NJAPM Conference Chair Gabrielle Strich and the NJAPM Board of Directors invite members and the public to attend New Jersey Association of Professional Mediators’ 26th Annual Conference, Making Mediation Your Day Job, on Saturday, November 16 from 8:15 AM to 4:30 PM at the Imperia in Somerset.

After a light breakfast, a welcome by president, Gabrielle Strich, and an update of the organization’s marketing strategy by Diana Longo, our plenary session will include:

- **Mark Bullock**, Co-Founder of phoneBlogger.net and COO of Practice Marketing Inc., on Marketing Mediation Including Utilizing Social Media, Personal Branding and Blogging to Differentiate Your Services.
- **David White**, Esq., of Seton Hall Law School on From Academia to Main Street, A View of Marketing Mediation Including Utilizing Social Media, Personal Branding and Blogging to Differentiate Your Services.
- **Felicia Farber**, Robert Lenrow, Hon. Stephan C. Hansbury, & Hon. Deanne Wilson (Retired) on Ethical Concerns in Mediation: Getting To Yes Without Getting In Trouble.

Following a networking lunch, we will have concurrent afternoon interactive mediation workshops.

### Civil/Business Workshops
- **Opening Statements vs. Opening Salvos, Managing the Opening Process in Mediation** with David White.
- **Mediation Skills** with Michelle Cresti, Carl Peters, and Richard Steen.
- **Using Improv in Mediation to Improve Settlement** with Joey Novick.

### Family/Divorce Workshops
- **What Does it Take to Have a Successful Divorce Mediation Practice?** with Moderator Gabrielle Strich, Mark Bullock, Jann Bate Catto, Anju D. Jessani, and Roseann Vanella.
- **Financial Issues that Fuel Client Anxiety in Divorce Mediation** with Diana Longo.
- **What Lawyer Mediators and Non-Lawyer Mediators Can Do/Should Do** with Carl Cangelosi, Hanan Isaacs, and Bruce M. Matez.

* * * * *

The registration fee is $165 for members, $105 for full-time students with ID, and $199 for others until 10/31, with $20 more after 11/1. The seminar qualifies for 6.8 CPE/CLE credits including 1.0 ethics credit. Accredited Professional Mediators receive 5.66 NJAPM CE hours. The seminar meets the AOC’s 4.0 hour annual requirement for roster mediators. To register and/or join NJAPM, visit [www.njapm.org](http://www.njapm.org). For more information, please call 800-981-4800.
Editor’s Column
by Anju D. Jessani, MBA, APM

We publish two newsletters each year, one in the fall to coincide with our annual conference, and the other in the spring to coincide with our annual civil and divorce seminar.

Please register for our annual conference featuring Mark Bullock, Co-Founder of phoneBlogger.net and COO of Practice Marketing Inc., and David White, Esq., of Seton Hall Law School. We also have an interactive ethics segment and afternoon workshops that will help you retool your mediation practice.

With this newsletter, we mark the start of Gabrielle Strich’s second year as NJAPM president. Gabrielle can attest that leading NJAPM is a full-time job in addition to her day job. Please support her by volunteering to assist NJAPM.

As well as our regular columns and updates from committees including membership and peer groups, we include the following articles that show the breadth and depth of talent within NJAPM:

- Bruce Matez presents a rebuttal to the article in our spring issue by Lynne Strober and Anthony Prinzco, entitled Calculating Alimony in New Jersey in 2019 and Beyond with his article “Rules of Thumb” Have No Place in Divorce Mediation.
- Alan Erhlich in his article Passive vs. Engaged Listening in Mediation illustrates why having the listener engage the speaker in conversation by asking pertinent questions results in better understanding.
- Gillian Kost, who served as legal counsel to 175 NYC public schools covers Mediating Parenting Plans for School-Aged Children, Pitfalls and Considerations.
- Alfonso A. Hernandez, Jr., a recent participant in NJAPM’s Reduced Fee Divorce Apprenticeship Program urges us to Fortify NJAPM’s Apprenticeship Programs for the good of the public and NJAPM.

There are great photographs from NJAPM events including the annual spring seminar, and our annual social outing at the Somerset Patriots baseball game. There is also a class photo from the spring 2019 40-hour divorce mediation training.

If you are seeing this newsletter online but do not receive a copy in the mail by the end of October, either we have your wrong address, you have not yet joined NJAPM, you joined NJAPM after 10/1/19, or you have not renewed your membership since October of 2018 and are therefore no longer on our mailing list. Please let us know your current address so we can update our records. If you have not yet paid your dues for the fiscal year that started 10/1/19, please do so today. See page 9 or renew your membership at www.njapm.org to continue to enjoy the benefits of NJAPM.

Thank you to all the contributors to this issue of NJAPM Mediation News. If you have an idea for an original article for our fall newsletter between 650 and 1300 words, please email me a one paragraph proposal. Please also email me photographs from NJAPM events. I can be reached at (908) 303-0396 or ajessani@dwdmediation.org.

