From: Wendy Hassen [mailto:wendy@wendyhassen.ca]
Sent: February-20-14 9:58 PM
To: Bancroft, James; Erika Deines; Paul Conway
Subject: RE: Provincial Court Civil Mediation Program Information

Hi Jim!

I think the first question that comes to my mind as a Board is whether we should be engaging in any activities around compensation of ADR professionals (This could include doing compensation research to provide information about ranges, principles around pro bono work, or as in this case advocacy for compensation. If the answer is yes (which I think is within our mission – highlighted below) then I think we need to take a harder look into what that might look like. Our membership is diverse – those in private practice- those who do ADR in an employment situation and those who are volunteers only. . It has been a question for many years and I think it deserves consideration by the board in future. This may be a an area worth a task force of the board to look into. I just received an e-mail from Lorraine Nordstrom which I will forward to you – it references our conversation without mentioning the content (unfortunately) - but I feel as a Board we need to respond – what is our policy regarding advocacy for compensation with government or any other body?

Maybe the four of us should discuss further?

Wendy

Our mission To provide leadership and services in appropriate dispute resolution (ADR) to our members by:

- Fostering excellence in negotiation, mediation, arbitration, and restorative practices
- Supporting the viable practice of ADR in Alberta
- Providing excellence in ADR professional development
- Promoting the ethical use of ADR processes
- Maintaining accreditation standards, accountability and designations
- Encouraging those practicing in ADR to join our organization

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Out of clutter find simplicity; From discord find harmony; In the middle of difficulty lies opportunity

Einstein

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From: Bancroft, James [mailto:jbancroft@davis.ca]
Sent: February-18-14 5:11 PM
To: Wendy Hassen; Erika Deines (edexecutivedirector@adralberta.com); 'Paul Conway'
Subject: FW: Provincial Court Civil Mediation Program Information

For your information and consideration.

I had a lengthy discussion with Monica Kreiner last week where she shared many of the points that are set out in her e-mail to Marilyn Slawinsky, below. It would be great if we could get some additional funding out of the provincial government to increase the level of compensation for mediators in the Provincial Court Civil Mediation Program. However, as I mentioned to Monica, I recall a town hall meeting about 18 months ago where this topic was discussed with Marilyn's predecessor, Sandra Schultz, and Sandra was very blunt and to the point in saying that there was no additional funding for this program and that there would not be an increase in the compensation paid to mediators.

I also mentioned to Monica that I have been approached on several occasions by mediators who are trying to get into the Provincial Court Civil Mediation Program and who would volunteer their services for free, just to get the opportunity to participate in the program, to get experience and to observe other mediators. Perhaps, once everyone has had a chance to consider Marilyn's e-mail, we can talk about how to respond and whether this is something that should be addressed at our April Board meeting.

Jim

From: Monica Kreiner [mailto:moniyasko@gmail.com]
Sent: February-18-2014 4:59 PM
To: 'Marilyn Slawinsky'
Cc: Victor Skinner; Wanda Wakeford; Lorraine Nordstrom; Janice Kretzer-Prysunka; Fiona LeBlanc; Ian Brown; Bancroft, James
Subject: RE: Provincial Court Civil Mediation Program Information

Marilyn, thank you for your e-mail explaining the current status of the program and services integration project. We knew change was afoot and feel reassured that we will be kept informed as things emerge. For now I understand that it is business as usual in the civil court mediation program.

I've been involved in this program for just over a year and have found it to be very well organized and effective. The program is well thought out with a thorough mediator manual that answers most questions and concerns. The staff I work with are professional and supportive. The successes I've witnessed – both in terms of resolution and repaired relationships – have been heartening. I have appreciated the opportunity to learn and grow through the co-mediation model.

My one concern is regarding the compensation that mediators receive for their services. As you are aware, training to become a mediator requires a significant cost both financial and personal. Those of us who have pursued this career do so out of an understanding of the value of the skills we practice. I read in your e-mail that you seek to make services more consistent throughout the province. With that in mind, I am hoping that you will consider consistency in the payment of mediator services. Currently, the Government of Alberta hires full-time mediators who are classified as Human Services Worker 5. Their current compensation (salary plus a conservative estimate of 15% benefits) would mean they receive between 131 and 169 per half day. From colleagues, I have learned that the current compensation of $75/mediation/mediator (mediations usually last half a day) has remained static since 1999. I would like to ask that our work as occasional mediators in the civil court be compensated at the same level as full-

time mediators or $150 per half day mediation per mediator. This would still be significantly less than the market rate for entry level private mediators which is approximately $150/hour. I believe that we are providing a valuable service in resolving disputes and saving significant court costs.

I look forward to hearing from you on this matter.

