

# New York State Dispute Resolution Association

From April 1, 2018 – March 31, 2019, NYSDRA's primary target population included New Yorkers in need of dispute resolution services, trainings, and professional development. NYSDRA serves individuals seeking services in addition to supporting the Community Dispute Resolution Centers (CDRCs) in the provision of services. NYSDRA manages disability mediation programs (Early Intervention Mediation, Special Education Mediation, and ACCES-VR Mediation), the New York State Agricultural Mediation Program (NYSAMP), and the Lemon Law Arbitration Program. The disability mediation programs serve as a due process for children and their families in need of early intervention and special education services as well as adults in need of vocational rehabilitation or training services address conflicts regarding eligibility, placement, and provision of services. The NYSAMP program serves members of agricultural/farming communities with conflicts with farm transition issues, land leases, credit and loan cases, and general family/relationship/business issues affecting farming families. The Lemon Law Arbitration Program serves all automobile, motorcycle, wheelchair, and mobile home consumers seeking redress from an automobile manufacturer for the purchase or lease of a "lemon" (i.e., bad vehicle).

NYSDRA serves as the association of the 20 Community Dispute Resolution Centers (CDRCs) throughout New York State. Centers provides free to low-cost dispute resolution services in all 62 counties in New York State. These services are designed to provide the timely and satisfactory resolution to a wide range of conflicts. Such conflicts might otherwise be litigated, but as the costs and time required to pursue a court case may be economically prohibitive, the services become vital in helping low income New Yorkers access justice, often resulting in resolution of many contentious issues that would otherwise have a negative ripple effect on the social and financial circumstances of those individual accessing the services. NYSDRA's programs, therefore, provide resolution to problems facing New Yorkers in rural, suburban, and urban areas and offer access and opportunity for resolution to conflict in a wide range of issues faced by many low income New Yorkers who might not otherwise have a path to resolution. Seemingly small conflicts, if unresolved, often morph into major problems that can be financially ruinous and cause extreme problems for individual, families, and their communities. NYSDRA is committed to the facilitation of better conversations leading to better outcomes for all New Yorkers.

**Population Served:** Community Dispute Resolution Centers

**Area Served:** Statewide

**Total Funding:** \$1,198,386

**Total IOLA Grant:** \$205,000

**Staffing - Full Time Equivalent:**

- **Total Staff:** 5.90
- **Others:** 5.90



## Other Legal Related Services...

**Number of People Benefitted by  
Services Other Than Direct Legal Representation**

**Total** 358,052 people

Community Legal Education **358,052 people**

### ***Other Legal Related Services: Overview***

NYSDRA manages state contracts for mediation programs and oversees the program service delivery of the CDRCs. For each of our programs we have an estimated caseload per year and have seen increases in certain programs as a result of community legal education through outreach, networking, informational materials, and online and print communications. Each program works closely with CDRCs and state partners to increase case load goals, refine service delivery, program improvements, and develop strategies to influence populations to utilize dispute resolution services as an alternative to other due process forums such as court processes and impartial hearings.

### ***Other Legal Related Services—Examples***

- NYSDRA serves as a technical resource to all CDRCs and mediation providers statewide. NYSDRA and its programs host trainings regarding professional development in mediation, arbitration, as well as subject matter areas such as Special Education Mediation, ACCES-VR Mediation, and Lemon Law Arbitration to ensure that new and experienced providers gain the quality training needed to deliver quality services, maintain compliance with state contracts, and follow the NYS Unified Court System, Office of ADR Programs Standards of Conduct for New York State Community Dispute Resolution Center Mediators Manual. Within the past fiscal year NYSDRA special education staff have hosted 7 trainings and trained 72 individuals in Special Education Mediation. In order to mediate certain cases, mediators are mandated to attend specific trainings hosted by NYSDRA.
- NYSDRA Special Education Mediation program and the NYS Agricultural Mediation program have implemented robust outreach efforts, attending stakeholder conferences, hosting statewide trainings, presentations, and events, spreading the word about the benefits and accessibility of mediation.