Anju D. Jessani, MBA, APM, served as NJAPM president from 2005-2007. Her practice, Divorce with Dignity Mediation Services, established in 1997, has offices in Clinton and Hoboken. Anju also serves on the R 1:40 Economic Roster of Mediators and is the lead instructor for NJAPM’s divorce mediation training programs. Her website is www.dwdmediation.org.
Message from the President
by Gabrielle Strich, Esq., APM

I entered my second year as NJAPM president on 10/1/19, and hope that by now, I have the “hang of it”. As our bylaws provides that NJAPMs presidents may serve only two consecutive terms, my tenure will end on 9/20/20. If anyone is interested in serving as our next president, please inform the NJAPM nominating committee headed by Carl Cangelosi. My first priority in my role of president last year was to launch a new website. I am pleased to inform you that this has been accomplished! Please visit www.njapm.org and let me know what you think of the site.

The web site allows searches for mediator members by zip code or by name. All accredited members are searchable. General members can choose to be searchable by completing a one page application including showing they have met the educational criteria (see page 9). The fee to be listed is only $75 in addition to annual dues. This means that general members will not only be searchable, but will have a web page for only $75!

We are working on improving the different pages on our website to better handle registration for training and events. We are still encountering some glitches in claiming a member’s listing and updating a member’s page which we are working to resolve with the diligent and ongoing help of Suzanne English. I want to commend and thank Suzanne for taking on two roles: membership chair and webmaster! A truly Herculean job by her!

If you have any difficulties navigating the NJAPM web site, please contact Suzanne at suzannee@me.com, giving her up to 72 hours to respond. Some questions may be answered by C3, our back office management company by calling 800-981-4800. Nothing would have been accomplished without the assistance of our board. Serving on the board is hard work and often thankless, but it is critical for an effective organization. I extend my thanks to all the committee chairs and members, peer group leaders, and other volunteers who work so hard. A special thanks to outgoing director, Mitsu Rajda, for her service, and a welcome to our new director, Judge Lawrence Jones.

There are many advantages to NJAPM membership including:
1. A variety of educational events, including the 40-hour training course for divorce and for civil mediation, as well as supplemental advanced trainings.
2. Our annual fall conference and annual spring seminar for advanced education and training.
3. Monthly webinars that Carl Cangelosi has cleverly designed. They are informative, with fertile ground for new mediation approaches.
4. Multiple networking opportunities, including peer mediation support. You have other mediators to provide suggestions if you get stuck in a mediation case.
5. A member listserv to share information and ideas. (We expect our members to be courteous to each other. If a member abuses this privilege, the listserv master is authorized to suspend such a member).
6. Apprenticeship programs that give you a chance to practice with the supervision of a seasoned mediator.
7. An annual baseball outing that allows for networking in an informal atmosphere while having fun at the ball game.
8. An organized voice for mediators through our amicus efforts and support of mediation legislation.
9. Access to affordable malpractice/liability insurance.
10. Opportunities for obtaining clients through web referrals, cross referrals, and networking events.
11. An Ambassador Program to welcome new members and visitors at our events.
12. Credentialing with the valued designation Accredited Professional Mediator (APM).
13. Discount access to software for child support calculation.
14. Continuing legal education credits and CPE (financial) credits for our training and education events.

If you are not a member of NJAPM, join today! How can you expect to have people know about mediation and/or find you if you do not belong to the largest mediation organization in New Jersey?

If you think NJAPM is missing something, please consider stepping up to volunteer for the a committee to make it happen. We are seeking peer group leaders for a number of counties (see page 10), and for a general meeting chair.

We want to make NJAPM an even better organization. If you have a concern, please reach out to the person who is handling the area in question with a copy to me.

I look forward to seeing all our members at our annual conference on Saturday, November 16th.

Gabrielle Strich, Esq., APM, with an office in Cranbury, NJ is qualified to mediate and serve as an attorney in New Jersey and Pennsylvania for family, business, employment and labor, elder and estate, probate and business law cases. She has been a member of NJAPM for over 20 years. Her website is http://strichlaw.com, and she can be reached at gstrich@strichlaw.com.
“Rules of Thumb” Have No Place in Divorce Mediation
by Bruce P. Matez, Esq., APM

Editor’s Note: Our spring issue of NJAPM Mediation News included an article by Lynne Strober, Esq., and Anthony Prinzo, CVA entitled “Calculating Alimony in New Jersey in 2019 and Beyond” where they proposed a revised “Rule of Thumb” to address a negotiation formula for alimony with the new law while acknowledging that New Jersey courts relies on statutory factors rather than a formula for determining alimony. We welcome the view of members and are pleased to included this article in response.

