comments on page 8).

In addition, when CDRC sees an opportunity to replicate a successful program in another one of our counties, we will begin a Presumptive ADR Program in Chemung County Family Court in January 2020.

The implementation of Presumptive ADR is the single biggest opportunity in history to expand the practice of Mediation and CDRC is thrilled to be able to make these services available to the populations that we serve.

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Daniel Clay  
L. J. Freitag  
Cynthia Lion  
Kristin Schamel  
David Stotz

# PLEASE JOIN US IN THANKING THESE ORGANIZATIONS...

CDRC wishes to express our deepest appreciation to organizations who provided funding through Grants and Service Fees.

Accord, A Center for Dispute Resolution

Advocacy Center

AIM

Cayuga Heights Afterschool Program

Cornell Cooperative Extension of Schoharie and Otsego Counties

Cornell Delta Kappa Epsilon

Dryden Town Board

Finger Lakes District of the United Methodist Church

Horseheads Sunrise Rotary

Human Services Coalition of Tompkins County

Ithaca Community Radio

Juniper Manor

Precision Filters

St. Mary's Church, Elmira

New York State Dispute Resolution Association

New York State Unified Court System

Southern Cayuga Jr./Sr. High School

Tompkins County

United Way of Schuyler County

United Way of the Southern Tier

United Way of Tompkins County

# This past year our volunteer mediators

invested  
an impressive

# 293

HOURS

facilitating conversations about people's differences, and another 272 hours of training and continuing education

contributed  
professional services  
easily valued  
at

# \$42,375\*

\*NYS Office of ADRCIP Alternative Dispute Resolution Court Improvement Programs sets rates for value of volunteer time.

## JUST THIS PAST YEAR...

CDRC talked with **1,737 people** about conflicts or difficult situations they face

**616 individuals** chose mediation/conciliation to work through their conflict

**258 minor children** benefitted when their parents or caregivers attempted to cooperatively resolve their differences.

**223 youth** participated in conflict coaching and conflict circles

Provided training and facilitation to **over 15 local** businesses, organizations and educational institutions, totaling over 160 individuals.

## Quotes from this years' clients...

**"I thought the process was very helpful with starting the communication and voicing our opinions."**

**"I appreciate CDRC and both mediators' efforts to help us navigate our difficult conversations and vastly different viewpoints."**

**"Thank you for your help. I really appreciated having a third party to listen and offer some alternative listening strategies."**

**"Both mediators were extremely well prepared, professional and focused. They assisted us in formulating thoughts into direct plans and helped us draw up an agreement where we both felt comfortable. Commendable. Thank you!"**

**"I found the mediation to be extremely helpful, I'm really feeling the feels."**



# 2017-2018 Finances

PLEASE NOTE:  
Review is not yet  
complete.  
Please check back  
frequently for the  
updated finances)

## INCOME

Contributions, Grants, Gifts	14,562
NY State Unified Court System	249,071
Case Fees	5,730
United Ways*	33,577
Tompkins County	36,003
Training Income	27,638
Other	400

*\*Chemung, Schuylers and Tompkins Counties*

## EXPENSES

Program Services*	303,459
Administration	42,841
Development	10,711

*\*Mediation, Facilitation and Training*

[www.cdrc.org](http://www.cdrc.org)

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<https://facebook.com/CDRCtalkworks>



**Twitter**

Are you following our twitter account? If not, please do so at [CDRC@CDRCtalkworks](https://twitter.com/CDRC@CDRCtalkworks).

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**GoodSearch**

Were you one of the 14 supporters who raised \$217.11 for CDRC through Goodsearch and Goodshop? Thank you for your support. If you'd like to support CDRC when you search the internet or shop online visit

<http://www.goodsearch.com/toolbar/community-dispute-resolution-center-cdrc>



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