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- Child Dependency Mediation got its start in Virginia during the 2001-2002 Fiscal Year as a series of pilot projects in the City of Lynchburg, County of Fairfax, and City of Alexandria Juvenile and Domestic Relations District Courts.
- Information collected by DRS from mediator reports submitted November 2005 to March 2007, indicates that a total of 67 cases have been mediated. 94% have resulted in a full or partial agreement.

Child Dependency Mediation - An Alternative to Litigating Child Dependency Cases

Child Dependency Mediation, also called Child Protection Mediation, is a relatively new form of dispute resolution used to resolve cases involving children before the courts. The idea is to provide a non-adversarial setting in which a mediator, a neutral third party, assists the family and local department of social services in reaching a fully informed and mutually acceptable resolution that focuses on the child's safety and the best interest and safety of all family members.



nency planning, and termination of parental rights.

Child Dependency Mediation was first used as a successful alternative to litigation in the United States in the 1980s. Studies have shown that up to 89% of mediated child dependency cases reach a partial settlement and are completed in a more timely manner than those litigated. Case types in which this form of mediation may be used include child abuse and neglect, child at-risk of abuse or neglect, approval of an entrustment agreement or for relief of custody, foster care review, perma-

Issues that may be addressed include any or all of the following: the health and developmental progress of the children, parenting techniques, relatives available as alternative placements, custody and visitation, assessments, and recommended family services.

Removing abused or neglected children from their home can be a stressful and frightening experience for them. Child De-

(Continued on page 4)

Child Dependency Mediation in Virginia

Child Dependency Mediation got its start in Virginia during the 2001-2002 Fiscal Year as a series of pilot projects in the City of Lynchburg, County of Fairfax, and City of Alexandria Juvenile and Domestic Relations District Courts. While each project experienced difficulty in obtaining cases, the results reported from mediated cases were encouraging. In fact, of the total twenty-eight (28) cases

mediated as part of the pilot projects, 77% reached a full or partial agreement. This success rate was in line with results other studies from across the United States were reporting at the time. Additionally, 71% of the cases mediated took only one session, with 65% taking three hours or less to resolve.

(Continued on page 2)

Inside this issue:

Child Dependency Mediation— An Alternative to Litigating Child Dependency Cases	1
Child Dependency Mediation in Virginia	1
Child Dependency Mediators Reconvene in Richmond	3
Virginia Certified Child Dependency Mediators	4
Getting Started: Developing a Local Child Dependency Mediation Program	4
Virginia Best Practice Courts	4

Child Dependency Mediation in Virginia

(Continued from page 1)

Case outcomes and completion rates were not the only encouraging results. 96% of those participating in Child Dependency Mediation, even those who did not reach an agreement, indicated that they would use mediation again and would recommend the process to others.

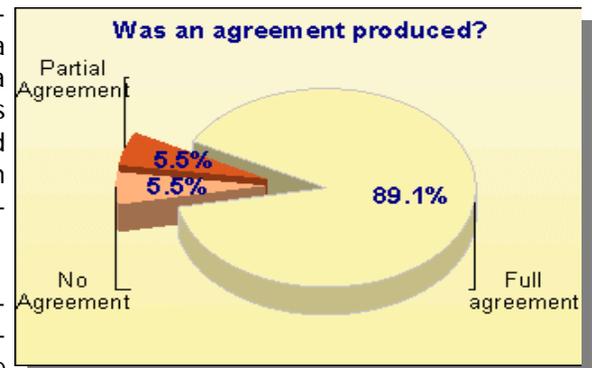
With results such as these being reported from the pilot projects, Child Dependency Mediation was sure to play an important role in the resolution of child dependency cases. In response, the Court Improvement Program ("CIP") and Dispute Resolution Services ("DRS") began exploring ways to further develop these mediation programs across the state. The Virginia Department of Social Services ("DSS"), as a result of the 2003 Child and Family Services Review, also included the utilization of Child Dependency Mediation as part of its Program Improvement Plan, seeing it as a way to facilitate permanency for children in foster care.

