

Fiscal Year 2019-2020

**A Foundation for the Future of Community
Mediation in Hawaii**



**The Mediation Center of the Pacific
ANNUAL REPORT**

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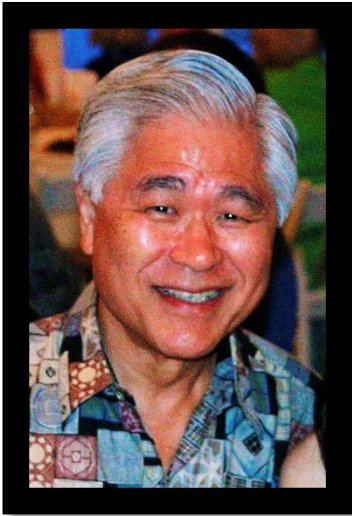
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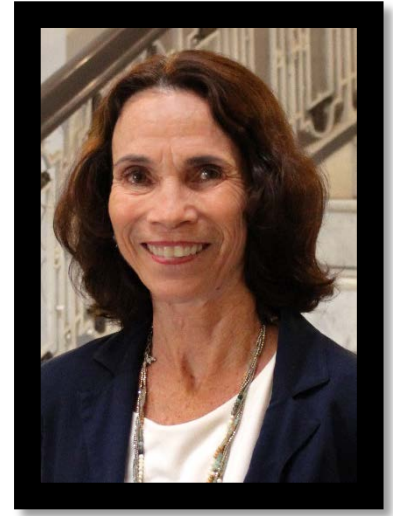
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In the Midst of Chaos There is Also Opportunity

- Sun Tzu -



The Mediation Center of the Pacific (MCP) commenced fiscal year 2019-2020 with excitement and big goals. The Board of Directors had just located the perfect building to purchase and serve as MCP's permanent home, an ambitious capital campaign was under way, the training program was rapidly expanding, new partnerships were being developed, and case referrals were growing exponentially. Within the first eight months of the fiscal year, it appeared that the stars were aligned.



MCP launched its new online mediation program, customized trainings were conducted for a broad variety of groups including the US Vets, Catholic Charities, the Department of Labor, the Department of Education, the Honolulu Police Department, the John A. Burn School of Medicine, and the new building was successfully purchased. It was an amazing giant step forward.

By March 2nd MCP was open for business in its new home and two weeks later, the Governor issued the order to shelter in place. Raymond Lindquist stated, "courage is the power to let go of the familiar." The MCP staff and mediators, truly put these words into action. Undaunted by the challenges presented by the pandemic, the staff quickly transitioned to working remotely and maintaining services. New policies and protocols were established for conducting mediation via telephone and videoconference, and workshops were coordinated and conducted for the volunteer mediators. While mediators, clients, and staff adjusted to the virtual world of mediation, MCP also initiated new programs to meet community needs created by the pandemic, including a Rapid Response Landlord-Tenant Mediation Program.

By the end of the fiscal year, despite the chaos of moving operations to a new building and then immediately pivoting services to a remote platform due to the pandemic, MCP seized the opportunity and successfully served 7,210 people (an increase of 693 people from the prior year), including opening 1,436 new cases. We are grateful to the mediators, generous supporters, board members and staff, who enabled MCP to achieve these outcomes during the most challenging of times!

ACCOMPLISHMENTS IN FY2019-2020

MEDIATION	OUTCOMES
Cases Opened	1436
Cases Mediated	998
Mediated Agreements	485
Hours Mediated	3928
Total Cases Managed	1573
Cases Opened In-house	786
Cases Mediated In-house	490
Agreements Reached In-house	244
District Court Cases Mediated	461
Agreements Reached in District Court Cases	218
Divorce Cases Opened	427
Divorce Cases Mediated	272
Agreements Reached in Divorce Cases	125
Custody Cases Opened	286
Custody Cases Mediated	183
Agreements Reached in Custody Cases	100
Family Cases Opened	41
Family Cases Mediated or Facilitated	15
Agreements Reached in Family Cases	8
Landlord-Tenant Cases Opened	349
Landlord-Tenant Cases Mediated	289
Agreements Reached in Landlord-Tenant Cases	145

OUTCOMES

OUTPUTS

Mediation is useful process	93%	Number of mediation hours	4133
Would use mediation again	93%	Number of mediation sessions	1390
Mediation clarified my issues	81%	Number of people served through mediation & training	6,517
Mediation improved communication	71%	Number of hours in training & education	249

PROVIDING CRITICAL SERVICES IN CHALLENGING TIMES

"MCP staff and mediators are outstanding, from front office staff to the mediators, they are kind, knowledgeable, professional and most import always carrying the "Aloha Spirit". Thank you so much for everything. Much Mahalo for your support."

