

New York State Dispute Resolution Association, Inc.

Overview of Achievements, 2016-2017

NYSDRA and the community dispute resolution center (CDRC) network provided community legal education and access to justice services across the state in 2016-2017. These services include direct dispute resolution services, training, workshops, outreach, referrals, and individual intake contacts. Direct dispute resolution services include mediation, arbitration, conciliation, and restorative justice techniques. Direct services are provided and no or low cost, and directly benefit low income and vulnerable populations in every county in New York. Training is provided by NYSDRA and CDRCs in basic and advanced mediation and arbitration, and in workshops on topics tailored to various audiences including conflict management, individual conflicts styles, communications and negotiation training, dispute resolution alternatives, etc. Community outreach includes regular presence in local and regional conferences, events sponsored by partner organizations, and through the press and social media.

Referrals, explanations of dispute resolution and resources, as well as individual conflict coaching is provided to individuals who contact their local CDRCs or NYSDRA. Over the past three years NYSDRA and the CDRC network have also increased their outreach activities in two statewide dispute resolution advocacy initiatives: one includes outreach and education to members of state and local legislators and other public servants, and the second, in startup phase, is an internet campaign intended to identify and link individuals who search for dispute resolution resources to their local service providers.

IOLA grant funding has been critical to our success in increasing and improving dispute resolution and access to justice through outreach, education, neutral training and direct service delivery, as well as through capacity building on the state, regional and county levels. NYSDRA and the CDRCs have used IOLA funding to leverage other resources we receive in association with our advanced dispute resolution contracts, to broaden outreach, and to increase direct services provided.

In FY 2016 the CDRC network provided dispute resolution services in 28,673 cases; in doing so, services were provided to 69,229 individuals. (New York State Unified Court System, Office of ADR, Statistical Supplement, 2015-16, p. 1; 2016-17 statistics are not yet available). The majority of the beneficiaries of direct services are low income individuals. Of people served in mediations and who responded to an invitation to share information on their income, 3,500 reported annual incomes of less than \$55,000, 2,339 reported incomes of greater than \$55,000, and 12,194 declined to report (Statistical Supplement, 2015-16, p. 17). Dispute resolution benefits consumers and may offer ancillary support to attorneys who represent them. For example, aspects of the Lemon Law Arbitration Program confuse even the most experienced attorneys. In late 2016 a case involving a motor home was opened. Neither attorney had handled a Lemon Law case and both were scrambling to learn everything they could in the 30 days before the hearing. The Program Manager spent several hours speaking to each attorney, being careful to observe the line between offering information and advice. After the hearing, we received evaluations from each attorney – one jokingly wrote a summary of what they would tell any future clients about the program: “it is bitterly confusing, but can lead to a sweet victory.” The opposing counsel wrote: “I couldn’t have helped my client without the support of the Lemon Law staff, from the manager to the person at the hearing center.”

NYSDRA partners with the CDRC network to improve our outreach, education and advocacy for dispute resolution. Our legislative outreach was rewarded when Assemblywoman Carrie Woerner presented a resolution declaring April 2016 as Agricultural Mediation Month. NYSDRA staff testified at Joint Public Safety budget hearing, and before the Assembly Committee on Agriculture about the services available to their constituents.



This Provider At a Glance

Population Served: Community Dispute Resolution Centers

Area Served: Statewide

Total Funding: \$1,085,771

Total IOLA Grant: \$117,817

Staffing - Full Time Equivalents

Total Staff: 7.00

Lawyers: 0.50

Paralegals: 0.00

Other Staff: 6.50

Types of Services Provided

Direct Civil Legal Representation

Brief Services

Extended Services

Hotlines and Other Phone-Based Services

Technology and Other Innovations

Community Legal Education

Pro Se Assistance

Collaborations With Other Service Providers

Major Cases or Other Advocacy Projects



Other Services

Technology and Other Innovations

NYSDRA uses a combination of technologies to provide outreach and services to low-income New Yorkers. Through Facebook, LinkedIn, and the NYSDRA website, members and CDRC representatives contacted their representatives in response to NYSDRA calls to action. NYSDRA uses a web-based database to collect and maintain information on our members, stakeholders and other constituents. Our website and database platform allows us to be even more effective in engaging the public and our members.

