



MEDIATION NEWS

MESSAGE FROM TAPM PRESIDENT RICHARD MURRELL

January 2012

Inside this issue:

We spend January 1 walking through our lives, room by room, drawing up a list of work to be done, cracks to be patched. Maybe this year, to balance the list, we ought to walk through the rooms of our lives... not looking for flaws, but for potential.

~Ellen Goodman

As we in TAPM approach a new year, I sincerely hope that you have examined all the potential that is opening in our common field of endeavor. I have not concluded a mediation where the parties regret the effort they put into the process of bringing resolution to the issues that have been in dispute between or among them. It is a refreshing engagement to be able to guide the process that allows people to explore the perplexing and sometimes hurtful circumstances of their dispute. We get to look on as they discover creative collaborations that permit resolutions they can sustain! Those are resolutions worthy of a new year.

TAPM in 2012 will take on a new feel as some Board Members terms will expire and others will rise to take their place. The Master Mediator Series is on the verge of being launched. TAPM gained membership over the past year and that trend is likely to go forward. The Annual Meeting, details of which are in this news letter, is just around the corner. It will be an excellent learning opportunity combined with a time to reflect on the accomplishments of the next Grayfred Gray Award recipient. New officers for TAPM will be determined at that meeting, also. Here, too, exits potential. Potential to help bring about more educational opportunities for mediators and consumers of mediation. There will be potential to improve the profession and to gain the benefit of professional networking.

In short, it looks like a great year is ahead of us, individually and as an organization. What will become of it is, in large part, up to you. When you are taking inventory of personal potential, keep this in mind. Your contribution will be greatly appreciated.

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MEET THE MEDIATOR YOLANDA NEWSON



Yolanda is currently employed by International Paper Corporation as a Process Steward in the Security & Risk Management Department. She has been employed there since August of 2000.

Yolanda has also been listed as a Tennessee Supreme Court Rule 31 Family and Civil Mediator since 2006 (specially trained in Domestic Violence). She has served as a volunteer Mediator for Mediation And Restitution/Reconciliation Services (MARRS) and The University of Memphis Mediation Preparation Program.

What is in your mediator tool kit? What is your favorite or most used tool?

A Divorce Mediation Intake Form, an Agenda, a receipt book, a mediation agreement for the parties to sign, a copy of my Mediation Ground Rules, legal pads & pens, a parenting plan, and my notary seal.

My favorite or most used tool is the "completed" Divorce Mediation Intake Form. Before scheduling the mediation session, I need to know the personal information, relationship history, court information, Attorney information, assets information, etc.

If you were a superhero/mediator what would be your name and slogan?

My name would be Wonder Woman, and my slogan would be "An advocate for fair resolution."

I am always familiar with the parties' issues prior to the mediation, patient, trustworthy, impartial, non-judgmental, prepared, tactful, open-minded, optimistic, and persistent but not overpowering.

What is your pet peeve?

I hate to see people who litter and who allow their children to throw trash out of the car window while driving.

Are you married/do you have kids/pets etc?

Single, 2 sons, no pets.

What are your hobbies?

I enjoy traveling, shopping, watching television, and attending sporting events.

Why did you become a mediator?

I have always enjoyed the art of negotiation and helping people. Being a Mediator is emotionally, spiritually and professionally gratifying. The sense of accomplishment when a conflict resolves is very enjoyable.

What is your favorite mediation read?

Using Divorce Mediation: Save Your Money & Your Sanity, Katherine E. Stoner (Nolo Press, Berkeley,

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1999)

What is your phobia?

Ophidiophobia- Fear of snakes.

What is your favorite vacation spot?

Hawaii

Personal or professional accomplishments you are particularly proud of:

I obtained my college degree from The University Of Memphis while always working a full-time job. I paid my own tuition and did not have to get a student loan.

Where are you from and how did you end up in Memphis?

I am a native Memphian which is where I presently reside.

Please complete these sentences:

I have a burning desire to retire from working and travel the world.

People tell me I look like My Father.

If I could have a 30 minute conversation with anyone (alive or otherwise, famous or not), I would want to speak with My three grandparents that have passed away. I would like to thank them for teaching my parents the strong values and morals that were passed on to me.

What is your favorite TV show?

House Hunters on HGTV. I love this show!

What is your favorite food/restaurant?

I love seafood, especially dishes that include shrimp. My favorite restaurant is Felicia Suzanne's which is located in downtown Memphis.

