

ODR

NEBRASKA OFFICE OF DISPUTE RESOLUTION



Annual Report 2007-2008

ODR Statutory Authority:

- ◆ Nebraska Dispute Resolution Act, N.R.S. §25-2901, et seq. (1991)
See also Related Statutes
- ◆ Nebraska Uniform Mediation Act, N.R.S. §25-2930, et seq. (2003)
- ◆ Nebraska Parenting Act, N.R.S. §43-2920, et seq. (2007, 2008)

Mission:

The mission of the Nebraska Office of Dispute Resolution is to enhance and to advance the use of mediation and ADR (alternative dispute resolution) in courts and communities by partnering with ODR-approved mediation centers and others involved with ADR.

ODR 2007-2008 Report Mediation Center Case Summary

Executive Summary: The Nebraska Office of Dispute Resolution is pleased to present the 2007-2008 Annual Report reflecting the case summary of the six (6) regional non-profit ODR-approved mediation centers. The mediation centers have provided mediation and related services to Nebraska's citizens, communities, and courts since 1992. Over the sixteen years of serving the state, the mediation centers' combined **cumulative case volume** was **22,737 cases** (see **Figure 6**). During the 2007-08 program year the annual case volume was **1,765 cases** (see **Figure 1**). Mediation center staff, volunteers, and affiliated mediators provided a variety of professional mediation, facilitation, and related services.

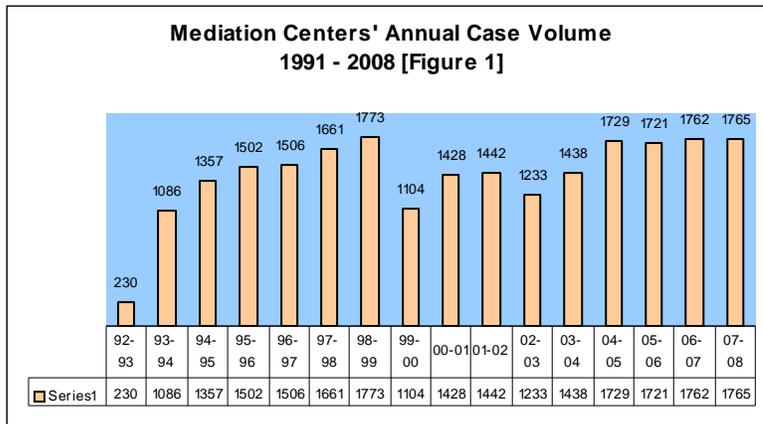
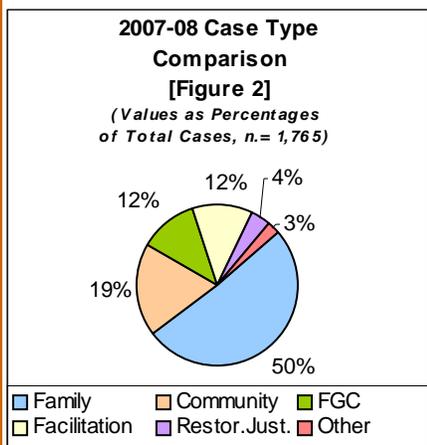


Figure 2 below, Case Type Comparison shows a comparison of the 07-08 mediation cases. The highest percentage of cases mediated were **family cases, comprising 50% or 828 cases** overall. This continues a long-standing trend in which mediation of parenting plans, divorces, and family disputes are the conflicts that prompt Nebraskans to seek a family mediator for assistance in problem-solving. Mediating one's own parenting plan not only costs less than other methods, it provides the opportunity for parents to make decisions for their children themselves and to have an experienced mediator assist them with emotions and future concerns.



Another significant case type is **family group conferencing (FGC)** and **facilitated pre-hearing conferences (PHC)** which comprised **12% (423)** of all cases served. FGC and PHC resources are provided for children whose families are involved with child abuse and neglect allegations or juvenile court matters. FGC and PHC facilitators work cooperatively with family members, attorneys, and HHS workers to create a workable family plan for the child's safety, placement, and permanency.

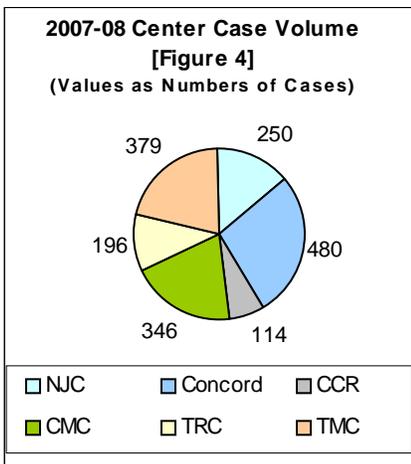
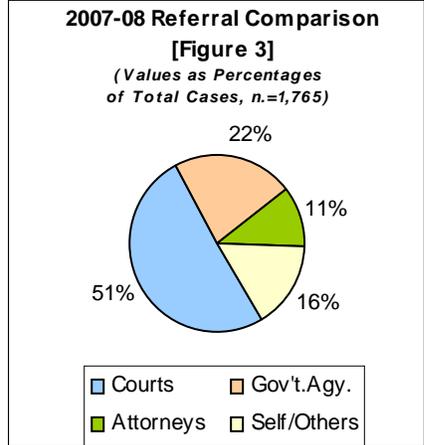
Facilitated pre-hearing conferences (PHC) are held in county or juvenile courts who are part of the Supreme Court's **Through the Eyes of the Child Initiative teams**. In both FGC and PHC, primary goals include increasing the likelihood of the child living with safe, extended family members and decreasing the time the child is in the foster care system.

