

# THE TEXAS RESOLUTION CONNECTION

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First Quarter 2008

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## ADR IN PRACTICE...COUNTY INNOVATION SPILLING OVER...

Chief Justice Wallace Jefferson of the Texas Supreme Court visited Lubbock County in late November. He praised the court system in Lubbock for the innovation and creativity that spills from all activities within the county.

"We want to be a leader in the state and the cream of the crop," says David Slayton, Court Administrator for Lubbock County. The efforts of the county have paid off and are being noticed. Justice Jefferson said he is proud of the efforts Lubbock is making and hopes the rest of the state can learn from the example Lubbock is setting. "I can say today, from my heart, that I am incredibly impressed with what I've seen," said Jefferson.

The court system is not the only activity in Lubbock County getting attention. The Texas Secretary of State began a pilot program in the November 2006 election, setting a model for how Texans could vote in the future. Lubbock was the only county in 2006 that expressed an interest and fulfilled the model, called the Super Precinct, which allows voters to vote at any location. A total of 35 locations were available in 2006, 9 of which were in rural areas. "We think this is the wave of the future because we are a society of convenience," says Patti Jones, Lubbock County Commissioner. The next time Lubbock voters will see the Super Precinct will be in the November 2008 Presidential election.

This innovation is not only seen in the administration of the court and the election system, but in the efforts of how cases are handled within the court system. "Lubbock County is unique," says D. Gene Valentini, Master of Dispute Resolution for Lubbock County. "We have unparalleled support from the judiciary when it comes to the use of ADR within the county." This support is responsible for Lubbock having the highest use of ADR per capita than any other Dispute resolution organization. "That is not something that happened overnight. There's a reason for all of this," says Valentini.

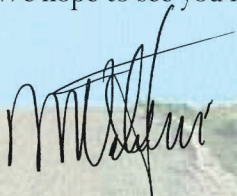
## FROM THE DIRECTOR...

Based on the successes of last year's Elder Law seminars, we have again decided to continue the series into this next year (see page 3 for complete list of dates and locations). The Texas Department of Aging and Disability Services estimates that 5.6 million Baby Boomers live in Texas and that this elderly population will grow from 13% to 22% in the next 30 years. Not only will there be an increase in need for services for this aging population, this need will drive the market for services, especially in rural communities where most professionals offer a one-stop-shop for all estate planning needs.

Professionals are required to attend continuing education courses to keep their licensure. It is also more likely that professionals in rural areas will attend a continuing education seminar that is close than one in a larger city that is miles away. Therefore, it is our mission to provide such opportunities close to home.

So, you may be asking why we chose this avenue for training. The TRMS program focuses on rural and agricultural-related disputes. It is our goal to not only be prepared for those disputes as they materialize, but to prepare the professionals handling these affairs to better serve those in need. This year, the elder seminar will take on two dimensions. The original seminar will continue, but we have added a "Part 2" for those who have already attended or for those interested in probate issues.

We hope to see you in rural Texas soon!



***"Location! I live in Victoria  
and liked not having to drive to  
the big city."\****

***"Very good; very practical;  
would love to have more CLE  
seminars like this."\****

\*In response to: What did you like most about the seminar?





*Rural Advisory Committee Meeting*

*L to R (top): Regan Beck, Todd Burkey, Doug Duncan  
L to R (bottom): Becky Condiitt, D. Gene Valentini, Linda Shoemaker, Doug Sharer*

The first Rural Committee meeting of the Fiscal Year was held in Austin on October 25, 2007.

Regan Beck, Associate Legislative Director with the Texas Farm Bureau, made a presentation, and the committee presented ideas on how the Farm Bureau could incorporate mediation services in their programs for producers. The committee then discussed the status of the Outreach and Service Delivery mechanisms. The 2007 Annual Report was discussed, as were the goals for Fiscal Year 2008.

The committee agreed that the goals were well developed and would lead to a very successful 2008. The committee will meet again in Austin on March 20, 2008, from 9:30 a.m. to noon. Location to be announced at a later date.

## NEWS IN BRIEF...



*Judge Jim Hansen*

Congratulations to Lubbock County Justice of the Peace Jim Hansen, who was awarded the Texas Justice Court Judges Association *Texas Judge of the Year* Award for 2007. Judge Hansen was selected due to his involvement in improving education and communication for other Justices in Texas.

Judge Hansen serves as a member of the Dispute Resolution Advisory Board and is a 2007 graduate of Dispute Resolution's Basic Mediation Training.

*"The [Basic Mediation] training was incredibly valuable as a judge on the bench and for small claims court. It has been an invaluable tool for civil and criminal procedures and assists my day to day functions and procedures of the court."*

Judge Jim Hansen, Lubbock County

## MEET THE STAFF AND BOARD...

Each issue we will focus on our staff and Board members. This issue spotlights **Ryan Shipp, Field Representative II** and **Board Member Walker Metcalf**.