What is your favorite flavor of ice cream?

It is a tie between Praline Pecan and Blue Bell Home-made Vanilla.

Knowing what you now know about life etc., would you choose the same career path? If not, what would you like to do?

Since the downturn in the economy, being laid-off from my job has become a fear that I will always have. If I had to do it over again, I would have chosen a career like Nursing for job security purposes.

COMMUNITY MEDIATION IN TENNESSEE: PRICELESS!

By

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In recent years, the Tennessee legal community has recognized the serious, ongoing need to create ways for self-represented people in conflict to access the justice system in such a way that they don't need to come back so often, that they are compliant with the judge's order, and that they understand what just happened to them. One answer to the problem can be found in the growing field of mediation, which provides a safe, efficient and empowering process to resolve disputants. Because mediation is becoming increasingly popular, it is more important than ever to ensure that folk of all income levels can access mediation services. We must ask questions: Is mediation available to those who need it? How can mediators donate their services efficiently and in a way leaves the mediator wanting to do more? What concerns do we see with mediators providing free services? These seemingly simple questions have no simple answers. To begin exploring solutions, we must look at the history of mediation here in Tennessee and begin to creatively brainstorm options for how we might use a resource we already have in hand.

In Tennessee, volunteer mediation began as an activity supported by a legislative grant. Back in the 1980s, the only programs existing to deliver free mediation were community-based victim-offender reconciliation programs (VORP). [note 1] These programs were initiated by judges, lawmakers, and community leaders who were aware of how well alternative dispute resolution works in the juvenile court setting, and who were sensitive (politically or otherwise) to crime victims' rights. The oldest such programs in Tennessee were up and running by 1987 (Community Mediation Services in Anderson County, and Cumberland County VORP in Crossville). By 1990, Nashville had a VORP, handling juvenile and adult warrant or pre-warrant referrals. In 1994, Knoxville's Community Mediation Center joined in, dealing with juvenile and adult court VORP referrals, as well as divorce and Civil Sessions court small claims matters.

In 1993, the state legislature enacted a statute, TCA 16-20-101, et seq., called the Victim Offender Mediation Center Act, and allowed for a legislatively appropriated grant to fund the few centers in existence. That original grant amount was \$75,000, which was to be split between the four centers. Over the next 20+ years, the grant increased to a high of \$150,000 and was then decreased to \$112,000 [note 2] to be divided among more than a dozen programs, the award based in part on numbers of VORP referrals and in part on need. The programs that received the grant must be nonprofit organizations and use the grant for no more than 50% of their total budget. All such programs must conduct mediation for free in VORP cases referred to them. In 1999, the law was amended to allow counties to impose a litigation tax of one dollar on all cases filed in county courts (in Tennessee, county courts are the General Sessions and Juvenile Courts, funded by the county budget, not state funds). Davidson/Metro, Knox, and Hamilton county commissions passed the tax, along with a very few rural counties.

Twelve years later, we can say definitively that the counties with the Dollar Bill tax are the counties with thriving community-based mediation, supported by: staff (albeit underpaid, and often struggling to keep up with the demand for services); governing boards of directors to help with fundraising, training, and recruiting mediators; and a group of dedicated, well-trained, mentored, supervised volunteers. [note 3]

The challenges facing community mediation organizations are daunting. The work of CMCs is usually characterized by long hours, the ongoing struggle to secure sustainable funding, and an incredible passion from staff, board, volunteers, and the local community. There is currently no real support system for community mediation in Tennessee beyond the small and ever-shrinking legislative grant, along with the hope that a county commission will pass the Dollar Bill litigation tax. Existing organizations often attempt to help each other with training materials, advice, and brainstorming, but do not always have resources to provide extensive or ongoing assistance. Start-up organizations, most at risk of faltering, need the most intensive coaching and training, and while existing centers would like to help, there is no official network for this important activity. Each new center is faced with the cost of reinventing the wheel when they begin forming their office routines, intake and scheduling protocols, board and mediator training, and other policies/procedures. Mediation centers go under all too often; many do not make it through their first or

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second year. The reasons for each closure vary, but these failures are not due to a lack of skills, passion, or volunteers. Most often, closures are due to the lack of resources, specifically money in the budget for full or part-time staff to conduct critical tasks (e.g., training and supervising volunteers, organizing outreach efforts, raising money, creating a business model, and building community support).