In 2005, CIP and DRS contacted Virginia Certified Family Law Mediators about becoming involved in Child Dependency Mediation. Those interested were asked to submit an application and letter of support from their local Juvenile and Domestic Relations District Court Judge. Approximately 60 mediators applied and 22 mediators representing 16 localities were chosen as Virginia's first group of child dependency mediators.

CIP and DRS then collaborated to develop the first Child Dependency Mediation training program for Virginia Certified Mediators interested in bringing this form of alternative dispute resolution to their areas. In March 2006, the mediators, as well as other local personnel essential to supporting and promoting an understanding of Child Dependency Mediation, attended a four-day training that provided them with information about child dependency law and how mediation could be used to help resolve these cases. Mediators completing the training received contracts to mediate child dependency cases for which they are reimbursed. They were also required to commit to working with the juvenile court, the local social services agency, and the bar in their areas to promote this alternative to the adversarial court process and to garner support for utilization of the process. CIP funding supports

these mediations.

Child Dependency Mediation is taking hold in many localities across the state. Information collected by DRS from mediator reports submitted November 2005 to March 2007, indicates that a total of 67 cases have been mediated. 94% have resulted in a full or partial agreement. Further, 92% have been resolved in one day. Best Practice Courts participating in Child Dependency Mediation programs (Hampton, Henrico, James City, Newport News, and Richmond) have all referred cases to mediation which have resulted in successful outcomes.



Child Dependency Mediation provides the courts an opportunity to keep parents involved and invested in decisions made about their child and to reduce the number of children in foster care. However, there is work to be done in order for this form of alternative dispute resolution to become standard practice in Virginia. While those who have participated in Child Dependency Mediation find it helpful and understand the benefits, there remain many within social services, the local bar, and the courts who have not fully embraced the idea. Child Dependency Mediators will continue to promote mediation by training members of their communities, and by sharing their mediation success stories.

For information about how judges and Virginia Certified Child Dependency Mediators can bring Child Dependency Mediation programs to additional localities, please see "Getting Started" on page 4 of this newsletter.

"With results such as these being reported from the pilot projects, Child Dependency Mediation was sure to play an important role in the resolution of child dependency cases."

Foster Care Demographics on May 1, 2007

* Total children in care - 8,118

* Children with a goal of return home - 2,519

Child Dependency Mediators Reconvene in Richmond

Child Dependency Mediators reconvened in Richmond on March 8, 2007, for a one-day program designed to highlight accomplishments and identify program challenges associated with Child Dependency Mediation.

Almost all of the original 22 mediators chosen during last year's application process were available to attend. Geetha Ravindra, Dispute Resolution Services, and Lelia Hopper, Director of the Court Improvement Program, moderated the meeting. Also in attendance was Judge Stephen Rideout, retired from the City of Alexandria Juvenile and Domestic Relations District Court, and consultant to CIP and Juvenile and Domestic Relations District Courts participating in the Best Practice Courts program.

Three localities: Hampton, Bedford, and the City of Richmond, kicked off the meeting by showcasing their programs. They discussed the positive, yet widely varying, experiences they have had in generating case referrals and conducting child dependency mediations. These programs noted referrals of cases to mediation from the courts and social services at various points during the court proceedings. Social services representatives, the child's relatives, and the child's Guardian *ad litem* typically participate in the mediation session.



Geetha Ravindra, Dispute Resolution Services, introduces local mediators Karen Asaro (Hampton), Carol McCue (Richmond) and Carolyn Pritchard (Bedford) before they showcased mediation efforts taking place in their localities.

Mediators then discussed their thoughts on the benefit of Child Dependency Mediation to communication. It was noted that the exchange of information that takes place in this non-adversarial setting is of great value to all those involved. Most notably, parents who may initially feel harmed by social services because



Child Dependency Mediators exchange ideas to further promote child dependency mediation in Virginia's Juvenile and Domestic Relations District Courts.

their child has been removed from their home, become more familiar with the agency's role. This familiarity can transform the social services caseworker into a valuable resource for parents as they begin to understand why their child was removed and what they must do to accomplish their return home.

