Prosecutor Worthy Announces Juvenile Mediation Program Talk It Out

WCPO Partners with the Wayne County Dispute Resolution Center on New Program

Statement from Prosecutor Kym Worthy

I am pleased today to announce a partnership between the Wayne County Prosecutor’s Office and the Wayne County Dispute Resolution Center. Together we will offer, through mediation, an alternative to charging adolescents and teens with certain offenses. Instead, they will meet with stakeholders, including the crime victims, to craft a solution short of formal charges. Wrap around services, counseling, and other options may be included in the solution. This program gives crime victims a voice and opportunity to impact the lives of the youth who victimized them. Collaboratively, it is our hope that if they successfully complete the recommended course of action, fewer juveniles will find themselves charged with a delinquency offense that may result in a delinquency record.

Statement of WCDRC Interim Executive Director David Robinson

WCDRC interim Executive Director David Robinson said, “To be in partnership with Wayne County Prosecutor, Kym L. Worthy, and her juvenile prosecutors, in order to find a path for a positive resolution in cases involving juveniles is a perfect fit with our mission and values as a community service provider. Finding peaceful resolution and protecting the future and opportunities of our youth is the purposeful focus of the Talk It Out initiative.”

-more-
**Why Talk It Out?**

Every year the Juvenile Division of the Wayne County Prosecutor’s Office (WCPO) handles thousands of juvenile delinquency cases. While many of these matters are set on the formal court docket of the Third Circuit Family Division, there is a new alternate path available on appropriate cases. Prosecutor Worthy, in partnership with the Wayne County Dispute Resolution Center (WCDRC), offers select youth the option to participate in a unique juvenile mediation program called Talk It Out.*

Although it is imperative that each juvenile who commits a delinquent act is held responsible for his or her conduct, Prosecutor Worthy recognizes the negative impact that juvenile adjudications may have on the future of young people. Those consequences may include: suspension or expulsion from school; the loss of college scholarships or the denial of college admission; and the required disclosure of a delinquency record on a job or military application.

The WCPO has created a program that balances the need for delinquent youth to accept responsibility for their actions and the interests of delinquency victims seeking justice. With the assistance of an experienced WCDRC facilitator, Talk It Out will bring selected juvenile offenders and their victims together with a focus on repairing the harm resulting from the minor’s behavior. The goal of Talk It Out is to provide an alternative to formal prosecution that gives delinquent youth an opportunity to take responsibility and make amends, while also giving the victims a forum to be heard and healed.

**Which juveniles are eligible to participate in Talk It Out?**

Upon successful referral by the WCPO, participants in Talk It Out are expected to take responsibility for their delinquent behavior and take reasonable steps to repair and/or alleviate harm done to the victims of their conduct. These juveniles must also be willing to hear from victims, including how their actions have harmed or impacted the victim.

WCPO Assistant Prosecuting Attorneys (APAs) will evaluate new delinquency complaints to determine which cases are appropriate to recommend for Talk It Out. Except for a prior status or ordinance offense, only matters that constitute a juvenile’s first delinquency violation will be considered. Examples of delinquency offenses to be considered for Talk It Out referral include minor property damage, theft, or simple assault. Eligible cases must have no more than one victim, and a parent/guardian of the juvenile must be willing to transport their child to all meetings scheduled as a part of the mediation process. Each victim will be contacted by an APA and must agree to the referral and mediation process before a case is accepted into the Talk It Out program. Only cases approved by both the WCPO and WCDRC will participate in the program.

-more-
How Does Talk It Out Work?

When reviewing new delinquency complaints submitted by local police agencies, APAs may recommend or deny charges, request that further investigation be completed or refer the matter to a diversion program, such as Talk It Out.

The intake, evaluation, referral and mediation process for Talk It Out cases will proceed as follows:

1. APAs screening incoming complaints for Talk It Out eligibility will look for cases that:
   - Are first-time offenses (Juvenile must have no prior delinquency history);
   - Allege a minor offense or violation of the law;
   - Involve only one victim.

2. When a potential case has been identified, the APA will contact the victim to explain the Talk It Out diversion opportunity and program requirements. Further steps will be taken only if the victim agrees to:
   - Have his/her case referred for Talk It Out for diversion consideration; and
   - Participate in the mediation process facilitated by WCDRC.

