

Transcript

On West Gray, Episode 6, Municipal Court & The Dispute Mediation Program w/Ronda Guerrero & Bill Scanlon

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Tiffany Vrska 0:14

What's up, everybody? Welcome to On West Gray, the monthly podcast about all things local government in the city of Norman. I'm your host Tiffany Vrska, Chief Communications Officer for the city of Norman, and we appreciate you tuning in. Today in the studio we have with us Municipal Court Administrator Ronda Guerrero and former council member Bill Scanlon. They're here today to share with us some of their incredible work over at the Municipal Court and we couldn't be more excited to hear about it. Ronda, Bill, welcome to the show. Now, for some background information. The municipal criminal court of Norman is the judicial branch of our city government and is created by state law and city ordinance as a court not of record to impartially hear violations of city ordinances. The court processes misdemeanor traffic and non-traffic offenses, as well as parking violations. More citizens come into contact with the judicial system through municipal courts than any other type of court, and our staff judges and associated volunteers worked incredibly hard to ensure that they have productive, efficient, and impartial experiences. Something that the Norman Municipal Court has become known for is the dispute mediation and early settlement program, which allows individuals to voluntarily resolve disputes in out of court procedures. That's what we're going to learn about today. Ronda, could you tell me some more about this program?

Ronda Guerrero 1:36

Yes. Let's just start off where it began. It started off in 1988. It's been going strong for 30 years. And what's unique about our city of Norman program is that all of our mediators are volunteer, we receive no funding from the state of Oklahoma.

Tiffany Vrska 1:53

What type of issues do you handle through this program?

Ronda Guerrero 1:57

The type of citations that come through mediations are referred from our city attorneys. Our city attorneys will review our cases that come in municipal court, 99% of them are from municipal court, and they're usually signed complaints. And when I say signed complaints, they're from maybe a neighbor to neighbor, an officer didn't witness the incident. Most of the citations are either disturbing the peace,

molesting property, nuisance dog. Those are cases we do not want to really go to court. They may work out better through mediation.

Tiffany Vrska 2:36

So the purpose of the program you're talking about, you know, they come through the city attorney's office. So for example the animal nuisance, give me an example of a type of issue, what it would look like to kind of work that out in court?

Ronda Guerrero 2:51

Well, let me backtrack a little bit. Our cases are reviewed every morning from our city attorneys. Our city attorneys will see that there are signed complaints, so they may refer those over to our mediation program. We had about 400 cases that went through our program last year. Mediation is a great program where there's a third person involved. A third party involved is our mediator, our mediator then sits down and listens to each party. It's a confidential process. It really empowers everybody involved because at any time a citizen can say I do not want to participate, and the mediation would be over. But what the mediator does, he listens to the party, they get to voice what happened, they get to communicate their feelings. A lot of times, that's all someone needs, they just need time to reflect on the situation, then the mediator goes and listens to the other party. At that point, they can come to a resolution, they can negotiate an agreement that everybody's satisfied with. So I would I like to say it's a win-win for everyone. If we can resolve the issue, neighbors can go out and go back and live beside each other where they don't have the charge that's went through court. No one's paid a fine. They weren't assessed court cost. Also nothing went on anybody's record. From a court clerk's perspective, I look at this as case management. We're able to control our dockets where we can dispose of cases in a timely fashion. As I said before, 400 cases went through this program. So we're very proud of the program and the results that it's had.

Tiffany Vrska 4:36

Well, thank you for that background information, Ronda. And Bill, can you tell me about your role in the program?

Bill Scanlon 4:42

My job as a mediator is to listen, first and foremost. Ronda talked about cases that come before mediation. And I've seen a little bit of all of them over the, coming up on, six years of doing this volunteer mediation job. Explaining a little bit about how I introduce the sessions, and Rhonda touched on this, but I think it's really important that we meet in a confidential setting, no record is kept, other than the report that I write and that the individuals sign, assuming we come to an agreement. I tell them up front, as Ronda indicated, that anybody can stop the proceeding. If they think it's not going anywhere, they can stop it, or I can stop it. I've done that, seldom. I really like to hear what people say. I

also remind them that this is their opportunity to have a solution that's satisfactory to them. Because if it does, the dispute does go to court, a judge will decide and that may provide an outcome that one or the other of them don't like. So they have a lot of power going into this thing. And the result is going to be favorable to both, actually, because it is by definition a compromise. One thing that Ronda didn't say that, I will interject, most of the cases that I've worked over this time have been referred by the city attorney and the court. However, there is a provision for if somebody, some parties, within the city want to have a dispute mediated, they can come to the court because Ronda's staff does manage this program, they can say I'd like mediation, doesn't have to come from the city attorney, it can come directly from the citizen. And that will be put onto the schedule and will mediate that which is totally removed from the municipal court process. But it is a service available to citizens of the city.

