



NCDRC.GOV

NEWS AND UPDATES

DISPUTE RESOLUTION COMMISSION

December 2023

DRCMediators@nccourts.org

919-890-1415

REMINDER ABOUT GIFT GIVING AO 33 (2016)

During this Holiday Season, staff would like to remind mediators of [AO 33 \(2016\)](#). Standard 7(h) is very narrow and only permits a mediator to give de minimis offerings, such as snacks, cookie or lunch during a mediation. Gifts that advertise a mediator's practice which could be interpreted for referrals or expectation of referrals for clients for mediation services, are not permitted under Standard 7(h).

NC Dispute Resolution Commission's FY 2022-23 Annual Report

The Commission has published the FY 2022-23 Annual Report. To review this edition, and all past editions, please visit the [DRC Annual Reports page](#).

Recording Mediation Sessions is Prohibited by the Program Rules!

Staff has been made aware of law offices using AI/Phantom recording devices when participating in remote mediations. The recording device may show up as an additional phone line to the mediation. As a reminder, all mediation sessions cannot be recorded by stenographic, audio or video recording devices. MSC Rule 4(f), FFS Rule 4(e). [AO 43\(2022\)](#) addresses any data including metadata that can be created or stored by the remote technology provider shall not be accessed or retrieved.



Reminder: starting on January 15, 2024, mediators may record their Continuing Mediator Education (CME) hours on their Mediator Profiles for the FY 2024-25 Renewal Period. To find a current listing of approved CME trainings, please visit the [Commission's CME Page](#). Please note that the only courses approved are listed on the Current CME Opportunities page. If you are not sure if the training is approved, contact DRC staff.

Welcome New NCDRC Commissioners!



The Honorable Angela Kidd

The Honorable Angela Kidd, Clerk of Superior Court, Caldwell County was appointed by Chief Justice Paul Newby on October 1, 2023, for a term expiring on September 30, 2026.

Mrs. Kidd was elected as Clerk of Superior Court for Caldwell County in 2018 and re-elected in 2022. Prior to being elected Clerk of Superior Court she served as the Western Region Administrative Officer for the Department of Public Safety, Corrections Division. She currently serves on the Resource and Finance Committee's for the NC Conference of Clerks of Superior Court, as well as many other local committees and boards.

Mrs. Kidd received a degree in Business Administration from Western Piedmont Community College and is married with two grown children.



Judge Michael Stading

Judge Michael Stading was appointed to the North Carolina Dispute Resolution Commission by the Chief Justice Paul Newby for a 3-year term beginning October 1, 2023.

Judge Stading received his undergraduate degree in Business Administration from the University of NC Chapel Hill and his law degree from Campbell University, Norman Wiggins School of Law.

Judge Stading has served as an attorney, assistant district attorney, and district court judge. He currently is a judge on the NC Court of Appeals.

Ralph W. Meekins, Sr.



Ralph W. Meekins, Sr. was appointed by Chief Justice Paul Newby as a certified Superior Court Mediators. Mr. Meekins is an attorney with Teddy, Meekins & Talbert, PLLC. In Shelby NC and he has practiced for over 37 years, primarily in the area of personal injury and workers compensation. He is board certified in civil trial advocacy by the National Board of Trial Advocacy and has also been a board-certified mediator since 1993 and served on the original NC Dispute Resolution Commission. Meekins earned a Bachelor of Arts degree in Psychology from UNC in 1983 and his J.D., with distinction from Campbell University School of Law in 1986. He was a basketball manager for the Carolina men's basketball team that won a national championship in 1982 and he served as head basketball manager in 1983 for the Tar Heels. He has served on the Board of Governors for the North Carolina Bar Association, a State Bar Councilor for the North Carolina State Bar, and as a trustee for the North Carolina Bar Association's Health Board Trust. He has also served as a chair for the Cleveland County YMCA, the Dover Foundation YMCA, and for the Cleveland County Community Foundation. He served four years on the UNC-Chapel Hill Board of Visitors and is now serving a second term on the UNC-CH Board of Trustees.



Paul J. Ekster

Paul J. Ekster was appointed to the North Carolina Dispute Resolution Commission by the North Carolina State Bar President, Marcia Armstrong for a 3-year term beginning October 1, 2023.

Paul is currently the managing partner of Wright, Worley, Pope, Ekster & Moss, PLLC, a 14-member law firm with offices in southeastern North Carolina and Horry County, South Carolina. Paul has practiced for the last 24 years with the same firm, where he started as a summer clerk in 1997. His primary office is in Tabor City, North Carolina, but he also actively practices out of the firm's Whiteville and Supply, North Carolina locations and the South Carolina office.

Paul is primarily a litigation attorney practicing in areas that include family/domestic law, personal injury and tort law, workers' compensation, general civil litigation, corporate litigation, and estate litigation. He also handles transactional work as needed. Paul conducts various aspects of alternative dispute resolution, including mediations, arbitrations, and settlement conferences and has done this since 2007.