- Party in a divorce mediation -

Over the past 25 years, mediation and other dispute processes have become the preferred approach to resolving disputes within judicial systems across the country. Hawaii is no exception. The informality, flexibility, and cost-effectiveness of mediation motivated courts to divert their backlog of cases to these processes. As a result, MCP has become a critical resource for increasing access to justice by providing affordable and accessible mediation services for the low-income and vulnerable members of the population. In FY2019-2020, access to these services became even more important.

With a high volume of cases already directed to mediation when the COVID-19 pandemic hit Hawaii, forcing the closure of the courts, and requiring everyone to shelter in place, mediation became even more critical. Almost overnight, divorcing couples, some living together in confined quarters with extended family members, could not attend hearings, landlords could not evict tenants due to the moratorium on evictions, and employees were required to work remotely while overseeing their children's educational progress. With the increased stress of job loss, remote schooling for children, and more, the resolution of ongoing disputes of all types, as well as new issues created by the pandemic, were needed quickly. Mediation was the natural process to turn to, but the need for social distancing and safety, required mediation programs to immediately pivot their services to remote platforms.



The Mediation Center of the Pacific, Inc. is a not-for-profit Aloha United Way Agency

Domestic Mediation

Over the past 15 years, the number of cases managed by MCP in the domestic arena has more than tripled. FY2019-2020, was no exception. 684 new domestic cases in the areas of divorce, post-divorce, and custody, were opened. 59% of the 383 cases that were mediated resulted in final agreements.

In addition to managing MCP's typical divorce and custody mediation programs, the MCP staff created additional approaches and strategies to address new challenges that arose due to the pandemic. Many divorced and unmarried couples with previously agreed upon time-sharing plans, ended up in conflict over the plans due to different values regarding the safety of the children during the pandemic. In some instances, a parent refused to allow the children to stay with or even visit the other parent, because they feared that the children would be exposed to the virus due to the other parent's lifestyle. The MCP staff worked with outside experts to develop strategies for addressing these challenging cases and conducted workshops for the mediators to learn approaches they could use to best assist the clients.

"This was my first time [mediating], and it was definitely a great experience. Thank you for being helpful."

- Party in a Custody Mediation -

Landlord-Tenant Mediation

"This mediation resolved the problem and kept it out of court."

- Party in a landlord-tenant mediation -

349 new landlord-tenant cases were opened in FY2010-2020, and of the 289 that were mediated, 50% resulted in written agreements.

When the Governor's order to shelter-in-place resulted in thousands of layoffs and furloughs, tenants were stretched to pay their rent, and landlords were worried about how they would pay their mortgage and other bills. To help landlords and tenants talk, negotiate realistic payment plans, and maintain a positive working relationship, MCP created a Rapid Response Landlord-Tenant Mediation Program. Through the program, landlords and tenants are assisted with discussing a variety of options such as payment plans, temporary rent reduction, deferred payments, and other creative solutions that enables the landlord to receive some level of payment and the tenant to craft a realistic future for remaining in their home.

Kupuna Pono

MCP created the Kupuna Pono Program (KPP) to assist families caring for an elder family member in engaging in conversations that enable the family to work together to support the needs and desires of the elder family member. In FY2019-2020, 41 new cases were opened, with 50% of the cases that participated in mediation or family conferencing, resulting in a written agreement or family plan. The pandemic-related issues that arose with couples regarding their children in the domestic arena, were also seen with many of the families participating in the KPP. Many of the disputes involved the safety of the elder person during the pandemic, and different values and perspectives of the family members regarding how safety should be maintained. Additionally, because many of the family conferences involved multiple family members, it was necessary to conduct them via videoconference, to ensure the safety of all. The MCP staff developed and conducted a specialized training for the KPP facilitators, to provide best practices and tips for effectively conducting the process via Zoom and addressing the pandemic-related issues. The staff met prior to and after each family conference with the facilitators, to brainstorm additional approaches for best working with the families during the pandemic.

"The mediators were AMAZING. Really good people. They both listened carefully to everything."

