
JEFFERSON COUNTY MEDIATION SERVICES
VOLUNTEER COLLOQUIUM MINUTES
January 21, 2014

Volunteers Present: Peter Bowes, Sarah Eichler, Anita Gilbertson, Scott Methling, Debbie Plotkin, Jerry Schopen

Staff Present: Mark Loye, Julie Carter, Helena Jo Goldstein and Brian Beck

I. Welcome:

Mark Loye welcomed everyone to the meeting and asked those present to introduce themselves.

II. Program Status

- A. JCMS has completed another busy year. We will be emailing our annual update to volunteers soon.
- B. The Colorado Office of Dispute Resolution is moving forward with a plan to certify mediators for court-referred cases. Mediators and others in the ADR Community are invited to an open meeting to discuss the Judicial Task Force Draft Policy to Establish Mediator Standards. The meeting will be on Friday February 7th from 1:30-3:00 pm at Ralph Carr Judicial Center, 1300 Broadway, Denver, Rooms 1A-1B.

III. Presentation: Research on the Impact of Interaction with the Court and Mediation in Protection Order Court

Presenter: Assistant Professor Raghunath, University of Denver Sturm College of Law

DU Assistant Professor Raghunath discussed his research project, which was conducted at Jeffco permanent protection order court during 2012. For the study, parties completed surveys both before and after their experiences in court. The study examined how participants' opinions changed after their interaction with the court, and also whether participation in mediation made a difference in whether people assessed their experience as negative or positive. The study looked at procedural justice (as opposed to access to justice issues). The questionnaire is attached as a separate document.

The research was done in two courtrooms over a number of return dates. (Temporary Protection Orders are issued on an emergency basis to individuals who seek them and are in need of protection. The restrained party is served notice of the proceedings, and on the return date both parties appear and have an opportunity to present their case to the judge. JCMS provides mediators to the court on these return dates.) Parties were given surveys before their hearing and/or mediation, and then a second survey after the case was completed (through hearing or

mediation). The surveys were matched, so that the change in before and after opinion could be measured.

Sixty three per cent of the surveys were completed by the Petitioner for a protection order, 62% of the parties who completed the surveys had cases where domestic violence (dv) was alleged. (Overall 52% of the court's caseload on the days the surveys were completed involved dv.) Question 6 asked for a response to the statement "I am being treated in a fair way." There was not a statistically significant shift for petitioners or respondents in dv cases before or after the proceedings, whether they mediated or not. However, parties in non-dv cases did appear to feel better about the fairness of the proceedings after their experience in court on the return day.

Question 7 asks for a response to the statement "I am better off because of the court's involvement in my case." There was no statically significant difference in the response to this question between people who mediated and those who did not. There was also no difference in responses between cases that involved dv and those that did not. There was a difference in the responses from petitioners and respondents, however. After the court proceedings, the respondents agreed more strongly that they were better off due to the court's involvement in their case. This is a positive judgment on the court – the respondents came into court feeling somewhat negative and left feeling more positive about the court's involvement in their case. Notable, the petitioners started out feeling very positive about the court's involvement in their case (perhaps because they had already been heard and received a temporary protection order) and so there was little room for their ratings of the court to go up.

Several results were not statistically significant, but looked interesting. Question 3 asked for a response to the statement "I have the information that I need to participate in my case." The "after" responses were more positive in non-mediated case than mediated cases. Question 8 asked for reaction to the statement "I am able to affect the outcome of my case." Once again, parties in non-mediated cases responded more positively. It is unclear whether a survey with a bigger sample size would validate this result, or whether the result is an anomaly of the small sample size.

In conclusion, the experience in court did not seem to noticeably affect the response of the parties to the survey. This could be the fault of the survey questions, or the methodology used. Many people approached the court with a positive attitude about its involvement in their case. However, where there was room for improvement in people's sense of fairness, it did tend to occur. In addition, there was no observable difference between results from the two different courtrooms.

Mr. Loye thanked everyone who attended for participating in the discussion, and wished them a good evening.

IV. Next Colloquium: Tuesday, March 18, 2014, 6:00 – 8:00 p.m. in the Open Space Hearing Room (Ponderosa Room). **Topic:** Frequently asked questions about Divorce, Child Support and Parenting time; also at least one of the Jeffco Self Represented Litigant Coordinators will talk about the services they provide to pro se litigants.

The meeting was adjourned.

Submitted by: *Helena Jo Goldstein*

Helena Jo Goldstein, Programs Manager

Approved by: *Mark Loye*

Mark Loye, Director