## Significant Collaborations

In April 2018, NYSDRA Board President, Sarah Rudgers-Tysz, was appointed to the NYS Courts Advisory Committee on ADR, organized at the direction of Chief Judge Janet DiFiore and Chief Administrative Judge Lawrence K. Marks to revitalize the court system's commitment to Alternative Dispute Resolution. This committee was created to promote the goals of the Chief Judge's Excellence Initiative by helping to eliminate case backlogs and enhancing the quality of justice. The committee continues to work to expand the use of ADR within the courts, with a focus on early resolution of civil disputes, provided they are deemed suitable for the ADR process. The main initiative of the committee is to reduce case delays and enhance access to justice. Over the past year, several pilot programs utilizing presumptive mediation have launched throughout the state including disputes in matrimonial, custody and visitation, small claims court, and surrogates court. The involvement of NYSDRA's Board President gives NYSDRA a "seat at the table" with leaders from the NYC Bar Association, prestigious law firms, the American Arbitration Association, city, county, and state court officials, and civil legal services providers elevating the impact of dispute resolution on access to justice for all New Yorkers.

NYSDRA has also maintained and fostered its relationship with the Office of Court Administration, Office of ADR (OCA OADR). While each entity is distinct, consistent and sustained efforts are made from all involved to communicate effectively (in keeping with our shared values in ADR of effective communication). Every March, OCA OADR hosts an in person three day event for CDRC senior management, OCA OADR staff, and NYSDRA staff to share information, identify trends, discuss strategic planning for the network, and share best practices. This annual meeting is essential in advancing the collaborative efforts amongst these entities and allows NYSDRA to develop initiatives directly informed by the perspectives of the CDRCs.

NYSDRA's annual conference, typically held every October is an excellent opportunity to collaborate and foster relationships with participants from OCA, the CDRCs, NYSDRA, volunteers, outside partners, (e.g., participants from other organizations who are invited to submit workshop proposals and participate in the full conference). Participants and partner organizations include nonprofit CDRC organizations, the Office of Court Administration, the New York State Council on Divorce Mediation and the Association for Conflict Resolution of Greater New York.

Over the past year, NYSDRA has been approached by state partners to manage new programs such as the Farm Equipment Lemon Law program by the Attorney General's Office. NYSDRA staff have worked closely with the Attorney General's Office, the CDRC network, arbitration experts, and the farm community to strategically plan and develop the program for implementation in the fall of 2020. NYSDRA was also approached to apply for and manage the Community Mediation School Corps (CMSC) AmeriCorps program. This program, currently managed by OCA ADR has placed about 20 AmeriCorps members supervised by CDRC Directors at schools throughout New York State to address chronic absenteeism, aggressive behavior such as bullying and violence, and high conflict co-parenting and the impact on children's academic performance. AmeriCorps members receive extensive training to provide dispute resolution services such as attendance mediation, conflict coaching, restorative circles, and family mediation in select school host sites throughout New York State. The OCA OADR has also approached NYSDRA to partner with the Developmental Disabilities Planning Council to host a pilot program to evaluate and spread awareness of statewide dispute resolution services for the disability community.

## Pro Bono Volunteer Involvement

The CDRC network utilizes professional volunteer mediators and arbitrators to provide services. To become a CDRC volunteer mediator, mediators complete at least 30 hours of basic mediation training by an OCA certified trainer, fulfill a supervised apprenticeship, and participate in continuing education. Mediators who work in specialized areas such as child custody/visitation and parent/child mediation complete at least 12 additional hours of specialized training. NYSDRA provides training opportunities for mediators statewide in the fields of Early Intervention, Special Education, ACCES-VR, and other specialized trainings in the field of mediation. NYSDRA is currently developing capacity to serve as a host to law student interns for the Lemon Law Arbitration program partnering with Albany Law School.

### Sources Of Funding

<b>IOLA Grant:</b>	<b>\$119,115</b>
<b>State Funding:</b>	<b>\$513,006</b>
<b>City &amp; County Funding:</b>	<b>\$35,000</b>
<b>Other:</b>	<b>\$531,265</b>
<b>TOTAL</b>	<b>\$1,198,386</b>

