

## **TAM – THE EARLY YEARS: The Family Mediation Network of Greater Houston**

By Linda Gibson, TAM Historian

The Texas Association of Mediators began its formal existence as the Texas Association of Family Mediators (TAFM) in a meeting room in a hospital basement in Austin on September 6, 1985, but the true origins of TAM stem from the late 1970s and early '80s when a number of people who would later become Texas mediation pioneers were looking for a better way for divorcing couples to end their marriages without destroying their own lives and those of their children.

**Florence Kusnetz**, a founding member of TAFM and TAFM president in the critical 1990-1991 year when TAFM became the Texas Association of Mediators, described her introduction to mediation in an interview with Jo Ann Surface in the late 1990s. She stated, "It was about 1979 when I started to become critical of family law practice in Harris County. I thought, 'This system is so bad for families. There has got to be a better way.' I had never heard of mediation. Nobody had ever heard of mediation in 1979, or at least not in the family law context. So, I started studying books on negotiation and arbitration, thinking I could invent a more humane system of divorce. I read every book I could find to help me -- and I got nowhere. Then, one day in early 1981, I opened the newspaper and read about a man named O. J. Coogler, who had created a process for resolving divorce conflicts. He was in Washington, D. C. at the time, training people in the process of divorce mediation. Well, I got so excited -- this man had done what I was trying to do. I didn't have to invent a new process; someone had done it for me. I tracked him down, called him in May 1981, and made arrangements to be in his next class. "I attended the course in the second week of July. ... It was unbelievable. I felt this was the answer to everybody's prayers. Divorcing parents would no longer have to go through the destructive system of fighting in the courts, wrecking the children, and calling each other names. A couple could sit down like civilized people and talk about their problems. A mediator could help them work out their solutions. O. J. Coogler truly was a mediation pioneer."

**Alece Egan**, another family law attorney in Houston in the early 80s, was also searching for a better way for divorcing couples to part. She described her experience as follows: "My introduction to mediation came when I was ready to walk away from divorce courtroom practice as unhealthy for my clients and me. But with daughters in college, I didn't see how. A good friend ... told me about it. My husband, a family therapist, referred me to a friend in Galveston who knew about a training program in divorce mediation. I called and registered for their next course, in Monterey, CA. I was so excited about it, I buttonholed **Don Graul** at the courthouse, and he registered, too." Alece discovered that another Houston attorney whom she didn't know, Florence Kusnetz, was currently in D.C. taking the same mediation training course she and Don planned to take in California. They called Florence's office and left a message, "Just found out you went to the mediation training—we're going next week—when we come back, we'll do this together." A fourth Houston attorney and TAFM founder, **Judy Dougherty**, also attended the Coogler training.

Florence, Alece, Judy, and Don formed a core group of family law attorneys who were determined to bring mediation to Houston. As Alece describes it, they “put together a dog and pony show and scavenged for groups who wanted free speakers. ... The four, then three of us would go anywhere. One awful, stormy night we drove all the way across Houston to speak, and only one person showed up. But it worked. We all began getting mediations.” Florence continues with the story, “We began to look for all the people in Houston who were interested in mediation. Most of them were mental health workers--lots of social workers and psychologists. Some of them went for mediation training, and the movement started growing.”

One of the members of the audience who heard Alece and Florence speak in 1981 was **Laury Adams**, TAFM founder and TAM president in 1991-92. Laury says she knew after listening to Alece and Florence that “mediation would be a perfect fit for the professional skills I had developed.” Laury soon took mediation training, and became an active member of the group, advocating divorce mediation in the Houston area: “**Gary [Kirkpatrick]**, Alece, and I presented mediation trainings early in the ‘movement.’ ... As I recall, in the early years, the family mediators were focused on having family mediation accepted and used for divorce cases. That's why the Houston attorneys agreed to mediate in the Houston courts free of charge...”

The early 80s saw growth in other areas of mediation, also. Alece recalls that “Early on, someone told us about **Judge Frank Evans** and the organization that was doing volunteer ‘community mediation’ for neighborhood disputes, teaching school children to mediate their playground disputes, etc. ... We contacted some of their mediators ... and called a meeting to form a mediation group. The other group were very supportive but, as we wanted to focus on family and divorce mediation, we started the Family Mediation Network of Greater Houston.” Florence continues “By the end of 1982, we had a local family mediation group that met monthly. We did a lot of peer review and tried to find out what worked and what didn't. We discussed the kinds of problems we ran into, and how we could help each other. There was no competition between us--we were all out to help each other make this happen. I remember some of the earliest practitioners. **Marie Mullineaux** was a social worker who mediated in Houston and later in Colorado. **Susanne Adams** was a non-attorney mediator who was very active in Houston, then in Dallas, but died some years ago. **Bruce Mitchell** started in mediation and later went to law school. **Maureen Peltier** is an attorney-mediator who still practices in Houston. They were all dedicated, tireless advocates of mediation.”