*Ryan Shipp*

Ryan was hired in late November to fill the Field Representative II position. He will focus on promoting rural mediation services to USDA agencies and USDA grant recipients.

Ryan is a graduate of Texas Tech University with a background in agriculture and mortgage banking.



*Walker Metcalf*

It is with great sadness that we must say goodbye to **Walker Metcalf** (1929-2007), a long-time member of the Dispute Resolution Advisory Board and mediator for Dispute Resolution.

In 1996, Walker received the Mediator of the Year Award for exceptional performance, drive and motivation for mediating.

Thank you for your service to Dispute Resolution and know your legacy lies deep within our organization.

## THANKS TO OUR TRAINING SPONSORS...



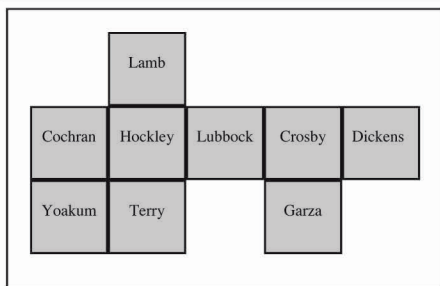
A very special thank you to Seminole Economic Development Corporation and First United Bank, Seminole, for being sponsors of the Elder Law Seminar in November. Their sponsorships made it possible to bring the Elder Law Seminar to Seminole.

Seminars are scheduled for a variety of areas in 2008 (see the schedule on the next page). If you would like to sponsor a portion of our activities, please contact our training coordinator for more information. Our sponsorships can be customized to accommodate any marketing budget. Thank you in advance for supporting dispute resolution activities in rural Texas.

## DID YOU KNOW...

- 30% of Texans age 65 and older live in rural Texas.
- Over 20 % of the population is 65 years or older in 40 Texas counties, 38 of which are non-metro counties.
- 35% of hospitals in Texas are rural.





*Counties in the South Plains ADR System*

Lamb County and Lubbock County Commissioners signed, on July 9, 2007, an agreement for Lubbock County to provide ADR services to Lamb County as of October 1, 2007. This made the South Plains ADR System the largest geographical ADR System in Texas, with a total of nine member counties, including Cochran, Crosby, Dickens, Garza, Hockley, Lamb, Lubbock, Terry, and Yoakum.

This arrangement allows citizens in Lamb County who are in contact with the District Court, County Court, Justice of the Peace Court, or other statutory court within the county to be referred to Alternative Dispute Resolution prior to filing or during court proceedings if the case has already been filed.

This program permits citizen self-referrals and also referrals to be processed from school districts, District and County Attorneys, Police Departments and Sheriff Departments. "It is really up to the members of the county on how prevalent ADR will be within each county," says Amanda McDermid, Outreach Manager for the system. "Some counties use our services for everything, and some use it strictly as a court-related activity."

"This whole process started in April when we received a phone call asking if we could provide ADR services for Lamb," says D. Gene Valentini, Director of the Lubbock System. "We said yes, and the rest is history."

Judge Al Mann, Justice of the Peace Pct. 3 in Lamb County, now represents Lamb County on the Dispute Resolution Advisory Board. The Advisory Board meets bimonthly and seeks to guide departmental policies and procedures in connection with the alternative dispute resolution activities within the represented organization or geographical area.

## AGLEAD IN LUBBOCK...



*Amanda McDermid and AgLead Class 8*

The Texas Farm Bureau's AgLead program made a stop in Lubbock in mid-November. The AgLead participants are agricultural producers who wish to enhance and further develop their leadership skills.

Amanda McDermid and Doug Duncan made a presentation to the group. "As future leaders in the agriculture field, they are looked up to and often sought out for advice from neighbors, industry partners and businesses," says McDermid. "TRMS is another tool in their toolbox when someone says 'I have a problem and don't know who can help me.' Now they

know about us and the programs that we offer to agricultural producers and others living in rural Texas."

The class stopped in various locations across the South Plains to learn more about the agriculture in this region and visit agriculture-related businesses and research stations. This program began in 1992 and targets young producers. A similar program, FarmLead, is designed for more mature producers.