Tiffany Vrska 6:50

Well, that is great information to have. Thank you for sharing that with us. I know that a lot of the information, I think, as you had mentioned, is confidential. But could you give us any, you know, vague examples of situations that have been worked through and maybe what the result of that process was for residents?

Bill Scanlon 7:10

Mediation, in my experience, can run 15 minutes or two hours. And one of the unique features of the municipal courts proceeding is that we're open ended, the district court has mediators as well. And there it's a little different because they're working within an assigned docket. The judge may have the mediator sit in the courtroom during this two or three hour docket. If a judge believes that mediation is appropriate, he says you go mediate and sends the parties out with a mediator. And they usually have half an hour, 35 minutes, something like that, to come up with a solution. We're open ended, as long as it takes, as long as there's progress. I'm willing to sit there and listen. And as long as the parties who, again, can terminate if they wish, as long as they're willing to sit and talk, we're making progress. And I have, as I said, I've got as long as two hours to reach an agreement. Usually it's quicker than that. The two hours I refer to that was a case. And again, I cannot talk to specifics, but it was a neighbor versus neighbor proposition. And in this particular case, some 15 neighbors wanted to sit in on the proceeding. That's really involved. One neighbor who was the party being complained about and three of his neighbors who would sign a complaint. We went on for almost two hours. And though as past protocol, I did allow, because I could see people in the audience itching a little bit. I did allow a couple of them to speak. The result was fantastic. It was worth the time and everybody including the parties at the table and the 13 observers went away satisfied. I felt really good about that.

Ronda Guerrero 9:02

Yeah, I have to interject and say that that was the skill set of our mediator there. I remember those cases coming in. I did not know how we would come to an agreement or resolution with so many people

involved, because then you have so many different opinions too. I think that Bill's skill set spoke volumes there and he was able to come to a resolution that everybody was satisfied with.

Tiffany Vrska 9:26

Well, that is wonderful to hear. I think, Ronda, you had mentioned more than 400 cases had gone through the mediation program last year?

Ronda Guerrero 9:36

Last fiscal year city attorneys referred 400 cases. Of course, being a court administrator, your dockets can get full very quickly so it helps with case management as well. So that's why I say it's a win for us. For the parties involved. Again, nobody's paying court cost and they're not going to trial in front of a Judge, because you don't know what's going to happen. You have more power and control over the process if you go through mediation.

Tiffany Vrska 10:06

It's my understanding that this program has become kind of a statewide standard or a glowing model for other cities. Can you speak to me a little bit about that? I mean, how unique is this program? Or is it?

Ronda Guerrero 10:18

I think, because we are a larger municipality, we are leaders. Everybody looks towards Norman. I love to network with other municipalities and let the the court clerks know about our program. Maybe they can implement a mediation program to help their caseload and also just to help resolve issues and their communities.

Bill Scanlon 10:39

I'm gonna interject and brag just a little bit. Ronda is absolutely right. And you're absolutely right, Tiffany, in terms of our program having some notoriety statewide. And I'm going to claim partial credit for that. One of the things I do in my spare time is write a column for the paper, The Transcript. And I devoted one of those columns to the mediation program describing what it was, what the process entailed, and so on. That column was picked up by the state Supreme Court that monitors and administers the programs, the early settlement program, statewide. That ended up featured on their website as a model in terms of things to think about and pursue. So it wasn't me, it was me simply reflecting the program that Rhonda administers.

Tiffany Vrska 11:32

That is awesome. And let me ask you this. I'm not sure if you had mentioned, do you know how many mediators you have right now?

Ronda Guerrero 11:39

Well, yes, we have four mediators, but we actually just had partnered with Cleveland County mediation department, and we partnered and did a training session. So we got three new mediators. And they're not all the way done through their training. They had 20 hours of training here at the council chambers. We had the state director of Oklahoma come in, he does all the training, everything's free for the participant. We do some role playing, then they will observe some of our mediators. They've all asked to mediate. They've all asked to observe, of course, Mr. Scanlon, they love watching him. And I know they can learn from him. He helped us that day with the training. So we will have, soon, seven mediators, but we've had some mediators that have been here for over 10 years. They're all walks of life, they are professionals in our community, they are retirees, they give up their free time to come and give back to the community in this way by volunteering and helping people resolve their issues.

