

# **ABA Section of Dispute Resolution Spring Conference**

**New York, NY**

## **Schedule of Programs**

*Last Updated on Thursday, February 18, 2016*

### **Wednesday, April 6th**

The conference events on Wednesday include the Symposium on ADR in the Courts for court ADR administrators, judges, neutrals, and researchers. Attendance at the Court is included in the full conference registration. Those who wish to only attend the Symposium programs on Wednesday should purchase a one-day Wednesday conference registration. Other Wednesday events include the ABA Law School Representation in Mediation Competition Nationals, the ABA Section of Dispute Resolution Leadership retreat (invitation-only) and the Section Council Meeting (open to all).

### **Symposium on ADR in the Courts**

**9:00 AM – 9:50 AM**

**Court Symposium-Opening Program**

**Mediating Section 1983 Police Misconduct Cases in the Post-Ferguson Era**

Room: Empire Ballroom East, 2nd Floor

Judge James L. Cott, USDC SDNY, will share his experiences both as a federal magistrate judge and a mediator in best handling Section 1983 police misconduct cases in the aftermath of national and highly publicized events which have changed the landscape of resolving these disputes.

**9:50 AM - 10:00 AM**

**Court Symposium Coffee Break**

Room: Empire Foyer, 2nd Floor

**10:00 AM - 10:50 AM**

**Court Symposium Program**

**Mediating Police-Related Cases in the Post-Ferguson Era**

Room: Empire Ballroom East, 2nd Floor

This panel discussion will explore the relationship between police conduct and mediation. Panelists will describe the multitude of ways that people's experiences with police can intersect with mediation: through mediations between individuals and officers; or in a criminal court context where the shadow of a police encounter may impact the dynamics of the mediation; or through the connections between criminal cases (where officers serve as witnesses) and civil settlements under 42 U.S.C § 1983 (where officers may be named as defendants).

Rochelle Arms, Global Insight Consulting , New York, NY

Lisa Cohen, CCRB-NYC, New York, NY

Elizabeth Daitz, New York Police Department, New York, NY

Rebecca Price, U.S. District Court for the SDNY, New York, NY

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**11:00 AM - 12:10 PM**

## **Court Symposium Concurrent Programs**

### **Court Symposium-3: Technology in Mediation -- Philosophy and Praxis Normative Considerations and Practical Demonstrations in Court-Annexed Mediation**

Room: Riverside Ballroom, 3rd Floor

Technological advancements are offering revolutionary opportunities to supplement or substitute alternative dispute resolution mechanisms for traditional litigation. This program will address the underlying expectations, mechanisms, and guarantees of justice in society as counterpoised to the need for, and the process of, automating and innovating mediation. Discussion will center on both highly developed mediation processes, such as telephone mediation, and nascent initiatives, such as the use of video conferencing and telepresence technologies. The presentation will include a demonstration of telephone mediation technologies currently in use in federal courts, and discuss the role of practitioners in developing mediation within the courts.

Frank Laney, US Court of Appeals, 4th Circuit, Cary, NC

Dean Leslie, New York Supreme Court/Court Attorney Association of New York, New York, NY

### **Court Symposium-4: Court-connected Mediation in Europe – Scandinavian and Central European perspectives**

Room: Riverside Suite, 3rd Floor

Why is mediation popular in some countries but not in others, and why is there a significant variation in settlement rates? How does the setup of court-connected mediation and the litigation culture affect mediation and its outcomes? Are there open or hidden incentives/disincentives to participate in mediation? In this presentation, we will discuss the use of court-connected mediation during the pre-trial stage in four Scandinavian and eight Central European countries. Based on a transnational research project, we identify key factors contributing to successful mediation schemes and how court-connected mediation may contribute to changes in the legal culture.

Lin Adrian, University of Copenhagen, Copenhagen, Denmark, Denmark

Anna Nylund, UiT - The Arctic University of Norway, Tromsø, -, Norway

**12:10 PM - 2:00 PM**

## **Court Symposium Lunch Break**

Hudson Market Bistro Lunch or local Restaurants of your choice

Conference attendees have the option of purchasing pre-paid lunch tickets at the Sheraton Hudson Market Bistro. Conference registrants may purchase Bistro lunch ticket for \$28 as part of your registration process. There are a limited number of these hotel bistro lunch tickets available. Tickets are only valid for the date of purchase. Sign up for Lunch-Arounds on the conference web site: [ambar.org/spring2016](http://ambar.org/spring2016).

**2:00 PM - 3:30 PM**

## **Court Symposium Program**

### **Court Symposium-5: What Does Recent Research Tell Us About Court ADR?**

Room: Riverside Ballroom, 3rd Floor

In this session, four seasoned researchers will present findings from their current studies of court ADR. Their work covers both federal and state courts and addresses some of the most central issues in court ADR programs—what are the outcomes of these procedures, how fair are they, what program characteristics foster perceptions of fairness, what impact do these procedures have on the courts? The researchers will discuss their findings in the context of dispute

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resolution system design and procedural justice. They will also discuss the challenges of doing research on court ADR and highlight some of the issues for future research.

Donna Stienstra, Federal Judicial Center, Washington, DC

Donna Shestowsky, UC Davis School of Law, Davis, California

Nick White, Maryland Mediation and Conflict Resolution Office (MACRO), Annapolis, MD

Victor Quintanilla, Indiana University School of Law, Bloomington, IN

**3:30 PM - 3:40 PM**

**Court Symposium Coffee Break**

**3:40 PM - 5:00 PM**

**Court Symposium Concurrent Programs**

**Court Symposium-6:**

**Show Me the Money: Strategies for Supporting ADR Services**

*ADR Program Sustainability & Growth*

Room: Riverside Ballroom, 3rd Floor

Access to resources is at the heart of ADR programs, however, there is often a disconnect between expressions of support and actual funding. What lessons can we take from the intersections of funding and program design that can help us build more sustainable programs in the future? How do funding sources impact decisions about ADR programs? Many judicial systems remain under severe economic pressure. ADR programs face closure or consolidation because of insufficient funding. Some are flourishing with the addition of staff, or mediators, the expansion of services, or partnerships with other community organizations.

Doug Van Epps, Office of Dispute Resolution, Lansing, MI

Jill Morris, U.S. District Court for the Western District of Missouri, Kansas City, Missouri

**Court Symposium-7:**

**ADR in the Courts-A Discussion of Comparative Methodologies by the Experts**

*Can Varying Methods of Mediation Work Within the Court Assigned Mediations Model*

Room: Riverside Suite, 3rd Floor

This program brings together four nationally recognized practitioners of differing methodologies of alternative dispute resolution to explain their method of ADR and how it might be applied to and engage court required mediation in a different way. Mark Kleiman, Lela Love, Katherine Miller and Peter Miller will engage in lively discussions which will cover the benefits and obstacles they see in applying their brand of ADR to court ordered mediation. This panel will enable the attendee to learn more about varying practice of ADR while seeing how it can be applied to court ordered ADR.

Debra Vey Voda-Hamilton, HamiltonLaw and Mediation, Armonk, New York

Lela Porter Love, Benjamin Cardozo School of Law, New York, New York

Mark Kleiman, Community Mediation Services, Jamaica, NY

Katherine Miller, The Miller Law Group. Collaborative Law & Mediation., New Rochelle, NY

Peter Miller, Miller Mediation, Brooklyn, NY

**5:00 PM - 6:00 PM**

**Court Symposium Cookie and Coffee Reception**

Room: Riverside Ballroom, 3rd Floor

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

## ABA Section of Dispute Resolution Leadership Meetings

**7:30 AM – 12:30 PM**

**Committee Chair and Council Leadership Retreat: Section Leadership Retreat (private meeting)**

Room: Sugar Hill - Lower Level

**2:00 PM – 5:00 PM**

**Leadership Council Meeting: Section of Dispute Resolution Council Meeting (open meeting)**

Section Council Meeting

Room: Empire Ballroom East, 2nd Floor

## ABA Representation in Mediation Competition Nationals Opening Rounds

### Mediation Competition Round 1: ABA Representation in Mediation Competition

M1:	8:15 – 8:45	Joint orientation for participants, judges and mediators
	<u>8:45-9:00</u>	<u>Separate orientation: participants</u>
M2:	9:00 – 9:10	Mediators, judges, and participants move to their assigned mediation rooms; participants give mediation plan to their judges
	9:10 – 9:20	Judges read representation plans
	9:20 – 10:35	Mediation sessions
	<u>10:35</u>	<u>Mediators are excused at the end of the mediation session</u>
M3:	10:35 – 10:45	Teams prepare for self-analysis & judges begin to work on score sheets
	10:45– 11:05	Team self-analysis sessions with judges (10 minutes for each team)
	11:05 - 11:20	Judges complete their score sheets and prepare their remarks for the critique session.
	<u>11:20 – 11:50</u>	<u>Judges critique team performance and provide feedback (15 minutes for each team)</u>

### Mediation Competition Round 2: Representation in Mediation Competition

M4:	1:20-1:45	Joint orientation for participants, judges and mediators.
	<u>1:45-2:00</u>	<u>Separate orientation: participants</u>
M5:	2:00 – 2:10	Participants, judges and mediators move to their assigned rooms; participants give their mediation plan to their judges
	2:10 – 2:20	Judges read the representation plans
	2:20 – 3:35	Mediation sessions occur
	<u>3:35</u>	<u>Mediators are excused at the end of the mediation session</u>
M6:	3:35 –3:45	Teams prepare for self-analysis & judges begin to work on the score sheets
	3:45 –4:05	Team self-analysis sessions with judges (10 minutes for each team)
	4:05 – 4:20	Judges complete their score sheets and prepare their remarks for the critique session; the timekeeper then collects the score sheets
	4:20 – 4:50	Judges critique team performance and provide feedback (15 minutes for each team)

**Thursday, April 7th**

Thursday events include a networking breakfast, opening plenary with Johnston Barkat, United Nations Assistant Secretary-General, and concurrent educational programs throughout the day. The day will conclude with a networking reception in the Exhibit Hall and dine-arounds for conference attendees wishing to join in evening events outside of the hotel.

