Center for Alternative Dispute Resolution

ADR Times

Mediation. It Works!

The Center for Alternative Dispute Resolution Newsletter, State of Hawai`i Judiciary

Winter 2008

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Next Free Public Brown Bag Forums

January 8 - ALTERNATIVES TO COURT? TRY MEDIATION. IT WORKS!
(*presentation by Elizabeth Kent and Tracey Wiltgen)*
Noon to 1 pm, Kapolei State Building
601 Kamokila Blvd., Room 111 A/B

January 20 - INVESTOR-STATE ARBITRATION: UNDERSTANDING THE STRUCTURE OF AN EXPANDING PRACTICE AREA
(presentation by Professor David Caron, Law Professor at the University of California at Berkeley)
Noon to 1 pm, Aliiolani Hale (Supreme Court Building)
417 S. King Street, Supreme Court Conference Room

January 22 - WHY AMERICANS HATE TO NEGOTIATE!
A Noon Time Tour of Clips from the Movies that Tells the Story
(presentation by Dr. Peter Adler)
Noon to 1 pm, Aliiolani Hale (Supreme Court Building)
417 S. King Street, Room 101

February 11 - BULLYING IN THE WORKPLACE
(presentation by The University of Hawaii Ombuds Office)
Noon to 1 pm (presentation); 1:00 - 1:30 pm (exercises)
Aliiolani Hale (Supreme Court Building)
417 S. King Street, Room 101

To reserve a seat call 539-4ADR (4237)

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September Forum: Crisis Negotiation
presented by The Honolulu Police Department

Sometimes communication skills are put to the test in very serious conditions. In September, two members of the Honolulu Police Department's Crisis Negotiating Team joined us to present an overview of the situations they encounter, the skills they use, and the results they achieve.

Detective Bernadette Terry and Officer Phil Camero are both extensively trained and experienced negotiators and have each served as lead negotiator in well known local cases. Although each lead negotiator is supported by a team of officers with various areas of expertise, the lead negotiator is the sole contact with the suspect.

Most often a crisis needing a negotiator begins with a person barricaded into a house or space who threatens to harm him/herself. Sometimes, these crises involve hostages or bystanders. The police themselves are always in danger when these crises occur.

Det. Terry and Ofc. Camero stressed that their first priority is to save lives. Their best "friend" in these crises is time; the longer the situation lasts, the more chance there is of a safe resolution. What to do with that time? As with effective communication in other situations, listening is key.

Negotiators try to find a "hook," or subject that can be discussed that will keep the suspect talking. That can be very difficult, because most suspects in such situations are feeling helpless, hopeless, or both.

Two of the local cases discussed involved the motivation "suicide-by-cop." Suicide-by-cop (sometimes referred to as police-assisted suicide) is an expression used to describe the situation where a suicidal subject engages in a consciously, life-threatening behavior to the degree that it compels a police officer to respond with deadly force.

The two cases discussed involved many hours of negotiation, and both situations involved suspects under the influence of drugs. Fortunately, both situations were resolved with the hostages uninjured.

Joint Labor Management Seminar Presentations

The Center was recently invited to present on communication skills by each of the major public employee unions and the respective Employer jurisdictions at Joint Labor and Management Seminars (JLMS). Center staff made presentations for the JLMS involving the United Public Workers (UPW) and the respective Employer jurisdictions in each of the four counties. We also presented for the JLMS involving the Hawaii Government Employees Association (HGEA) and the respective Employer jurisdictions at the JLMS on Maui.

All sessions were interactive, and provided opportunities for group discussion. The presentations covered communication techniques such as effective listening and rephrasing, and understanding positions and interests.

The Center staff was honored and excited to be included in the annual events. We look forward to other opportunities to work with UPW, HGEA, and the respective Employer jurisdictions on ways to prevent, minimize, and resolve disputes outside of the grievance structure.

Winter Training Schedule

One of the Center's focuses is providing ADR-related training. Classes are open to state and county employees statewide attending on work-time.

January 28; April 9 – Negotiation Skills

February 2 – Mediation Skills You Can Use

February 17/18; May 26/28 - Facilitation 101

March 4 – Beyond Basic Facilitation
Prerequisite: Completed Facilitation 101

March 25; June 17 – Handling Difficult Interactions in the Workplace

For more information on classes and schedules, or to register for a class, visit our website at: http://www.courts.state.hi.us/cadr