Start-up CMCs are not the only ones in danger. For example, the Sumner Mediation Service (SMS), under the leadership of Doris Brocker (a Rule 31 mediator with her MA from Lipscomb's prestigious Institute for Conflict Management), had been one of the best small community mediation programs in the state. It served a somewhat urban, somewhat rural population. It had partnered with local nonprofits in Sumner County to teach young children peace, tolerance, and acceptance of other races and cultures. It had trained many of the mediators in Sumner County, both lawyers and non-lawyers. It was one of the few places where new mediators could hone and practice their new mediator skills. All mediators know it is not enough to receive mediation training; to be a good mediator, one must practice and be mentored by more experienced peers. SMS provided such training to new and seasoned mediators. Unfortunately, Sumner County had not passed the dollar bill+tax to fund eligible community mediation programs, and other funds had been reduced each year. The organization was forced to close its doors on October 30, 2011.

Outsiders often have a difficult time understanding why a mediation program is unable to secure sustainable funding; however, those of us who do community mediation work are very familiar with the financial challenges facing our organizations. Part of the problem is the general state of the economy; as state and county budgets are stretched increasingly thin, legislators are looking for ways to cut public funding, so a critical source of funding is disappearing. [note 4] Funding from private grants has become increasingly competitive as mediation programs have become more numerous. Very few private foundations will fund a public benefit (allowing access to justice for all, and helping the courts manage their dockets efficiently). Even though most programs are nonprofit corporations and have a board of directors, staff and board members may have limited experience with running a business, much less managing an office while conducting all the programmatic work as well as the critical task of volunteer supervision. Although nonprofit organizations do not pay profits to shareholders, they must develop revenue streams and have a positive cash flow if they are to survive. The organization must also develop community partnerships with other nonprofit and for-profit organizations. Even within the mediation community, turf lines must be negotiated so that competition does not reduce good-will, collaboration, and funding opportunities.

Community mediation centers provide much-needed avenues of access to the justice system, especially for people who cannot afford market rate legal services. The vast majority of those who use CMC services are struggling and unable to pay the amount charged by private mediators, which averages \$200-\$300 an hour for family mediation, and even more for civil mediation. CMCs specialize in helping those of low and modest income create their own agreements. When they know about their options, people can, when appropriate, access mediation before going to court. Most of the community mediation programs charge a nominal administrative fee or sliding scale fee, which takes into account family size and income.

When a community mediation center goes under, families, courts, and communities lose a valuable and cost-effective resource. Instead of watching this unfortunate pattern continue to repeat itself across the state, the Tennessee legal community could move beyond this model of scarcity and support a different vision: a future where community mediation centers are sustainable organizations that build mediation awareness statewide, which would increase the general demand for mediation. These centers could help train, intern, and mentor Rule 31 mediators so that those mediators perform better during their private mediations. Imagine a story of the little center that could+, effectively spreading conflict resolution skills throughout the community; programs that serve children, police departments, neighborhood organizations, courts, and schools could be easily accessed and utilized. The staff and volunteers of CMCs can screen for capacity issues, power-imbalances, intimidation/fear, threats of harm, self-determination barriers, and the need for legal services. CMCs can help private mediators with intake, screening, and scheduling for the no-fee or reduced-fee clients, and could provide training and ongoing support for private mediators who are fulfilling pro bono mediation requirements. [note 5]

People in disputes who experience the option of mediation are often surprised by how much they benefit from the experience; more often than not, parties are able to reach a resolution while also gaining conflict resolution skills. Rita Young says: "The reason they're so happy is that we can take the time to actually listen to them, and we teach them to listen to each other.+Mediation can save disputants from the trauma of a costly, messy legal dispute. Mediation can help prevent children from being used as pawns in a knock-down, drag-out War of the Roses+battle.

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Mediation can help families and neighbors resolve issues that could otherwise turn into a serious feud. Workplaces can utilize mediation so that small offices do not come to a standstill because of tension and discord. Mediation can balance power and facilitate a perspective shift in ongoing situations with bullies and victims. For these people, as well as the court system that would eventually have to intervene as their conflicts escalated, the benefits are powerful.

In conclusion, there is no such thing as a truly free mediation. Providing no-cost or reduced-fee mediation to people who cannot afford private services is a key priority for CMCs, but the money to support these programs must come from somewhere. CMCs need public monies to survive and thrive. If properly supported, CMCs can empower individuals across the state to access the justice system in a meaningful and satisfying way, while also saving individuals, courts, and agencies a substantial amount of money and time. These organizations can be invaluable resources to local private mediators by providing training, mentoring, practical support in screening and scheduling cases, and educational community outreach efforts to increase community demand for mediation services. If funding for CMCs becomes a state-wide priority, these benefits can become a reality throughout Tennessee.