## **7:00 AM - 8:00 AM**                      **Thursday Conference Breakfast and Committee Meetings**

Metropolitan West, 2<sup>nd</sup> floor

Join your fellow conference attendees for a continental breakfast in the Metropolitan West. ABA Section of Dispute Resolution Committee Chairs will host meetings at tables throughout the breakfast hall. Attendees should feel free to join committee meetings of interest to them. Conference newcomers should come by the Newcomers table for a conference welcome and orientation.

Breakfast Tables:

- Court ADR Committee Meeting
- Ethics Committee Meeting
- International Committee Meeting
- Online Dispute Resolution Committee
- Welcome Conference Newcomers

## **8:00 AM - 9:15 AM**                                      **Thursday Welcome and Opening Plenary**

After Breakfast move to the adjacent hotel ballroom for our Conference Welcome and Opening Plenary.

### **Conference Welcome**

Howard Herman, U.S. District Court, N.D. Calif., San Francisco, CA, Chair of the ABA Section of Dispute Resolution  
Paulette Brown, President, American Bar Association

### **Opening Plenary: The Naked Prince: Conflict, Change & the Art of Collaborative Leadership**

Room: Metropolitan East Large, 2nd Floor

Success in today's global environment requires collaborative and flexible problem-solving that yields targeted, sustainable results. The core principles of our field are beautifully aligned with this emergent approach yet a marked disconnect exists between conflict resolution experts and organizational decision-makers. Dr. Johnston Barkat's work as Assistant Secretary-General heading the United Nations Ombudsman and Mediation Services has often required bridging this gap. Reporting directly to the Secretary-General and overseeing eight offices around the globe, Dr. Barkat keenly understands the challenges and opportunities inherent in uniting disparate stakeholders to affect substantive and durable change. Drawing on his background as a mediator, Dr. Barkat will reflect on the untapped potential of conflict resolution as a force for inspiring leaders, governments, and our world at large.

Johnston Barkat, United Nations, New York, NY

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**9:15 AM - 9:30 AM**

## **Coffee Break in the Exhibit Hall**

Central Park East and West

**9:30 AM - 10:45 AM**

## **Concurrent Series A**

**A1: Transforming Impasse From Problem Into Opportunity**

Room: New York Ballroom West, 3rd Floor

Practice Area Track: Mediation

This workshop looks at the ways professionals can unwittingly contribute to impasse by framing it as a problem to be (quickly) fixed, rather than an opportunity to be explored. We will examine the paradigm shift and skills required to decode and work with the encrypted messages hidden in every impasse.

Stephen Sulmeyer, Corte Madera, CA

**A2: Secrets of Success: Unique Problems in Commercial Arbitration and Best Practices For Managing Them – I**

Room: Empire Ballroom East, 2nd Floor

Practice Area Track: Secrets of Success in Arbitration

This interactive program will address many of the most challenging substantive and procedural issues that arise during the pre-hearing phase in Commercial arbitrations. The most experienced arbitrators in these fields will discuss these challenges, invite questions and discussion, and offer cutting-edge techniques for managing the unique difficulties that arbitrators and advocates may encounter. The presenters will alternate roles as Claimant's counsel, Respondent's counsel and Arbitrator. In each of three segments of the program, counsel will present their respective arguments on the relief requested; the Arbitrator will solicit the views of the Tribunal "wings" – members of the audience – before issuing a ruling and facilitating discussion of the rulings.

John Byrne, College of Commercial Arbitrators, Brooklyn, NY

Richard Silberberg, College of Commercial Arbitrators, New York, New York

Harrie Samaras, West Chester, PA

**A3: Reflective Practice: Radiate Excellence and Stand Out in the Crowd!**

Room: Lenox Ballroom, 2nd Floor

Practice Area Track: Communications/Neuroscience/Psychology

Excellence mediation is achieved through a combination of hard work and thoughtful analysis. The greater understanding we have of ourselves, the better our performance. Nicola and Anna combine their expertise in the worlds of coaching and mentoring dispute resolution practitioners to bring you an interactive program building self-awareness and reflective practice. As mediators, we are trained to manage our biases and stereotypical thinking; but we are human, and often they impact our interactions without our awareness. You will receive intellectual models, tools, discussion and an opportunity to create a new level of learning, designed to benefit your mediation practice.

Anna Rappaport, Excelleration, LLC, Annandale, VA

Nicola Hartfield, Nicola Hartfield Dispute Resolution, Napier, Hawkes Bay, New Zealand

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**A4: The New Normal: Fastforwarding Dispute Systems Design in a 'Majority-Minority' World**

Room: Riverside Ballroom, 3rd Floor

Practice Area Track: Dispute Systems Design

The US is feeling the impact of the shifts in demographic. By 2044 the majority of the US population will belong to what is now considered racial minority groups. Although dispute resolution professionals are keenly aware of these changes, there is a need to enhance the capacity for addressing the interplay among different worldviews at a systemic level. This panel will move this vital conversation forward by focusing on the structural and system design implications of this population shift. What points of friction are present? How can ADR professionals accommodate diverse perspectives? How to engage with these challenges?

Rafael Gely, University of Missouri School of Law, Columbia, Missouri

Mariana Hernandez Crespo, University of St. Thomas School of Law, Minneapolis, MN

Jacqueline Font-Guzman, Creighton University School of Law, The Werner Institute, Omaha, Nebraska

Yanira Aleman-Torres, University of Puerto Rico - Mayaguez, Mayaguez, Puerto Rico

**A5: Ready, Set, Resolve: Establishing More Beneficial Preliminary Strategies for Neutrals, Parties and Attorneys**

*Advanced Design of Effective Processes*

Room: Riverside Suite, 3rd Floor

Practice Area Track: Ethics

Although much has been focused on mediation, facilitation and arbitration processes, often overlooked are the needed assessments and emphasis on the preliminary elements of these processes. Recently, however, neutrals have begun to acknowledge and better understand the importance of preliminary engagements, particularly in terms of assuring that a 'quality process' is provided as noted in ethical provisions. Addressing matters such as process design and modifications along with effective preparation strategies are significant elements of successful processes. This session will engage the participants in interactive discussion of strategies that can ideally lead to greater satisfaction with the process and outcome.

Kimberlee Kovach, Austin, TX

Lonnie Schooler, Jackson & Walker, L.L.P., Houston, TX

Larry Schooler, City of Austin/University of Texas, Austin, TX

**A6: ADR Research and the Courts: From Research to Reality**

*Using Real ADR Research to Develop Court ADR Program Best Practices*

Room: Gramercy - Lower Level

Practice Area Track: Court ADR

This highly energetic, interactive session will take a look at Maryland's tremendous ADR research and apply its results to the practical realities of Court ADR programs. This session will be presented in two parts: First, we'll explore the research results in the Maryland study and discuss surprises and results we might have anticipated. Second, we will take those results and look at the practical application in terms of ADR program design and modification, and educational components for judges, court staff, and ADR practitioners. Attendees will leave with a better understanding of how research guides practice.

Jonathan Rosenthal, District Court of Maryland, Annapolis, MD

Maureen Denihan, District Court of Maryland, Annapolis, MD

Lorig Charkoudian, Community Mediation Maryland, Takoma Park, MD

**A7: Want To Be An Even More Effective Negotiator and Mediator?**

*Develop Consultative Selling Skills*

Room: Chelsea - Lower Level

Practice Area Track: Negotiation

Selling and Negotiating require many of the same skills. But, while there have been very few scientific studies of negotiation skills, selling skills have been extensively studied. Come learn from Neil Rackham, the progenitor of the largest empirical study of consultative selling skills ever carried out, exactly how consultative selling works. This study measured successful communication behaviors of 10,000 sales people on more than 35,000 sales calls all around the world. Learn also from Ava Abramowitz, a mediator and GW Law School instructor of negotiations, how practitioners can use the study to improve their negotiation and mediation skills.

