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Spring 2011
Volume 3 - Issue 2

Werner Institute Newsletter

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Publication & Presentation Highlights from the Werner Institute Team

This year the Werner Institute made it into the US News and World Report dispute resolution specialty rankings among law schools at #15, tied with Stanford.

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Theresa Thurin

Noam Ebner, Assistant Professor and Online Program Chair wrote a chapter on *Negotiation via Email* which was recently published in a new textbook on negotiation, *Negotiation Excellence: Successful Deal Making* edited by Michael Benoliel. Another piece he coauthored with Dan Druckman, entitled *Simulation: Learning through Role Playing and Design*, discussing novel uses of simulation-games for teaching in the field of conflict resolution, is soon to appear in the *Encyclopedia of Peace Psychology*, edited by Dan Christie.

Noam's LITTLE GOLANO simulation-game recently won first place as the Best Teaching Simulation of 2010-2011 in the 4th Annual Teaching Case and Simulation Competition sponsored by EPARCC at the Syracuse University's Maxwell School of Citizenship and Public Affairs. LITTLE GOLANO, co-authored with Yael Efron, incorporates aspects of interstate conflict, international conflict resolution and international law into a simulation suitable for teaching in a wide variety of frameworks. The full simulation, complete with teacher's guide and materials for download, will appear shortly (in a variety of languages) on EPARCC's website at http://www.maxwell.syr.edu/parcc_eparcc.aspx

Jacqueline Font-Guzmán and Yanira Alemán-Torres published an article in the Journal of Law and Social Challenges. Vol. 12, Spring 2010 entitled: *Human Rights Violations in Puerto Rico: Agency from the Margins*.

Jacqueline Font-Guzmán has been awarded a Fulbright

Fellowship. She will serve as a Fulbright Senior Lecturer at the Carlos III University Law School in Madrid, Spain in Spring 2012. There, she will teach basic negotiation theory and practice for law students; mediation process for graduate students in law; and dialogue and conflict engagement for students in the Master's Program in public and private law. This well-deserved recognition of Jackie's achievements in scholarship and teaching will enhance the reputation of the Werner Institute and the Law School.

Jacqueline Font-Guzmán has been invited by the Puerto Rico Supreme Court to deliver a lecture on confidentiality/privilege and enforcement of family mediation agreements. This international meeting will take place in San Juan, Puerto Rico in May 5 and 6, 2011. The lecture is addressed to Puerto Rican judges and mediators employed by the court.

During the Spring Semester **Ran Kuttner** was promoted from Assistant Professor to Associate Professor. He finalized an article on the wave/particle duality tension in negotiation, drawing lessons from Quantum Physics to negotiation dynamics, which will be published next month at the Harvard Negotiation Law Review.

In addition Ran gave a presentation to the law faculty at UNL on mediation as a response to authoritarian needs, and together with Dr. Phillip Glenn from Emerson College at a conference on Dialogue and Deliberation in Montreal on Analyzing negotiation videos and identifying dialogic acts using Conversation Analysis methodology. ∞

Werner Institute Alum Profile - Jennifer Coppa MS '10

My education through the Werner Institute has been a very rich and priceless experience. I have



Jennifer Coppa

grown to become a more passionate, thoughtful and caring person. The communication skills I learned help me to be a better friend, daughter and sister. Time in the classroom made me more mindful, open, and aware of the feelings and opinions of those around me.

Outside of the classroom my leadership skills greatly increased because I now

know better ways to communicate. I now assert myself in a meaningful way while maintaining empathy and understanding.

When I enrolled in the Werner program I had no idea what I was getting myself into. I took the classes and wrote the papers but had trouble finding a way to translate what I was learning into a possible future career. In my last semester at Werner, I signed up for my practicum in North Omaha. I taught young girls how to communicate, talk about their feelings and emotions. That summer the girls talked more about conflict styles and skills than they ever had before.