Notes:

1. VORP is a restorative justice approach bringing offenders face-to-face with the victims of their crimes with the assistance of a trained mediator, usually a community volunteer. Crime is personalized as offenders learn the human consequences of their actions, and victims (who may be ignored by the criminal justice system) have the opportunity to speak their minds and their feelings to the one who most ought to hear them, contributing to the healing process of the victim. www.vorp.com.

2. There are three grants administered by the AOC to which mediation programs can apply. There were initially 10 VORP grantees to share \$112,000 for fiscal year 2011-2012. Sumner County Mediation is no longer in business, so there are currently 9 grantees. There are currently 4 Access & Visitation parenting mediation grantees, out of 9 total recipients for federal fiscal year 2011-2012 (Oct 2011 - Sept 2011). The mediation grantees received a total of \$67,230. Finally, there are currently 5 Parenting Mediation & Education Fund (PEMF) mediation grantees out of 17 total grantees for fiscal year 2011-2012. The total PEMF funding for this period is \$200,000. Out of that amount, PEMF money awarded for mediation services was \$77,700.

3. Some programs, like the Cumberland County VORP, with Rita Young as Executive Director, do not receive funding through the Dollar Bill tax, but are able to raise money through the programmatic support of their courts, attorneys, schools, and churches. Mid-South Mediation Services (<http://midsouthmediationservices.org/>) has been led since its beginning by Executive Director Mary Ellen Bowen, who does her demanding work serving seven counties in Middle Tennessee as a part-time job.

4. The frustrating reality is that start-up organizations are generally given funding priority; new organizations receive a sum of money, but often lack the necessary support and guidance to grow into a sustainable program. Programs are in danger of faltering when the start-up money (upon which they depend) runs out. If CMCs with long-standing programs were also properly supported, they could serve as mentors and provide invaluable support to these new centers, so that the state's financial investment in start-up programs would be more secure.

5. One inspiration is Community Mediation Maryland (www.marylandmediation.org), a centralized organization supported by the Maryland Supreme Court, whose job is to support and encourage community mediation around the state. Their 10 Point Model for CMCs: 1) Train community mediators who reflect the community's diversity with regard to age, race, gender, ethnicity, income, and education to serve as volunteer mediators; 2) Provide mediation services at no cost or on a sliding scale; 3) Hold mediations in neighborhoods where disputes occur; 4) Schedule mediations at a time and place convenient to the participants; 5) Encourage early use of mediation to prevent violence or to reduce the need for court intervention, as well as provide mediation at any state in a dispute; 6) Mediate community-based disputes that come from referral sources including self-referrals, police, courts, community organizations, civic groups, religious institutions, government agencies, and others; 7) Educate community members about conflict resolution and mediation; 8) Maintain high quality mediators by providing intensive skills-based training, apprenticeships, continuing education, and ongoing evaluation of volunteer mediators; 9) Work with the community in governing community mediation programs in a manner that is based on collaborative problem-solving among staff, volunteers, and community members; and 10) Provide mediation, education, and potentially other conflict resolution processes to community members who reflect the community's diversity with regard to age, race, gender, ethnicity, income, education, and geographic location.



March 9 2012
Annual Meeting

Featuring

Dr. Julie Macfarlane

Presenting

**Working with the “New Lawyer”:
How Counsel and Mediators Co-operate
in Conflict Resolution Advocacy**

Full Day of Advanced Skills Training Workshop
(6.25 hrs. CLE/CME approved)

**The Coalition for Mediation
Awareness in Tennessee
2012 Grayfred Gray
Public Service in Mediation Award***

Will be presented to

JOCELYN WURZBURG, J.D.
Of Memphis, Tennessee

8:00 a.m.	Registration
8:30 a.m. – 11:45 a.m.	Presentation
11:45 a.m. – 1:15 p.m.	Luncheon Program and TAPM Annual Meeting Co-Sponsored by Coalition for Mediation Awareness in Tennessee (CMAT) The Grayfred Gray Award will be presented to Joceyln Wurzburg, J.D. of Memphis, Tennessee
1:30 p.m. – 4:30 p.m. -	Presentation

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Dr. Julie Macfarlane is Professor at the Faculty of Law of the University of Windsor, and Professor of the Practice at the Kroc Institute for International Peace Studies, University of Notre Dame. She has researched and written extensively on dispute resolution and in particular the role of lawyers, and her best-selling book - The New Lawyer: How Settlement is Transforming the Practice of Law (University of British Columbia Press in 2008) ignited a debate about the future of the legal profession across North America. Julie's new book, forthcoming with Oxford University Press April 2012, Islamic Divorce in North America: A Sharia Path in a Secular Society. Her new research is on the experiences of the growing population of self-represented litigants in family and civil courts.

