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Press Release

University of Virginia Study Finds State Funding Shortfalls Limit Potential of Community Mediation Centers to Reduce Community Conflict

Charlottesville, Virginia, October 16, 2001 - Current funding for court-related mediation programs is insufficient to cover the direct costs of service, according to a recently released national study of community mediation by University of Virginia researchers.

Innovative community mediation programs currently tackle a range of issues involving race relations, prison life, boycotts, migrant workers, agriculture, clean air and water rights, farm grazing rights, employment, religious disputes, AIDS, community policing, business and corporate disputes, and more.

The study, conducted by U.Va.'s Institute for Environmental Negotiation, concludes that the reduction of community tensions and conflict is a vitally important goal for communities across the United States and notes that prevention and early intervention help sustain communities and reduce the financial costs of public conflicts.

The Virginia Association for Community Conflict Resolution (VACCR), funded by the National Association for Community Mediation (NAFCM), contracted with U.Va.'s Institute for Environmental Negotiation (IEN) to study community mediation programs across the U.S. Specifically, the IEN was asked to identify the range of services these centers provide and to identify funding options to strengthen community mediation programs.

The U.Va. study began with a review of programs in all 50 states. It found that two-thirds of the nation's centers are located in just 12 states. The study then conducted a survey and

comparison of programs in California, Florida, Hawaii, Indiana, Maryland, New York, North Carolina, Oregon, Texas and Virginia.

The study's respondents included community and attorney mediators, center and state coalition administrators, local and state public-sector employees, advocates and academics.

Since the 1960s community mediation centers have established themselves as the backbone of mediation services of all kinds throughout the nation said Frank Dukes, director of IEN and a contributing editor of the study. These centers have been the primary training ground for mediators in both the private and community sectors and have been the prime innovators in conflict resolution programs for communities.

Community mediation differs from other kinds of mediation in that it uses trained volunteers who reflect the diversity of the community to help disputants resolve their conflicts. It provides early intervention and conflict prevention and offers mediation regardless of ability to pay, to ensure services to all community members. These centers are also the largest providers of mediation services to the working poor and economically disadvantaged.

This U.Va. study found a broad base of support and enthusiasm for community mediation programs throughout the nation. Respondents consistently mentioned the effectiveness and commitment of staff members and volunteers, support from courts and legislatures, and measurable results that reduce court dockets and build community capacities.

Although cost savings are difficult to document, some studies show that community mediation programs do result in substantial cost savings for state governments. In Michigan, for example, the Office of Special Education estimated that, in fiscal year 1999-2000 alone, community mediation services would save the state \$897,700 in averted court hearings and expenses.

However, the study also found a strong underlying concern about how community mediation will continue to meet the growing needs of communities. Respondents consistently mentioned that insufficient funding sources and political roadblocks serve as substantial barriers. Early intervention and prevention mediation programs receive virtually no state-level funding and rely on donations, grants, fees and federal funds for special programs.

Further, the study found that in many cases the close ties between community mediation centers and the courts limit the community centers' abilities to reduce conflict through early intervention and conflict-prevention services.

“There is a strong sense that current court case-funding levels are insufficient and that in many cases administrative requirements limit the community mediation centers' capacity to develop early intervention mediation services,” said Dukes.

One notable exception is North Carolina, which provided state appropriations of nearly \$1.3 million for 26 non-profit centers; the centers still relied on outside funding sources for an additional \$3 million. North Carolina House Bill 924 emphasizes the importance of the relationship between the courts and community mediation centers, and it provides for referrals from “public entities.” While North Carolina's legislation does not explicitly fund non-court-related mediation programs, its discretionary funding model enables the state's centers to access substantial, flexible financial resources. As a result, the study found, North Carolina's community mediation network is one of the nation's strongest. In 1999-2000 the state centers served 58,939 clients, and managed 16,698 cases, 79 percent of which were resolved.

Maryland's Mediation and Conflict Resolution Office (MACRO), housed and funded within the state judiciary, works collaboratively with stakeholders to advance the use of mediation not only in courts, but in schools, communities, state and local government agencies, criminal and juvenile justice programs and business. MACRO distributes \$400,000 annually to the state's community mediation centers through the Maryland Association of Community Mediation Centers, which in turn provides grants to local non-profit centers.

States should further develop the capacities of community mediation centers to address disputes outside of the courts, the study suggests. Innovative community mediation programs require additional funding. These programs should have measurable outcomes and target specific community goals, such as promoting civil society or reducing violence.

Additional information about the study and a copy of it are posted on the Web at <http://www.gmu.edu/departments/nvms/centers.htm>.

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