

ACR-GNY & John Jay Roundtable Breakfast | December 7, 2023

ZOOM MEETING PUBLIC CHAT TRANSCRIPT

PRE-PROGRAM INFORMAL CHAT

08:02:43 From Niki Borofsky:
Welcome to all!

08:03:49 From Tina Jones:
Good morning!

08:03:57 From Emily Skinner she/her - NJ:
Good Morning Everyone!

08:05:22 From Tina Jones:
Gerry O'Sullivan from Ireland.
Gerry O'Sullivan
Web: www.osullivansolutions.ie
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Fahamore, Castlegregory, Co. Kerry, Ireland
Mediation Training & Videos - Online
The Mediator's Toolkit: Formulating and Asking Questions for Successful Outcomes
Mediation Demonstration - Getting to Underlying Interests

08:05:35 From julia morales-abbud NJ:
Hello from NJ

08:05:36 From Debra Hamilton:
Amber great news-love to talk later

08:05:57 From Debra Hamilton:
Gerry is wonderful as well!!

08:06:30 From Amber Kane:
akane@progressiveadr.com Thank you again, Jess. Great to be here!

08:07:21 From Tina's OtterPilot:

Hi, I'm an AI assistant helping Tina Jones take notes for this meeting. Follow along the transcript here: https://otter.ai/u/5FViuZtLEyTesVAEAPpvUM5eyJY?utm_source=va_chat_link_1
You'll also be able to see screenshots of key moments, add highlights, comments, or action items to anything being said, and get an automatic summary after the meeting.

08:08:54 From Glenn P. Milgraum, Esq., APM:

Glenn P. Milgraum, Esq., APM

Glenn Milgraum, P.C.

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- * APM - "Accredited Professional Mediator" as issued by NJAPM ("New Jersey Association of Professional Mediators")
- * N.J. State Court rostered "Civil Mediator" and "Mediator for Economic Aspects of Family Law Cases" pursuant to New Jersey Rule 1:40.
- * N.Y. State Court rostered "Matrimonial" and "Civil" Mediator pursuant to Part 146 of the Rules of the Chief Administrative Judge.
- * "Certified" by the Supreme Court of the State of Florida as a "Family Mediator" (41933F) in all Judicial Circuits of Florida. [Not admitted to the Florida Bar].

08:11:28 From Jess Kent:

Is there a native leader who could speak about dispute resolution within their community?

08:13:32 From Gary Norman:

Thanks so much for the great work by D. Hamilton, Esq. D. Hamilton is like a substantive TS. I am so proud to call her my friend. G. Norman, Esq. She is a friend of animals as well, including, Brother P.M. Bowie.

08:14:24 From Jess Kent:

Reacted to "Thanks so much for t..." with

Andrea Hodos & Tasneem Noor at NewGround in LA would be wonderful speakers. They are dispute resolution specialists who train teens and professionals who are Jews and Muslims in Cali.

08:17:13 From Chloe Choi (She/her), NJ:

<https://www.amazon.com/Wall-Between-Palestinians-about-Other/dp/1623717191>

08:17:44 From Maria R. Volpe - NYC:

youtube video <https://www.youtube.com/watch?v=0025U0UYyTU>, it is a very hopeful conversation between a Palestinian and a Jew

08:19:48 From Maria R. Volpe - NYC:

Google doc summarizing the topics and speakers to date:

https://drive.google.com/file/d/1HzuFAXQ_EyGmMlx03w-08t-vjG2POAK/view?usp=sharing

08:20:56 From Maria R. Volpe - NYC:

mvolpe@jjay.cuny.edu for the NYC-DR listserv

08:24:18 From Jess Kent:

Is there anyone who is new to this session and would like to introduce themselves by chat or by microphone before the speaker begins in 6 minutes?

08:26:07 From Sally Dear-Healey (she/her/hers):

Can you put the name of that show in chat please?

08:27:15 From Sally Dear-Healey (she/her/hers):

Yea Sociology!!!

