

# **MEDIATION DYNAMICS**

**4424 Longmeadow Way, Fort Worth, Texas 76133**

**Mark W. Batchelder, J.D. 817-926-5555**

**Bob Good, M.S., M.A. 817-319-1298**

[www.MediationDynamics.com](http://www.MediationDynamics.com)

[Email@MediationDynamics.com](mailto:Email@MediationDynamics.com)

## **MEDIATION DYNAMICS 30-hour Family Mediation Training**

### **PRIMARY INSTRUCTORS:**

Mark W. Batchelder, J.D.

Bob Good, M.S., M.A.

### **COURSE DESCRIPTION:**

The MEDIATION DYNAMICS 30-hour Family Mediation Training is an advanced Alternative Dispute Resolution course which provides and exceeds the “24 hours of training in the fields of family dynamics, child development, and family law” as specified by Texas law (*Texas Civil Practice and Remedies Code* section 154.052). The course also includes a minimum of 6 hours of role-play simulation of family mediation. This course is designed to satisfy the Texas Mediation Trainers Roundtable’s standards for family mediation training. The design standards of this course are also appropriate to comply with the mediation requirements of many other states. Following completion of the course, each course participant (who has also completed an appropriate 40-hour mediation training course) will be qualified as a court-appointed mediator able to perform mediation of disputes relating to the parent-child relationship (most frequently in divorce and post-divorce cases).

This course is designed for and targeted to attorneys. Also, professionals from many different disciplines have used this level of training to become qualified mediators who conduct formal family mediation sessions. Participants have also used the dispute resolution techniques learned in this training to deal with many kinds of workplace interactions and dispute situations—especially those involving intense emotions.

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 30 credit hours, of which 2 credit hours will apply to legal ethics/professional responsibility credit. MEDIATION DYNAMICS is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE.

### **COLLABORATIVE EMPHASIS:**

This course emphasizes the skills needed to facilitate agreement among emotional people who are meeting together in the same room. Participants learn to perform this more difficult “collaborative” or “facilitative” style in addition to the more structured “caucus only” model (in which the disputants are in separate rooms). Qualified mediators should be familiar with and capable of performing different styles of mediation. This course is very well suited to collaborative lawyers, collaborative professionals, human resource managers, supervisors, customer service specialists, and other professionals who need to help resolve confrontations between emotional and potentially hostile people.

Mediation Dynamics has been approved as a continuing education provider for licensed social workers by the Texas State Board of Social Work Examiners.

**TEXT:**

Family Mediation Training Manual—provided by the instructors.

**METHODS OF EVALUATION:**

Course participants will be asked to complete the questionnaire called *COURSE CRITIQUE*. MEDIATION DYNAMICS uses this information to improve the course. Instructors will also prepare a *PARTICIPANT EVALUATION* of the demonstrated ability of each course participant in the practice mediation sessions.

**COST:**

**\$540.00** per participant, payable in advance by cash, check, or money order.

(Meals are not included.)

Late registration fee: additional \$50.00 if your application and payment is not received on or before **Saturday, July 24, 2010**.

**SCHEDULE:**

**Two Weekends:**

Day 1: 8:40 a.m. to 5:30 p.m., Saturday, July 31, 2010

Day 2: 8:40 a.m. to 5:30 p.m., Sunday, August 1, 2010

Day 3: 8:40 a.m. to 5:30 p.m., Saturday, August 7, 2010

Day 4: 8:40 a.m. to 5:45 p.m., Sunday, August 8, 2010

(Note: this schedule requires a minimum number of participants to register for the course. In case of a weather or health emergency which reasonably prevents MEDIATION DYNAMICS from conducting the training on the above dates, the dates for the training will be rescheduled.)

**LOCATION:**

The offices of Bob Leonard Law Group, PLLC

2800 South Hulen Street, Suite 210, Fort Worth, Texas 76109

Click on “Maps & Directions” at their website: <http://www.bobleonard.com/>

(Note: An alternate location in the Fort Worth/Dallas metroplex area may be used depending on the number and needs of participants in the course.)