3. Once the victim’s consent has been obtained, the APA will contact the juvenile offender and his or her parent/guardian to explain the Talk It Out program. Special attention will be given to underscore the following requirements for program eligibility:
   - The juvenile must acknowledge that they have made a poor decision and engaged in unlawful or harmful conduct.
   - The juvenile must be committed to taking reasonable steps to repair and/or alleviate harm done to the victim of their conduct.
   - The parent/guardian of the juvenile will be responsible for transporting their child to all mediation sessions. Additionally, parents must agree to participate in sessions if required by the mediation facilitator.
   - A one-time fee of $50 will be assessed to the juvenile respondent, to be paid to WCDRC at the time of the mediation session.
4. As a part of the program overview, the APA will advise the juvenile and parent/guardian of the commitment of the WCPO to forego the option of a juvenile delinquency charge and formal prosecution if the youth successfully completes the Talk It Out program. This agreement will be memorialized in the WCPO Talk It Out contract. (see attached)

5. When both the parent of the victim and the parent of the juvenile agree to participate in the mediation program, the courtroom APA will transfer the file to the WCPO Juvenile Division Deputy Chief. The Deputy Chief will review all materials and has the authority to either forward the information to WCDRC or reject the case for mediation.

6. If the case is accepted into Talk It Out, the WCPO will forward relevant documentation to WCDRC for review and final approval. If necessary, WCDRC may contact the victim and/or juvenile when deciding which cases to admit into the program.

7. If WCDRC finds the case is suitable for mediation, they will send a notice of hearing to both parties and the WCPO. WCDRC will facilitate the mediation at the WCDRC office located at 835 Mason, Ste. C300 in Dearborn.

8. If the mediation is successful, both parties will be provided with copies of the agreement generated by the mediation.

9. The WCDRC facilitator will have the discretion to recommend when any requirements or conditions are to be met as a part of the finalized mediation session.

10. Once completed, the WCDRC will notify the parties and the WCPO as to whether the mediation has resulted in a successful or unsuccessful result.

11. Upon successful completion of Talk It Out, the WCPO will officially deny the Request for Complaint and send notice to all parties. Notice of denial of the Request for Complaint will also go to the Officer-in-Charge of the law enforcement agency that originally submitted the request.

12. Cases that are successfully diverted will be confidential and unavailable to the public. Cases that are not successfully completed will be reconsidered for formal prosecution at the discretion of the WCPO.

13. A juvenile may only be considered for acceptance into Talk It Out once.

*See WCDRC Services and How to Volunteer to Be a Mediator, brochures attached.

#####

4
## Talk It Out Contract

<table>
<thead>
<tr>
<th>Mediation Date</th>
<th>School District</th>
<th>School</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 1, 2019</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Juvenile’s Name</th>
<th>Accompanied By</th>
<th>Relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Parent(s)/Guardian</th>
<th>Juvenile’s Address</th>
<th>Juvenile’s Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Home:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cell:</td>
</tr>
</tbody>
</table>

**THE JUVENILE SHALL:**

1. Acknowledge that he/she has made a poor decision and engaged in unlawful or harmful conduct.
2. Commit to taking reasonable steps to repair and/or alleviate harm done to the victim of his/her conduct.
3. Attend and participate in the scheduled mediation session.
4. Comply with any recommendations made by the Wayne County Dispute Resolution Center (WCDRC) facilitator at the conclusion of the mediation session.
5. Other: ______________________________________________________________________

**THE PARENT/GUARDIAN SHALL:**

1. Provide transportation for your child to the scheduled mediation session.
2. Attend and participate in the scheduled mediation session at the discretion of the WCDRC facilitator.
3. Other: ______________________________________________________________________

**TO THE JUVENILE, PARENT(S)/GUARDIAN(S):**

*I/We agree to participate in the above agreement and understand that if I/We fail to abide by its terms, this matter may be referred to the Wayne County Prosecuting Attorney’s Office and/or Juvenile Court for formal prosecution.*

<table>
<thead>
<tr>
<th>Juvenile’s Signature</th>
<th>Signature of Parent(s)/Guardian</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Facilitator</th>
<th>Assistant Prosecuting Attorney</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Wayne County Dispute Resolution Center

Lives are mended and Answers are found.

Call the Wayne County Dispute Resolution Center for more information on how our mediators can facilitate a resolution for you.

(313) 561-3500

Private Straightforward Affordable Effective Solutions

BENEFITS OF OUR SERVICES

LOW COST
We are funded in part through grants, contracts and fees. Most of our services are affordable for all members of the community.

RISK FREE
The parties decide what is in the agreement and do not lose any legal rights by participating.

CONFIDENTIAL
Information disclosed in mediation cannot be used in a lawsuit. Additionally, the matter does not become part of the public record.

PROFESSIONAL
Mediators are trained under the standards of the Michigan State Court Administrative Office.

TIMELY
Mediations are scheduled quickly and do not delay the process of litigation if parties are unable to reach agreement.

WIN/WIN
Participants are involved in the decision-making and have control over the outcome.

835 Mason Street
Suite C-300
Dearborn, MI 48124

(313) 561-3500
(313) 561-3600 fax

www.wcdrc.org

Like us on Facebook
The Wayne County Dispute Resolution Center (aka Wayne Mediation Center) is a community nonprofit organization who has provided confidential conflict resolution services of disputes to schools, individuals, families and businesses throughout Wayne County and Metropolitan Detroit since 1987. WCDRC provides mediation sessions, education, training and specialized outreach.

