

## North Carolina Agricultural Mediation Program Established

By Jane Zanglein,  
Executive Director

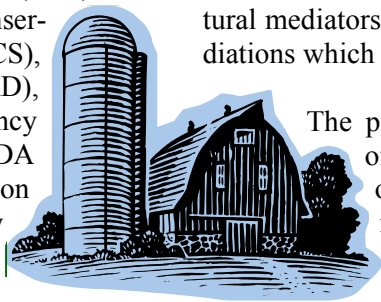
In August 2006, at the request of Governor Easley, the United States Department of Agriculture certified the North Carolina Agriculture Mediation Program (NCAMP) as the mediation service provider in the State of North Carolina to assist in the resolution of disputes between-participating USDA agencies and their program participants. NCAMP is housed at Western Carolina University's College of Business. NCAMP received funding from the USDA in the approximate amount of \$95,000 for the program's first year of operation.

The program will train and provide mediators to assist farmers and others in resolving disputes with the Farm Services Agency (FSA), the Natural Resources Conservation Service (NRCS), Rural Development (RD), Risk Management Agency (RMA) and other USDA agencies. Mediation helps to resolve many areas of disputes, including farm loans, price support payments, wetland determinations, conservation compliance, and Conservation Reserve Program payment eligibility/limitation. The most difficult disputes to resolve involve farm loan programs, Conservation Reserve Program, and Production Flexibility Contracts.

The National Association of State Departments of Agriculture has provided strong support for the USDA Certified Agricultural Mediation Program. In its February policy paper, NASDA states that

the national mediation program has played a significant role in resolving agricultural credit and other disputes. An article published by the National Association for Rural Mental Health cited the program's mental health benefits.

In North Carolina, the mediation services will be provided through NCAMP at Western Carolina University (WCU). To become an agricultural mediator, mediators must take the 40-hour Superior Court Mediation training, plus an additional 20 hours of specialized training in USDA program issues. NCAMP offered its first 40-hour training program in November. The 20-hour agricultural training will be provided in the spring, free of cost to certified Superior Court mediators. Interested persons should contact NCAMP's executive director Jayne Zanglein at 828-227-7191 or e-mail her at [izanlein@email.wcu.edu](mailto:izanlein@email.wcu.edu). While mediators are being trained, NCAMP will contract with qualified agricultural mediators to facilitate any mediations which are scheduled.



The program operates out of the WCU College of Business, Business Law Department, which is in the process of obtaining approval for a minor in conflict resolution and cross-cultural communications. The Executive Director for the program is Jayne Zanglein, an assistant professor in the College of Business who has been a mediator since 1994. Previously, Professor Zanglein taught mediation, cross-cultural communication, and alternative dispute resolution for ten years at Texas Tech University School of Law where she was an endowed professor of law. She has extensive experience in developing mediation training programs and serves as NCAMP's

training director. NCAMP will hire a program director who will be responsible for day-to-day management of the mediation program.

*The Commission's office is currently reviewing the North Carolina Agricultural Mediation Program's submission seeking 40-hour MSC trainer certification.*

*(Commission Garner Honors, continued from page 3)*

Web sites and on-line applications in the nation. These winners set the mark for delivering innovative, efficient, and effective government services to all their many constituencies.”

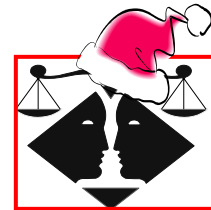
The Commission's web site is a joint project of the Commission and the Administrative Office of the Court's Technical Services Division. The Commission is particularly grateful to Andy Stockard of TSD who assisted with the design and programming of the winning portal.

To view the winning portal, mediators may visit the Commission's web site at [www.ncdrc.org](http://www.ncdrc.org). Click on "List of Mediators" from the left-hand menu and then select one of the programs listed on the screen.

In December, the Commission was also notified that the Illinois based Center for Analysis of Alternative Dispute Resolution Systems (CAADRS) had selected the Mediated Settlement Conference, Family Financial Settlement, and new Clerk Mediation Program rules for posting on its web site as model rules which other States could look to in designing their own programs and developing rules.

# The Intermediary

*A Bridge between the Dispute Resolution Commission  
and North Carolina's Certified Mediators*



December, 2006

Volume 5, Issue 2

## *Commission Members*

Judge Sanford L. Steelman, Jr., Chair  
NC Court of Appeals  
P.O. Box 888  
Raleigh, NC 27602

Julius E. Banzet, III, Esq.  
Banzet, Banzet & Thompson, P.L.L.C.  
P.O. Box 535  
Warrenton, NC 27589

Dorothy C. Bernholz, Esq.  
P.O. Box 1312  
Chapel Hill, NC 27514-1312

Judge John J. Carroll, III  
P.O. Box 1134  
Wilmington, NC 28401

Jessie M. Conley, Esq.  
Pressly Thomas & Conley, P.A.  
224 Harrill Street  
Statesville, NC 28677

Sherman Lee Criner, Esq.  
The Worker's Compensation  
Law Firm  
P.O. Box 7275  
Wilmington, NC 28406

Judge Martha H. Curran  
Clerk of Superior Court  
P.O. Box 37971  
Charlotte, NC 28237-7971

N. Joanne Foil, Esq.  
Law Offices of N. Joanne Foil  
P.O. Box 3368  
Durham, NC 27702-3368

Kenneth J. Gumbiner, Esq.  
Tuggle Duggins & Meschan, P.A.  
P.O. Box 2888  
Greensboro, NC 27402



## *From the Chair*

*by*  
*Judge Sanford L. Steelman, Jr.*

On behalf of the members, ex-officio members, and staff of the Dispute Resolution Commission, I want to wish all our State's certified mediators a peaceful and joyous holiday season and a prosperous New Year.

The Commission has many blessings to count this year. Most especially, Commission member Judge John J. Carroll, III, of Wilmington returned to his family, friends and colleagues safe and sound after 14-months spent serving in Iraq. We celebrate his return and are grateful for his service. I know this will be a very special Christmas for Judge Carroll, his wife, and children. We also celebrate the establishment of the new Clerk Mediation Program in our courts. Commission member and Clerk of Superior Court Martha Curran, AOC Legal Counsel Pamela Best, and Commission staff Leslie Ratliff met with the Clerks in Dare County in September to discuss program implementation. I understand there was much interest in the new program and that Clerks are already beginning to refer cases. I am confident that with some experience, Clerks will come to value mediation as much as do our State's district and superior court judges.

We are also grateful this year that the Commission's web site was recognized nationally for excellence and, just this last week, I learned that the Center for Analysis of Alternative Dispute Resolution Systems (CAADR) has selected our Mediated Settlement Conference, Family Financial Settlement and new Clerk Mediation Program Rules for posting on its web site as models for other States to consider in crafting their own rules. We are gratified that North Carolina's efforts and leadership are being recognized by others.

In reflecting on the Commission's blessings as this year closes, I also want to acknowledge all of you and the work that you do for the courts and the citizens of this State. Newly released AOC statistics for Fiscal Year 2005/06 reveal that some 10,423 superior court cases were referred to mediation between July 1, 2005, and June 30, 2006. Just under 6,000 of those referrals were actually mediated with 3,292 of those cases settling at the conference. An additional, 3,358 of the referrals were disposed of without the need for a conference. The Commission believes that the mediation process served as a catalyst for those resolutions bringing to 6,650 the number of cases that