08:27:50 From Tina Jones - Delaware:

Reacted to "mvolpe@jjay.cuny.edu..." with

08:32:27 From Niki Borofsky | NYC:
Welcome to all!

08:32:51 From Niki Borofsky | NYC:
This is our 270th Roundtable Breakfast

08:33:54 From Sara Barnes MV Mediation:
Thank you for keeping these on zoom. I no longer live in NYC and really appreciate staying in the NYC loop.

08:34:30 From Jess Kent:
Reacted to "Thank you for keepin..." with ❤️

08:35:14 From Emily Skinner she/her - NJ:
<https://www.acrgny.org/2024-Annual-Conference>

08:35:29 From Emily Skinner she/her - NJ:
Submit a proposal for the 23rd annual conference!

08:36:03 From Emily Skinner she/her - NJ:
We encourage Students to submit as well! please share with your networks or others!

08:37:12 From Sara Barnes MV Mediation:
Reacted to "Thank you for keepin..." with ❤️

08:37:14 From Sara Barnes MV Mediation:
Removed a ❤️ reaction from "Thank you for keepin..."

08:39:24 From Niki Borofsky | NYC:
Welcome to Debra Hamilton | <https://hamiltonlawandmediation.com/>

08:40:13 From Chloe Choi (She/her), NJ:
Nipped in the Bud, Not in the Butt: How to Use Mediation to Resolve Conflicts over Animal | <https://www.amazon.com/Nipped-Bud-Not-Butt-Mediation/dp/151502024X>

08:40:45 From Niki Borofsky | NYC:
Nipped in the Bud Not in the Butt - How to Use Mediation to Resolve Conflicts Over Animals | <https://www.amazon.com/Nipped-Bud-Not-Butt-Mediation/dp/151502024X>

08:43:02 From Niki Borofsky | NYC:

Improve your public speaking chops | <https://www.toastmasters.org/resources/public-speaking-tips>

08:45:13 From William Sparks - Long Island, NY:
we saw the poll when we signed in

08:45:48 From JBrenes - NY:
I have a pet and he is my baby!

08:48:07 From Michele Chilton:
I was unable to answer the mediation/litigation because the matter never reached mediation level. The person called regarding a neighbor matter regarding a pet.

08:48:29 From Sara Barnes MV Mediation:
I've done 12 New England animal disputes- ACOs are the ones who refer as well as law firms. Dog Lawyers in Boston have been part of three of these cases

08:48:54 From JBrenes - NY:
I am the ADR Coordinator for the Matrimonial Division in Bronx Supreme Court and there was a hearing scheduled recently in a divorce proceeding regarding a pet. The hearing was adjourned but I was going to watch the hearing.

08:50:16 From Sally Dear-Healey (she/her/hers):
I'm a divorce mediator and also do family mediations. Have only done a few cases where pets were being considered as part of the resolution. Some have been very tearful and difficult, others easier.

08:51:09 From JOHN ADAM KERNS JR:
Ask how many animals they have possessed at the same time, and breakdown between domesticated and farm animals?

08:51:35 From ssmith:
Mediation was a hoarding situation in a condominium. It was resolved with the pet's adoption to another home, where he is living his best life. Pet was not abused, but had medical issues and the original owner never left her condo to have the dog treated by a vet. The dog was successfully treated after he was removed from the home.

08:53:41 From Sharon Sutherland (she/her):
Soooo many Small Claims mediations that focused on animals - veterinary malpractice, breeders, dog bites, etc. Such a rich area of practice.

08:59:13 From Halee Burg, Agreement Resources, Boston:

One of the things I find to be very helpful when lawyers are involved in the mediation is to chat with them separately, before the mediation, about their role and how they see themselves participating, whether they anticipate speaking on behalf of their client or letting their client take the lead. If I sense resistance, I gently share with them how important it is for their client to be/feel heard, directly. It is not unusual for these attorneys to be the ones expressing surprise and positivity at the end of the mediation about the process and its success.