**CERTIFICATE:**

After the course is paid for and completed, MEDIATION DYNAMICS will provide a certificate for each participant describing the nature of the training and indicating that the participant (who has also completed an appropriate 40-hour mediation training course) is qualified as a court-appointed mediator able to perform mediation of disputes relating to the parent-child relationship.

Note: It is possible to take this family course *before* a basic mediation course, however, participants who complete the MEDIATION DYNAMICS 30-hour Family Mediation Training *before* completing a 40-hour basic mediation training course will receive a certificate for this course only *after* completion of a recognized 40-hour basic mediation training course. (Revised 5-6-2010)

# MEDIATION DYNAMICS 30-hour Family Mediation Training

## Course Content and Subject Matter Outline

### *Lectures*

#### *Introduction to Family Mediation:*

How these disputes are different from other types of cases (with video)..... 60 minutes

#### *Family Dynamics:*

History and Purpose of Families; Family Systems;

Custody of Children in History and Society ..... 60 minutes

The Institution of Marriage: Why People Marry, Successful Marriages..... 60 minutes

Marital Crisis Points and Divorce; Stages of Divorce ..... 60 minutes

#### *Child Development:*

Stages of Development of Children (with video) ..... 60 minutes

Age-Related Reactions of Children to Divorce ..... 60 minutes

“Children of Divorce” (with video) ..... 60 minutes

#### *Family Law:*

The Marriage Relationship; Marital Property Rights and Liabilities ..... 60 minutes

Dissolution of Marriage; Parent-Child Relationship ..... 60 minutes

Best Interest of Child; SAPCR; Parenting Plans; Conservatorship  
 (“Joint” versus “Sole” custody); Standard Possession Order ..... 90 minutes

Child Support; Calculation by Guideline; Health Insurance;  
 Withholding from Earnings ..... 60 minutes

Grandparents; Modification of Order Concerning Child;  
 Division of Marital Property ..... 60 minutes

Separate and Community Property ..... 60 minutes

Overview of Community Property Common Law ..... 60 minutes

Reimbursement; Spousal Maintenance (“Alimony”);  
 Tax and Financial Aspects of Divorce ..... 90 minutes

#### *Family Violence:*

Screening; Dynamics of Family Violence Patterns, Including Power Imbalances;

Anger management; Effect of Family Violence on Children; Violent Children;

Child Abuse; Substance Abuse ..... 60 minutes

“Scared Silent” (with video) ..... 60 minutes

Protective Orders; Abuse Reporting Laws and Procedures; Mediation Safety Plans

(Including Caucus Models); Mediator Techniques for Handling Abuse Issues ..... 60 minutes

“Faces of Fear” (with video) ..... 60 minutes

#### *Mediation Practice Skills:*

Impartiality; Self-Determination of the Parties; Validation of Emotions;

Relationship Building ..... 60 minutes

Spectrum of Mediator Behavior; Analysis of Questions: Generic-Specific,

Open-Closed, Past-Present-Future Answers; Referrals to Professionals ..... 60 minutes

*Ethics:*

Agreement writing; Unauthorized Practice of Law vs. Malpractice; Pro Se Cases;  
Enforcement..... 60 minutes  
Values, Tactics, and Professional Responsibility in Family Mediation;  
Styles of Mediation; Self-Awareness; Impact of Cultural Differences ..... 60 minutes

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Lecture Total (including videos) 24 hours 1440 minutes  
(Including 120 minutes = 2 hours Ethics)

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***Role-Play Experiences***

Structured Experiential Event (SEE)—Practice mediation  
using the role-play method of training, under the supervision  
of qualified mediator-instructors ..... 360 minutes

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Role-Play Experience Total 6 hours 360 minutes

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Course Total 30 hours 1800 minutes

**Mark W. Batchelder, J.D.**, is an attorney in Fort Worth, Texas, whose practice areas include collaborative law, family law, adoption, incorporation, wills, trusts, and powers of attorney. He has been a qualified court-appointed mediator and a mediation trainer since 1990. He has mediated many cases involving family disputes, insurance claims, commercial disputes, probate, and other issues—and he has represented many clients who resolved their disputes using mediation.

Mark has taught hundreds of professionals from all fields:

- general mediation
- employment mediation
- family/divorce mediation
- mediation internships and
- peer mediation

As a former adjunct professor at Dallas Baptist University, he helped establish the Conflict Resolution Management program in the graduate business school.