After graduating from the Werner Institute I spent my free time searching for ways to incorporate my new Masters degree into my future career path. During my search I set up meetings with various professionals in the Omaha area as a way to network and seek advice. One such meeting led me to the office of [inCOMMON](#) Community Development. I met with Christian, Cait, and Calvin who are a few of the people behind a nonprofit seeking to improve community vitality in the Park Avenue neighborhood.

inCOMMON has many diverse projects that aim at improving the daily lives of those living in the neighborhood surrounding Park Avenue (These projects range from holding auctions, selling

local art, supporting local bands, creating a community center, and holding weekly community meals for residents). Needless to say I was very impressed with the successful outreach of this small nonprofit.

I was the most fascinated with the outreach project called the Listening Project. This endeavor utilizes the power of listening and storytelling to empower local residents and revitalize the neighborhood. I was drawn to this project because I fully believe in the power of storytelling and listening.

After taking the Dialogue class at the Werner Institute I learned to really understand the value of listening. Deep listening encourages empathy, understanding and respect of the storyteller. In a neighborhood that is as divided and depressed as the Park Avenue Neighborhood listening is proving to be a very useful tool.

As I started volunteering with inCOMMON's listening project I began by interviewing members of the community. I realized that such a seemingly simple concept of listening can create such profound results.

My work with inCOMMON has led me to another new endeavor in the new North Downtown area. [Pie Lab Omaha](#) is a small nonprofit that is just getting off the ground. This is a place for community members to have an afternoon conversation over a slice of pie with residents of North Omaha. It will be a place for people to gain information, new ideas, lessons, conversations and even friendships between all members of the Omaha community.

Through volunteering and working with community outreach projects I have done some of my most rewarding work. I honestly feel as though our local community greatly benefits through the help of educated and passionate people. Through my time at the Werner Institute I am proud to say that I have become one of those educated and passionate people.

Feel free to contact Jennifer regarding her work experience at Jennifer.coppa@gmail.com. ∞

Updates from the ADRHub

Hello, It's Jeff Thompson, Werner Institute Alum ('10) and co-admin of ADRhub.com. For this month's newsletter I would like to give everyone an update on the latest happenings at our website ADRhub.com. This includes webinars, podcasts, job listings, a book club, blogs and more!

Firstly, we are happy to announce that ADRhub.com has reach an important milestone - we just passed our first year anniversary! Many of you are members- a membership that has surpassed 700. With that said, I know there are some people in the Werner family that have yet to visit, so we invite you to. As always, we welcome feedback of any nature to help us make this site better.

We had some fantastic webinars since our last newsletter and they are briefly highlighted below. Remember, even if you cannot make it to the webinar for the live viewing, each one is always archived and viewable for free.

- [December- "Conflict Resolution And Education" with Bill Warters](#)
- [January- "Divorce Mediation" with Patricia Powis](#)
- [February- "God In The Process- Is There A Place For Conflict Resolution In Religion?" With Rachel Goldberg and Brian Blanke](#)
- [March- "Mediator's Corner" With Alex Yaroslavsky](#)
- [April - "Mediating Mortgage Disputes" with Mike Thompson](#)

We have a total of 20 podcasts now available to be listened to at ADRhub.com. The purpose of the [podcast series](#) is to offer news, insight, and interesting topics in conflict resolution- all in 10 minutes! Topics have including Bernie Mayer talking about the update to his book, Baruch Bush and Transformative Mediation, and Jason Dykstra offering Twitter tips for mediators and conflict resolution professionals.

Are you trying to get into the conflict resolution field? Are you currently in the field and looking to

switch jobs? ADRhub.com has a section specifically for jobs and is constantly updated- make sure to check it out.

We recently launched a book club at ADRhub.com which has been very successful. The purpose of the book club is to read a book outside of the conflict resolution profession, engage with your peers and reflect on the topic from your professional perspective. For those who miss interacting the way you did during your courses, the book club is definitely for you. What is even better is there are no papers due each week! The next book club will be starting June 1st.

Have a collection of papers you wrote during your quest for your degree and collecting (virtual) dust? Consider posting them in our "Papers" section. Also, consider creating a blog and writing shorter versions of your paper. Creating a blog is a great way to give yourself greater exposure and is an easy way to network with your fellow peers- from all over the world! John C. Turley and Susan Diehl are two great examples of this (good job you two!).