For many years, judges, lawyers and mediators have referred to a fictional “rule of thumb” for determining alimony. In mediations, many clients have told me that their lawyer said this is the way alimony is calculated. In recent years, there has been a great deal of discussion about a new “rule of thumb” for calculating alimony now that alimony is no longer taxable for divorces after 12/31/18. ICLE presenters generally begin presentations on this topic with a disclaimer that there is no case, statute, or rule which establishes a formula for calculating alimony. Yet, it seems that everyone in the family law community, including mediators, are looking for that formula.

Let’s be clear; there is NO “rule of thumb” for calculating alimony. A “rule of thumb”, is a legal fiction created by lawyers to find a simpler way of addressing a complicated issue. While I understand that it provides for an easy answer, mediation clients can easily become attached to it, which in turn stifles discussion. Judges are prohibited from applying a “rule of thumb”; they are required to analyze the statutory factors, as should lawyers and mediators.

The Family Law Executive Committee (“FLEC”) of the New Jersey State Bar Association carefully and thoughtfully collaborated with the legislature to revise the alimony statute. Various formulas for calculating alimony were proposed, considered, and thoroughly vetted. Those that worked diligently on this issue spent countless hours reviewing alimony statutes and formulas from other states and debated the concept of promulgating alimony guidelines similar to child support guidelines.

Ultimately, it was the position of the FLEC, and the decision of the New Jersey Legislature, NOT to include a specific formula nor guidelines for calculating alimony in the revised alimony statute. Instead, it was determined that every alimony determination must be addressed on its own merits, based on individual facts and circumstances, and by way of an appropriate analysis of the statutory factors.

The proposed new alimony “rule of thumb” completely avoids any appropriate analysis of the parties’ needs, marital lifestyle, and the other statutory factors as well as discussion of the parties’ financial circumstances, budgets, etc. It gives them a false sense of entitlement and obligation. It is also contrary to legislative intent.

In addition to the new alimony “rule of thumb” that is being bantered about, there appears to be a default “rule of thumb” or presumption of a 50/50 distribution of marital assets. This is also a legal fiction, as there is no statute or case law which supports this “rule” or presumption either.

In my opinion, “rules of thumb” are inappropriate for use in divorce and family law mediation and are the antithesis of what mediation is and should be. We owe a duty to our mediation clients to do better than mechanically apply “rules of thumb” or to tell them that they exist. That is not what I was taught mediation is supposed to be. I was taught that divorce mediation is a process which promotes spouses to discuss their mutual, individual, and family’s goals, interests, and needs, and determine how to appropriately and fairly allocate their overall net income, and distribute their assets, as they deem fair in their opinion.

If we, as mediators, promote a “rule of thumb” for calculating alimony, a similar one or a presumption for equitable distribution, and apply child support guidelines mechanically, divorcing couples will no longer need mediators to assist them in addressing these financial issues; they will be able go online or otherwise simply do it themselves.

Instead of promoting these “rules of thumb” in articles, programs, and to our clients, I suggest that we, as divorce and family mediators, work toward promoting discussion about goals, needs and fairness in the eyes of our mediation clients.

Bruce P. Matez, Esq., APM, is a shareholder and partner at BorgerMatez, PA in Cherry Hill, where he practices divorce and family Law, collaborative divorce, family law mediation and arbitration. He is on the Rule 1:40 roster of court-approved mediators for the State of New Jersey and a Certified Court Matrimonial Law Attorney. His email address is bmatez@njfamilylaw.net and his website is www.njfamilylaw.net.
Passive vs. Engaged Listening in Mediation
by Alan R. Ehrlich, CLP

There are very few mediators who would say that listening is not a major part of every mediation session they run. While each party needs to listen to the other, the mediator needs to listen to each side—the words, context, innuendos, along with the subtle nuances embedded within each response. Through this the mediator develops a mental map of where the mediation is headed and how to maneuver the crack or chasm that separates the parties and manage the mediation.

The Role of the Mediator

As mediators, we engage with people as a natural part of our mission. If we do not understand the nuances of what is being said, we ask questions, not only for our own understanding, but also to illuminate and clarify what is being said for the other party. We poke and prod to uncover the layers of the disagreement so that a better understanding can be had by each party.

In reality, if the parties could do this on their own, many conflicts would be resolved without third party intervention. But unfortunately, most people, especially those in the midst of a dispute, shy away from asking questions of their partner not only out of fear of retaliation or sounding dumb, but because most people are more comfortable in the role of a passive listener.

Definition of Engaged Listening

In the sector of mediation where I dwell, community and family mediation (generally prior to the parties hiring attorneys), it is usually important to maintain or help rebuild the relationship between the parties. The method I use is a homegrown variant of transformative mediation, and my tool of choice — engaged listening — having the listener engage the speaker in conversation by asking pertinent questions to better understand the speaker’s words, feelings, motives and biases.