Additionally, guardians *ad litem* develop a better understanding of the child's home environment. This information can aid them in identifying and comprehending the needs of the child, as well as in appropriately representing the child's best interests to the court.

An open group discussion regarding the challenges some mediators face in obtaining referrals, and a brainstorming session about further promoting child dependency mediation in various localities finished the morning portion of this meeting.

In the afternoon the focus was on cultural and racial awareness and substance abuse and addiction issues important to mediators. Cultural and racial awareness is critical to the communication that takes place during a mediation session. Geetha Ravindra provided mediators with some cultural considerations regarding differences in the role of the mediator in the United States as compared to other cultures, as well as differences in what it means to mediate disputes in other cultures (i.e. who attends and whether separate mediation sessions are held for each of the parties involved.)

Ms. Ravindra reminded mediators that medical treatments and certain forms of punishment used in some cultures and considered acceptable, may not be considered acceptable in the United States. Understanding these cultural

(Continued on page 4)

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Mediating for permanency...

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Virginia Certified Child Dependency Mediators

Karen Asaro	María Hyson	Bernadette R. Ramirez
Susan Bartlett	Donita M. King	Hilda Roundtree
Margaret Shoaf Beazley	Dotty Larson	Cynthia T. Royster
Ellen C. Carlson	Gladys G. Lee	Judy Rubin
Linda Cataldo	Elizabeth Lindsay	Timothy Ruebke
Polly Chong	Carol McCue	Nancy Siford
Rosemarie Dudley	Catherine Moore	Paula M. Stenlund
Tara Surber Fedis	Carolyn Pritchard	Rea Wynder

Child Dependency Mediation

(Continued from page 1)

pendency Mediation encourages acceptable solutions, more clearly defines the role of the social services caseworker, encourages active participation from the parents to keep them involved and motivated in their child's future, and is an excellent tool for gathering information about the case at vital decision-making time points.



Improving Court Practice
For Children and Families

Getting Started: Local Child Dependency Mediation Programs

Juvenile and Domestic Relations District
Court Judges...

Virginia Certified Child Dependency
Mediators...

You may appoint Virginia Certified Child Dependency Mediators serving in other localities to child dependency cases in your court. If you would like to do so, please contact Geetha Ravindra, Dispute Resolution Services, at 804-371-6064 for the name of a Virginia Certified Child Dependency Mediator in your area.

The Department of Dispute Resolution mailed Requests For Proposals for mediation services, to include Child Dependency Mediation, in April. Please contact Geetha Ravindra, Dispute Resolution Services, at 804-371-6064 with any questions. Contracts will be awarded for the 2007-2008 Fiscal Year.

Mediators Reconvene in Richmond

(Continued from page 3)

considerations may play a crucial role, not only in how people negotiate and communicate during mediation, but in under-



Linda Scott, CIP Staff Attorney (right) with Patty Hardigan, Program Director, Project LINK.

standing why a family is before the court charged with of child abuse and/or neglect.

Also important for mediators is the recognition and understanding of substance abuse and addiction. Substance abuse can result in parental disorganization and an inability to provide a structured and nurturing home environment for a child. Patty Hartigan, Program Director, Hampton/Newport News Community Services Board's Project LINK, provided information about substance use disorders and the benefits of treatment. Signs to help identify the prevalence of, and the effects parental substance abuse on children were also discussed.

Virginia Best Practice Courts

Alexandria
Bedford
Campbell
Charlottesville / Albemarle
Culpepper
Fairfax
Fredericksburg
Hampton
Henrico
Loudoun
Louisa
Newport News
Norfolk
Prince William
Pulaski
Richmond
Roanoke Co. / Salem
Stafford
Staunton / Augusta
Tazewell
Virginia Beach
Warren
Waynesboro
Williamsburg/ James City
Winchester/Frederick
Wise/Norton