

# THE TEXAS RESOLUTION CONNECTION

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## ADR IN PRACTICE...AGING IN RURAL TEXAS

It is estimated that 10,000 Americans will turn 65 every day beginning in the year 2011, and the number is projected to continue to rise for the next 20 years. The United States Social Security Administration states that the average retirement age for Americans born before 1959 is 65 years old. This average would be much different among rural areas as industry is different.

Sources claim that farmers tend to work past 65 because they are self employed and due to the advancement of mechanical devices such as tractors and irrigation units. Machinery has made it possible for producers to continue harvesting at steady rates and work longer hours because it supplements the physical labor a farmer is used to producing. With an older workforce in rural areas, other issues could arise.

The Texas Chapter of the Alzheimer's Association states that "one in 10 individuals over 65 and nearly half of those over 85 are affected," meaning that of the 73 million estimated baby boomers, 7.3 million have a possibility of developing Alzheimer's after they turn 65; because the odds increase with age, chances escalate for people over 85. Different sources suggest that exercise and other forms of physical activity can promote a healthy brain similar to the way it promotes a healthy heart. Sue Halpern, author of *Can't Remember What I Forgot*, states that "when you exercise you produce new brain cells..." suggesting that physical activity can promote memory retention.

The meaning of Alzheimer's is often misunderstood, making the disease difficult to identify or properly deal with. In an interview with Dispute Resolution, Glen Provost, J.D., MPH, shared a few insights to better understand Alzheimer's, dementia and other effects of aging.

(continued on page 3)

## FROM THE DIRECTOR...

Dispute Resolution is expanding a juvenile mediation program that is specifically targeted to help those who are in need of alternative solutions. The comprehensive system is designed to work with the court system, juvenile justice system, law enforcement, school officials, parents, students and others. For example, in schools, law enforcement officers and other school officials give "tickets" to juveniles, directing them to our office for mediation. "Tickets" can be given for different reasons, varying from fighting and classroom misconduct, to simple peer arguments that have the potential to get out of hand. The student is then given the opportunity to sit with all involved parties and discuss the situation with a mediator, who is there to facilitate the problem-solving process and assist the parties in developing an agreement that will provide a foundation to discourage or manage future problems.

We at Dispute Resolution are excited about this expanding program and the increased opportunities to help youth and those who work with them.

(Insert Signature)

Mediators Sandi Arnold and B.J. Brooks attended the 2nd annual Rotary Youth Leadership Awards at Lone Tree Ranch in Capitan, New Mexico. The mediators were invited to discuss Peer Mediation and conflict resolution with the students, and how to become active in resolving disputes in their schools before they get out of hand and become larger problems than they had anticipated.

There were 140 attendees, all who are students from the West Texas area. The students participating in the seminar are Juniors at their local high schools and have been chosen to attend the camp because they display leadership in their schools and are seen as influential to others in their class. Skills taken from this training are beneficial to their classes because each student has added conflict resolution skills to their 'tool box'.

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### NEWS IN BRIEF...

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Staff attended the "Food and Feed vs. Fuel" debate at the 2008 Texas Ag Forum, on June 8 in Austin. The conference provided a full day of debate amongst a variety of analysts.

David Anderson, of Texas Cooperative Extension, presented on "Ethanol Plant Economic Impact." Anderson spoke of the benefits of producing corn in Texas and the added economic stimulus available if corn is grown and harvested in Texas and then converted into ethanol at local ethanol plants.

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### MEET THE STAFF AND BOARD...

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Each issue, we will focus on our staff and Board members. This issue spotlights **Brian Shannon, Chair of The Legal Representation Committee of the Advisory Board** and **Robyn Graves, Dispute Resolution's Training Coordinator**.



*Brian Shannon*

Brian Shannon is currently the Chair of the Legal Representation Committee of the Dispute Resolution Advisory Board. Brian is also an arbitrator and mediator for our office, and his services have been essential to the development of the dispute resolution organization.

Along with Brian's involvement with our office, he is a Charles B. Thornton Professor of Law with the Texas Tech Law School and the Former Associate Dean for Academic Affairs.



*Robyn Graves*

Robyn Graves is the Training Coordinator for Dispute Resolution and has been with the department since October 2007.

Robyn is a graduate of Texas Tech University with a Bachelors degree in Agricultural Communications.