Ava Abramowitz, GW Law School, Washington, DC

Neil Rackham, Leesburg, Virginia

**A8: When it Takes Three to Tango: Employment Counsel as Facilitators of Sustainable Success**

Room: Empire Ballroom West, 2nd Floor

Practice Area Track: Employment and Labor

This panel of leading in-house employment counsel will facilitate a discussion of approaches to collaborative and flexible problem-solving approaches to addressing employment issues within their organizations.

Helena Tavares Erickson, CPR Institute, New York, NY

Robert Whitman, Seyfarth Shaw, New York, NY

Diane Dann, Senior Vice President, Employment Law, MasterCard

Stephen Malone, NBCUniversal

Louis G. Santangelo, Citi

**A9: Revisioning the Role of the Lawyer**

*Building Creativity, Resiliency, and Healing into Practice*

Room: Sugar Hill - Lower Level

Practice Area Track: Other

In addition to ADR, other new approaches are quickly gaining ground as lawyers embrace greater roles as healers and peacemakers. This interactive program will provide an overview of the integrative law movement that is rapidly growing worldwide and look at two examples: (1) An innovative approach to contract formation that emphasizes sustainable relationships and includes mechanisms for engaging conflict as partners rather than opponents (2) The role forgiveness can play in legal disputes and how lawyers and mediators can help clients find healing and closure through apology and forgiveness. Participants will have an opportunity to explore their own visions.

J Kim Wright, Cutting Edge Law, Location Independent, NA

Eileen Barker, Barker Mediation, San Rafael, CA

Linda Alvarez, Rockport, TX

**A10: Consumer Arbitration/Consumer Financial Protection Bureau Hot Topic program**

Room: Bowery - Lower Level

Practice Area Track: Arbitration - Domestic & International

The CFPB recently announced its tentative proposals to 1) bar class action waivers in mandatory pre-dispute consumer arbitration clauses in contracts for financial services and products and 2) require reporting regarding arbitration filings and awards and potentially make such information public. The Section subsequently established the CFPB Review Task Force. At this session, some of the Task Force members will provide an overview of the CFPB's tentative proposals and

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their status. They will also provide an overview of the deliberations and recommendations of the Task Force. Then, with the help of Parisa Parsa from the Public Conversations Project, Task Force members will reflect on these issues as individuals and from a “within-the-family” “dispute resolution” perspective rather than an “advocacy/debate” perspective, including discussing: what they think that members of our field/Section need to understand; whether and why they think these issues are important ones for our field/Section; whether and why they think that members of our field/Section find it difficult to discuss these issues; and what they think can/could be done to make the discussion less difficult--and even productive.

Nancy Welsh, Penn State University Dickinson Schools of Law, Carlisle, PA  
Lisa Blomgren Amsler, Indiana University School of Public and Environmental Affairs, Bloomington, IN  
Bruce Meyerson, Phoenix, AZ  
Homer LaRue, Maryland  
Jean R. Sternlight, UNLV School of Law, Las Vegas, NV  
Louis Burke, Louis F. Burke PC, New York, New York  
F. Peter Phillips, New York Law School, Montclair, New Jersey  
Parisa Parsa, Public Conversation Project

### **10:45 AM - 11:00 AM**

### **Coffee Break in the Exhibit Hall**

Room: Central Park East & West, 2nd Floor

### **11:00 AM - 12:15 PM**

### **Concurrent Series B**

#### **B1: Venting in Mediation: Helpful or Harmful?**

*Busting the venting myth*

Room: Lenox Ballroom, 2nd Floor

Practice Area Track: Communications/Neuroscience/Psychology

Mediators have long been encouraged to let parties vent. What is venting and why do mediators think it is helpful? We will examine evidence from neuroscience and psychology that venting can be either helpful or harmful in the mediation setting. We will provide ample time for audience participation to provide examples from practice when venting has been helpful and when it has been harmful.

Jill Tanz, Chicago Mediation LLC, Chicago, Illinois  
Martha McClintock, Chicago, Illinois

#### **B2: Secrets of Success: Unique Problems in International Arbitration and Best Practices For Managing Them – I**

Room: Empire Ballroom East, 2nd Floor

Practice Area Track: Secrets of Success in Arbitration

This interactive program will address many of the most challenging substantive and procedural issues that arise in International arbitrations. This program is part 1 of 2 and will focus on the preliminary management conference in international arbitration and how to use it to best effect in addressing issues unique to international arbitrations. The most experienced arbitrators in these fields will discuss these challenges, invite questions and discussion, and offer cutting-edge techniques for managing the difficulties that arbitrators and advocates may encounter.

Edna Sussman, Scarsdale, New York  
Robert Davidson, JAMS, New York, NY  
Philip O'Neill, Lincoln, MA  
Jose Antonio Rodriguez Marquez, Bufete Rodriguez Marquez, S.C., Mexico City, Mexico City, Mexico

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**B3: Mediation Jujutsu -- New Developments in Transforming Litigation Techniques into Successful Mediations and Other ADR Practices**

Room: Sugar Hill - Lower Level

Practice Area Track: Advocacy in ADR

Jujutsu is a form of martial arts by which an unarmed party engages in close combat to overcome an armed opponent. Effective advocacy in ADR has evolved tremendously in the past decade, and like the art of jujutsu, increasing numbers of litigants are turning to ADR to help successfully resolve disputes that involve parties with significant disparity in resources and litigation experience. This presentation explores new developments and techniques in ADR as consumers of ADR services become more sophisticated advocates within ADR proceedings and ADR providers' techniques are ever advancing to deliver on these challenges.

Constance Yu, San Francisco, CA

James Warren, Carroll, Warren, and Parker, Jackson, MS

**B4: Isn't There a Broader Way: The Emerging Dissatisfaction within the ADR Profession and How to Address it**

Room: New York Ballroom West, 3rd Floor

Practice Area Track: Tools for Trainers

Despite the growth and progress of alternative dispute resolution (ADR) in recent history, there is an emerging dissatisfaction among many in the ADR profession. Concerns range from perceived underutilization of ADR and the belief that ADR, and mediation in particular, is not fully understood or appreciated by society at large. The possibilities for the ADR field to address this dissatisfaction going forward include the same traditional efforts as the past, including the adoption of laws promoting greater use of ADR, confidentiality and quality assurance. But the field must look for new and better ways to build mainstream appreciation for the value of ADR and to capitalize on the transferable skills associated with ADR and conflict resolution. This workshop offers a fresh perspective on promoting the use of ADR and, more specifically, a suggested pathway to achieving widespread appreciation of ADR. Participants will explore the concepts of "exporting" and "embedding" as well as other opportunities to "mainstream" ADR skills.

Sheila Sproule, Management Analyst, Office of ADR Programs, New York State Unified Court System, New York, NY

Daniel Weitz, Statewide ADR Coordinator, New York State Unified Court System, New York, New York

**B5: The Mediator Rating Game: Mediator Responses to Attorney and Repeat Player Preferences**

*Are attorney list serves the new YELP for mediators and how is this new social media shaping mediator behavior?*

Room: Riverside Suite, 3rd Floor

Practice Area Track: Ethics

The question of whether repeat players come out ahead in mediation has inspired on-going debate among mediator enthusiasts and critics. More recently, the debate has focused on the role of repeat-player attorneys in shaping mediator behavior (and whether clients—the disputants themselves—are being left out in the process). The question of attorney influence on mediator behavior has become ever more poignant with the growth and development of topic-specific list-servs, social media sites designed to serve particular legal communities. As mediation becomes a fixture in litigants' route to trial, more and more listserv discussion is devoted to commentary regarding skills, biases and general performance of popular mediators. Mediators are well-aware of this growing practice, which amplifies the power of attorneys to make or break mediator reputations—at least among some segments of the "demand-side" of the mediation market. This panel examines the role of social media in shaping mediator practices and considers whether the growing influence of attorney preferences on mediator strategy and approach represents a Pareto optimal re-fashioning of the mediation landscape or a regrettable market failure.

Susan Exon, University of La Verne, Ontario, CA  
Ellen Waldman, Thomas Jefferson School of Law, San Diego, CA  
Victoria Pynchon, She Negotiates Consulting and Training, Los Angeles, CA

**B6: You Too Can Do Empirical Research**

*Research Design and Data Collection in Four Easy Steps*

Room: Gramercy - Lower Level

Practice Area Track: Research

Research doesn't need to be intimidating. Following a broader trend in law, many ADR practitioners and scholars seek to conduct empirical research testing the effectiveness of proposed interventions or studying other questions relevant to understanding or improving ADR procedures. Empirical research is more important than ever as government and philanthropic organizations tie funding of dispute resolution programs to proof of effectiveness. This session will be part panel and part workshop. Panelists will discuss projects that have been funded and tested and then vet proposed audience members' proposed projects, breaking down research into four easy steps.

