

Kluwer Mediation Blog

20,000 Volunteer Mediators!

Rafal Morek (DWF LLP) · Wednesday, May 9th, 2012

400,000 mediation case referrals, and nearly 1 million service recipients yearly, with an army of 20,000 volunteer mediators and 1,300 full-time staff members... [The State of Community Mediation Report](#) demonstrates the current strength of the community mediation movement in the United States. The Report has recently been published by the National Association for Community Mediation (NAFCM) at its [website](#), where one can find also much more information on community mediation.

While community mediation builds on diverse traditions from different cultures and across many generations, it may also appear to be a uniquely American experience. Community mediation projects mushroomed in the US in the 1970s and 1980s. The movement has had “a characteristically American flair: helping individuals achieve full personhood with an emphasis on expressing feelings as a way of resolving conflicts” (Sally Engle Merry, *The Possibility of Popular Justice: A Case Study of Community Mediation in the United States*, University of Michigan Press 1995, p. 9). Community mediation projects have been initiated by “judicial reformers, religious leaders and community organizers” (Christine B. Harrington; Sally Engle Merry, *Ideological Production: The Making of Community Mediation*; 22 *Law & Soc’y Rev.* 709 (1988)). They aspired to build a justice system under the authority and normative order of the community (“popular justice”) rather than that of the state. At the core of this movement was the hope that handling local problems in community-run forums independent of legal system would strengthen local self governance and rejuvenate the self-reliant communities of the past.

Within its current form, according to the Report’s co-authors, Justin R. Corbett and Wendy E. H. Corbett, the community mediation field is “a veritable one-stop-shop for all things conflict-related. It has evolved, extended, and engrained itself within hundreds of communities as the resolution choice of increasingly earlier resort.”

Community Mediation Centers are characterized by, and/or committed to:

- A private non-profit or public agency or program thereof, with mediators, staff and governing/advisory board representative of the diversity of the community served.
- The use of trained community volunteers as providers of mediation services; the practice of mediation is open to all persons.

- Providing direct access to the public through self-referral and striving to reduce barriers to service including physical, linguistic, cultural, programmatic and economic.
- Providing service to clients regardless of their ability to pay.
- Providing service and hiring without discrimination on the basis of race, color, religion, gender, age, disability, national origin, marital status, personal appearance, gender orientation, family responsibilities, matriculation, political affiliation, source of income.
- Providing a forum for dispute resolution at the earliest stage of a conflict.
- Providing an alternative to the judicial system at any stage of a conflict.
- Initiating, facilitating and educating for collaborative community relationships to effect positive systemic change.
- Engaging in public awareness and educational activities about the values and practices of mediation

Throughout the US there are approximately 400 such programs, variably known as community mediation centres (CMCs), community dispute resolution centres (CDRCs) or programs (CDRPs). Among them 86% represent the non-profit model, while 11% are government entities, and the remaining 3% are of hybrid structure. The mediation case types are diverse, with neighbor (88%), consumer-merchant service provider (72%) and animal/pet related (62%) as most frequent. All programs include mediation services, in addition among other services offered are: Restorative Justice Processes (57%), Parenting Education (25%) or Dispute System Design (19%) are offered. Many centers conduct training in communication and conflict resolution skills for formal education systems, ranging from preschool to law school.

Community mediation in the United States is “the product of thirty years of inspiration, innovation, and improvisation” (Timothy Hedeem, *The Evolution and Evaluation of Community Mediation: Limited Research Suggests Unlimited Progress*, Conflict Resolution Quarterly, vol. 22, no. 1-2, Fall-Winter 2004, p. 101). Younger mediation cultures, where the take-up of mediation has been much slower and modest thus far, should be patient. Let us view the glass as half full. The best is yet to come.

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