Our services are available to all Wayne County courts, schools, businesses and residents. We currently serve many schools in the county, all district courts and the 3rd Circuit Court (including the Friend of the Court), Department of Health and Human Services, Fox 2 Problem Solvers and welcome all self-referrals.

OUR VISION:

Our vision is to change the culture of conflict in Metropolitan Detroit. We do this by targeting our programs and impact to our community, and we especially focus upon individuals and families in crisis.

Solving Problems, Empowering People, Restoring Relationships.

Call the Wayne County Dispute Resolution Center for more information on how our mediators can facilitate a resolution for you: (313) 561-3500

The Wayne County Dispute Resolution Center is a community nonprofit organization who has provided confidential conflict resolution services of disputes to schools, individuals, families and businesses throughout Wayne County and Metropolitan Detroit since 1987. WCDRC provides mediation sessions, education, training and specialized outreach.

ABOUT US

OUR VISION:

Our vision is to change the culture of conflict in Metropolitan Detroit. We do this by targeting our programs and impact to our community, and we especially focus upon individuals and families in crisis.

We provide a process that enables people to resolve disputes by talking with one another in an informal, safe and confidential setting. Our trained, neutral mediators/facilitators help the parties come to an agreement without judging right or wrong. Only the parties involved decide what is in the agreement. If the parties arrive at an agreement, the agreement is put into writing and becomes a binding contract. Whether or not you reach an agreement, your legal rights remain intact.

ABOUT OUR MEDIATORS:

WCDRC professionals are from the community and have completed at least 40 hours of state approved mediation instruction. WCDRC mediators come from a wide variety of professions, including law, education, social work, and law enforcement. Our highly skilled mediators establish an atmosphere of respect and help parties develop realistic, workable solutions.

HOW TO BECOME A MEDIATOR:

WCDRC offers State Court Administrative Office approved mediation training courses at least twice a year.

Visit our website for more information at www.wcdrc.org

WCDRC can mediate almost any dispute where all parties agree to meet and mediate!
Help Change the Culture of Conflict in Wayne County-- Become A Volunteer Mediator!

The stress and consequences of conflict takes a terrible toll upon many individuals and families in Wayne County. While many resort to the legal system, the time and costs can be severe and interminable for those involved, both financially and emotionally.

Fortunately, the Wayne County Dispute Resolution Center (aka Wayne Mediation Center), a community based nonprofit organization, empowers individuals and families in Wayne County to peacefully resolve their conflict efficiently and effectively. Each year, WCDRC’s staff and volunteers mediate or facilitate approximately 3,000 conflicts, with over 60% of them leading to immediate resolution, and many more being assisted down a path towards eventual resolution.

WCDRC’s mission is to change the culture of conflict resolution in Wayne County. To do this, WCDRC relies upon the donation of time by individuals interested in impacting the lives of families and individuals in conflict, the overwhelming majority of who are of limited financial means.

WCDRC mediates cases at our office in Dearborn as well as at many courthouses and schools throughout Wayne County. The key to WCDRC’s success is offering volunteer mediators from many different backgrounds and life experiences.

To become a volunteer mediator at WCDRC, the process starts with an in person meeting with a WCDRC staff member to ensure a good fit. The next step is taking a state approved 40 hour training that we offer several times a year. Individuals may choose initially to take the training that qualifies them to mediate all “general” civil matters (such as contract or neighbor disputes), or they may choose the training that qualifies them to handle domestic matters (such as divorce and parenting time). Some of our mediators not only take both of these trainings, but also take additional trainings offered in Special Education, Truancy Prevention or Restorative Practices.

GENERAL CIVIL MEDIATION VOLUNTEER OPPORTUNITIES:
The types of general civil cases WCDRC mediates include neighbor disputes, estate and guardianship disagreements, parenting disputes, school truancy issues, consumer disputes and civil rights complaints. Some of these opportunities are at a number of local district courts, others at our office in Dearborn.

DOMESTIC MEDIATION VOLUNTEER OPPORTUNITIES:
We have programs that take place at the Coleman A. Young Municipal Center in Detroit, the Penobscot Building in Detroit and our offices in Dearborn. The majority of these programs specifically focus upon parenting time disputes, but several involve full divorces that may involve pensions, real estate, personal property or spousal support.

Learning to communicate effectively and resolve conflict is extremely rewarding. Mediations are generally a two to four hour commitment, and some individuals volunteer once a month, while others volunteer several times a week. To ensure success, all of our new mediators co-mediate with experienced mediators as often as they wish or prefer. If you are an attorney, mediating for us counts as pro bono credit! In addition, WCDRC offers regular two hour “roundtable” training sessions to its community of volunteer mediators on a variety of interesting topics.

Please contact David Robinson, Executive Director, at drobinson@mediation-wayne.org, (313) 561-3500 or visit our website at www.mediation-wayne.org if you are interested in additional information or a schedule of upcoming trainings!