



**Community Mediation
Center Essentials**

**for Boards, Executive
Directors, Staff &
Volunteers**

2023

***Part 1: History of
Community Mediation,
Resolution Washington &
the Revised Code of
Washington***

Our National Roots: 1964 Civil Rights Act

- The act created the Community Relations Service, housed in the Department of Justice, and whose role was defined as being “America’s Peacemaker for Community Conflict.”
- A few years later, seeing a need to get this work more embedded into communities, the Law Enforcement Assistance Administration within the Department of Justice enabled the development of neighborhood justice centers, which were the earliest of what we today call community mediation centers, including the Dispute Resolution Center (DRC) of Thurston County. (CRS still exists and is one half of the equation – we are the other half).
- Interest-based Mediation specifically was developed during the Carter Administration – building on the work of: “Getting to Yes” – which came from the Harvard Negotiation Project in late 60’s.
- In the early eighties, Congress funded 4 projects; 5th in S.F. That original curriculum created is at the heart of own work that is used today to train and certify mediators.





The Hallmarks of Community Mediation

- 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.

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The Hallmarks of Community Mediation

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- Providing service and hiring without discrimination on the basis of race, color, religion, gender, age, disabilities, 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 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.

State History:

Court Improvement Act of 1984 & RCW 7.75

- *Alternative dispute resolution centers can meet the needs of Washington's citizens by providing forums in which persons may voluntarily participate in the resolution of disputes in an informal and less adversarial atmosphere.*
- *Encourage continuing community participation in the development, administration, and oversight of local programs designed to facilitate the informal resolution of disputes between and among members of the community.*

- *Serve a specific community or locale and resolve disputes that arise within that community or locale.*
- *Educate the community on ways of using the services of the neighborhood dispute resolution center directly and in a preventive capacity.*

An important aspect of RCW 7.75 is the authority granted to cities and counties to establish local orders and filing fees to support DRCs/CMCs established in their jurisdictions.

State History: Uniform Mediation Act

- The Uniform Mediation Act (UMA) was approved in August of 2001 by the National Conference of Commissioners on Uniform State Laws. The UMA was subsequently endorsed by the American Bar Association (ABA) House of Delegates as well as the ABA's Dispute Resolution Section.
- The Washington State Legislature adopted the UMA for use in Washington in 2005. Subsequently, Alan Kirtley, then Associate Professor of the University of Washington School of Law, produced the User's Guide to Washington's Uniform Mediation Act in partnership with Resolution Washington and the Washington State Bar Association.

Washington's Community Mediation Centers

Washington's centers owe their existence to the DRC of Snohomish County, housed within Volunteers of America. This center was founded in 1982 and willingly shared resources over the years to come to assist other centers. Today, all of Washington is served via 21 separately operated centers.



The Association Model

ResWA is registered as a 501 (c)6 nonprofit organization.

Most member centers are registered as 501 (c)3 nonprofit organizations.

Exceptions are programs housed with a municipality or another, separate nonprofit organization.

- Resolution Washington (ResWA) is the state's membership association for community mediation centers. It is not a state agency and it is not the headquarters of individual centers.
- The important role held by ResWA is that it exists to support member centers in bringing conflict resolution services and promoting dialogue in communities across the state. Together, we do that by:
 - Sharing ideas for improving management and services at our local DRCs
 - Establishing statewide policies, standards and best practices
 - Supporting and advocating for mediation in Washington

ResWA Vision:

We envision a State where Dispute Resolution Centers or collaborative processes are used as the first choice for conflict resolution. The Dispute Resolution Centers are stable, valued, and supported as a key means to provide a civil and respectful society.

ResWA is a Race Equity and Justice Initiative (REJI) partner.

In recognition of our commitment to increasing access to justice for traditionally underserved populations, ResWA received the 2019 Access to Justice Community Leadership Award.

We support and promote the values of:

- Collaborative and effective processes for conflict resolution;
- Education and training for conflict resolution;
- Community services and volunteerism;
- Empowering parties to reach their own resolution;
- Inclusiveness of the diversity in the community;
- High standards of practice;
- Use of consensus and collaboration for problem-solving; and
- Affordable, accessible services.

Resources

- National Association for Community Mediation (NAFCM)
- Resolution Washington
- Revised Code of Washington - RCW 7.75
- Uniform Mediation Act