Definition of Passive Listening

In my work I have defined passive listening as — where the listener, by choice or situation, does not or cannot obtain timely clarification from the speaker on points that might have been missed, misunderstood, or perceived as incorrect, in order to better understand what the speaker is saying.

Passive Listening Pervasive

Passive listening is pervasive in our society. We cannot ask the TV commentator for the basis of their opinion. In a large lecture hall, students cannot ask the lecturer questions on points that may be misunderstood. Today, much of our information is provided in the form of voice messages, webinars, and large group meetings — all venues that disassociate the listener from the speaker and discourage a true dialogue that would insure a more meaningful understanding.

When People Cannot Ask Questions

When people cannot ask questions, they are forced to accept their own, personal interpretation of what they heard — which may or may not match the speaker's ideas. An individual's interpretation will always be filtered by their personal life experience as expressed by their beliefs, assumptions, values, memories, expectations and prejudices. This, their personal interpretation or misinterpretation, could actually be the underlying cause of the primary conflict!

Passive Listening does not always mean a passive person. A very forceful and outspoken individual can still be a very passive listener, but rather then asking questions and trying to gain clarification and understanding, the individual attempts to drive one side of the story without any desire to understand the other. This person will often become belligerent if questioned and make only statements rather than asking open ended questions of the opposing party.

Using Engaged Listening For more Effective Mediation

If relationship retention is important, the mediator needs to work with both the passive-passive listener as well as the belligerent-outspoken-passive listener and attempt to generate a constructive, engaged dialogue between the two.

By listening to the party who is speaking and watching the party who is listening, the mediator is in a unique position to empower the listener to ask questions for the purpose of truly understanding the position of the speaker. Being allowed or encouraged to seek clarification can truly be a life-changing experience because so many of us grew up with parents and teachers who asked us to listen to them but discouraged us from questioning them. And it is through questioning — engaged listening — that we grow to understand each other and minimize conflicts and disputes.

Alan R. Ehrlich, CLP is founder of The Center for Listening Disorders Research, http://listeningdisorder.org, and is also a director of the Global Listening Centre and an independent community mediator. He can be reached at arehrlich@gmail.com.
Mediating Parenting Plans for School-Aged Children, Pitfalls and Considerations
by Gillian Kost, Esq.

When mediating with divorcing couples that have school-aged children or soon-to-be school-aged children, there are many issues concerning their care and oversight that must be addressed. This article discusses some of the important considerations when drafting a parenting plan that can affect various aspects of the children’s school experience. When the agreement is vaguely drafted, silent, or ambiguous on handling school matters, the school’s principal often finds himself or herself tasked with the impossible job of ironing out the wrinkles and/or filling in the gaps in the agreement to resolve the problem at hand. The principal’s job is to administer the school and not to provide dispute resolution advice to ex-spouses or interpret their poorly-drafted divorce agreement.

In order to effectively navigate around these pitfalls, let’s review some situations where they are likely to arise.

School Pick-Ups
Here’s a simple example. Mom and Dad are divorced. Pursuant to the agreement, Mom picks up 8-year old Johnny from school on Monday, Tuesday, Thursday, and Friday. Dad picks up Johnny from school on Wednesday.

One Wednesday, Dad is stuck at the office and sends his new girlfriend to pick up Johnny. He emails the principal that his girlfriend, Sara, will be coming to pick up Johnny on his behalf. Mom has recently learned of this new girlfriend and has already told the principal in advance that only Dad may pick up on their son on his scheduled day. The principal is faced with the following dilemma:

A. Release Johnny to Sara, on dad’s written authority, which will anger Mom; or
B. Don’t release Johnny to Sara, tell Dad he must come himself, and make Johnny wait, angering Dad.

Both parents angrily point to the divorce agreement. The agreement gives each parent the authority to pick up their son from school on his or her day.

However, the agreement is silent about either parent’s ability to designate someone on his or her day.

Both parents think it is perfectly clear. Dad believes he has the authority to designate someone else if he is not available, and Mom believes that only Mom and Dad have the pickup authority.

This scenario puts the child in a potentially humiliating and unsettling position of sitting in the main office while adults make phone calls and argue about whether Dad’s girlfriend can pick up Johnny.

The foregoing example illustrates the adage that “everything is fine until it is not.”

Had the parents explicitly addressed the procedure for pickups if they were not available, and procedures for adding other parties who were also authorized to pickup the child, this situation could have been averted.

These situations change what once was so clear into something as murky as a common core math problem. The best way to avoid this is to have clear wording in the mediation’s Memorandum of Understanding and the subsequent divorce agreement.

If either parent is allowed to designate another person to pick up the child from school on his or her respective days, have this fact specified in the agreement. Perhaps the parents may want to limit their designations to grandparents or agreed-upon babysitters.

Note that it may be worthwhile during these discussions to have the parents review the school district’s protocols with respect to authorizing certain people to pick up a student. In some districts, additional forms may need to be completed before the named individuals can be authorized to be designated substitutes for the parents.