Mediation of community cases comprised **19% or over 335 cases** statewide. A significant portion of these community cases are mediation of small claims court disputes. Central Mediation Center, Nebraska Justice Center, and The Mediation Center each have actively partnered with county courts to provide small claims mediation projects in their service areas.

Restorative justice facilitation involves working with victims and offenders in a restorative, rather than retributive fashion. Offenders are held accountable for their wrong-doing, including restitution and apology, in a process that is sensitive to victims' concerns and addresses community safety. While comprising just 4% of the caseload, **over 70 cases** were successfully facilitated between victims and offenders.

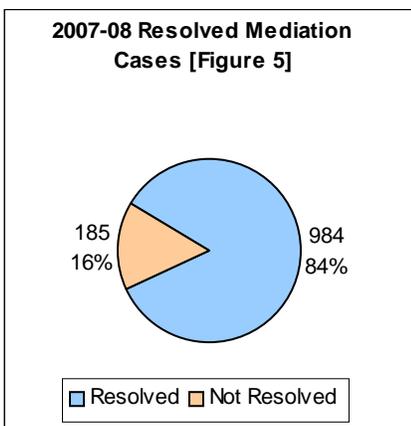
Figure 3, Referral Comparison shows the percentages for four primary referral sources for cases referred to the mediation centers. Following the trend over the past four years, referrals from courts continue to grow. During the 07-08 program year, **51%, or over 900 cases, were court-referred.** This is 14 more percentage points than the 06-07 program year, and 23 more points from four years ago, when referrals from courts accounted for 27.9% of the cases.

Another large source of referrals (22%) are what are termed government referrals: this would include family group conferencing cases referred by **Health and Human Services** and special education mediations referred by **local school districts**. Government referrals **account for over 385 cases.** This percentage of referrals has been fairly steady over the past few years.



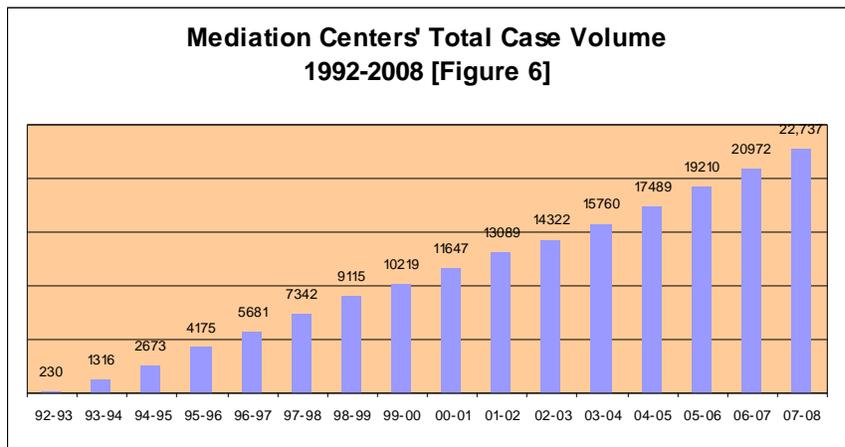
Just over a quarter, or **27% of all referrals come from parties themselves or their attorneys,** amounting to over **475 cases.** This shows a continuing interest of people wanting to informally resolve problems themselves. Included as referral sources are family members, friends, and returning mediation clients.

Figure 4, Center Case Volume reflects the distribution of cases among the six (6) ODR-approved mediation centers. Concord Center, Omaha is highest with 480 cases; The Mediation Center, Lincoln is next with 379 cases, and Central Mediation Center, Kearney, serving 35 counties, a close third with 346 cases. The other three rural centers which have large geographical areas to serve show Nebraska Justice Center, Fremont, with 250 cases; The Resolution Center, Beatrice, with 196 cases; and Center for Conflict Resolution, Scottsbluff, with 114 cases.



The **rate of resolution** of mediated cases shows that during this program year, **84% or 984** of all the cases reached resolution. This rate reflects the high quality work that the ODR-affiliated center mediators provide to Nebraska's citizens. Affiliated mediators must meet the state *ODR Mediator Standards and Ethics*, as well as participate in basic and advanced mediation training, continuing education, mentoring and evaluation.

To learn more about mediation and ADR, contact the Office of Dispute Resolution or the mediation centers at the addresses on the back cover.



Nebraska Office of Dispute Resolution-approved Mediation Centers

A network of independent regional Nebraska non-profit organizations that offer:

- °Mediation - all types
- °Parenting plan mediation
- °Child welfare and youth ADR
- °Public policy facilitation
- °Family group conferencing
- °Business and workplace problem solving
- °Conflict analysis and coaching
- °Collaborative practices, strategic planning
- °Restorative justice, victim offender dialogue
- °Education, training, consulting

Center for Conflict Resolution, Scottsbluff

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info@conflictresolutioncenter.com

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Lynne Favinger, Executive Director

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Judy Pingel, Executive Director

Butler, Cass, Fillmore, Gage, Jefferson, Johnson, Nemaha, Otoe, Pawnee, Polk, Richardson, Saline, Saunders, Seward, Thayer, York

** In English and En Español*

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Members: Term Expires

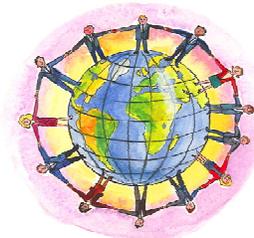
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Lynne Favinger, Kearney	12-09

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