Erin Archerd, University of Detroit Mercy School of Law, Detroit, Michigan  
Nancy Welsh, Penn State University Dickinson Schools of Law, Carlisle, PA  
Donna Shestowsky, UC Davis School of Law, Davis, California  
Philip Moses, Center for Appropriate Dispute Resolution in Special Education (CADRE), Eugene, Oregon

**B7: Is Your ADR Safe? Reducing the Risk of Violence Before, During and After Sessions**

Room: Empire Ballroom West, 2nd Floor

Practice Area Track: Mediation

Many ADR professionals saw the headlines when an angry mediation participant shot two other participants (an attorney and client) outside a Phoenix law firm in 2013. That tragedy is probably the most extreme recent example of violence in connection with an ADR process, but unfortunately it is not unique. In response to this concern, the Association for Conflict Resolution (ACR) developed guidance on how to promote the safety of ADR practitioners and participants. In this session, two of the individuals who drafted the ACR guidance will discuss the key safety advice and lead an interactive discussion of how to implement

\Stephen Kotev, [www.StephenKotev.com](http://www.StephenKotev.com), Silver Spring, Maryland  
Susan Yates, Resolution Systems Institute, Chicago, IL

**B8: Choosing a Path to Success: Business Development Plans for Neutrals**

*"If You Are Failing to Plan, You are Planning to Fail" – Benjamin Franklin*

Room: Bowery - Lower Level

Practice Area Track: Practice Management and Business Development

Few mediators or arbitrators are getting the quantity or quality of cases that they would like. Yet, it is rare for neutrals to start out with a business development plan. This panel of mediators and arbitrators at various stages in their careers will share how they plan and prioritize their business development activities, as well as best practices and lessons learned. Topics will include how to get on provider panels, which certifications are most valuable, how to increase the likelihood of being selected by parties, among others.

Anna Rappaport, Excelleration, LLC, Annandale, VA  
Laura Kaster, Princeton, New Jersey  
Carole Katz, Pittsburgh, Pennsylvania  
Philip Cottone, Property Trust Advisory LLC, Malvern, PA  
Theodore Cheng, FOX HORAN & CAMERINI LLP, New York, NY

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**B9: No Longer an Experiment: The Evolution of Federal ADR**

*Practitioners reflect on the 20 years since the reenactment of the Administrative Dispute Resolution Act in 1996*

Room: Riverside Ballroom, 3rd Floor

Practice Area Track: Government

When Congress passed ADRA in 1990, it imposed a 5-year timeframe on the federal ADR experiment. With the reenactment of ADRA in 1996, the experiment was deemed successful – and the incorporation of federal ADR endorsed. The stage was set to institutionalize federal ADR - but the road to do so was not without challenges. Still, practitioners persisted, to the point where some are now pushing ADR boundaries beyond what was imagined. This panel brings together practitioners from the “early days” with cutting edge practitioners to reflect on 20 years of federal ADR – and share thoughts

Deirdre McCarthy Gallagher, Voices of Value, LLC, Rockville, MD

David Batson, AlterEcho, Washington, DC

Jane Juliano, U.S. Office of Special Counsel, Washington, DC

Cynthia Mazur, Federal Emergency Management Agency, Washington, DC

Daniel Rainey, National Mediation Board, Washington, DC

**B10: Eat the Frog First: Using Damages as an Effective Tool for Dispute Resolution**

*Crafting a Precision v. a Scattershot Approach to Damages*

Room: Chelsea - Lower Level

Practice Area Track: Dispute Resolution Generally

Too often, analysis of damages is either intentionally deferred or simply ignored until late in the dispute process. As a result, disputes frequently proceed through one-size-fits-all traditional discovery, motions, and other time consuming and expensive processes without anyone knowing what a case is realistically worth. Tailoring the dispute process to implement procedures to effectively address damages early facilitates informed decision-making, leads to early dispute resolution and streamlines the process. This panel will provide insights and approaches for using damages as an effective tool in ADR from the perspective of neutrals, in-house counsel and damage expert.

Nancy Greenwald, Construction Institute, West Hartford, CT

Carol Ludington, Ludington Ltd., St. Paul, MN

Linda Turteltaub, Skanska USA Building Inc., Parsippany, NJ

**B11: Arbitration Update**

*An Update on Arbitration Case Law, Legislation, and Policy*

Room: Sutton Place - Lower Level

Practice Area Track: Arbitration - Domestic & International

This panel will discuss the most important arbitration issues of the past year, from the Supreme Court to deflated footballs. This panel will discuss United States Supreme Court rulings dealing with arbitration issues, as well as notable federal and state court decisions. This panel will also give an update on legislative and administrative issues relating to arbitration.

Kristen Blankley, University of Nebraska College of Law, Lincoln, NE

Maureen Weston, Pepperdine University School of Law, Malibu, CA

Eric Tuchmann, American Arbitration Association, New York, NY

Ronald Aronovsky, Southwestern Law School, Los Angeles, CA

James Madison, Madison Mediation, Menlo Park, CA

## 12:15 PM - 2:00 PM

## Thursday Lunch Break

Hudson Market Bistro Lunch or Local Restaurants of your choice

Conference attendees have the option of purchasing pre-paid lunch tickets at the Sheraton Hudson Market Bistro. Conference registrants may purchase Bistro lunch ticket for \$28 as part of your registration process. There are a limited number of these hotel bistro lunch tickets available. Tickets are only valid for the date of purchase. Sign up for Lunch-Arounds on the conference web site: [ambar.org/spring2016](http://ambar.org/spring2016).

## 1:00 PM – 1:45 PM

## Thursday Networking 1

### Neutrals' Resume Writing and Website Presentation Tips

*A Roundtable Discussion for Arbitrators and Mediators*

Room: Sutton Place - Lower Level

Join representatives of the American Arbitration Association and the International Institute for Conflict Prevention and Resolution (CPR) and fellow neutrals to explore how to enhance your presentation of your professional credentials and expertise as arbitrators and mediators on rosters and websites. Bring your own resumes or web descriptions and engage in interactive discussion with others as to their content and presentation styles.

Gilda Turitz, Sideman & Bancroft LLP, San Francisco, CA  
Serena Lee, American Arbitration Association, San Francisco, CA  
Helena Tavares Erickson, CPR Institute, New York, NY

## 2:00 PM - 3:00 PM

## Concurrent Series C

### C1: Natural Allies--The Mediator and the Ombuds

*Shared Lessons and Opportunities for Collaboration*

Room: Empire Ballroom West, 2nd Floor

Practice Area Track: Ombuds

This program, presented by experienced mediators and ombuds, will discuss the similarities, differences and complimentary roles of mediators and ombuds. It will include a comparison of the role of mediation and mediation techniques with the role and approaches used by ombuds within conflict management systems. It is designed to inform mediators about ombuds programs to help them better understand what ombuds do and to equip them to advocate for the creation of ombuds programs where appropriate.

Charles Howard, Shipman & Goodwin LLP, Hartford, CT  
Natalie Fleury, Milwaukee, WI  
Caroline Adams, Santa Barbara, CA  
Michael Steinberg, New York City, NY  
Janis Schonauer, Costa Mesa, CA

### C2: Secrets of Success: Unique Problems in International Arbitration and Best Practices For Managing Them – II

Room: Empire Ballroom East, 2nd Floor

Practice Area Track: Secrets of Success in Arbitration

This interactive program will address many of the most challenging substantive and procedural issues that arise in International arbitrations. This program is part 2 of 2 and will focus on the hearing in international arbitration, how it differs from domestic arbitration, and how best to make the presentation in international arbitrations. The most

experienced arbitrators in these fields will discuss these challenges, invite questions and discussion, and offer cutting-edge techniques for managing the difficulties that arbitrators and advocates may encounter.

Edna Sussman, Scarsdale, New York

Abigail Pessen, NY, New York

Elliot Polebaum, Fried Frank LLP, Washington , DC

Jose Antonio Rodriguez Marquez, Bufete Rodriguez Marquez, S.C., Mexico City, Mexico City, Mexico

**C3: Tidying Up Your Toolbox -- Part 1**

*A workshop for mediation trainers*

Room: New York Ballroom West, 3rd Floor

Practice Area Track: Tools for Trainers

Whether training new mediators or corporate clients in conflict management, trainers in the ADR field tout the ability to teach new skills. Often skills are bundled to build a “toolbox.” Sometimes the toolboxes we share with trainees become cluttered with too many tools or tools that are rarely used. Based on the New York State Unified Court System’s years of experience mentoring mediation trainers and collectively observing more than 100 basic mediation trainings, this workshop is designed to help trainers: • reflect on their skills training curriculum • learn the seven stage skills training model used by the most effective trainers

Daniel Kos, New York State Unified Court System, Castleton-on-Hudson, New York

**C4: A Meditation Practicum for Mediators:**

*Using Meditation to Enhance Your Skills as a Mediator*

Room: Lenox Ballroom, 2nd Floor

Practice Area Track: Communications/Neuroscience/Psychology

Mediation is often very difficult work. Mediators are called upon to help resolve entrenched conflict involving hostility and sometimes violence. Remaining calm and grounded in the face of such conflict can be challenging. In this workshop, participants will learn how a regular contemplative practice helps a mediator to become more present, detached, flexible and fully awake. Participants will learn to meditate and will also examine the scientific evidence demonstrating the positive effects of meditation.