Attendance at School Events
Johnny is in the school choir and this year the Winter Concert is on a Wednesday at 3:30 PM. Even though it is not her day, Mom comes to the auditorium to watch him sing. Dad tells the principal she should not be allowed to sit in the audience, because it is Wednesday, and that is his day.

Before ruining the Winter Concert for Johnny with unnecessary parental drama, talk about these situations in advance and be clear in the wording inserted into the divorce agreement. For example, adding a statement like, “the parents agree that when it comes to special events at the school, such as school concerts, sporting events, classroom activities, both parents may attend regardless of the day on which the event(s) occur.”

Making Educational Decisions
Another issue which can cause a lot of angst between divorced parents involves making educational decisions for the child. While custodial parents generally have access to student records, non-custodial parents often do not have the same rights as custodial parents when it comes to
Mediating Parenting Plans for School-Aged Children, Pitfalls and Considerations (Continued)

(Continued from page 6)

making “educational decisions.” Additionally, as many parents now share joint legal custody, it is unclear which decisions need joint approval versus approval by one parent.

If the divorce agreement is unclear or silent as to which parent is allowed make certain educational decisions, and the two parents disagree, the principal is often left in the untenable situation of being the arbitrator over their agreement.

The issue of making educational decisions can become very complicated, especially when a child with special needs is involved. For instance, parents may disagree as to what services or programs are appropriate for their child. They may even disagree as to whether their child should even be classified as a special education student.

The divorce agreement should spell out exactly which parent has the authority to make which educational decisions and how the school’s administration and teachers should proceed when the parents do not agree such as the appointment of a third-party advisor or decision maker.

Parent-teacher Conferences

It is unreasonable to expect that every teacher can hold two separate parent-teacher conferences to accommodate separated and divorced parents who refuse to participate in these conference together.

To avoid putting any burden on the school administration, the teachers, and ultimately the child, it is worthwhile to discuss whether both parents will attend all conferences, whether one parent will take the fall conference and one will take the spring conference if they are not comfortable attending together, or whether any other type of arrangement might work better. The conference itself is not the time to hash out these details.

Permission Slips

Which parent can sign permission slips for what events, and how do they notify the other parent of the event? Are there any permission slips that require both parents’ approval before signing?

Field Trips

Who can chaperone trips and what if the field trip falls on a day when it is not that parent’s day?

Addictions or Mental Health Issues

If there has been a past history of issues with one or both parents such as addictions, DUIs, arrests, suicide attempts, and so forth, mediation and divorce agreements should address these concerns with regard to parenting time and school related issues such as pickups, drop-offs, attendance at events, etc. There may be an agreement that the parent will notify the other parent if they are not able to perform their parenting duties so as not to endanger the child and allow the other parent or agreed upon substitute to assist.

Clearly, if the parent’s behavior is apparent, most authorities will not release the child to an impaired parent. However, do not expect the school to know if a parent in compliance with a drug or alcohol program as a condition for pickup or attendance at school events.

Mass School Email Listserves

Will both parents be included on the email list if there is a group email to all parents of students in the class? This may include information about student birthday parties, classroom events, etc.

Conclusion

These foregoing are not inclusive but illustrate matters that should be discussed during the mediation rather than in the main office of your child’s school, where events are occurring in “real time.”

Taking the extra time to discuss these details during the mediation will hopefully ensure a long standing and effective agreement that gives both soon-to-be ex-spouses peace of mind and a smooth school experience for the child.

Gillian Kost, Esq., is a mediator and attorney with significant litigation experience. Previously, she served as legal counsel to 175 NYC public schools where she frequently addressed and dealt with school-related problems arising from poorly worded divorce agreements. She can reached at gkost@kost-law.com.
Fortify NJAPM’s Apprenticeship Programs
by Alfonso A. Hernandez, Jr.

A few days ago, I renewed my membership to NJAPM to start my second year with the organization. After training to become a mediator during the past 18 months, I also launched my practice with the opening of my office in Rutherford. These two events sparked my curiosity and made me want to review the defined mission of NJAPM again.

NJAPM organization is charged with developing and maintaining the industry of conflict resolution for the State of New Jersey. But are we providing the best resources to develop and support future mediators? Are we doing enough in our role of providing “education to the public, the government and the professions.” As a new mediator, I am concerned that we could be doing so much more to achieve this objective.

In my journey, I have been fortunate to have taken a path that has exposed me to some of the best educators and mentors in our industry. The purpose of my article is to share my thoughts on my education and training, especially regarding the NJAPM divorce apprentice program.

My own mediation training began with taking an online Certificate in Mediation and Arbitration at Rutgers University administered by Mediators Without Borders.