We have begun building internal capacity to use low cost webinars to expand outreach and education. The Lemon Law Program Manager produced a training webinar for CDRC intake coordinators and arbitrators across the state. This project was in response to a quality assurance evaluation of our neutral panels and intake services, and for perennial needs for arbitrator updates – especially for those who provide services in rural counties where caseloads are low and opportunities for experience are limited.

Legal Services Other Than Direct Legal Representation

Substantive legal and access to justice content on NYSDRA and CDRC websites provide a significant amount of community legal education. We estimate a total of 100,000 unique visitors to these sites per year. The NYSDRA website offers information on alternative dispute resolution techniques, plain English explanations of regulations related to our consumer programs, and resources to enhance access to justice.

NYSDRA and our CDRC organizational members provide community legal education services primarily through intake services, training, outreach and education. NYSDRA and CDRCs offer three day CDRC basic mediation trainings across the state. These community based trainings are provided as the first of the process to qualify as a community mediator, for individuals interested in obtaining communication and dispute resolution for professional development, and for stakeholders and potential mediation referral sources. Last year, NYSDRA used IOLA grant funds to sponsor an additional training in custody and visitation for mediators selected by their CDRCs to qualify for neutral panels and mediate cases referred by family court judges.

In 2015 there were 1,470 mediators and arbitrators active in New York; (latest NYS UCS CDRC Annual Report). Some of the 21 CDRC's have developed sustainable training programs, and have the resources to offer multiple basic trainings each year. Some smaller CDRCs collaborate to offer a single basic training each year. An average class size would be 25-35 individuals. NYSDRA and CDRCs use strategies to diversify our neutral panels, including targeted recruitment, flexible training fees, scholarships, etc. Trainers are certified by the OCA/ADR,

a rigorous apprenticeship program is required before a mediator may qualify for a CDRC panel.

Collaborations With Other Service Providers

NYSDRA collaborates with twenty-one local Community Dispute Resolution Centers (CDRCs) in New York State. The CDRCs are both organizational members and direct service providers on the local level for the dispute resolution services in programs that NYSDRA administers. Since 1985 we have also developed a strong partnership with the Office of Court Administration, Office of ADR (OCA/ADR). We collaborate and coordinate our complimentary organizational resources to build CDRC capacity and assure quality of services at the local level. OCA/ADR contracts with the United States Department of Agriculture, and then sub-contracts to NYSDRA for statewide administration of the NYS Agricultural Mediation Program (NYSAMP). Similarly, we have developed collaborative relationships with our contract program partners at the NYS Department of Education, Department of Health, and the Office of the Attorney General.

NYSDRA staff also focus on collaborative efforts to ensure public awareness of specialized dispute resolution services. For example, NYSAMP staff work with the USDA agencies, NYS Department of Agriculture and Markets, Cornell Cooperative Extension, Farm Bureau, American Farmland Trust and other agricultural organizations to ensure that local mediation centers develop connections and develop capacity to meet the needs of their agricultural communities. The Special Education Mediation Program team works with Parent Centers to coordinate outreach to parents and schools on the benefits of mediation.

NYSDRA collaborates with various other organizations related to our mission. We share reciprocal membership with the New York State Council on Divorce Mediation, and we participate in state-wide and local events sponsored by other dispute resolution organizations. We also have Board and general members in common with chapters of the Association for Conflict Resolution and the American Arbitration Association.

The CDRCs are NYSDRA members and serve all 62 counties, providing case management and direct services by trained and experienced staff and neutrals. ADR

Number of People Benefited by Legal Services Other Than Direct Legal Representation...

Total:	210,900 People
Community Legal Education and Pro Se Assistance:	105,900 People
Web Usage:	105,000 People

Other Services, *continued*

services include mediation, arbitration and conciliation in cases referred from various civil and criminal courts, local and state agencies, and other referral sources.

NYSDRA provides regional and statewide outreach, and coordinates and provides technical support for local outreach. NYSDRA collaborates closely with the CDRC network and partners to provide opportunities for capacity building, facilitate exchange of pertinent information and resources, and to educate the public, government agencies and other service providers about the important community resources provided by the CDRC network.