Mark is the President of the board of directors of the College of Texas Mediators and the President of the Tarrant County Association of Mediators (TCAM). He was also a founder, a charter member, and the first President of the Tarrant County Association of Mediators.

His mediation-training clients have included:

- Dispute Resolution Services of North Texas, Inc. (DRS) (Fort Worth)
- Innovative Alternatives, Inc. (Houston)
- General Motors Corporation (Arlington)
- Enserch Corporation (Lone Star Gas) (Dallas)
- Fort Worth Independent School District and
- The Dispute Resolution Center for Potter and Randall Counties (Amarillo)

The Alternative Dispute Resolution and mediation training he has completed include the following:

- 40-hour Mediation Training from DRS
- 24-hour Family Mediation Training from DRS
- Victim-Offender Mediation Training from DRS
- Personal Injury Mediation Seminar from TCAM and DRS
- Criminal Justice Mediation Training from DRS
- Family Law Seminar from TCAM and DRS
- Advanced Civil Mediation Training from DRS
- Advanced Mediation Skills Training for U.S. Postal Service Mediators (REDRESS) and
- Child Protective Services Mediation Training
- 2-day Collaborative Law Training from Chip Rose

Mark received his B.S. degree in Political Science (with a minor in Mathematics) from Texas Christian University in Fort Worth and his J.D. degree from the University of Texas School of Law in Austin.

(Revised 5-27-2009)

**Bob Good, M.S., M.A.**, is a U. S. Army officer (retired) residing in Fort Worth, Texas. From the early 1970's to the mid-1980's, he was involved in negotiations in the international and government arenas.

Since the late 1980's he has:

- for 17 years (1989-2006) served as executive director of Dispute Resolution Services of North Texas, Inc., in Fort Worth, Texas, one of 17 publicly-funded mediation programs in the state;
- performed hundreds of mediations for parties in all types of litigation, for the USDA Agricultural Mediation program, USDA Region 5, the U.S. Postal Service REDRESS program, and privately mediated family and insurance cases;
- trained over 2,500 individuals in all aspects of mediation;
- formerly served as an adjunct professor in the Dallas Baptist University graduate school of business, Conflict Resolution Management program; and
- served as Mediation Clinic Supervisor for Texas Wesleyan University School of Law (Fort Worth).

His mediation-training clients have included:

- Southwest Management Corp. (Midland),
- General Services Administration (Fort Worth),
- Consumer Credit Counseling Service (Dallas),
- Enterprise Foundation (Dallas),
- Enserch Corporation (Lone Star Gas) (Dallas),
- General Motors Corporation (Arlington & Wichita Falls, TX; Shreveport, LA),
- the Texas dispute resolution centers in Amarillo, Corpus Christi, Kerrville and Paris,
- the Texas Municipal Court Training Center, and Texas Department of Mental Health Mental Retardation (both in Austin),
- Weatherford College,
- Fort Worth Independent School District, and
- Fort Worth Housing Authority.

A qualified court-appointed mediator in Texas, he is also a *Practitioner Member* of the Association for Conflict Resolution; a Kansas Supreme Court *Approved Mediator* and *Mediation Trainer*; a member of the Tarrant County Association of Mediators, and the Texas Mediation Trainers Roundtable. He is also a former member of the Texas Association of Mediators, the Tarrant County Bar Association, and the American Bar Association ADR Section.

He has completed over 1,000 hours of training in mediation, arbitration and conflict management, including courses conducted by the Kansas Bar Association; the State Bar of Texas; the U.S. Equal Employment Opportunity Commission (Dallas); the U.S. Postal Service REDRESS program (Fort Worth); the Center for Dispute Resolution (Boulder, CO); the Oklahoma Early Settlement Program; and the Oklahoma Supreme Court.

He holds these degrees: B.S., Journalism, Oklahoma State University; M.S., Counseling, Long Island University; M.A., Management, Webster University, St. Louis, MO.