08:59:28 From Niki Borofsky | NYC:

The New Normal (2017) | BY DEBRA VEY VODA-HAMILTON, ESQ./MEDIATOR | <https://caninechronicle.com/current-articles/the-new-normal-3/>

09:00:33 From Jess Kent:

I'm curious what the presenter thinks about BRINGING an emotional support animal TO mediations that are unrelated to the topic of pet disputes. Should that be encouraged in the ADR field?

09:01:52 From Kenneth Francis:

At my work as a Judge in a Customary Court, we engage so much in mediation between parties to help them settle without recourse to litigation. I keep learning more

09:02:08 From ssmith:

Reacted to "At my work as a Judg..." with 👍

09:03:19 From Kenneth Francis:

Pet disputes is totally strange to me

09:03:31 From Kenneth Francis:

Reacted to "At my work as a Judg..." with 👍

09:03:33 From Kenneth Francis:

Removed a 👍 reaction from "At my work as a Judg..."

09:04:20 From JOHN ADAM KERNS JR:

Add Breeder Contracts

09:04:46 From Sara Barnes MV Mediation:

Please talk about the issue of how to handle the desire to set precedent

09:04:55 From Steven Gondol:

How can we receive the dog park etiquette piece you referenced?

09:09:32 From Jess Kent:

Reacted to "At my work as a Judg..." with 👍

09:09:39 From Jess Kent:

Reacted to "Pet disputes is tota..." with 🙌

09:09:56 From Tina Jones - Delaware:

Replying to "Gerry O'Sullivan fro..."

Dr. Henry Yampolsky - Ukraine

https://www.linkedin.com/in/henryyampolsky?utm_source=share&utm_campaign=share_via&utm_content=profile&utm_medium=ios_app

09:11:27 From Gary Norman:

Great comments by D. Hamilton. I handle these disputes. D. and I have also co-trained on these issues. She is incredible! G. Norman.

09:11:50 From Jessica Brenes - NY:

Reacted to "Great comments by D...." with 👍

09:12:31 From Martin Kalisker, Esq. - Metro Boston:

Debra - I appreciate your observation that the great majority of attorneys who are "dog lawyers" are "zealous advocates" focused on litigation and they pay lip service to the value and effectiveness of mediation. I've also found that we work in a legal environment where trial courts refer to the legislature to advance how companion animals should be "valued", yet, these "dog lawyers" choose to convince their clients that THEY will be able to persuade the court to create new case law - - we all know that very few states have laws that favor companion animals and even fewer legislators that can change the law in their state!

09:13:45 From Niki Borofsky | NYC:

Is there breed-based discrimination?

09:15:06 From Gary Norman:

I agree with dialogue stated by D. Hamilton. From a legal point of view, this would be a county-based issue in terms of the breed-specific laws. Or it would be an applicable state-based legal concern. The ADA has specifically stated any breed can be a service animal. G.

09:15:08 From Sally Dear-Healey (she/her/hers):

I have heard limitations on pit bulls in apartments/rentals.

09:15:18 From Jess Kent:

Does Debra handle non-dog pet disputes for exotic animals and what are the considerations unique to exotic animals (or show animals, for example)? Does Debra handle negotiations between zoos for animal care/transportation?

09:15:26 From Richard Brigham, Milwaukee, WI:

Years ago, I mediated a small claims case between two neighbors. The plaintiff was seeking reimbursement of veterinarian expenses for treatment of their dog who was stabbed by the defendant. I tried to cause skepticism about the likely outcome in court by wondering what the commissioner would rule if he happened to be a dog owner. The defendant confidently replied that he was trained to use a knife and in fact knew how to kill an animal with a knife. He was going to point out that though he could have killed the dog, he simply was trying to injure it for coming on to his property. I used to think that as a psychologist, I heard some pretty interesting stories. This mediation case changed everything. The most interesting stories happen in mediation.

09:15:27 From Sally Dear-Healey (she/her/hers):

Also size stipulations.