Linda Lazarus, Linda Lazarus, LLC, Washington, DC

**C5: Linked In, Conflicted Out - 2.0**

*Disclosure Dilemmas for the Modern Neutral*

Room: Riverside Suite, 3rd Floor

Practice Area Track: Ethics

The ever-expanding reach of social media for communication, marketing, and maintaining connections generates a complex interplay with the ethical obligations of ADR neutrals. In this uncharted digital landscape, ADR neutrals must be mindful of their disclosure obligations including tracking their “electronic relationships.” But to what extent must a neutral reveal their activities both online and offline? How may others track our digital footprint? This presentation will explore these issues and others as a litigator and neutral engage in a frank discussion of their respective positions on these often murky but interesting new digital ethical dilemmas.

Ruth Glick, Ruth V. Glick Mediator and Arbitrator, Burlingame, CA

Laura Stipanowich, Smith Currie, Washington DC, District of Columbia

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**C6: Discovery of Electronically Stored Information**

*Protocols, Problems, and Solutions For a Cost Effective Exchange of ESI*

Room: Gramercy - Lower Level

Practice Area Track: Technology

Electronically Stored Information ("ESI") increasingly contains documents and information necessary to the successful resolution of a dispute. It is something that litigants, courts, and ADR professionals struggle with -- particularly in weighing the costs of production and review. This presentation will suggest protocols to streamline and make cost effective the exchange of ESI, as well as suggestions to resolve disputes concerning ESI production.

Dean DiPilato, Gilberti, Stinziano, Heintz & Smith PC, Syracuse, NY

Jaya Sharma, Madison, WI

Allison Skinner, Skinner Neutral Services LLC, Birmingham, AL

**C7: The Next Generation: Law Students Speak Out on ADR**

Room: Bowery - Lower Level

Practice Area Track: Other

We hear from professors about teaching ADR in the law schools. Now we can hear from the students themselves, reporting what modern legal training is really like. Students representing clients in court-annexed mediation? Students meeting peers from around the world in arbitration and mediation competitions? Students taping negotiation exercises? Students participating in FINRA arbitrations? It's not your Momma's law school any more!

F. Peter Phillips, New York Law School, Montclair, New Jersey

**C8: Dispute Resolution in the Medicare Program**

*How Widespread and Effective?*

Room: Riverside Ballroom, 3rd Floor

Practice Area Track: Health Care

With expenditures exceeding \$605 billion, over 49 million Americans are beneficiaries of the Medicare program. Patients, physicians, and hospitals find themselves in a complex maze of rules and policies that create a multitude of disputes ranging from coverage and reimbursement to quality of care. This panel explores programs operated under HHS auspices to resolve hospital reimbursement disputes and complaints of Medicare patients. What dispute resolution techniques do these programs employ and how effective have they been in resolving conflicts for patients and hospitals in our nation's medical care delivery system so dependent on Medicare?

Haavi Morreim, College of Medicine, Univ. of TN Health Science Center, Memphis, TN

Arthur Peabody, Arthur E. Peabody, Jr. PLLC, Alexandria, VA

Joy Bahnemann, Livanta LLC, Annapolis Junction, MD

**C9: First Demands and First Offers---Striving for a Solid Start**

*The impact of initial offers/demands on the distributive bargaining process*

Room: Chelsea - Lower Level

Practice Area Track: Mediation

The likelihood of a dispute resolving for either the plaintiff's first demand or the defendant's first offer is almost non-existent. Accordingly little if any importance is usually assigned to either of these starting positions. This session will explore the reasoning behind why initial offers and demands can be of profound significance in the pursuit of achieving resolution through the distributive bargaining process

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)



Lee Jacobson, Jacobson Hansen and McQuillan, Attorneys at Law, APC, Fresno, CA  
Elaine Gordon, Gordon ADR, Westbrook, Connecticut  
Jan Schau, Schau Mediation, Los Angeles, CA  
Eugene Moscovitch, Judicate West, Los Angeles, Ca

**C10: Uniform Collaborative Law Act / Rules**

*The Uniform Collaborative Law Act / Rules validate the collaborative dispute resolution process, and give structure to the process*

Room: Sugar Hill - Lower Level

Practice Area Track: Collaborative Law

In 2009, the Uniform Collaborative Law Act was unanimously approved by the Uniform Law Commission. In 2010, the Commission adopted court rules which mirror the statute, giving states options to enact the statute, adopt court rules, or a combination thereof. The statute, rules or a combination of statute and rules have been enacted in thirteen jurisdictions, applicable to all civil disputes five states, and applicable to family matters in eight states and the District of Columbia.

Lawrence R Maxwell, Jr., Collaborative Lawyer-Mediator-Arbitrator, Dallas, Texas  
Harry L. Tindall, Tindall & England, PC, Houston, Texas  
Melanie Atha, Cabaniss, Johnston, Gardner, Dumas & O'Neal LLP, Birmingham, AL  
Zanita Zacks-Gabriel, Law Office of Zanita A. Zacks-Gabriel, Erie, Pennsylvania

**3:00 PM - 3:15 PM**

**Coffee Break in the Exhibit Hall**

Room: Central Park East & West, 2nd Floor

**3:15 PM - 4:30 PM**

**Concurrent Series D**

**D1: Checkmate: Early Moves Define Negotiation Outcomes**

*Negotiation Patterns Follow Predictable Social Conventions*

Room: Empire Ballroom West, 2nd Floor

Practice Area Track: Negotiation

Chess grandmasters report that while a match may last hours, the board is set in the first few moves. Players send strategic signals early and then work for hours to implement their plan while taking account of but not being controlled by their opponent's moves. They relentlessly run their plan. Effective negotiators also send strong signals in their first few moves. Come discuss why our emphasis should be on the concessions between the first and second (and second and third) rounds. Closing techniques are great, but no amount of frosting will save an unbaked cake.

Don Philbin, Picture It Settled, LLC, San Antonio, Texas  
Cari Wint, Bristol-Myers Squibb, New York, NY

**D2: Secrets of Success: Unique Problems in Commercial Arbitration and Best Practices For Managing Them – II**

Room: Empire Ballroom East, 2nd Floor

Practice Area Track: Secrets of Success in Arbitration

This interactive program will address many of the most challenging substantive and procedural issues that arise during hearings in Commercial arbitrations. The most experienced arbitrators in these fields will discuss these challenges, invite questions and discussion, and offer cutting-edge techniques for managing the unique difficulties that arbitrators and advocates may encounter.

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)



Herbert (Hal) Gray, Atlanta, GA  
Lawrence D. Harris, Washington, DC  
David Singer, New York, NY

**D3: Tidying Up Your Toolbox -- Part 2**

Room: New York Ballroom West, 3rd Floor

Practice Area Track: Tools for Trainers

Whether training new mediators or corporate clients in conflict management, trainers in the ADR field tout the ability to teach new skills. Often skills are bundled to build a "toolbox." Sometimes the toolboxes we share with trainees become cluttered with too many tools or tools that are rarely used. Based on the New York State Unified Court System's years of experience mentoring mediation trainers and collectively observing more than 100 basic mediation trainings, this workshop is designed to help trainers: • reflect on their skills training curriculum • learn the seven stage skills training model used by the most effective trainers

Daniel Kos, New York State Unified Court System, Castleton-on-Hudson, New York

**D4: Nontraditional Uses of Mediation in Healthcare**

Room: Riverside Ballroom, 3rd Floor

Practice Area Track: Health Care

Conflict resolution in healthcare now extends far beyond mediating lawsuits on the courthouse steps. Healthcare delivery demands successful outcomes and reduced costs overall, hence providers are increasingly integrated at every phase of care. Effective integration requires enduring relationships among providers, employees, patients and payors, and those relationships require reliable ways to resolve conflicts before they become entrenched. This panel will explore non-traditional uses of mediation in healthcare, ranging from provider-patient conflicts in the clinical setting, to employee conflicts, to disputes surrounding workplace injuries.

Haavi Morreim, College of Medicine, Univ. of TN Health Science Center, Memphis, TN  
Howard Gadlin, National Institutes of Health, Bethesda, MD  
Arthur Peabody, Arthur E. Peabody, Jr. PLLC, Alexandria, VA  
Douglas Witten, Atlanta, GA

**D5: Ethical Oversight of the ADR Practitioner:**

*What Happens in Response to Complaints?*

Room: Riverside Suite, 3rd Floor

Practice Area Track: Ethics

As mediation and other forms of mediation mature in the U.S. and internationally, a subject of growing interest is: How do we implement oversight and accountability for compliance with ethical standards and practice guidelines? How do concerns surface, and what happens in response? What about various ADR settings -- court-adjoined mediation programs, government programs, Ombuds, private practitioners, the international arena? Three highly experienced practitioners, all attorney-mediators, from different ADR arenas, will display information and lead a discussion of audience experience.