(Revised 5-27-2009)

# MEDIATION DYNAMICS 30-hour Family Mediation Training AGENDA

DAY/TIME	SUBJECT	PRESENTATION
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## **Day 1**

8:40 - 9:40 A.M.	<i>Introduction to Family Mediation:</i> How these disputes are different from other types of cases (60 min.)	<i>Lecture/Video</i>
9:40 - 9:50	Break	
9:50 - 10:50	<i>Family Dynamics:</i> History and Purpose of Families; Family Systems; Custody of Children in History and Society (60 min.)	<i>Lecture</i>
10:50 - 11:00	Break	
11:00 - 12:00 P.M.	<i>Family Dynamics:</i> The Institution of Marriage: Why People Marry, Successful Marriages (60 min.)	<i>Lecture</i>
12:00 - 12:30	Required break time for lunch (finish eating during next lecture)	
12:30 - 1:30	<i>Child Development:</i> Stages of Development of Children (60 min.)	<i>Lecture/Video</i>
1:30 - 1:40	Break	
1:40 - 2:40	<i>Family Law:</i> The Marriage Relationship; Marital Property Rights and Liabilities (60 min.)	<i>Lecture</i>
2:40 - 2:50	Break	
2:50 - 3:50	<i>Family Law:</i> Dissolution of Marriage; Parent-Child Relationship (60 min.)	<i>Lecture</i>
3:50 - 4:00	Break	
4:00 - 5:30	<i>Family Law:</i> Best Interest of Child; SAPCR; Parenting Plans; Conservatorship (“Joint” versus “Sole” custody); Standard Possession Order (90 min.)	<i>Lecture</i>

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**Lecture (including videos) = 450 minutes = 7.5 hours**

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<b>DAY/TIME</b>	<b>SUBJECT</b>	<b>PRESENTATION</b>
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**Day 2**

8:40 - 9:40 A.M.	<i>Family Dynamics: Marital Crisis Points and Divorce; Stages of Divorce (60 min.)</i>	<i>Lecture</i>
9:40 - 9:50	Break	
9:50 - 10:50	<i>Child Development: Age-Related Reactions of Children to Divorce (60 min.)</i>	<i>Lecture</i>
10:50 - 11:00	Break	
11:00 - 12:00 P.M.	<i>Ethics: Agreement writing; Unauthorized Practice of Law vs. Malpractice; Pro Se Cases; Enforcement (60 min.)</i>	<i>Lecture</i>
12:00 - 12:30	Required break time for lunch (finish eating during next lecture)	
12:30 - 1:30	<i>Child Development: "Children of Divorce" (60 min.)</i>	<i>Lecture/Video</i>
1:30 - 1:40	Break	
1:40 - 2:40	<i>Family Law: Child Support; Calculation by Guideline; Health Insurance; Withholding from Earnings (60 min.)</i>	<i>Lecture</i>
2:40 - 2:50	Break	
2:50 - 4:05	<i>Practice Mediation: *SEE #1 (75 min.)</i>	<i>Role-Play Experience</i>
4:05 - 4:15	Break	
4:15 - 5:30	<i>Practice Mediation: SEE #2 (75 min.)</i>	<i>Role-Play Experience</i>

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Lecture (including videos) = 300 minutes = 5 hours

Role-Play Experience = 150 minutes = 2.5 hours

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\*SEE - Structured Experiential Event. Practice mediation using the role-play method of training, under the supervision of qualified mediator-instructors.

<b>DAY/TIME</b>	<b>SUBJECT</b>	<b>PRESENTATION</b>
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**Day 3**

