

Benefits of Mediation:

- **Victims get answers to their questions and concerns.** voicing them during the process. They would not necessarily be able to during a trial.
- **Focus on responsibility & accountability.** Those who cause harm see the human consequences of their behavior and are presented with concrete ways to take responsibility and be held accountable for their actions.
- **High success rate.** Conferencing has proven to be one of the most successful tools of the Criminal Legal System. In similar programs, parties have reported satisfaction rates over 90%.
- **Accommodating to your schedule.** Conferences are scheduled to suit the needs of the parties involved. They can also be scheduled so victims and defendants do not have to see one another face to face.
- **Saves money.** It can cut the costs of legal fees because the parties in a dispute resolve their disagreement themselves.
- **Agreements are voluntary.** The parties involved decide how they can resolve their case. Parties have the option of participating in the Conferencing Program or of following the criminal legal system/ trial procedure, depending on the case.
- **Relatively quick process.** Conferencing can be accomplished within two or three weeks.

Participants Have access to all programs & services at DCJ free of charge.

To learn more, visit
www.dcjustice.org
or email
BFischer@dcjustice.org

The Delaware Center for Justice, Inc. (DCJ) is the leading non-profit organization in Delaware committed to transforming the quality of justice through advocacy, policy, and practice.



Restorative Justice
Conferencing:
Crime & Community

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Conferencing Program

offers those who have been harmed (victims) the opportunity to address those who have caused them harm (offenders) in a safe, structured setting, with the goal of directly holding an offender accountable for their actions while providing important assistance to the victim.

With the assistance of a trained facilitator/mediator, those harmed are given the opportunity to have a say in how they have been impacted by the harm done to them, how the person who harmed them should be held accountable, and feel that justice has been served. We provide individuals who have committed harm with the opportunity to make restitution, complete community service, and learn skills needed to lead a healthy, law-abiding life.

The Program Subscribes to the Following Beliefs:

- Individuals can often resolve their own conflicts more effectively and satisfactorily than the Courts.
- Face-to-face conferencing promotes restoration that benefits all parties and the community as a whole. It allows the parties to see one another's humanity and get answers to questions they may have. Alternatives to Face-to-face can also be beneficial.
- The conferencing process can be quicker and more effective than the trial process.
- The Conferencing Program focuses on restoration of all parties.
- Conflicts and criminal acts impact the entire community; therefore, the community should have a role in determining the outcome.

Types of Referrals

Community Generated

are referrals in which community members are having a dispute with one another and one or both parties contact the Delaware Center for Justice (DCJ) to ask for assistance in conferencing. These include neighbor disputes, landlord-tenant issues, other conflicts that do not rise the level of a criminal complaint.

One of the parties will contact: Program Coordinator Barbie Fischer at BFischer@dcjustice.org or 302-658-7273. If all parties agree a conference is scheduled.

Pre-Charge Generated

referrals in which no charges have yet been filed. In these cases, after investigating, the police officer or a Justice of the Peace (Magistrate) will identify cases as being eligible for the Conferencing program. No criminal charges are filed at this point. They will contact the Court of Common Pleas Mediation Officer to make a referral. The Court Mediation Officer will check eligibility and then refer the case to DCJ if appropriate.

Court Generated

referrals for which criminal charges have already been filed. To benefit from conferencing, the case MUST be in either the Court of Common Pleas or Family Court. If a case is in the Justice of the Peace Court it must be transferred to one of those named above for consideration.

In the Court of Common Pleas, if the case is eligible, the Mediation Officer will make a referral to the DCJ.

In Family Court, conferencing is discussed at arraignment with the parties and attorneys. If in agreement the Deputy Attorney General on the case will send the referral to DCJ.

Words from a Client:

If it wasn't for DCJ, an already traumatic event that our daughter was subjected to would have been compounded by having to speak in court in front a judge, lawyers, and the defendant, whom she never wants to see again. As a young woman who suffers from anxiety, she was extremely anxious that she might have to endure this scenario. In addition, she would have had to leave school, which is three hours away, to appear in court a month into her freshman year of college. Being away was stressful enough for her. The thought of having to leave - missing classes that had just begun - to appear in court compounded that stress.

Our Victim Mediator, knew all of this, and she worked tirelessly to assist us, so that this matter could be settled out of court as expeditiously as possible. She answered questions and updated us often. We felt like, had our daughter had to endure leaving school and speaking in court, she would have been victimized all over again, due to her high level of anxiety.

In addition, this program kept a young, first-time offender out of court, giving her a chance to have a clean record. We are hopeful that because of the actions she agreed to take, through mediation, she will come away with a better understanding of herself and how to manage situations in a more productive manner. We hope she has learned the seriousness of her actions, and we hope it will keep her from being a repeat offender who puts someone else through what she put our daughter, and our family as a whole, through.

We wholeheartedly feel that this program is important and effective, and we are very thankful that it exists.