Norval ("John") Settle, SETTLEMENT Associates, LLC, Richmond, VA  
Linda Toyo Obayashi, World Bank Group, Internal Justice System, Washington,, DC  
Cindy Mazur, Federal Emergency Management Agency, Washington, DC

**D6: Don't Name the Cow**

*An Antidote For The Biases Of Advocates In Mediation*

Room: Lenox Ballroom, 2nd Floor

Practice Area Track: Dispute Resolution Generally

When we name the cow, its relationship to us changes and we have a tendency to fall in love with it. Similarly, when advocates fall in love with their assessment of the case before them, they are unable to soberly to assess the merits and worth of the case or see alternatives to a judicial resolution. Through such biased lenses, there is one way to resolve this case – their way. You are invited to this interactive presentation to heighten your sensitivity to your biases and learn how mediators can assist advocates in managing these biases.

Elayne Greenburg, St. John's University School of law, Queens, New York

C. Edward Dobbs, Parker, Hudson, Rainer & Dobbs, LLP, Atlanta, Georgia

**D7: Untying the Knots**

*Tools and Tips for a Great Working Group*

Room: Gramercy - Lower Level

Practice Area Track: Dispute Resolution Generally

The word “group” comes from knot/tangle in Italian, and it’s very appropriate because dealing with groups may feel at times like responding to a tangled knot. Teams and groups may need of help with team-building, climate assessments, meeting facilitation, or working together better. There may also be conflicts that are getting in the way. Panelists will share ways to measure team members’ styles; strategies for assessing the team’s strengths and areas of challenge; climate survey questions; decision making tools; and new ways to collaborate. The workshop will be interactive and will demonstrate some of the strategies with the participants.

Katie Manderson, Department of State, Washington, DC

Ramona Buck, Federal Mediation and Conciliation Service, Washington, DC

Victor Voloshin, Equal Employment Opportunity Commission, Washington, DC

**D8: This Ain't Litigation: Maximizing Arbitration For You & Your Client**

*Tips & Best Practices For Young Advocates Preparing for Their 1st Arbitration*

Room: Chelsea - Lower Level

Practice Area Track: Arbitration - Domestic & International

Geared towards litigators who are new to the arbitration process, this lively and practical session will provide both a broad overview of the procedural differences in arbitration (vs. litigation) and real-world scenarios on how to provide your clients with an efficient and effective arbitration process. Learn from a litigator, an arbitrator and a national ADR service provider on where and how to save time in arbitration, how to avoid common pitfalls and the best practices to incorporate into your practice.

Serena Lee, American Arbitration Association, San Francisco, CA

Brian Farkas, Goetz Fitzpatrick LLP, New York, NY

**D9: Keys to a Successful Mentorship Program**

*Hear from all sides of the process: the mentee, mentor and program administrator.*

Room: Bowery - Lower Level

Practice Area Track: Practice Management and Business Development

Hear about the ADR mentorship opportunities of the American Arbitration Association’s Leon Higginbotham, Jr. Fellows Program, the ABA Dispute Resolution Fellowship pilot mentorship initiative , the Weinstein JAMS International

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

Fellowship program, the New York State Bar Association Mentoring Program for Arbitrators established by the Labor and Employment Law Section, and the Financial Industry Regulatory Authority and the International Institute for Conflict Prevention and Resolution partnership with Leadership Council on Legal Diversity new Fellowship in Dispute Resolution for alumnae of LCLD Fellows Program.

Tracey Frisch, American Arbitration Association, New York, New York  
Richard Adelman  
Ellen Bass  
Mara Weinstein

**D10: Appellate Mediation Toolbox**

*An Experiential Workshop in Appellate Case Evaluation and Sound Decisionmaking*

Room: Sugar Hill - Lower Level  
Practice Area Track: Court ADR

In this interactive workshop, Brendon Ishikawa and Dana Curtis, authors of Appellate Mediation: A Guidebook for Mediators and Appellate Attorneys, will explore why appeals challenge the best mediators and demonstrate how both interest-based and case evaluation discussions help parties get unstuck. Participants will learn tools to help myopic parties to escape their litigation-obsessed tunnel vision and to act in their best interests: \* A framework for appellate case analysis that results in self-persuasion and clear-sightedness \* An approach (and worksheets) to assist parties to overcome their biases \* Methods to refocus litigation-obsessed parties on their interests (These tools translate to civil trial mediation.)

Dana Curtis, Dana Curtis Mediation, Sausalito, California  
Brendon Ishikawa, Davis, CA

**4:30 PM - 4:45 PM**

**Coffee Break in the Exhibit Hall**

Central Park East & West, 2nd Floor

**4:45 PM - 6:00 PM**

**Afternoon Showcase Programs**

**E1: What Works in Mediation? What Do Mediation Consumers Value in the Process?**

*A "Community Townhall"*

Room: Metropolitan East Small, 2nd Floor  
Practice Area Track: Legal Educators Colloquium

This session presents an opportunity for Conference attendees to come together and discuss: What do parties and lawyers who use mediation want from the process? What works in mediation? Do these line up? While neutrals, attorneys, trainers, educators, and court administrators may have different perspectives on these questions, they rarely have the opportunity to share experiences and viewpoints. Law professors who teach mediation will facilitate discussion, share results of a survey completed by Conference attendees, and summarize recent research findings about what mediation participants want from a mediator and the effectiveness of specific mediator interventions.

Lydia Nussbaum, UNLV Boyd School of Law, Las Vegas, Nevada  
Doug Frenkel, University of Pennsylvania Law School, Philadelphia, PA  
Alyson Carrel, Northwestern University School of Law, Chicago, IL  
Art Hinshaw  
Deborah Thompson Eisenberg, University of Maryland Francis King Carey School of Law, Baltimore, MD  
Kelly Browe Olson, University of Arkansas at Little Rock, Little Rock, Arkansas

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**E2: Secrets of Success: Ethical Problems That Arise in Arbitrations and Strategies for Dealing With Them**

Room: Empire Ballroom East, 2nd Floor

Practice Area Track: Secrets of Success in Arbitration

This interactive program will address many of the most challenging ethical conundrums that arise in arbitrations. The most experienced arbitrators in these fields will discuss these challenges, invite questions and discussion, and offer cutting-edge techniques for managing the unique difficulties that arbitrators and advocates may encounter.

John Holsinger, John R. Holsinger, LLC, Hackensack, NJ

Eugene Farber, Farber, Pappalardo & Carbonari, White Plains, NY

Harold Coleman, Mediation.org, Los Angeles, CA

Laura Kaster, Princeton, New Jersey

**E3: Tech Driven Dispute Resolution: How Technology Can Enhance Our Practice**

Room: New York Ballroom East, 3rd Floor

Practice Area Track: Technology

Join us for this interactive exploration of how emerging technologies are changing professions, from IBM Watson's use of augmented intelligence to ODR (formally known as online dispute resolution) and other technologies that are most appropriate in our field. You might rely on analytics and artificial intelligence to guide you to the closest coffee shop or hottest pair of shoes, but how are we engaging these emerging technologies in our profession? This session will lead us through a mini-hackathon to explore how we can expand our use of emerging technology to improve our profession via marketing, communication, process, and information.

Alyson Carrel, Northwestern University School of Law, Chicago, IL

**6:00 PM - 7:00 PM**

**Thursday Networking Reception**

Room: Central Park East & West, 2nd Floor

Join fellow conference attendees for a reception in the exhibit hall. Visit with exhibitors and also look for "networking hubs" -- practice areas and affinity groups of interest to you.

Networking Hubs:

ADR in Your Career: Young Litigators

Crowdsourcing the Negotiator's Fieldbook

Arbitrators and Litigators

Local Law Students and ADR Practitioners

Minority and LGBTQ Members and Allies

**7:30 PM - 10:00 PM (approximate)**

**Thursday Dine-Arounds**

Committee chairs and conference attendees have organized dine-arounds. See the list below and the Conference app for more dine-arounds and how to RSVP for events.

**Dine-Around for the ABA Section Dispute Resolution Mid-Atlantic Regional Chapter and the Section's Government Committee**

Miriam Nisbet, Washington, DC

**Diversity Committee Dine-Around**

This will be an opportunity for Diversity Committee members and other interested individuals to meet for dinner. Jaya Sharma, Madison, WI

**International Committee Dine-Around**

Kim Taylor, JAMS, New York, NY

**Mediation Committee Dine-Around**

Richard B. Lord, Orlando, Florida

**Women in Dispute Resolution (WIDR) Dine-Around**

Conna Weiner, Conna Weiner ADR, Boston, MA

**7:30 PM - 10:00 PM**

**Thursday Evening Event for Young ADR Professionals**

**Young ADR Professionals: Young ADR Professionals Reception and Karaoke at the New York City Bar Association**

Young ADR Professionals Reception and Karaoke at the New York City Bar Association

New York City Bar Association

Come meet local dispute resolution colleagues from the New York City Bar Association. This spirited reception welcomes young attorneys who are member of the Section or City Bar in practice between 1 and 10 years. Law students are encouraged to attend as well. Section members will have an opportunity to meet members of the City Bar's various dispute resolution committees and make valuable connections with New York's ADR practitioners. Following the reception, attendees can participate in karaoke in the City Bar's majestic Great Hall with fellow young attorneys. Located at 42 West 44th Street New York, NY 10036, the City Bar is just blocks away from the Sheraton and surrounded by bars and restaurants. This event is co-hosted by the Section of Dispute Resolution, New York City Bar Association and Cardozo School of Law's Kukin Program for Conflict Resolution.