- Family Member in a KPP mediation. -

Training

MCP's training program is key to ensuring quality mediation services are provided by the mediators, as well as to provide everyone in Hawaii's communities with mediation skills, both formal and informal. In FY2019-2020, 223 hours of trainings and workshops (an increase of 135 hours) were conducted for the volunteer mediators in the areas of: Divorce Mediation; Basic and Advanced Mediation; Family Conferencing; Landlord-Tenant Mediation; Domestic Violence; Online Mediation; Mentoring; Mediating Workplace Disputes; Military Divorce Mediation; Working With ASL Interpreters; Mediating Small Claims cases; Telephone Mediation; and Videoconference Mediation.

"Thank you for an awesome training. I recommend the training for all agencies."

- Training participant from USVets -

214.75 hours of trainings, workshops and presentations (53.75 more hours from the prior year) were also conducted for various agencies, businesses, schools and individuals ranging from: Catholic Charities; the Girl Scouts; Department of Labor; Healthcare Association of Hawaii; USVets; the Department of Education; the Honolulu Police Department; John A. Burns School of Medicine; Healthcare Managers; Property Managers; Housing Shelters; and many more. The trainings were all given high praise!

FINANCIAL STATEMENT

July 1, 2019 to June 30, 2020	Current Year	Prior Year
Revenue & Support:		
Contributions without donor restrictions	\$ 719,648	696,919
Government Contracts	316,704	249,983
Program Service Fees	182,321	167,709
Net Assets Released from donor restrictions for programs	128,991	145,001
Special Events – net		81,560
Other Revenue and Support		846
Total Revenue and Support	1,347,664	1,324,018
Expenses:		
Mediation services	1,105,411	1,127,840
Management and general	213,993	122,072
Fundraising	23,414	45,785
Total Expenses	1,342,718	1,295,697
Change in Net Assets		
Contributions with donor restrictions	2,678,448	289,034
Investment income from assets with donor restrictions	39,481	85,064
Net assets released from donor restrictions	(3,496,577)	(160,051)
Increase (decrease) in net assets with donor restrictions	(778,648)	214,407
Increase in Net Assets	2,593,884	275,418
Net Assets – Beginning of Year	3,183,104	2,907,686
Net Assets – End of Year	5,776,988	3,183,104

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Looking Forward to FY2020-2021

“Obstacles don’t have to stop you. If you run into a wall, don’t turn around and give up. Figure out how to climb it, go through it, or work around it.”

- Michael Jordan -

Change is always difficult, especially when it is suddenly required without warning. It is thanks to MCP’s strong Board of Directors and dynamic President, Sidney Ayabe, outstanding staff, and dedicated mediators, that MCP was able to quickly transition services at the start of the pandemic in FY2019-2020 and continue offering accessible mediation for all throughout the year. In FY2020-2021, MCP will continue to strengthen programs and services through remote platforms, as well as in-person, and work closely with many other stakeholders, to ensure that community needs are addressed.

Ruth Bader Ginsburg wisely stated, “so often in life, things that you regard as an impediment turn out to be great, good fortune” as is the case with virtual mediations. While transitioning to conducting mediations remotely was initially challenging and considered an inferior supplement to the in-person process, it is now in the forefront for effectively addressing disputes, large and small. From working with parents who want to create time-sharing arrangements for their children, to helping landlords and tenants negotiate payment plans, the ease of quickly bringing people together via Zoom, reduces some of the anxiety and challenges of typical face-to-face scheduling.

For all the above reasons, MCP will continue to strengthen and refine mediations conducted via videoconference, even after the dangers of the pandemic have passed. In early FY2020-2021, a key goal will be purchasing and installing videoconference equipment in all mediation, conference, and training rooms. This will enable mediators as well as mediation participants without access to the needed equipment or internet, to safely participate in remote mediations from a private room within MCP’s building.

The coronavirus pandemic has created huge challenges for everyone, and there is much work to be done by the collective community to navigate these challenges. MCP will continue collaborations with Legal Aid Society of Hawaii, Catholic Charities, Aloha United Way, the Harold KL Castle Foundation, Hawaii Community Foundation, the courts, and many others, to assist landlords and tenants and others impacted by the pandemic.

Finally, later in the year, the MCP staff looks forward to seeing the mediators in person again once it is safe to do so. At that time, we will officially coordinate a blessing of The Earl M. Chapman Mediation Center of the Pacific and celebrate together in MCP’s new home! We are so grateful to the many generous donors who helped to make this vision a reality and we look forward to thanking you in person.

“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it’s the only thing that ever has.”

- Margaret Mead -