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### DID YOU KNOW...

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- Depression affects about 15 out of every 100 adults older than age 65.
- The fastest growing population in West Texas is Seniors over the age of 85.

\* facts can be found at <http://dfps.state.tx.us/everyonesbusiness/section3.asp>

***"Our Instructor did a good job in keeping all of the participants engaged. The presentation was informative and organized"***

*\* In response to What did you like most about the training?*

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### TRAINING... FROM LUBBOCK TO LIBERTY

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- Lubbock was host to the Spring Basic Mediation Training, and with Texas Tech School of Law out for the summer, there was no better time to invite current students to participate in our training. With the 40-hour training finished on Friday, participants were invited to have a hands-on encounter with real mediation cases in the Dispute Resolution office in Lubbock.
- Thank you, Liberty, for inviting "Alzheimer's, Dementia and the Law" to your area. At the request of Mr. Walter Fontenot, the seminar traveled to Liberty with Glen Provost, J.D., M.P.H., leading the continuing education class for attorneys.



***Participants engage in role-play exercises during Basic Mediation Training.***

If you are interested in a training, call our office or Training Coordinator at 1-866-329-3522 or 806-775-1720.



Mr. Provost stated that Alzheimer's is a form of dementia, and that a person with "dementia" experiences loss of memory, reason, judgment, and language. In order for the disease to be dementia, the loss must be severe enough to interfere with a person's daily life and activities to a significant degree. Alzheimer's is an irreversible, progressive brain disease that slowly destroys memory and thinking skills and destroys the ability to carry out even the simplest of tasks.

To diagnose Alzheimer's, a patient must undergo a physician assessment which looks at everything from a complete health history to a brain scan. The patient then goes through a mini mental state exam and a mini cognitive exam. There are new diagnostic tests that will allow blood samples to identify genes that may contribute to the disease. Also doctors can now use MRIs and PET scans that can help in identifying brain abnormalities before symptoms are displayed.

Provost suggests that there is no cause or prevention of Alzheimer's; "it just happens." There is a belief among doctors and scientists that there is a biological reason, but experts are not sure what it develops from. However, studies are showing that if both parents contract Alzheimer's then the percentage rate rises for the children. Despite research that has shown any contribution to be effective or destructive, Provost does state that research shows that being outside has a great benefit. "Being active is beneficial - it is quite clear from research material that being active, both physically and mentally, is beneficial to your health." He states that aerobic physical exercise (running, walking, cycling, swimming, etc.) may either prevent or delay the onset of Alzheimer's disease or slow its progress once it has begun. It is not clear, however, how beneficial anaerobic exercise (general physical labor, heavy lifting, etc.) is. He does add that since much of the outdoor work in which rural residents engage can involve both types of exercise, it is reasonable to assume there would be some potential benefits.

In addition to giving tips on how to identify Alzheimer's, Provost gave insight on dealing with Alzheimer's. Although there is no cure and prevention may be tough, there are ways to deal with Alzheimer's. Mr. Provost suggests that family members talk to health care officials and discuss possible ways to help their loved ones when they are not able to do things on their own. Everyday things such as cooking, driving or operating machinery could be harmful or dangerous if not monitored closely.

Glen Provost is the former Director for the Aging Law and Policy program at the Garrison Institute of Aging. He also leads the "Alzheimer's, Dementia and the Law" continuing education seminars for Dispute Resolution. Mr. Provost held the position of Adjunct Professor of Elder Law at the Texas Tech University School of Law.

Prior to joining Texas Tech, he was employed by the Texas Department of Health where he served both as the Associate Commissioner for Environmental and Consumer Health and Director of the Office of Intergovernmental Relations. Mr. Provost holds an undergraduate degree in Political Science, a law degree, a masters degree in Public Affairs, and a masters degree in Public Health.