8:40 - 9:40 A.M.	<i>Family Violence</i> : Screening; Dynamics of Family Violence Patterns, Including Power Imbalances; Anger management; Effect of Family Violence on Children; Violent Children; Child Abuse; Substance Abuse (60 min.)	<i>Lecture</i>
9:40 - 9:50	Break	
9:50 - 10:50	<i>Family Violence</i> : Protective Orders; Abuse Reporting Laws and Procedures; Mediation Safety Plans (Including Caucus Models); Mediator Techniques for Handling Abuse Issues (60 min.)	<i>Lecture</i>
10:50 - 11:00	Break	
11:00 - 12:00 P.M.	<i>Family Law</i> : Grandparents; Modification of Order Concerning Child; Division of Marital Property (60 min.)	<i>Lecture</i>
12:00 - 12:30	Required break time for lunch (finish eating during next lecture)	
12:30 - 1:30	<i>Family Violence</i> : “Scared Silent” (60 min.)	<i>Lecture/Video</i>
1:30 - 1:40	Break	
1:40 - 2:40	<i>Family Law</i> : Separate and Community Property (60 min.)	<i>Lecture</i>
2:40 - 2:50	Break	
2:50 - 3:50	<i>Family Law</i> : Overview of Community Property Common Law (60 min.)	<i>Lecture</i>
3:50 - 4:00	Break	
4:30 - 5:30	<i>Family Law</i> : Reimbursement; Spousal Maintenance (“Alimony”); Tax and Financial Aspects of Divorce (90 min.)	<i>Lecture</i>

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Lecture (including videos) = 450 minutes = 7.5 hours

<b>DAY/TIME</b>	<b>SUBJECT</b>	<b>PRESENTATION</b>
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**Day 4**

8:40 - 9:40 A.M.	<i>Mediation Practice Skills: Impartiality; Self-Determination of the Parties; Validation of Emotions; Relationship Building (60 min.)</i>	<i>Lecture</i>
9:40 - 9:50	Break	
9:50 - 10:50	<i>Mediation Practice Skills: Spectrum of Mediator Behavior; Analysis of Questions: Generic-Specific, Open-Closed, Past-Present-Future Answers; Referrals to Professionals (60 min.)</i>	<i>Lecture</i>
10:50 - 11:00	Break	
11:00 - 12:00 P.M.	<i>Ethics: Values, Tactics, and Professional Responsibility in Family Mediation; Styles of Mediation; Self-Awareness; Impact of Cultural Differences (60 min.)</i>	<i>Lecture</i>
12:00 - 12:30	Required break time for lunch (finish eating during next lecture)	
12:30 - 1:30	<i>Family Violence: "Faces of Fear" (60 min.)</i>	<i>Lecture/Video</i>
1:30 - 1:40	Break	
1:40 - 2:50	<i>Practice Mediation: SEE #3 (70 min.)</i>	<i>Role-Play Experience</i>
2:50 - 3:00	Break	
3:00 - 4:10	<i>Practice Mediation: SEE #4 (70 min.)</i>	<i>Role-Play Experience</i>
4:10 - 4:20	Break	
4:20 - 5:30	<i>Practice Mediation: SEE #5 (70 min.)</i>	<i>Role-Play Experience</i>
5:30 - 5:45	Evaluation	

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Lecture (including videos) = 240 minutes = 4 hours

Role-Play Experience = 210 minutes = 3.5 hours

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## **Sample Role-Play Scenario:**

### **SEE #1: Return of Daughter from Grandparents (Jones vs. Barrett)**

#### ***Donna and Jimmy Jones, Mother and Stepfather***

Donna and Jimmy Jones are trying to get Donna's 5 year old daughter, Kayla, back from Kayla's paternal grandparents (the Barretts). Donna gave birth to Kayla out of wedlock before she met and married her husband, Jimmy. About three years ago, due to some financial problems, Donna asked the Barretts to take care of Kayla until Donna could get back on her feet. The relationship between the Barretts and the Jones' has deteriorated to the point that Donna and Jimmy are not permitted to visit with Kayla and the Barretts have refused to return Kayla to Donna.

Donna and Jimmy, married about a year ago, went to Kayla's school and attempted to get her out of school. The school refused to release Kayla to Donna.

It would be difficult for the Jones' to raise the funds to hire an attorney to represent Donna in Court. When the Jones' consulted with an attorney, she suggested that they try mediation with the Barretts. Donna wants her daughter returned now!

#### ***Mary and Herman Barrett, Grandparents***

Mary and Herman Barrett have cared for their 5-year old granddaughter, Kayla, since she was 2-years old. Kayla's mother, Donna, and their son were never married. Donna asked them to take care of Kayla at a time when Donna was unable to do so.

The Barretts do not want to return their granddaughter to Donna. Kayla always returns from visits to her mother upset and Kayla no longer wants to visit her. Additionally, the Barretts know that they are financially better able to care for and provide for Kayla's needs. Donna didn't really seem to care about Kayla until she got married.