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

## ABA Representation in Mediation Competition Thursday Events

### Representation in Mediation Competition Nationals -- Semi-Finals

- M7: 8:15 – 8:45 Orientation for judges and mediators.  
8:30 Check-in for law students.  
8:45-9:00 Separate orientation: Participants
- M8: 9:00 – 9:10 Participants, judges and mediators move to their assigned rooms; participants give their mediation plans to their judges  
9:10 – 9:20 Judges read the representation plans  
9:20 – 10:35 Mediation sessions  
10:35 Mediators are excused at the end of the mediation session
- M9: 10:35 – 10:45 Teams prepare for self-analysis & judges begin to work on their score sheets  
10:45 – 11:05 Team self-analysis sessions with judges (10 minutes for each team)  
11:05 – 11:20 Judges complete their score sheets and prepare their remarks for critique session. The timekeeper then collects the score sheets  
11:20 – 11:50 Judges critique team performance and provide feedback (15 minutes for each team)

### Representation in Mediation Competition Nationals -- Final Round

- M10: 1:30 – 2:00 Orientation for judges and mediators
- M11: 2:00 – 2:10 Participants, judges and mediators move to their assigned rooms; participants give their mediation plan to their judges  
2:10 – 2:20 Judges read the representation plans  
2:20 – 3:35 Mediation sessions occur  
3:35 The Mediator is excused at the end of the mediation session
- M12: 3:35 – 3:45 Teams prepare for self-analysis & judges begin to work on the score sheets  
3:45 – 4:05 Team self-analysis sessions with judges (10 minutes for each team)  
4:05 – 4:20 Judges complete their score sheets and prepare their remarks for the critique session; the timekeeper then collects the score sheets  
4:20 – 4:50 Judges critique team performance and provide feedback (15 minutes for each team)

**Friday, April 8<sup>th</sup>**

Friday events include a networking breakfast, opening plenary with Francesca Gino and concurrent educational programs throughout the day. The afternoon will conclude with a cookie and coffee reception in the Exhibit Hall. Legal Educators Colloquium events will kick off in the late afternoon with the Legal Educators Resource share (open to all interested attendees). Attendees have the opportunity to purchase tickets to the Friday evening awards Reception and Dinner at the Yale Club of New York.

## **7:00 AM - 8:00 AM**                      **Friday Conference Breakfast and Committee Meetings**

Metropolitan West, 2<sup>nd</sup> floor

Join your fellow conference attendees for a continental breakfast in the Metropolitan West. ABA Section of Dispute Resolution Committee Chairs will host meetings at tables throughout the breakfast hall. Attendees should feel free to join committee meetings of interest to them.

### **Breakfast Committee Meetings:**

Canadian Delegates -- Associates Committee  
Kimberly Cork

Diversity Committee Meeting  
Jaya Sharma, Madison, WI

Government Committee Meeting  
Miriam Nisbet, Washington, DC

Mediation Committee Meeting  
Richard B. Lord, Orlando, Florida

Ombuds Committee Meeting  
Charles Howard, Shipman & Goodwin LLP, Hartford, CT

Public Policy, Consensus Building, and Democracy Meet-and-Greet and Planning Meeting  
Jessie Lawrence, Santa Fe, NM

Women in Dispute Resolution Committee Meeting  
Gilda Turitz, Sideman & Bancroft LLP, San Francisco, CA

## **8:00 AM - 9:15 AM**

## **Friday Morning Plenary**

Room: Metropolitan East Large, 2nd Floor

Presentation of ABA Representation in Mediation Competition Championship  
Brian Pappas, Michigan State Law, East Lansing, MI

### **The Science of Making Better Decisions**

In this informative and engaging plenary, Professor Gino will discuss how our brain is hard-wired to make decisions, and how to understand that wiring and become architects of the context of our decisions. Gino will explore how inconsistent decisions played out in a wide range of circumstances—in our professional and personal lives and in our organizations. What factors will sway our decisions and what can we do to correct for the subtle influences that derail our decisions?

Francesca Gino, Harvard Business School, Boston, MA

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**9:15 AM - 9:30 AM**

Central Park East & West, 2nd Floor

**Coffee Break in the Exhibit Hall****9:30 AM - 10:45 AM****Concurrent Series F****F1: Inquiry and Emotion: Fundamentals of ADR Practice**

Room: Union Square - Lower Level

Practice Area Track: Communications/Neuroscience/Psychology

Facilitating effective inquiry in mediation is more than just engaging participants in logical analysis. This workshop explores the function of questioning in engaging emotional processing of problems, ideas, and possibilities. Participants will gain a basic understanding of the role of emotion in decision making how to use questions to engage both feeling and thinking in more effective ways.

Merri Hanson, Peninsula Mediation & ADR, Williamsburg, VA

Meredith Eckles, Peninsula Mediation & ADR, Williamsburg, VA

Tricia Jones, Temple University, Philadelphia, PA

**F2: From Local Landowner Disputes to Post-Sandy Collaboration**

*The Critical Need for Mediation and Consensus Based Solutions to Address Stormwater and Flooding*

Room: Bowery - Lower Level

Practice Area Track: Public Policy

Increasingly severe and frequent storms—with impacts from local to regional like Super Storm Sandy— are causing more flood damage and impairing water quality in watersheds large and small. Although stormwater management and flooding are addressed by various state and federal laws, resolution of related impacts is difficult because nonpoint stormwater sources are not easily controlled and stormwater flows over jurisdictional boundaries. The tools provided by dispute resolution, including facilitation and mediation, offer an opportunity to keep parties out of court and find creative consensus-based solutions. This panel will explore these issues, then host a discussion with audience participants.

Lara Fowler, Penn State Law, University Park, Pennsylvania

Jack Ubinger, Duquesne University Center for Environmental Research and Education, Pittsburgh, PA

Christopher Kane, Vice President, Chief Counsel, EM Group and AECOM Capital, AECOM, Princeton, New Jersey

Joe Siegel, Senior Attorney, Environmental Collaboration and Conflict Resolution Specialist with the U.S. EPA, Region 2, Office of Regional Counsel in New York

**F3: Polarized Communities: Lawyers Making An Impact**

*How lawyers can make a difference within their own communities by nontraditional means*

Room: Gramercy - Lower Level

Practice Area Track: Social Justice and ADR

The panelists will share their personal stories to inspire others who find their communities in strife—places such as Ferguson, MO, Sanford, FL and Baltimore, MD. As our country discusses vital issues of equality and justice, lawyers are looking for ways to do something concrete. The increased popularity of “Know Your Rights” forums demonstrates that dialogues that present the opportunity for attorneys to inform members of the community of their rights are useful for individuals and communities alike. The U.S. Department of Justice’s Access to Justice Initiative is another example of attorneys “thinking outside the box” to aid polarized communities.



Sean Barrett, USDOJ, Washington, DC

Grande Lum

Tanya Clay House, Civil Rights Law Section of the National Bar Association, Washington, DC

Nancy Rogers, Ohio State University, Columbus, Ohio

Harpreet Mokha, Philadelphia, Pennsylvania

Lisa Foster, Washington, DC

**F4: The Client's Perspective: ADR Users Share Insights Regarding what Mediators do to make the Process Succeed or Fail**

*What's working and what's not working with mediators*

Room: New York Ballroom West, 3rd Floor

Practice Area Track: Practice Management and Business Development

This program will feature a high level insider discussion about how mediators manage the mediation process. Learn from a panel of lawyers with diverse practices about what makes a good mediator stand out from the pack.

Gina Miller, JAMS, Los Angeles, CA

Mark Travis, Travis ADR Services, LLC, Cookeville, TN

Gretchen Freeman Cappio, Keller Rohrback, Seattle, WA

Grant Degginger, Lane Powell PC, Seattle, WA

Kasey Huebner, Mills Meyers Swartling, Seattle, WA

Richard Ziegler, Jenner & Block LLP, New York, NY

**F5: Faster, Cheaper, Better Arbitration: The Delaware Rapid Arbitration Act**

Room: New York Ballroom East, 3rd Floor

Practice Area Track: Arbitration - Domestic & International

The DRAA became law in May, 2015. The Act focuses on extremely rapid resolution of business disputes and supplies innovative solutions to common critiques of "traditional" arbitration. This panel will explore this new arbitration regime, its optimal uses, and circumstances where it best not used.