Finally, don't forget to visit the Werner Group at ADRhub.com. It is a section exclusive for the Werner family. Yes, it had not been updated in a while but as mentioned elsewhere in this newsletter, we are looking for feedback on possibly putting together an Alumni gathering. The place to express your opinion, give feedback and ideas are at the Werner Group on ADRhub.com so please visit and let us know what you think.

Also, you will find a section in the Werner Group new conversations on ways to stay connected (of course in addition to ADRhub!) with your Alumni network through twitter, Facebook, LinkedIn and more.

Visit www.ADRhub.com today!



Werner Institute contributes greatly to the Heartland Mediators Conference

The Heartland Mediators Association annual conference is coming up on May 5th and 6th, 2011. This conference brings together mediators from the states of Nebraska, Iowa, Kansas, and Missouri. This year the conference will feature a one and a half day workshop on Mediation in the Age of Connectivity presented by Mediate.com's Jim Melamed. It will definitely be an educational and entertaining event.

The Werner Institute will be greatly represented at the conference. **Bryan Hanson**, Assistant Director of the Werner Institute and President of the Nebraska Mediation Association, was a member of the conference planning committee and suggested the importance of including break out sessions in the program. With the inclusion of the break out sessions, the Werner Institute is providing three of the eight sessions. Here is a breakdown of the Werner Institute developed break out sessions:

MEDIATORS AS LEADERS AT THE AGE OF CONNECTIVITY

Ran Kuttner, Assistant Professor for Negotiation and Dispute Resolution, Werner Institute, Creighton University School of Law

This workshop will present cutting edge research in Leadership scholarship and draw the connections to the work of the mediator. It will demonstrate that leadership in the age of connectivity emphasis on skills that mediators have and other skills that if acquired by the mediator, may help her redefine and challenge her professional identity in leadership terms accordingly.

THE ELEMENT OF FOCUS: EMBRACING CONNECTIVITY AND CONCENTRATION IN THE MEDIATION OF ORGANIZATIONAL CONFLICTS

Robert J. Witheridge, Ph.D., Assistant Professor Conflict Resolution, Werner Institute, Creighton University School of Laws

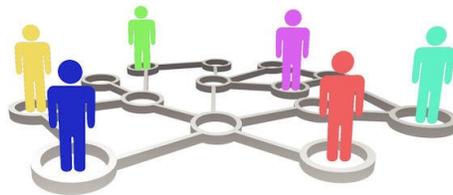
In an age widely defined by instant communication and connectivity, it is imperative to ensure that the fundamental tenets of mediation are preserved through intentional concentration and focus throughout the organizational mediation process. This workshop is directed at the leveraging the multifaceted role and strengths of social and technical networks to further enhance the effectiveness of organizational mediation in the 21st century.

THE NEXT GENERATION OF MEDIATORS: STRATEGIES FOR SKILL DEVELOPMENT AND NETWORKING

*Panel Contributors: Bryan Hanson, Assistant Director, The Werner Institute, Creighton University School of Law;
Bob Himschoot, J.D., Executive Development Center, University of Northern Iowa*

This interactive breakout session will include a panel of mediators, educators, and students to discuss strategies that future mediators can employ to develop the skills and the network to assist their entry into the field. Panelists will share their insights while allowing time and space for questions from the audience.

Mediation in the Age of Connectivity



May 5 - 6, 2011 • Ankeny, IA

Featured Speaker:
[James C. Melamed](#)

For full conference details and to register please visit the conference website at:
<http://nemediation.org/ext/RegConf2011.html>

Practicum Spotlights

Werner Institute Student Designs and Provides Conflict Engagement Training

By, Nathaniel Dean

My name is Nathaniel Dean, I am a civil servant working for the U.S. Navy in the field of acquisition. I was drawn to the Werner Institute's program because I believe that negotiation and conflict engagement are a necessary skill set to have in any field. Also, living in a remote area of Maryland the option of the online program proved to be an excellent alternative to an on campus graduate school experience. The skills and understanding I developed while completing this program will hopefully prove to be a great foundation for future business opportunities integrating skills sets from the acquisition/project management field with negotiation and conflict resolution. Within the next 5-7 years it is my goal to establish a credible and successful business using all of the skills listed above.