Tiffany Vrska 12:42

Right. Yeah, I'll say, two of the students that we had in the Citizens Academy, I think, went on to go through your mediation training. And they were very excited about it. We just had their graduation last week, and they gave a shout out to you Ronda, because they are excited to be in that program. So thank you. So again, if people want to be a part of, you know, this program, if they want to be a mediator, what, in a nutshell, what are the requirements? Would they have to, you know, how many days a week, or a month, or is it kind of flexible? What does that look like?

Ronda Guerrero 13:15

Our program is we have our mediations on Mondays, and they're after work at five o'clock, and it's for both parties. Some of the professionals are still working, so they can still work their daytime job. And then the participants, if they're at work, they can come in after work. We have it at five o'clock in our courtroom. We've had times when we've scheduled one on a Thursday. That was more convenient for someone but usually we have them on Monday afternoons. The training is fairly short. It's about 20 hours as I mentioned beforehand.

Bill Scanlon 13:46

The training that the state administers as part of the certification process is 20 hours, two days, involving some tutorials, some role playing and my part in that recent training was helping to monitor and critique the roleplay. It doesn't end there, and Ronda was touching on this, after that process takes place, would-be mediators will now observe me or some other qualified mediator doing a mediation. They may observe once, they may do it multiple times depending on their comfort level. The way we will proceed with the new mediators in municipal court is they will do some observations. They will then co-

mediate with me. In other words, I will introduce them to the parties and explain their role. And it allows them to take a more active role in the process. And for those that co-mediate with me what I think they should be doing, but I will then notify Ronda who will in turn notify Phil Johnson who administers this program for the state. And he will issue the formal certification certificate, at which point those folks are allowed to go solo. And there's one other bit of training that happens. And it's an annual thing. It's a day long seminar that the court puts on for statewide mediators, in which there are a number of presentations, things that are common to some or all of the diverse constituencies within the state. Very interesting, and a chance to meet and mingle and get ideas from your other mediators and other locations. I, for one, don't have the market on everything. I learn every time I talk to these people. So it's an important part of the process.

Tiffany Vrska 15:48

Gotcha. And the training, is this kind of scheduled as needed as you get interest? If people were wanting to pursue becoming a mediator, do they contact you?

Ronda Guerrero 15:59

Yeah, they can. It's on our website, on the city of Norman municipal court page, there's a section about mediation and my contact information is on there. My email address is on there. And I'll talk often with the program director over at Cleveland County. I think it was very successful to have our program, our training, together. I think we had about 12 people there. As Bill said earlier, he could go do a mediation over at district court. He is needed here, so he's pretty busy with us. We have mediation, we do about four to five mediations a month, usually, once a week, but we've even scheduled two mediations at once. Or maybe somebody's back in another office and municipal court and then one in that courtroom.

Tiffany Vrska 16:49

All right, well, I think you all have given us some great information about this program and how people can support and become involved. Is there anything else that either of you would like to share with people that you'd like them to know about this program?

Ronda Guerrero 17:02

I want to say yes, because I know people always want to know how can they help their community. This is a great way to get involved with your community, give back, and help resolve issues. So I think it's fulfilling to see people work through things, knowing that those neighbors will go back and be in the community and be able to live beside each other.

Bill Scanlon 17:21

I completely agree. Again, I think a lot of people, a lot of disputes, can be settled simply by someone listening. The catharsis involved in just having somebody listen to you, and then have the other party's point of view on the table as well. The back and forth that takes place. It just works wonders. It's a great thing. And I mentioned earlier, the fact that it doesn't have to be court ordered to have happen. But the notion of having that service available to citizens in Norman, I think is a really valuable asset. And maybe in the future we'll see it used more often scheduling difficulties for the court, perhaps, but a positive for the city.

Tiffany Vrska 18:07

Absolutely. Well, I think communication is everything, right? Might be a little biased. Well, thank you all so much for coming in. And as Ronda said, if you would like to learn more about this program, please log on to www.NormanOK.gov. Thank you all for being with us today. Questions or commentary about On West Gray can be sent into PublicAffairs@NormanOK.gov. Shoutout to our producer and editor, Mr. Bryce Holland, of the city of Norman communications office. Listeners are reminded that this week, Friday, October 14, that's the last day to register to vote in order to take part in the Oklahoma general election occurring November 8. We'll have a governor to choose, senators, house reps, and more, so make sure you get registered if you aren't yet. Visit NormanOK.gov/Norman-News to enroll in email notifications for city PSAs, traffic advisories, and more. Until next time, stay engaged, stay informed, and always remember to cast your ballot. I'm Tiffany Vrska. Thank you for tuning in to on West gray

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