09:16:21 From Christina:

Replying to "I have heard limitat..."

There are a number of breed restrictions in apartment rentals. I've seen restrictions including Huskies and German Shepherds, etc.

09:16:31 From Sally Dear-Healey (she/her/hers):

Has anyone had experience with being served with an AMA before being able to leave the vet's office?

09:17:55 From JOHN ADAM KERNS JR:

Add Animals that dig out under a fence that borders on federal park land. Friends owned two Retrievers and they lived adjacent to Valley Forge Federal Park. One dog kept getting out. He was no threat and he would come if a Park Ranger called him. This went on for a couple of years. Unfortunately, the Rangers changed and the new group had no patience with this dog. Citations were issued and the Federal Magistrate threatened the owners with jail if this problem was repeated. Our friends sold their property and moved to South Carolina!

09:18:43 From Niki Borofsky | NYC:
MAAPing The Journey Your Pet Takes
When You Can't Care For It Yourself | <https://hamiltonlawandmediation.com/maap-blueprint/>

09:19:33 From Jessica Brenes - NY:
Thank You! I never thought of having a plan for my dog.

09:19:43 From Chloe Choi (She/her), NJ:
Reacted to "MAAPing The Journey ..." with ❤️

09:21:26 From Christina:
Reacted to "MAAPing The Journey ..." with 👍

09:23:08 From Jessica Brenes - NY:
A dispute between neighbors in the Bronx lead to violence. Today's conversation is so important and relevant!

09:24:20 From Niki Borofsky | NYC:
Best in Show (film) | [https://en.wikipedia.org/wiki/Best_in_Show_\(film\)](https://en.wikipedia.org/wiki/Best_in_Show_(film))

09:26:55 From Niki Borofsky | NYC:
As a reminder, a recording of today's program (and past roundtables) will be available on the ACR-GNY website here: <https://acr-gny.org/RTB-Videos> and on the John Jay DRC webpage here: <https://new.ijay.cuny.edu/research/research-centers-organizations/dispute-resolution-center/drc-research-programs/drc-roundtable-breakfasts>

09:27:53 From Niki Borofsky | NYC:
STFU by Dan Lyons | <https://us.macmillan.com/books/9781250850348/stfu>

09:29:53 From Niki Borofsky | NYC:
Raymond v Lachmann (264 AD2d 340 [1st Dept 1999]) | <https://www.animallaw.info/case/raymond-v-lachmann#:~:text=Summary%3A,in%20a%20straight%20property%20analysis>

09:32:14 From Niki Borofsky | NYC:
Acosta v. Shaw | <https://casetext.com/case/acosta-v-shaw>

09:32:47 From Niki Borofsky | NYC:

Travis v. Murray |

https://www.nycourts.gov/REPORTER/3dseries/2013/2013_23405.htm

09:32:50 From Rachel Gupta:

How do courts look at/treat breaches of shared custody agreements reached in mediation?

09:39:28 From Kenneth Francis:

Am taking excuse to leave this meeting for some other things please

09:44:29 From Sara Barnes MV Mediation:

Thanks Debra! Will listen to the rest on recording. Thanks for the great work.

09:46:17 From Christina:

Thanks, Debra! Excellent information. Will listen to the rest via recording.

09:48:48 From Jessica Brenes - NY:

How can I receive a copy of the power point presentation?

09:49:03 From Rachel Gupta:

The one pet mediation I handled was hands down one of the hardest cases I've mediated, emotionally. Debra, you're amazing and do amazing work! Thank you for this excellent presentation.

09:49:36 From Jessica Brenes - NY:

Reacted to "The one pet mediatio..." with ❤️

09:49:41 From WANGARI KABIRU, WASILIANAHUB:

Thanks so much for the facilitation Debra

09:49:59 From Carmen M. Rodriguez:

Once again Debra, WOW! Thank you. So grateful.