The practicum project provided a great first chance to apply the negotiation and conflict resolution skills I obtained in a way that was beneficial for a third party organization. By the end of the project, I had the opportunity to assess an organization's needs, learn their business, and provide a deliverable in the form of training to address those needs.

I had the pleasure of working with Walden Sierra as my practicum site. Walden's mission



Nathaniel Dean

in the community is to provide "help and hope to courageous individuals healing from trauma and addiction". Working with my site coordinator, Laura Webb, we determined that a training program to develop conflict resolution skills for the clients and a portion of the Walden staff would be the best way for me to

assist the organization. Laura explained that individuals who suffer from addiction and complete their recovery program often times experience rough transitions when returning home to their families, friends, and employers. There are often relationships that need healing and pre-existing conflicts that need to be engaged in new and constructive ways.

The goal of my training was to help clients make that transition and assist them in their everyday life by providing them some skills they could use to better engage conflict. To better understand the client base, I worked as a Warmline operator for several months. As a Warmline operator each week I would call 10 individuals and talk about their recovery. These individuals were either in recovery, or a family member of someone in recovery. This was an eye

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If you have any questions about the practicum component of the Werner Institute's program, or if you would like discuss utilizing students for a project in your organization, contact bryanhanson@creighton.edu

Practicum Spotlights continued...

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opening experience that established a good foundation for the training and helped me to understand the Walden client base.

Working on the Warmline and consultations with Laura allowed me to appropriately create my initial training. This training focused on communication skills like active listening, creative problem solving, learning to say and hear no, and incorporated opportunities for clients to practice those skills. The training was held on a Saturday and was attended by roughly thirty people. It was a great showing and everyone seemed to enjoy the topics and activities covered.

The second training I conducted was for the non-clinical staff members of Walden. These members of the Walden staff watch and monitor the Walden clients 24 hours a day including weekends who are participating in the residential treatment

program. Clients going through treatment at times can be volatile and staff members needed additional ways of interacting with the clients to help abate stressful situations and help resolve conflicts that would arise during their shifts. For this training, I conducted two focus group sessions, one for each residential facility. These sessions provided a lot of great information and provided the backbone of my trainings. This training focused on exercising power, active listening, body language, effective engagement, reframing, and creative problem solving. These trainings were a lot of fun to conduct and were with smaller groups between seven and ten people.

In the end, I am very thankful that Walden gave me the chance to work with them on this project. Walden was very appreciative of my efforts and I continue to volunteer with them still. I learned a great deal taking a project from the idea phase to the execution phase and wish all future students the best of luck. ∞

Diversity and Cultural Awareness Training: A Practicum Experience

By, Susan Diehl

I selected a Practicum with the Dispute Resolution Center (“DRC”) in Ann Arbor, Michigan. The DRC website states: “The DRC provides low cost facilitation and mediation services to the public and serves Washtenaw and Livingston Counties through its offices in Ann Arbor, Michigan.” It mostly gets referrals from civil service agency and the courts.

My learning goals at the start of my Practicum were straightforward: 1) I wanted to learn more about how best to conduct training in the areas of cultural,

gender and racial diversity; 2) I wanted to enhance my mediation and facilitation skills in situations where there is a diverse setting and I hoped to have the opportunity to practice these skills; and 3) I wanted to help the Dispute Resolution Center plan how to roll out the training to its own volunteer mediators and discover how to help share this training with other mediation centers around the State.

For the most part, I met these objectives. First, I was able to attend and audit several

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Practicum Spotlights continued...

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high quality learning events around diversity.

Second, I mediated several cases that involved conflicts that stemmed from diverse demographic factors, such as age and gender. Third, I learned from, and helped the Dispute Resolution Center plan for, the learning events it wants to provide directly to its volunteer mediators and also for out-state mediation centers. I drafted curricula for these different learning events.