Upon completion, I continued my education in New York City with the Kenneth Neumann and his colleagues at The Center for Mediation and Training’s 40-Hour Basic Divorce Mediation Training, based on my own research and a referral. Ken provided me with some realistic training expectations when he said at the end of the basic training class that “the only way to really learn any profession is by actually practicing under the supervision of a more experienced practitioner”.

He went on to say, “Practicum or apprenticeship give you a chance to learn under the experienced eyes of a seasoned mediator aspects of practicing that just cannot be learned from a hearing a lecture or even doing role plays. It is only with real couples that we learn the skills for becoming a mediator”.

I signed up for the Center’s Divorce Mediation Training Supervised Practicum to work directly with couples and prepare myself for this new career. As described on the Center’s website, students work in pairs, each mediating at least one couple to conclusion. Mediators are observed by the faculty and students using live video. The sessions are videotaped for subsequent in-depth critiquing. In addition, you observe the mediation sessions of other students in your class. The program is offered in 3-hour evening segments for 20 weeks. The couple is not charged for the mediation process.

Since I planned to practice in New Jersey, I was advised to take the 6-Hour Supplemental Divorce Mediation Training with NJAPM. Carl Cangelosi and Anju D. Jessani are the trainers for NJAPM’s 40-Hour Divorce and 6-Hour Training classes, do a great job explaining the additional training options for new students. This was the first instance that I learned and signed up for the NJAPM Divorce Mediation Apprenticeship Program run by Anna-Maria Pittella and Risa Kleiner in October of 2018.

Anna-Maria Pittella indicated that most mediation students state, “It seems like a piece is missing. I took the 40-hour class, what’s next? Practical experience is so important in becoming a new mediator.”

I waited eight months and finally received my first mediation case with an almost too conciliatory couple. I mediated the case over a series of sessions with the mentor’s guidance, drafting the Memorandum of Understanding at the end of the process. This program is promoted as a reduced fee program where clients pay a $150 per hour.

My two apprenticeship experiences have given me practical experience in how to conduct a mediation, as well as the confidence to move forward in my practice. The clients also benefitted from free and reduced fee competent services. More mediation students and couples could benefit from NJAPM’s program.

According to Risa Kleiner, “More visibility is needed for this program, in the organization and to divorcing couples, especially since the feedback is so extremely positive.”

The program also needs more APM mentors. According to Anna-Maria “The number of apprenticeship program cases is limited due to the low number of APM involvement in the program”.

Both Risa and Anna-Maria are suggesting changes to the program which include changes to the compensation program for APMs. However, they have both expressed concern for the affordability of the program if the apprentice course fees increase.

I urge the NJAPM board to investigate how other state organizations provide educational resources to aspiring mediators and how they can enhance the apprentice program. Our industry provides a needed service; NJAPM should serve that industry as best as it can.

Alfonso A. Hernandez, Jr. operates RESOLVE Mediation and Settlement Services, LLC in Rutherford. He can be reached at (917) 939-3656 and ahernandez@resolveservicesllc.com.
Thank you to everyone who renewed their membership; your dues are the biggest investment in the organization’s continued success as well as your participation in the largest professional mediation association on New Jersey.

A key improvement to the NJAPM website is that Find a Mediator will no longer be limited to just Accredited Professional Mediators (APMs). For General members who meet the training and continuing education requirements and pay an additional fee, you can be found when the public searches on a zip code or a last name. If you are a general member and have not upgraded your membership to be searchable, it is not too late to change your membership type. Annual general member dues are $125, and searchable general member dues are $200.

If you have not yet renewed your NJAPM membership do so today! You can get your personalized renewal link by emailing me or contact the NJAPM office. You can also mail the 2019-20 NJAPM membership do so today! You can get your personalized renewal link by emailing me or contact the NJAPM office. You can also mail the 2019-20 renewal form below with your check.

As warm welcome to the following new NJAPM members who joined from 5/1 — 9/30. If I missed your name, please let me know so I can add you to our next newsletter:

Theresa Antoniewicz
Tama Baran
Stephanie Barnes-Moore
Joel Biggers
Steven A. Caputo
Lisa C. Charles
John M. Codd
Danae Gradz
Jed L. Marcus
Allison Turley Madden
Harry Patel
Carrie S. Schultz
Miles Wagman
Kenneth A Wallach

I am happy to assist you with membership issues. If you need help with your web listing, have questions about NJAPM, or just want to talk about mediation, please contact me.

Suzanne English, MA specializes in civil and divorce mediation including insurance cases, and child welfare advocacy from her Summit, NJ office. She also serves on the Board of NJAPM. Her email is suzzaneee@me.com and her phone number is (908) 377-9028.

Suzanne English, MA, Membership Chair

---

Dues may be deducted as an ordinary and necessary business expense.
NJAPM Peer Groups
by Katherine G. Newcomer, Esq.

Mediators share their insights on cases. You do not need to be a member to attend. Attendees pay for their own meal. Contact the group leader to confirm meeting time and location.