Julie is an active mediator, and has been a recipient of the International Academy of Mediators Award of Excellence. She consults regularly on conflict resolution interventions, training, program evaluation and systems design for a range of public and private sector clients.

About this workshop

Julie Macfarlane's book The New Lawyer argues that empirical data collected over the past decade on the changing practice of lawyers shows that counsel are turning away from the traditional warrior mentality that assumes an adjudicated outcome. Instead, in an era of vanishing trials and the increasing use of both private and court-based mediation, we see the emergence of the New Lawyer. The New Lawyer builds on counsel's traditional role as an advocate to become a skilful conflict resolution advocate, working closely with clients and third parties to negotiate and problem solve contentious issues.

This workshop brings together research and practice on negotiation and mediation and share vital knowledge between mediators and mediation advocates. Workshop presentations and exercises will focus on the new skills, knowledge, and sensitivities of conflict resolution advocacy, viewed from the perspective of both counsel and mediators. It will combine presentations on empirical research from Macfarlane's book with discussion and interactive exercises examining the practical demands of effective consensus-building, whether as an advocate or a third party.

Through presentation of up-to-date research findings, interactive discussions and skills exercises this workshop will ask:

- How is conflict resolution advocacy different . and how is it the same . as advocacy to a decision-maker?
- What are the characteristics of effective mediation advocates, and what behavior and thinking limits their effectiveness?
- How do mediation advocates work with their clients to ensure that they maximize client voice and negotiation power?
- How do lawyers and clients make wise and co-operative decisions over negotiation/ mediation strategy, process, and settlement offers?

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- How can mediators reinforce and support the new lawyer+in mediation?
- How do mediators manage less experienced counsel who are accustomed to positional negotiation rather than problem-solving?
- What do we know about what mediation advocates say that they want and need from mediators?
- How can mediators work with advocates and their clients to help them to achieve the best possible outcomes?



***Coalition for Mediation Awareness in Tennessee
2012 Grayfred Gray Public Service in Mediation Award will be presented to JOCELYN WURZBURG, J.D. of Memphis, Tennessee**

A 1965 Rhodes College graduate, Jocelyn Wurzburg became a civic and political activist. But when Dr. King was assassinated in 1968, she focused on race relations, starting the Memphis Panel of American Women. In 1969, she led a women's march on City Hall demanding the city and the sanitation workers avert a second strike. This civil rights activity led to her appointment to the Tennessee Human Rights Commission by Gov. Dunn in 1972. Upon learning the THRC had no enforceable anti-discrimination law, she wrote one covering employment and public accommodations.

This process inspired law school, but her studies were interrupted by President Ford's appointing her to the International Women's Year Commission and Secretary William Coleman's appointment to the Minority Resource Center of the Federal Railroad Administration.

Graduating in 1980, Wurzburg associated with an estate firm to handle their "other cases" which meant divorces. Litigation's hurtful affect on children led Wurzburg to start her own firm and become Memphis's first professional mediator in 1984. She is a Tennessee Supreme Court Rule 31 listed mediator and trainer and is designated an Advanced Practitioner by the Association of Conflict Resolution.

A founding member of the AWA, T-LAW, and the Mediation Association of Tennessee, Wurzburg is former president of the MBA Family Law and ADR sections. She retired from law practice in 2005, but continues to mediate family law cases, work place disputes for the EEOC and Postal Service, and ADA claims for the Department of Justice.

Three years ago, Governor Bredesen re-appointed Wurzburg to the Tennessee Human Rights Commission; thus she is now helping to enforce a law she wrote 40 years ago.