I'm continuing to work with the Center to complete the work that I have begun during the Practicum. Below, I will discuss my discovery process for the substantive work I did with the Dispute Resolution Center, my practical learning relative to my coursework while at Creighton; and my reflection on what I have learned from this experience and what I will take forward into my mediation practice.

The main part of my discovery process was to attend a diversity conference with the Maryland Mediation and Conflict Resolution Office (MACRO). The three day conference had a rich array of learning segments that focused on diversity of thought, culture and race. I interacted with thought leaders in the field of dispute resolution, and observed a number of techniques for helping participants become self-aware relative to mediation. A highlight of the conference was to learn from Baruch Bush, who shared



Susan Diehl

important insights into transformative mediation, especially as it related to race.

A session on "When Race Matters" was skillfully led by Lou Geiszl, the current chair of ACR, and his colleague Cheryl Jamison. By watching a mediation role play focused on a neighborhood dispute, I watched the dispute escalate into a race based conflict spontaneously. As a workshop participant, I engaged in deconstructing the escalation

and learning how to diffuse it. Geiszl and Jamison then came to Michigan to work with the DRC to put together a workshop on race and diversity for mediators in Michigan.

The workshop gave my supervisor and me another opportunity to evaluate the tools we might use to enhance self-awareness and skill building among mediators. In particular, the workshop focused on areas where stereotyping is common in an exercise called "first thoughts". This was an eye opening exercise for me, in that I realized how many "index cards" I have in my brain that could lead me to make unfair or inaccurate judgments about conflict participants with whom I'm mediating. I also found myself feeling uncomfortable as I heard stories from other conference attendees about how they felt discriminated against by others. My takeaways from the conference were: 1) Learning about oneself and one's own biases is a journey that goes

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well beyond a one-day workshop; 2) One cannot learn in a workshop setting how to deal with a difficult and emotionally charged mediation setting—it takes practice and experience; and 3) How humbling it is to hear the stories of other workshop participants who have been subjected to harsh discrimination and their positive attitude towards making the world better. The facilitation of this workshop was exceptionally good; the leaders didn't lecture or preach their message, but rather, helped the participants to discover and learn on their own.

Perhaps it was because I chose to work on a learning-based project, but I felt that my coursework at Creighton was an important resource for me during the Practicum. I referenced many of the materials I used in the course Culture, Gender, Power Differences in conflict (NDR 767), and began to correlate the structural violence I learned about with the stories I heard from others during the workshops I attended, the differences of opinions that arose around topics like race, and my own emerging awareness of my "white privilege". I recalled a video clip I had watched during NDR 767, called "A Girl Like Me" (found at <http://video.google.com/videoplay?docid=1091431409617440489>).

This was an excellent clip around stereotypes, and it was thought provoking as to how we define race and culture in our society. As I watched the girls in the video, I wondered "what is their context?", "in what world are they living?" I was able to capture this feeling of being different as I did a role play during a mediation workshop at the

DRC to demonstrate that diversity went beyond race, and black and white.

Overall, I felt like I finished the Practicum with more questions than answers. This is not to say that I did not advance my thinking in this area. Quite the contrary—I began this stint with the DRC—indeed, my NDR program with the Werner Institute, believing I was knowledgeable and nuanced in my ability to cope with conflicts involving race, gender and culture. Frankly, now I feel like I have a long way to go to translate the theoretical and practical learning into a mindset that I carry with me and refine over the course of my life.

My thinking was challenged (gently) by both my site supervisor and fellow mediators at the DRC throughout the course of this Practicum. I discovered many biases that I carried within me, that subconsciously shape my point of view and potentially interfere with my impartiality. In the end, my greatest learning was my new found sense of self-awareness, and frankly, self-consciousness.