## 2008 TRAINING DATES...

### Basic Mediation Training

March 3-7, South Padre Island, TX  
April 14-18, Salado, TX  
May 12-16, Lubbock, TX  
September 8-12, Ruidoso, NM

### Family Mediation Training

October 7-9, Ruidoso, NM

### ADR Professional Continuing Education\*

Ethics: February 9, Lubbock, TX  
Alzheimer's and the Law: March 29, Lubbock, TX  
Family Law/Bankruptcy: September 6, Lubbock, TX  
Who is the Client?: November 15, Lubbock, TX

### Continuing Legal Education

Elder Law: Probate Insights\*\*: March 28, Lubbock, TX  
Alzheimer's and the Law: March 29, Lubbock, TX  
Alzheimer's and the Law: April 3, Nacogdoches, TX  
Alzheimer's and the Law: April 24, Mt. Pleasant, TX  
Elder Law: September 18, Victoria, TX  
Elder Law: September 25, Athens, TX  
Elder Law: October 2, Sherman, TX  
Elder Law: November 6, Seminole, TX  
Healthcare: November 21, Kerrville, TX

### Property Tax Arbitration

April 29-May 2, Lubbock, TX

### Second Annual Symposium for Resolving Healthcare Disputes\*\*

October 17, Lubbock, TX

We also offer training sessions tailored to your specifications. If you do not see a training topic or location that meets your needs, please contact our office and we will accommodate you as best we can.

To register for any of the trainings, please visit our Web site at <http://www.co.lubbock.tx.us/drc/training.htm>.

\*RSVP only, no registration required  
\*\*Co-sponsored by the Lubbock County Bar Association  
NOTE: Reciprocal Continuing Education Credit available for many other professions





L to R: Ryan Shipp and Doug Duncan

Field Representatives Ryan Shipp and Doug Duncan, along with Outreach Manager Amanda McDermand, attended the Amarillo Farm and Ranch Show November 28-30, 2007.

The TRMS booth featured new signage, promotional materials, including notepads, new brochures and bookmarks, and information on how to request mediation through TRMS.

The show was attended by approximately 30,000 people with producers from Texas, New Mexico, and Oklahoma.

## JUVENILE PROGRAMS MAKING NOISE IN LUBBOCK...



Crystal Jackson at the Juvenile Justice Association of Texas Meeting in October

Lubbock County now has another option for resolving problems with juveniles, both in a proactive and reactive manner. The Dispute Resolution Juvenile Program provides an array of ADR services to professionals who work with juveniles. As part of the Multi-Jurisdictional Juvenile Mediation Program, judges, schools, law enforcement officers, prosecutors, probation officers and others may refer juveniles to mediation as a part of an early intervention program all the way through transition planning after release from a secure facility.

"We provide mediation and life goal planning for students who need a little extra attention," says Amanda McDermand, Outreach Manager for the Juvenile Program. "We find a more enduring solution to the problem when the student and other parties sit down and really talk about the issues. There are some things that kids are afraid to talk about, but through the mediation process, we get to the root of the issue and figure out how to solve the problem."

And that is what Alternative Dispute Resolution is designed to do. "Assisted problem solving is what we do," says D. Gene Valentini, Director of Dispute Resolution in Lubbock County.

Lubbock Independent School District has been involved with ADR since the early 1990s. But this is the first time ADR has been used in truancy cases in the county. "The program is preventative in nature, in the sense that once a juvenile is in jeopardy, we can schedule the mediation to look at the issues prior to more formal action being taken," says Valentini. "In these instances, the problem can be isolated and solved before a juvenile may be taken into court."

"This is an option especially for juveniles who are first-time offenders or maybe those who have gotten off the track a little bit," says McDermand. "It also allows the kids to choose how to fix the problem, with assistance and input from the other involved parties. If they get to choose the consequences and rules they are more likely to follow them. And that's the main goal for us."

## BOARD OF JUDGES

Honorable Ruben G. Reyes	Honorable Bradley S. Underwood
Honorable William C. Sowder	Honorable Larry B. "Rusty" Ladd
Honorable Cecil G. Puryear	Honorable Drue Farmer
Honorable Jim B. Darnell	Honorable Paula Lanchart
Honorable Sam Medina	

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Honorable Judy Parker	Honorable Patricia Moseley
Honorable Melissa McNamara	Honorable Kevin Hart

## COUNTY COMMISSIONERS

Bill McCay	Ysidro Gutierrez
Mark Heinrich	Patti Jones

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Chair of the Board	Vice Chair of the Board

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Warlick Carr	Scott Morris
Jim Dulin	Joe Nagy
Cleddie Edwards	Marisela Olivas
Ramon Gallegos	Sherry Phillips
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Les Hatch	Brian Shannon
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Tom Mann	Larry Spain
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This newsletter is published by the  
Texas Dispute Resolution System™

### Our Office Provides the Following Services:

• Family/Divorce Mediation	• USDA Agricultural Mediation Program
• Parenting Coordinator Referrals	• Rural Mediation
• Community Supervision Program	• Arbitration
• Social Studies	• Basic Mediation Training
• Civil Mediation	• Family Mediation Training
• Criminal Mediation	• Parenting Coordinator Training
• Law Enforcement Referrals	• Property Tax Arbitration Training
• Educational Institution Referrals	• CPS Mediation Training
• Intergovernmental Referrals	• Continuing Legal Education Workshops
• Healthcare Mediation Program	• Continuing Education for ADR Professionals
	• Customized Training

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