Paul graduated from Tufts University with a B.S. in Psychology in 1995 and from the Wake Forest School of Law in 1999. For fun, Paul can be found waking up most mornings at 4 AM as an active member of F3 Nation.

CONFLICT RESOLUTION DAY 2023

Thank you to all that participated! A special thanks to our panel guests, and guest speaker!

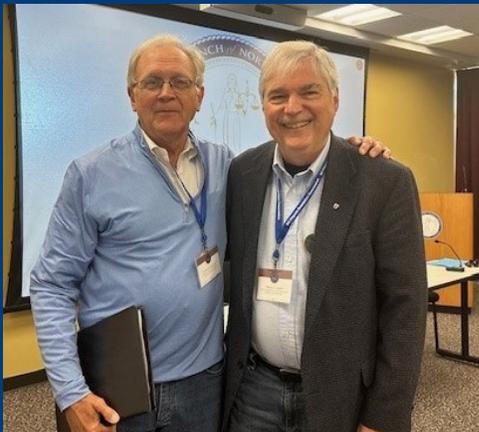
The Precarious Situations We Find Ourselves In ... Panel



(L to R) James Young, Judge Bob Edmunds, Deborah Dilman, and Tara Kozlowski



Guest Speaker Dwight Golann and Tara Kozlowski



Commissioners, David Niblock and Frank Laney



(L to R) Sean Vitrano, Christopher Strauss, Henoch Kokolo Mvembe and Tara Kozlowski



NCDOL Mediated Settlement Conference Program Update!
By Harriet Hopkins

NCDOL’s Retaliatory Employment Discrimination Bureau’s voluntary mediation program is now 3+ years old! Mediation is offered at no charge to the parties in complaints arising under the NC Retaliatory Employment Discrimination Act, NCGS 95-240 et seq. For those of you unfamiliar with REDA, it protects employees from retaliation by their employers for engaging in certain protected activities, such as filing or threatening to file a workers’ compensation, OSH, or wage and hour claim.

The parties can request a referral to mediation at any time during the investigation. Referrals to mediation are often made as an “early resolution” process, prior to assignment to an investigator. We also offer mediation after a “merit” finding is reached after investigation. Merit means that there is “reasonable cause” to believe that the allegations of the complaint are true and that Respondent employer may have violated REDA.

About 30 of you (DRC certified mediators) have served as volunteer mediators in this program, many since its launch in July 2020. Labor Commissioner Josh Dobson and I cannot thank you enough for your service. It has been a resounding success **because** of each of you. I want to share the successes of the program and extend a warm invitation to those of you who may be interested in joining our distinguished referral panel of mediators.

Statistics: 7/1/2020- 11/30/2023

#Mediations held

Early Resolution	74
Merit Determination	<u>58</u>
TOTAL	131

#Settled at or after mediation

Early Resolution	45
Merit Determination	<u>34</u>
TOTAL	78

% Settled at or after mediation

Early Resolution	61%
Merit Determination	<u>59%</u>
TOTAL	60%

Gross settlement dollars

Early Resolution	\$849,994
Merit Determination	<u>\$520,562</u>
TOTAL	\$1,370,556



Calling More Volunteers!

Attorneys for both parties have embraced this program as an effective settlement tool. And, as more attorneys (and parties) learn about our program we hope to expand it. To do so, we need more volunteer mediators. Please consider joining your fellow NCDRC certified mediators and participate in this rewarding program! Help employees and employers settle their disputes and move on! Be a part of a program that helps to educate the parties about what employer conduct is illegal retaliation and what is

Continued from Page 4

not. Know that you are helping employers change, revise or implement policies to stay in compliance with REDA and other employment discrimination statutes. Be proud that you have an opportunity for pro bono service that seriously makes a difference in peoples' lives. You get to choose how many referrals you will accept in a calendar year; you can decline a referral at any time for any reason; you can decline working with pro se parties. You will gain invaluable experience and make connections that may result in future requests for your mediation services.

Volunteer today! This can be your New Year's resolution to expand your pro bono activities!

Thank you! Harriet Hopkins, REDB Administrator

For more information contact me at harriet.hopkins@labor.nc.gov. Program documents are complete and straightforward. If you want to talk with a few of our volunteer mediators, let me know.



**Listen to the Commission's Podcasts "Beyond Neutrality" and receive one-hour of CME credit
(No CLE credit is available).**

[Episode Two - Beyond Neutrality \(buzzsprout.com\)](#)

[Episode One - The Beginning Beyond Neutrality! \(buzzsprout.com\)](#)

**Tara Kozlowski and Maureen Robinson discuss ethical questions and concerns from certified mediators regarding
Rules, Standards, Forms, and Advisory Opinions.**

**To report the podcast on your mediator profile, select:
"Beyond Neutrality— Podcast 2" or
"Beyond Neutrality—The Beginning PODCAST".**

To find a full list of approved CME courses, visit the [DRC CME Page](#).

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