09:50:32 From Maria R. Volpe - NYC:

The PowerPoint will be posted with the recording in the next few days at www.acrgny.org and www.jjay.cuny.edu/disputeresolution

09:52:24 From Saima:

Reacted to "The PowerPoint will ..." with 🙏

09:53:53 From Tina Jones - Delaware:

Reacted to "Improve your public ..." with 👍

09:54:12 From Tina Jones - Delaware:

Reacted to "I've done 12 New Eng..." with 👍

09:55:40 From Maria R. Volpe - NYC:

For those of you who may not know, Westchester County is in NY State, part of the NYC metropolitan area

09:57:47 From Sally Dear-Healey (she/her/hers):

Need to leave for another meeting. This has been very informative - thanks!

09:58:16 From Rachel Gupta:

Reacted to "The one pet mediatio..." with ❤️

09:58:26 From Martin Kalisker, Esq. - Metro Boston:

what are your thoughts of the Animal legal defense fund and its work?

09:59:44 From Niki Borofsky | NYC:

<https://www.wagtown.org/>

10:00:05 From Susan Yates:

Great presentation! Thank you so much!

10:00:53 From William Sparks - Long Island, NY:

Debra Ty it is great to see you and to learn the scope of what can be done. We are steward of all God's creatures and you bring it to life. William

10:01:16 From Brad Roth:

Thank you, Debra!

10:01:17 From Teresa Calabrese she/her:

Thank you so much Debra-this was great!!

10:01:20 From Lavinia Hall:

Thank you Debra. Do you think as with children in divorce cases that the "best interests" could become the standard?

10:01:25 From Suz Chamberlain BFLO:

Thanks for sharing your experience and practical expertise.

10:01:30 From Tina Jones - Delaware:
Great presentation! Thank you!

10:01:35 From Katherine:
Thanks you! I don't have a pet but this was great!

10:01:47 From Pam Manning Mediator:
Wonderful information and presentation. Thanks so much.

10:01:48 From Chloe Choi (She/her), NJ:
Thank you so much for all your insights and time today!

10:01:54 From margo cates:
Great presentation, and I'm one of those non-pet owners. Really illuminating about people, and of course animals.

10:01:57 From Laura Young:
Thank you so much, Debra! This was wonderful.

10:01:57 From Deborah Somme NYC:
Thank you Debra. This was a very informative conversation. I appreciate your presentation!

10:02:55 From James F. Gesualdi:
Terrific, as always, Debra! Thank you!

10:05:13 From Sara H:
Thank you! Im a divorce attorney and mediator and a friend asked me how best to handle pet ownership after a breakup with her partner with whom she was not married. She legally adopted the dog so it belongs to her but she recognizes the bond between her ex and the dog. Thanks.

10:06:52 From juliamorales-abbud:
How do you go about certifying/training a service animal in NJ for students with disabilities? What is the process.?

10:07:40 From Sara H:
Replying to "Thank you! Im a divo..."
Thank you!

10:11:51 From Michele Chilton:

Thank you and have a great of the day! Thank you to everyone!

Videos of ACR-GNY & John Jay Roundtable Breakfasts are available here:

ACR-GNY website | <https://www.acrgny.org/RTB-Videos>

John Jay College of Criminal Justice Dispute Resolution website | <https://www.ijay.cuny.edu/DRC/EVENTS>

Started in the aftermath of 9/11 by Professor Maria R. Volpe, the NYC-DR Monthly Roundtable Breakfasts are co-sponsored by the [Association for Conflict Resolution of Greater New York](#) and the [CUNY Dispute Resolution Center at John Jay College](#). The Breakfasts are organized and facilitated by Julie Denny, Matthew Lattimer, Niki Borofsky, Emily Skinner, Chloe and Maria Volpe and occur the first Thursday of each month from 8:30 – 10:00 am (New York Time).

Please note, the views and opinions expressed at Breakfast Roundtables and in the Chat Transcript are those of the speakers and participants and do not necessarily reflect the beliefs or position of ACR-GNY or John Jay College.