For more information concerning dementia or Alzheimer's, contact your physician or

The Alzheimer's Foundation of America  
1-866-AFA-8484

### **Basic Mediation Training**

September 8-12, Ruidoso, NM

### **Family Mediation Training**

October 7-9, Ruidoso, NM

### **ADR Professional Continuing Education\***

Child & Medical Support: September 6,  
Lubbock, TX

Who is the Client?: November 15,  
Lubbock, TX

### **Continuing Legal Education**

\*\*\* Fall Dates coming next Edition\*\*\*

### **Property Tax Arbitration**

October 23-24, 27-28, Lubbock, TX

### **Second Annual Symposium for Resolving Healthcare Disputes\*\***

October 17, Lubbock, TX

### **Basic Mediation Training**

March 2-6, South Padre Island

### **ADR Professional Continuing Education\***

Juvenile: January 10, Lubbock, TX

Confidentiality: February 7,  
Lubbock, TX

Family: Caucus or Not?: March 28,  
Lubbock, TX

### **Continuing Legal Education**

Juvenile Law: March 27, Lubbock, Texas

We also offer training sessions tailored to your specifications. If you do not see a training topic or location that meets your needs, please contact our office and we will accommodate you as best we can.

To register for any of the trainings, please visit our Web site at <http://www.co.lubbock.tx.us/drc/training.htm>.

\*RSVP only, no registration required

\*\*Co-sponsored by the Lubbock County Bar Association

NOTE: Reciprocal Continuing Education Credit available for many other professions

An employee has not been themselves lately. They have been coming into work late and are not as productive as they once were. You don't want to lose them as an employee, but something has to change. Unfortunately, before something can change, you must figure out what is wrong.

Llano Estacado Alliance for Families, L.E.A.F held an "I am Not My Mental Illness" seminar on June 5, 2008 in Plainview. The seminar focused on mental illness and how it affects not only the person experiencing it, but also the people who surround them everyday. If one member of the work force is not doing their part or is having trouble keeping up with their daily tasks, this will begin to affect others in the work place. Dr. Perry Collins of Wayland Baptist University spoke on the trials and tribulations that victims of mental illness experience and how they have to learn to cope and deal with the problems surrounding them.

Dr. Collins' presentation focused on the attitudes and awareness that the workplace should have to better understand that "mental illness is us, not them." Problems generate in the workplace because there is often a misconception of mental illness, and how it affects each and every person. There are different types of mental illness, as well as different ways people carry it around and deal with it. Therefore it becomes easy for others to look at the problem and judge or criticize because they are not personally feeling the pain, confusion, depression or loneliness that the other person is experiencing.

Some recommendations Dr. Collins has for employers who are dealing with mental illness in the workplace are: try to change the employee's job responsibilities, or institute a flexible schedule. If the employee is resistant to these changes or has shown no improvement, talk to them, ask questions, address the problems as they arise, or recommend that they see a doctor. An employee assistance program is another useful tool in handling problems effectively in the workplace.

Reducing the stigma associated with mental illness can open the doors for employees, employers, and co-workers to have a productive and successful workplace.

## TRAVELS AROUND TEXAS...

In the coming months staff will be visiting and participating in many different activities around the state of Texas. Booths will be on display throughout different Farm and Ranch shows and many other conventions and conferences. Below is a list of different places you can find us this summer.

**July 15-18:** Texas Future Farmers of America Convention... Lubbock

**July 22-25:** Texas Justice Court Judges 2008 Education Conference... Arlington

**August 5-6:** Rural Health Trifecta ... Austin

**August 6:** Region 17 "At-Risk Conference"... Lubbock

**August 19:** L.E.A.F... Plainview



## BOARD OF JUDGES

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This newsletter is published by the  
Texas Dispute Resolution System™

### Our Office Provides the Following Services:

- Family/Divorce Mediation
- Parenting Coordinator Referrals
- Community Supervision Program
- Social Studies
- Civil Mediation
- Criminal Mediation
- Law Enforcement Referrals
- Educational Institution Referrals
- Intergovernmental Referrals
- Healthcare Mediation Program
- USDA Agricultural Mediation Program
- Rural Mediation
- Arbitration
- Basic Mediation Training
- Family Mediation Training
- Parenting Coordinator Training
- Property Tax Arbitration Training
- CPS Mediation Training
- Continuing Legal Education Workshops
- Continuing Education for ADR Professionals
- Customized Training

For more information about our services,  
please contact us at:

Phone: (806) 775-1720 or 1-866-329-3522

Fax: (806) 775-1729

E-mail: [drc@co.lubbock.tx.us](mailto:drc@co.lubbock.tx.us)

Web Site: [www.co.lubbock.tx.us](http://www.co.lubbock.tx.us)