Tools for Matching the Best Process for the Case

by Ted Lewis and Kris Miner 2015

Step 1: Become fully aware of the general strengths and limits of each model.

Step 2: Identify the unique variables within a given case.
  a. Client Needs and Challenges
  b. Case Type and Severity of Harm
  c. Other Possible Participants
  d. Facilitator Competencies
  e. Referral Partner Expectations

Step 3: Based on the case profile, make a decision about the best model that aligns with the strengths and limits of each model.
  a. Routing it to a full circle or full conference OR...
  b. Hybriding elements of each model into a custom-built model
     1. blending elements during one dialogue session
     2. using different models at different times in case development

Case Decision Examples

Case 1. Vandalism Case. Traffic sign vandalism by 21 year old caught with marijuana and paint supplies. Highway supervisor will participate in a session but is very angry. Father of offender will come.
Appropriate for Conferencing more than Circling because...
  1. Parties needed or wanted direct dialogue
  2. Victim wanted to meet at a public service building to save time
  3. Structured reparation plan needed

Case 2. Assault Case. Juvenile justice referred one offender and one victim due to broken tooth expenses, but both girls had a 6 month history of fighting, affecting the whole volleyball team mood.
Appropriate for Circling more than Conferences because...
  1. Team mates impacted by the behavior of both girls.
  2. Parents want to address community.
  3. Past attempts to resolve issues, between the girls, did not result, more peer support for conflict resolution

Case 3. School Dodgeball Fight. Two kids physically fight and peers get involved too. Several parents have gripes with each other; one parent feels the school has very unfairly punished their child repeatedly.
Appropriate for Blending a Circle and Conference sequentially because...
  1. Hold a conference between the youth, a Circle for larger group of students.
  2. Hold Circle for parents & adults, information share and reflection on school procedures.
  3. Hold a conference as a follow-up, hold Circle as a follow-up, use either if problems continue.

Case 4: Stolen I-Pod, gets sold, the sellers convince the buyer to report a different peer as seller during court trial. Buyer charged with Felony/perjury to make an example.
Appropriate for Blending a Circle and Conference elements in one dialogue because...
  1. Referred for felony crime, great deal of impact on family, almost lost home from paying attorney.
  2. In-depth discussion needed about repairing harm/talking piece suspended for direct dialogue.
  3. Circle will address the impact of the original harm and harm caused by legal system response.
Exercises for Small Groups: What Would You Do With These Cases? Why?

1. School Safety Officer refers a case where there was a message written in the boys bathroom, “You are all dead tomorrow, bomb drops, good bye lozers!” The offender has not been identified (yet), and school had been cancelled for the rest of that day. Many parents and staff are upset. There are, however, two boys who are highly suspected by the principle for the situation.

2. A 17-year old boy broke into a home in order to steal money and small items that could be pawned. The victim party, a single parent mother who has one teenage daughter, felt very violated on many levels and lives with greater fear and mistrust. Some jewelry items also had special heirloom value to her. In a preparation meeting, it appeared that the offender was holding things in and being self-protective.

3. Two students have had on-going conflict since middle school. They are now seniors in high school and are in the same art class. Incidents have increased (pizza smeared on windshield, threats at a dance) and they nearly had a physical fight after a verbal exchange. But the art class is only offered 1 time a year, and there are not viable class alternatives. Both mothers think, the other student should be removed from art class.

4. Vandalism on a college campus resulted when two juveniles and three college students in area left a late-night party, presumably under the influence of alcohol, and destroyed a new outdoor metal sculpture. Only one of the college students participated in the vandalism; the other two watched. When police arrived the juveniles ran away but the three college students were apprehended. It was later found out that the sculpture artist was an alumnus from the college who still lived in the local area.

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