I was privileged to immerse myself in learning about how to most effectively guide mediators on their journey of addressing the range of diversity issues that emerge during mediation and in the midst of conflict. My own journey during this practicum has led me to some uncomfortable places within myself. I had to rethink my own views of diversity—am I as open to "others" as I thought I was? I also had to deal with the struggles of having no knowledge in the area of curriculum development and having to rely on others to guide my efforts. ∞

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Practicum Spotlights continued...

Conflict Assessment and Training in a Corporate Environment

By, Ashima Mehta

My practicum was the most interesting of my learning experiences at the Werner Institute of Creighton University. My final goal is to make my mark in the HR field with my specialization in conflict and dispute resolution. Therefore, I chose a practicum which would help me gain experience in HR and will help me utilize my newly acquired skills in conflict analysis and resolution.

I worked for a company which owns several fast food restaurants in Omaha, Lincoln, and Council Bluffs Iowa. The function of the corporation is to oversee the operations and management of these restaurants. In the past few years since the time the new President has taken over this business, the employee turnover had gone down from 300% to 120%.

The President wanted the turnover to improve. The President wanted me to find out how to reduce the turnover even more because the turnover had stagnated at the 120%. One of the major concerns that the President had was that his employees were quitting during or right after training. He was also concerned about employee satisfaction level and was wondering if there were things that need to be improved in the training process.

I analyzed all the requirements. Studied the organization structure and designed my strategy accordingly. In order to do this, I interviewed the President and the operations manager. In order to find out the reason for employees quitting during, or after training it was necessary to have two tools validating the conclusion. My first tool was a survey that I designed for evaluating the employee

satisfaction level and the second was personal interviews with the General Managers who were currently working, or who had recently finished training and who quit after training.

The work began with the President of the company calling a meeting to introduce me to the General Managers as an outside consultant. This gave me the opportunity to meet all the General Managers and explain them the purpose of the work I will be doing. I used my mediation theories of building trust during my introduction. This is where I distributed the survey. I explained to them that all surveys are anonymous and assured them about the confidentiality of the survey.

I analyzed the survey and the next step was to design the questions for the individual interviews of the General Managers. I designed open ended questions aiming at finding out about the training program's process, General Manager's satisfaction with it and reason for people quitting during or after training.

During the interview I used elaboration questions, direct clarification questions, active listening and summary questions. I also prepared an opening statement for every interview in which I talked about myself and asked questions about the General Managers background to build credibility. After the informal conversation I explained the purpose of the interview to the interviewee. I also mentioned the confidentiality of the conversation by saying that whatever is discussed today will stay completely discreet and will only be utilized to get to a productive analysis.

I think this really helped people get comfortable and they started talking more comfortably about issues with me. I also asked permission to make notes and told them that they will be destroyed after the

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Practicum Spotlights continued...

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project is accomplished. Before beginning asking questions I made sure that they understood everything and asked if they had any questions. During the interview process I displayed active listening by sometimes repeating what the General Manager said and if required focused on the emotional content of the message. Since there were a lot of people talking about the one manager, I utilized detoxifying reframing. I also tried to be an empathetic listener maintaining my neutrality. I think by listening to the General Managers and the issues, I brought a lot of the stress level down in the organization. I also used summarizing at the end of the interview to clarify certain points and to make sure that I have collected all the data I needed.

All through the interviews I was struggling between my previous knowledge about one of the managers regarding his inappropriate behavior with employees and my sincerity for a friend. The situation became more

complicated with the unpleasant stories that the General Managers had to share with me about that Manager. In this situation my goal was to stay neutral and make sure the outcome is not affected by my bias and personal opinion. I consulted with my friend and fellow classmate, Christine Malloy. She helped me see the picture clearly and kept me out of my bias. Therefore during my analysis I took the approach of taking the “Person out of the Problem”. This helped me figure out the structural and operational issues that need to be addressed which will take care of the conflict in hand. A recommendation provided was the President have a group facilitation with all the General Managers and Upper management to address the issues. I thoroughly enjoyed doing this practicum and am thankful to the right guidance of Bryan Hanson and the Werner Institute for helping me through this opportunity. ∞



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The Werner Institute would like to thank all who have contributed to this newsletter.