Monica Kreiner
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From: Marilyn Slawinsky [mailto:Marilyn.Slawinsky@just.gov.ab.ca]
Sent: February-14-14 8:55 AM
To: Marilyn Slawinsky
Cc: Faye Morrison; Helen Maze; Megan McKenna; Sonia Poulin; Victor Skinner; Miles Weatherall; Richens Loretta <loretta.richens@gov.ab.ca; RedPC Civilmediation
Subject: Provincial Court Civil Mediation Program Information

Hello to all Provincial Court Civil Mediation roster mediators:

I am contacting you for a number of important reasons - to introduce myself to those of you who may not know me, to provide you with some information about our program that you may be wondering about, to address some concerns that you may have, and to invite you to give input and feedback on anything that is important to you to address. I hope you will stay with me to the end of this email while I try to cover all of those things!

First, I am the new "Director of Dispute Resolution Services" within the Programs and Services branch of Court Services. Yes, long and confusing title, but let me break that down for you. Court Services is the area of Alberta Justice that administers the operations of - you guessed it - the Alberta Courts. There are a number of programs and services that are connected to the courts - including the Provincial Court Civil Mediation program, Family Justice Services, Family Law Information Centre, Law Information Centre, Aboriginal Court Services, Civil Enforcement, Law Libraries, DRO (Dispute Resolution Officer) project, CSR (Child Support Resolution) project, BCI (Brief Conflict Intervention), CPI mediation (Child Protection Intervention), and educational and intervention programs such as PAS (Parenting After Separation), FOCIS (Focus on Communication in Separation), etc. These programs and services (and some others I may have forgotten to mention!) have recently been brought together under the umbrella of "Programs and Services" (not very descriptive, but we'll work on that), with a single executive director (Faye Morrison).

As part of bringing these programs and services together, a project was commenced that is called the Programs and Services Integration Project. One of the main goals of this project is to standardize our services and make them more consistently available and accessible across the province. One of the outcomes is the development of a new service delivery model, and a new organizational structure. That structure is still being developed, but the first roles that have been created (including mine) are the new Director roles for the three new divisions in the department. I, together with the new Director of Court Assistance Services (Miles Weatherall) and the Director of Libraries and Information Services (Sonia Poulin), will be responsible to oversee the delivery of all of our programs and services throughout the province. My direct responsibilities include all of our dispute resolution services and programs, including of course the Provincial Court Civil Mediation program.

This project is providing us with the opportunity to reexamine how we are delivering ALL of our programs

and services, and to identify and implement improvements where possible. I understand that this can cause uncertainty for those involved with our programs, but I want to assure you of a few things:

1. Operations as they currently exist will continue to run while we work through this project, and we will continue to deliver our services. We will clearly communicate to you any changes that would or might affect you. Currently, no such changes have occurred that I am aware of, other than what is set out in this email.

2. I want to meet our mediators and hear from all of you. I am interested in your thoughts and feedback on the aspects of our programs that you think work well, and on the parts that could use some improvement. We certainly value the contribution you make to the success of our programs, and I am sure that you all have meaningful input to give to us. I invite you to forward to me, or to the mediation coordinator in your area, any information and suggestions you think would be helpful to us is moving forward with this project. Please also feel free to ask any questions you might have, bearing in mind that we may not yet be in a position to answer some of them. I would like to arrange some sessions in the near future for us to get together and talk about some of these things, and I will let you know when we are able to do that.

3. My goal is to establish a consistent method of communication with you for information that concerns our programs province-wide. This includes not only information about our integration, but also information about policy and procedure decisions for the program. While we work on a longer-term plan to accomplish that, in the interim we intend to simply send out emails, like this one, to all of the roster. I have been provided with a distribution list that I understand includes all of our civil mediation mediators, so if you become aware that someone is not receiving these communications, please let me know. From time to time, you may receive these communications from various members of our team.

4. Loretta Richens continues to be the mediation co-ordinator and manager in Calgary, Megan McKenna continues to be the mediation co-ordinator and manager in Edmonton, and Victor Skinner continues to be the mediation co-ordinator and manager in Grande Prairie. We are in the process of making alternate arrangements for responsibility for the Red Deer/Wetaskiwin areas (previously handled by me) and the Lethbridge/Medicine Hat areas (previously handled by Helen Maze, who is currently handling other responsibilities), and as soon as we finalize those arrangements we will certainly let you know. This has previously been communicated to the roster mediators in those areas. If you have any questions or concerns about those arrangements, please contact me.

I hope that I have answered any preliminary questions you may have about what has been going on in our department, and dispelled any rumors or misconceptions that might be circulating. Again, I encourage you to communicate your questions and concerns to us, and I reiterate that we appreciate very much your dedication to our program and your patience as we work through this.

Marilyn Slawinsky
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Balanced Discussions. Creative Solutions.

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