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TAPM ANNUAL MEETING & CLE/CME REGISTRATION FORM

Pay Online www.tennmediators.org or mail a check to:
 TAPM, P. O. Box 150626, Nashville, TN 37215
 615-383-TAPM (8276)

PAID ON OR BEFORE February 17, 2012	PAID AFTER FEBRUARY 17, 2012
<p>1. TAPM Member Renewing 2012 Dues</p> <p style="padding-left: 40px;">\$150.00 CLE/CME Fee \$100.00 2012 Dues \$250.00 TOTAL</p>	<p>6. TAPM Member Renewing 2012 Dues</p> <p style="padding-left: 40px;">\$175.00 CLE/CME Fee \$100.00 2012 Dues \$275.00 TOTAL</p>
<p>2. Previously Renewed TAPM Member</p> <p style="padding-left: 40px;">\$150.00 CLE/CME Fee</p>	<p>7. Previously Renewed TAPM member</p> <p style="padding-left: 40px;">\$175.00 CLE/CME Fee</p>
<p>3. Associate (Non Voting) Member 2012 Dues & CLE/CME</p> <p style="padding-left: 40px;">\$150.00 CLE/CME Fee \$ 50.00 2012 Dues \$200.00 TOTAL</p>	<p>8. Associate (Non Voting) Member 2012 Dues & CLE/CME</p> <p style="padding-left: 40px;">\$175.00 CLE/CME Fee \$ 50.00 2012 Dues \$225.00 TOTAL</p>
<p>4. NON TAPM MEMBER</p> <p style="padding-left: 40px;">\$300.00 CLE/CME Fee</p>	<p>9. NON TAPM Member</p> <p style="padding-left: 40px;">\$325.00 CLE/CME Fee</p>
<p>5. Lunch ONLY \$30.00</p>	<p>10. Lunch ONLY \$35.00</p>

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**Former TAPM President Named
United States Bankruptcy Judge**

Randal S. Mashburn, a founding member and former President of the Tennessee Association of Professional Mediators, has been appointed by the Sixth Circuit Court of Appeals as United States Bankruptcy Judge for the Middle District of Tennessee.

Mashburn filled the vacancy left as a result of the retirement of Judge George C. Paine II. Mashburn's appointment was effective January 12, 2012, although his formal investiture ceremony is scheduled for February 24, 2012.

Before beginning his law practice nearly three decades ago, Mashburn served as a judicial law clerk to a federal district court judge and a judge on the Tennessee Court of Appeals.

Mashburn went on to work in two Nashville law firms before joining what is now known as Baker, Donelson, Bearman, Caldwell & Berkowitz in 1987. He spent nearly 25 years in that firm, serving in a variety of management and leadership roles, and watching it grow to a firm with approximately 650 attorneys in 17 offices in seven states.

"I will miss the practice of law and all of the great people I have worked with over the years," he said, "but it is a rare opportunity to cap off your career in a judicial role of this type."

Mashburn is one of three federal bankruptcy judges for the Middle District of Tennessee, which holds court in Cookeville and Columbia as well as Nashville. His appointment is for a 14-year term.

Before going on the bench, Mashburn concentrated his practice in mediation, bankruptcy, commercial litigation, debtor-creditor issues, workouts, and insolvency law. His experience included a wide variety of litigation over contracts, lender liability, health care issues, fraud, director/officer liability, banking, business dissolutions, UCC issues, real estate and other types of commercial and financial matters.

Mashburn's experience included the representation of plaintiffs, defendants, creditors, debtors, trustees, committees, examiners and receivers, as well as service himself as a court-appointed bankruptcy examiner and Chapter 11 trustee.

In addition to extensive experience as a litigator and bankruptcy advisor, a significant portion of his practice was devoted to service as a mediator in a wide range of commercial, financial and business disputes. He was the third President of TAPM and was also a member of the Tennessee Academy of Mediators & Arbitrators.

During his legal career, Mashburn has achieved numerous distinctions and honors, including being listed in *The Best Lawyers in America* publication, *Chambers USA Ranking Guide of America's Leading Business Lawyers*, *Mid-South Super Lawyers'* "Top 100 Attorneys in Tennessee," *BusinessTN Magazine's* "Top 150 Lawyers in Tennessee," the *Nashville Post's* "101 Top Middle Tennessee Lawyers," and the *Nashville Business Journal's* "Best of the Bar." He was certified as a business bankruptcy specialist by the American Board of Certification and is a Fellow of the Nashville Bar Foundation. He is a past-president of the Mid-South Commercial Law Institute and a current board member of the Nashville Conflict Resolution Center.

Mashburn has also contributed to dozens of publications and has spoken frequently on alternative dispute resolution, bankruptcy, and creditors' rights for bar associations, industry groups and continuing legal education programs.



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