NYSDRA has been able to provide additional support by adding a second day to our annual conference that was devoted to CDRC staff professional development. That meeting was used to identify shared needs and priorities, organize several groups of volunteers to address those needs, provide information on changes in non-profit employment law, and to work with a story telling consultant who will be assisting the network to identify and collect “stories with wings” for outreach and advocacy. NYSDRA also hosted an evening meeting during the Office of Court Administration, Office of ADR (OCA/ADR) annual CDRC Directors meeting to define strengths, resources, and priorities within the context of our collaborative partnership.

NYSDRA works in close collaboration with OCA/ADR, as well. This agency oversees the CDRC Program and is instrumental in their success, and in turn, NYSDRA’s success. Certain activities are not appropriate for OCA/ADR participation on behalf of the CDRCs and NYSDRA is able to provide such benefits. OCA/ADR collaborates directly with NYSDRA in administering the NYS Agricultural Mediation Program. Staff members from OCA/ADR provide advisory and technical support in support of NYSDRA’s administration of the IOLA grant, and work with us to coordinate our respective training programs. A senior staff member served on the committee which reviewed proposals from CDRCs for IOLA sub-grant funding. This representative has access to statewide service statistics

and special knowledge of CDRC capabilities and strengths.

NYSDRA Board members and staff have formed a collaborative relationship with the New York State Association of Counties (NYSAC) to offer training and coaching on collaborative governance and consensus building negotiation skills to county legislators. A workshop was provided at the annual NYSAC conference, and additional workshops have been requested for NYSAC conferences in other parts of the state. The Orange County Legislature has contracted with NYSDRA and the Dispute Resolution Center in Orange County to provide extensive training and coaching services for their legislators.

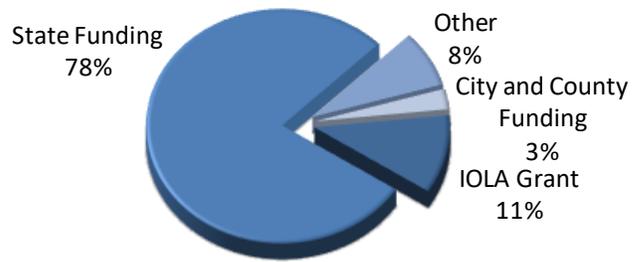
In the past, NYSDRA has met annually with legal service providers in Unit 4. These annual meetings provide an excellent opportunity to share information about our projects and programs. The possibility of duplicating efforts is not a concern due to the unique nature of the services NYSDRA and our CDRCs provide and, therefore, this meeting was not attended this year. However, our intention is to build on earlier relationships with other programs in Unit 4 and to attend future meetings.

Pro Bono Volunteer Involvement

Volunteer community mediators are essential to NYSDRA and the CDRC network. In the most recent OCA/ADR Annual Report on the CDRC network it was reported that there were 1,470 community mediators who were active on local panels in New York, and providing free or low cost services in every county. “Collectively, these professionally trained individuals comprise the most extensive statewide network of community mediators in the nation. CDRC mediators complete a challenging certification process, which involves at least 30 hours of initial training by NYS UCS certified mediation trainers and an intensive apprenticeship supervised by the local CDRC. Once certified, mediators are required to continue their professional development through active practice, advanced education and training.” OCA/ADR Annual Report, p. 2. Volunteers mediate the majority of nearly 30,000 mediation and arbitration cases annually, including the more complex and demanding mediations and

Sources of Funding

Total	\$1,085,771
IOLA Grant	\$117,817
State Funding	\$851,995
Other	\$85,292
City and County Funding	\$30,667



Other Services, *continued*

arbitrations in programs administered by NYSDRA, with donated time valued at \$2.3 million annually.

NYSDRA recruits Albany Law School students as interns to work under the Lemon Law Arbitration Program Manager; a few months ago a law graduate began working part time in a paid internship to manage the routine intake, correspondence and administrative details. NYSDRA staff members have prepared a curriculum, served as adjunct professors or assisted in a mediation clinic at Albany Law School. This year two

students from the clinic are mediating city and town court cases in Albany, Troy, Colonie, and Schenectady under the joint supervision of an attorney at Mediation Matters and a NYSDRA staff mediator; those law students are extending the clinic and completing their apprenticeships to qualify as community mediators.

NYSDRA is often contacted by law students and new attorneys from New York and other states inquiring about pro bono opportunities. Those individuals are provided information and referred to local mediation centers.