**Bergen Divorce:** Lunch, 1st Wed. 12:30 at Houlihan’s, 65 West 4, Paramus (after the 35 Plaza), Samantha Tintner, MSW, 201-616-9775, samanthatintner@gmail.com.

**Bergen Civil:** In need of new leader. Please contact Katherine Newcomer if you can co-chair this group.

**Camden/Burlington/Gloucester/South Jersey:** Lunch, 2nd Wed. noon at BorgerMatez law firm. 1470 Rte. 70 East, Cherry Hill. William H. Donahue, Jr., Esq., APM, 609-238-9245, whdonahuejr@gmail.com.

**Essex:** In need of new leader. Please contact Katherine Newcomer if you can co-chair this group.

**Hudson:** Lunch, Noon, 4th/5th Wed., Margarita Echervarria, 201-381-9993, margarita@echervarriaADR.com.

**Mercer:** Lunch, 4th Thursday, 12:30, at Olive Garden on Rte. 1 South, Lawrenceville, near Mercer Mall. Gabrielle Strich, Esq., APM, 609-924-2900, info@strichlaw.com.

**Middlesex:** In need of new leader. Please contact Katherine Newcomer if you can co-chair this group.

**Monmouth/Ocean:** Lunch, 1st Thursday every month, 11:30 AM at Pazzo Rest., 141 W Front St, Red Bank. David Leta, 908-278-6335, mediation@DavidLeta.com or Anna-Maria Pittella, Esq., APM, 732-842-6939, pittellalaw@verizon.net.

**Morris County:** Lunch, 2nd Wednesday, 12:30 PM at Hunan’s Rest., 255 Speedwell Ave., Morris Plains. Contact Beverly & George Hays, APMs, 973-539-5242, hays.mediation@verizon.net.

**Somerset/Hunterdon/Warren:** Breakfast, 2nd Tuesday, 8:30 AM, at Readington Diner, 452 Route 22 West, Whitehouse Station. Also, lunch, last Tues. every other month, 11:45 AM, at Panera, 25 Mtn. View Blvd., Basking Ridge. Contact me at 908-625-0043, katherinenewcomer@comcast.net.

**South Jersey Shore:** Atlantic & Cape May Counties, 6 PM quarterly at members offices, Carol Goloff, Esq., APM 609-646-1333, carol@golofflaw.com.

**Union Civil & Divorce Group:** Lunch, 3rd Tuesday every month except July and August, 11:30 AM at Pazzo Rest., 2377 Route 22 East, Scotch Plains. Tony Prinzo, CVA, at unioncountypeergroup@gmail.com, or Amber Leach, MBA, CDF, at 917-538-6437, amber@leachmediation.com.

Katherine G. Newcomer, Esq., provides divorce mediation in Morris & Somerset counties. Her website is www.equalitydivorcemediation.org.