The Barretts are prepared to go to court to assert their rights for custody. They have already hired an attorney who agreed that the mediation might be a way to settle the issue before going to Court. Their attorney warned the Barretts that Courts often favor parents over grandparents and that they would have to convince the Court that it is in the best interests of the child to be with them rather than the child's mother.

(Revised 11-9-2005)

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## COURSE CRITIQUE

Date: \_\_\_\_\_

[Please indicate your evaluation by circling the appropriate number, with one (1) being the lowest and five (5) the highest. Please use the space provided for those questions requiring a written response.]

- |    |  |   |   |   |   |   |
|----|--|---|---|---|---|---|
| 1. | Were the materials in the course adequately covered? | 1 | 2 | 3 | 4 | 5 |
| 2. | Was the time adequate to cover the course?           | 1 | 2 | 3 | 4 | 5 |
| 3. | What areas were most valuable to you?                |   |   |   |   |   |

Least valuable?

- |    |  |   |   |   |   |   |
|----|--|---|---|---|---|---|
| 4. | Were skills demonstrated in class?                     | 1 | 2 | 3 | 4 | 5 |
| 5. | Did communications make sense?                         | 1 | 2 | 3 | 4 | 5 |
| 6. | Were your questions adequately covered?                | 1 | 2 | 3 | 4 | 5 |
| 7. | Were the trainers helpful?                             | 1 | 2 | 3 | 4 | 5 |
| 8. | In what ways were the trainers helpful or not helpful? |   |   |   |   |   |

9. Were any particular trainers especially helpful and in what way?

10. Did you encounter any problems with particular trainers?

Was the problem addressed? How?

11. Which aspects of the training did you find most helpful? [Circle correct response(s)]  
Lecture, Demonstration, Video, SEE/Role Play, Written Material, Group Discussion,  
Other:

12. Was the SEE/Role Play time adequate? [Circle correct response]  
Too long      Appropriate Length      Too Short

13. Are there any technical changes to the training you would like to suggest?

14. Did the course meet your expectations?      How?

15. Are there any other comments or suggestions you would like to make?

16. If you give your permission for Mediation Dynamics to use your comments in our advertising and promotional material, please check here (Optional): \_\_\_\_\_

17. Signature (Optional): \_\_\_\_\_

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## *PARTICIPANT EVALUATION*

DATE: \_\_\_\_\_

PARTICIPANT: \_\_\_\_\_

EVALUATOR: \_\_\_\_\_

SUBJECT/SEE: \_\_\_\_\_

Please grade on a scale of 1 to 5, with 5 being highest or best:

- |    |  |   |   |   |   |   |
|----|--|---|---|---|---|---|
| 1. | Neutrality   | 1 | 2 | 3 | 4 | 5 |
| 2. | Communication Skill  | 1 | 2 | 3 | 4 | 5 |
| 3. | Responsiveness<br>(active listening, body language, mirroring) | 1 | 2 | 3 | 4 | 5 |
| 4. | Note taking / feedback   | 1 | 2 | 3 | 4 | 5 |
| 5. | Use of Caucus  | 1 | 2 | 3 | 4 | 5 |
| 6. | Style  | 1 | 2 | 3 | 4 | 5 |
| 7. | Agreements   | 1 | 2 | 3 | 4 | 5 |
| 8. | Team Work / Co-Mediation (if applicable):                      | 1 | 2 | 3 | 4 | 5 |

9. Comments:

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## MEDIATION DYNAMICS Mediation Training Application

Name as you want it to appear on certificate:

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Name you desire to be called in training:

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Mailing Address:

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Telephone Numbers (cell, home, work, etc.):

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Email Address:

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Course (please specify the starting date of the course):

\_\_\_\_\_ MEDIATION DYNAMICS 40-hour Mediation Training

Starting Date: \_\_\_\_\_

\_\_\_\_\_ MEDIATION DYNAMICS 30-hour Family Mediation Training

Starting Date: \_\_\_\_\_

Please mail this completed application along with your payment to:

MEDIATION DYNAMICS

4424 Longmeadow Way, Fort Worth, Texas 76133