**NJAPM Committees & Special Interest Groups**

<table>
<thead>
<tr>
<th>Committee</th>
<th>Contact Person</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accreditation</td>
<td>Virginia M. Ruscinski</td>
<td>732-235-1117, <a href="mailto:rucinski@aol.com">rucinski@aol.com</a></td>
</tr>
<tr>
<td>Accreditation</td>
<td>Andrew Smith</td>
<td>908-246-9766, <a href="mailto:als.smithesq@gmail.com">als.smithesq@gmail.com</a></td>
</tr>
<tr>
<td>Annual Conference</td>
<td>Gabrielle Strich</td>
<td>609-924-2900, <a href="mailto:gstrich@strichlaw.com">gstrich@strichlaw.com</a></td>
</tr>
<tr>
<td>Civil Mediation Training</td>
<td>Marv Schuldiner</td>
<td>732-963-2299, <a href="mailto:marvs@earthlink.net">marvs@earthlink.net</a></td>
</tr>
<tr>
<td>Divorce Mediation Training</td>
<td>Anju Jessani</td>
<td>201-217-1080, <a href="mailto:ajessani@dwdmediation.org">ajessani@dwdmediation.org</a></td>
</tr>
<tr>
<td>Education Committee</td>
<td>Anna-Maria Pittella</td>
<td>732-842-6939, <a href="mailto:pittellalaw@verizon.net">pittellalaw@verizon.net</a></td>
</tr>
<tr>
<td>Education Committee</td>
<td>Risa Kleiner</td>
<td>609-951-2222, <a href="mailto:riaa@rkkleiner.com">riaa@rkkleiner.com</a></td>
</tr>
<tr>
<td>Executive Committee</td>
<td>Gabrielle Strich</td>
<td>609-924-2900, <a href="mailto:gstrich@strichlaw.com">gstrich@strichlaw.com</a></td>
</tr>
<tr>
<td>Marketing</td>
<td>Diana Longo</td>
<td>973-227-2200, <a href="mailto:dlongo@innovativedivorce.com">dlongo@innovativedivorce.com</a></td>
</tr>
<tr>
<td>Mediator Ethics Review Board</td>
<td>Hanan Isaacs</td>
<td>609-683-7400, <a href="mailto:hisaacs@hananisaacs.com">hisaacs@hananisaacs.com</a></td>
</tr>
<tr>
<td>Mediator Quality</td>
<td>Marv Schuldiner</td>
<td>732-963-2299, <a href="mailto:marvs@earthlink.net">marvs@earthlink.net</a></td>
</tr>
<tr>
<td>Membership</td>
<td>Suzanne English</td>
<td>908-377-9028, <a href="mailto:suzannee@me.com">suzannee@me.com</a></td>
</tr>
<tr>
<td>Newsletter</td>
<td>Anju Jessani</td>
<td>201-217-1090, <a href="mailto:ajessani@dwdmediation.org">ajessani@dwdmediation.org</a></td>
</tr>
<tr>
<td>Nominating Committee</td>
<td>Carl Cangelosi</td>
<td>609-636-1557, <a href="mailto:carl.cangelosi@gmail.com">carl.cangelosi@gmail.com</a></td>
</tr>
<tr>
<td>Peer Consultation / Mentoring</td>
<td>Katherine Newcomer</td>
<td>908-625-0043, <a href="mailto:katherinenewcomer@comcast.net">katherinenewcomer@comcast.net</a></td>
</tr>
<tr>
<td>Strategic Planning</td>
<td>Gabrielle Strich</td>
<td>609-924-2900, <a href="mailto:gstrich@strichlaw.com">gstrich@strichlaw.com</a></td>
</tr>
<tr>
<td>Special Interest: Construction</td>
<td>Lucille Alfano</td>
<td>732-449-0526, <a href="mailto:alfanel@aol.com">alfanel@aol.com</a></td>
</tr>
<tr>
<td>Special Interest: Construction</td>
<td>Rick Steen</td>
<td>609-895-0071, <a href="mailto:ricksteen@adrlawfirm.com">ricksteen@adrlawfirm.com</a></td>
</tr>
<tr>
<td>Special Interest: Construction</td>
<td>Carl Peters</td>
<td>609-741-4104, <a href="mailto:cepels@verizon.net">cepels@verizon.net</a></td>
</tr>
<tr>
<td>Special Interest: Elder Mediation</td>
<td>Anna Alexander</td>
<td>973-763-7314, <a href="mailto:wga9vose@verizon.net">wga9vose@verizon.net</a></td>
</tr>
<tr>
<td>Special Interest: Elder Mediation</td>
<td>Gabrielle Strich</td>
<td>609-924-2900, <a href="mailto:info@strichlaw.com">info@strichlaw.com</a></td>
</tr>
<tr>
<td>Special Interest: Employment</td>
<td>William Dwyer</td>
<td>848-932-2730, <a href="mailto:wdsweyer@work.rutgers.edu">wdsweyer@work.rutgers.edu</a></td>
</tr>
<tr>
<td>Special Interest: Employment</td>
<td>Andrew Smith</td>
<td>908-246-9766, <a href="mailto:alssmithesq@gmail.com">alssmithesq@gmail.com</a></td>
</tr>
<tr>
<td>Special Interest: Ombuds</td>
<td>Bennett Feigenbaum</td>
<td>973-482-9500, <a href="mailto:feigenbaumb@gmail.com">feigenbaumb@gmail.com</a></td>
</tr>
<tr>
<td>Special Interest: Technology</td>
<td>Bavinder Gill</td>
<td>848-218-1923, <a href="mailto:balkgill01@gmail.com">balkgill01@gmail.com</a></td>
</tr>
<tr>
<td>Special Interest: Technology</td>
<td>Andrew Smith</td>
<td>908-246-9766, <a href="mailto:als.smithesq@gmail.com">als.smithesq@gmail.com</a></td>
</tr>
</tbody>
</table>
NJAPM Photo Gallery
Fifth Annual Conference Civil & Divorce Seminar
June 15, 2019, The Imperia, Somerset

NJAPM Spring 2019
40-Hour Divorce Mediation Class
Rutgers Atrium, Somerset
Sunday, May 5, 2019 (Day 5)

Back Row, Left to Right: Steve Caputo, Miles Wagman, Bill Frankenstein, Christine Visconti, Patrick Bukenya

Middle Row, Left to Right: Chris Heer (Instructor), Karen Donahue, Shawn Meier, Heidi Neuberg, Tama Baran, Gillian Kost, Michele Cascardi, Anju Jessani (Instructor), Vishakha Patel, Carl Cangelosi (Instructor)

Front Row, Left to Right: Abdul Kadar Sayani, Kimberly Johnston, Matthew Helfant, Rupal Parikh, Robert Mellman, Fani Gonzalez
NJAPM Photo Gallery

Annual Social, August 1, 2019 Somerset Patriots Baseball