Greg Varallo, Richards, Layton & Finger, P.A., Wilmington, DE

Louis Burke, Louis F. Burke PC, New York, New York

Alisa Moen, Dillon Gage, Wilmington, DE

Bobby Majumder, Perkins Coie, Dallas, Texas

**F6: Family Law Arbitration: An Idea Whose Time Has Come?**

Room: Riverside Suite, 3rd Floor

Practice Area Track: Family

Arbitration has been around in the labor and contract area for a long time. Within the past twenty years, there have been increasing calls to allow arbitration of family law matters.

Larry Rute, Associates in Dispute Resolution LLC, Topeka, KS

Linda Elrod, Washburn University Law School Children and Family Law Center, Topeka, KS

**F7: ADR Around the World in 75 Minutes**

*Judges and Mediators from Nigeria, Poland, Bangladesh, Mexico and Egypt Share Recent Developments*

Room: Riverside Ballroom, 3rd Floor

Practice Area Track: International

ADR is emerging as a powerful, useful and complementary process to litigation in courts and communities around the world. Join judges and mediators from Europe, Latin America, Africa, South East Asia and the Middle East as we compare and contrast the challenges and opportunities for changing legal and conflict systems with the work that unites us—designing systems that help people talk through and resolve conflicts no matter what the overlying political and legal system looks like.

Sheila Purcell, UC Hastings College of the Law, San Francisco, CA

Maciej Tański, Partners Poland Foundation, Warsaw, Warsaw, Poland

Judge Ahmed Abdelrahman, Supreme Board of Judiciary, Upper Egypt, El Minia, El Minia, Egypt

Srdan Simac, Croatian Mediation Association, Zagreb, N/A, Croatia

Mostafa Elsharif, Supreme Board of Judiciary, Economic Court, Cairo, Cairo, Egypt

Claudia Bernard, Ninth Circuit Court of Appeals, San Francisco, CA

**F8: Legal Mediations are not only about Money: Mediators and Advocates as Problem Solvers**

*Discussion by Experienced Mediators*

Room: Empire Ballroom East, 2nd Floor

Practice Area Track: Mediation

Has mediation morphed into just one more step in the litigation process and is no more than a private settlement conference? Are their creative options that are lost and invisible barriers missed by advocates and mediators? This panel will probe areas where opportunities can be created to break out of the usual legal battle mold. The panel consists of preeminent full-time mediators who have seen it all (or mostly so anyhow) and are Distinguished Fellows in the International Academy of Mediators. The discussion will be moderated by Professor Hal Abramson, IAM's Scholar-in-Residence.

Hal Abramson, Touro Law Center, New York, New York

Jerome Weiss, Mediation Inc, Cleveland, OH

Birgit Sambeth Glasner, Altenburger LTD legal+tax, Geneva, Switzerland, Switzerland

Bennett Picker, Philadelphia, Pennsylvania

Susan Hammer, Dispute Resolution Services, Portland, Oregon

**F9: Tips for Terrific & On Target Training**

Room: Empire Ballroom West, 2nd Floor

Practice Area Track: Tools for Trainers

It's great to be recognized as great at what you do, but what about that expectation of greatness at training others? Whether it's a lunch time hour, a half day, full day, or more, what are effective (and entertaining) ways to structure and deliver professional training? Lecture doesn't easily improve skill, but neither does practice without examination, focus, or ties to animating content. The program faculty have designed and taught both short and long professional negotiation, mediation, and other targeted skills trainings for more than 25 years. We will review training program design "rules" we've learned, and demonstrate tricks and tips for engaging the group, winning over skeptics, encouraging the hesitant, making research truths resonate, and building real skills.

Marjorie Aaron, University of Cincinnati, Cincinnati, OH

Dwight Golann, Suffolk University Law School, Boston, MA

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**10:45 AM - 11:00 AM**

Central Park East & West, 2nd Floor

**Coffee Break in the Exhibit Hall**

**11:00 AM - 12:15 PM**

**Concurrent Series G**

**G1: UNCITRAL (UN) Treaty Drafting Initiative: Cross-Border Enforcement of Mediated Settlement Agreements**

Room: Riverside Ballroom, 3rd Floor

Practice Area Track: International

This panel discussion will bring participants up to date on the UNCITRAL process that has generated much debate among the UN delegations regarding whether there is a need for a treaty comparable to the NY Convention for enforcing arbitration awards, and what should be its key features. The substantive debate has focused on ways to serve the twin goals of fairly facilitating enforcement while not hampering the flexibility and benefits of mediation. The panel will feature James Castello, member of US Delegation and other Delegation and NGO representatives who have been participating in meetings in NY and Vienna.

Hal Abramson, Touro Law Center, New York, New York

James Castello, King & Spalding, Paris, France, France

Deborah Masucci, International Mediation Institute, Brooklyn, New York

EL AHDAB Jalal (Jil) , GMPV, Paris, FRANCE, France

Ximena Bustamante, Procuraduria General del Estado, Quito, Pichincha, Ecuador

**G2: Reflective Practitioner Groups**

*A Boost to Your Mediation Practice*

Room: New York Ballroom West, 3rd Floor

Practice Area Track: Mediation

So much of what we do as mediators consists of being attuned to the other participants, parties and counsel. We don't always pay enough attention -- either in the moment or afterward -- to our own experience of the mediation. That can leave us feeling unsure of the impact we have had, for good or for ill, and uneasy about whether we have used our skills effectively. Reflective practitioner groups give mediators an opportunity to reflect on their practice in the company of insightful and supportive colleagues. Come explore three group models: the formal California District Court model, the less formal D.C. Circuit model, and the U.S. Circuit Courts telephone model. And bring a buddy with you so that, on your return, the two of you can develop and implement a model that works in your real world.

Richard B. Lord, Orlando, Florida

Amy Wind, DC Circuit Court of Appeals, Washington, DC

Joel Shapiro, U.S. Court of Appeals for the Seventh Circuit, Chicago, IL

G. Daniel Bowling, Curtis and Bowling Mediation, Sausalito, CA

**G3: Crisis & Hostage Negotiation**

*Learn The Skills Used By Law Enforcement & Apply It To Your Practice*

Room: Empire Ballroom East, 2nd Floor

Practice Area Track: Communications/Neuroscience/Psychology

The NYPD Hostage Negotiation Team was the first ever law enforcement team created in the world. During this session you will learn about the various communication and de-escalation techniques that are used by crisis negotiators and have the opportunity to practice specific skills. Although you might not be engaged in these types of crisis situations, you will learn how the skills can be applied to your conflict resolution practice.

Jeff Thompson, NYPD, NYC, NY

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**G4: Dispositive Motions in Arbitration: When to File and When to Hear Them**

*An Interactive Roundtable for Arbitrators and Advocates*

Room: New York Ballroom East, 3rd Floor

Practice Area Track: Arbitration - Domestic & International

Counsel often file and arbitrators now consider dispositive motions which may request dismissal of the entire arbitration without evidentiary hearings. The AAA and other ADR providers have changed their rules to permit such motions in certain circumstances. This interactive roundtable will focus on such issues as: When is it appropriate for counsel to file and arbitrators to hear and rule on dispositive motions? Is a preliminary showing of probable success required before filing a dispositive motion? Should an evidentiary hearing be scheduled on such a motion? What standards should the arbitrator apply in ruling on such a motion?

Edward Lozowicki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA

Dana Welch, welchadr.com, San Francisco, CA

Gary Benton, Gary Benton Arbitration, Palo Alto, CA

**G5: FINRA's Task Force Report – Shaping Securities Dispute Resolution for the Next 20 Years!**

*Will the recommendations meet your needs as a party or neutral?*

Room: Sugar Hill - Lower Level

Practice Area Track: Securities ADR

FINRA formed a group of experts representing viewpoints of public investors, the securities industry, and arbitrators and mediators to suggest strategies to enhance the transparency, impartiality, and efficiency of FINRA's forum. Members of the task force will discuss how they expect their recommendations to shape the future landscape of securities dispute resolution! Audience members will learn how the task force reached consensus on certain issues and why some sticky matters remain unsolved - for now. The session will cover the quality of FINRA arbitrators, special procedures for large (and small) claims, and strategies to increase the use of mediation.

Ken Andrichik, FINRA, New York, NY

Barbara Black, Retired Professor of Law – Chair of the Task Force, Roswell, Georgia

Philip Cottone, Property Trust Advisory LLC, Malvern, PA

Sandra Grannum, Managing Partner, Davidson & Grannum, LLP, Orangeburg, New York

Mark Maddox, Maddox Hargett & Caruso, P.C., Fishers, Indiana

**G6: Meanings of Silence: Discovering Sound Tools for Effective Communication in Collaboration**

Room: Bowery - Lower Level

Practice Area Track: Collaborative Law

The focus will be on collaborative process as a form of communication during which silence is encountered. Different meanings and functions of silence will be explored. The participants will reflect on their experience with silence and discuss cases where silence has created an impasse or other challenges. Various visual and auditory aids, music, brief movie clips and exercises involving audience participation will be used.

Anita Dorczak, Westbrook Law & Mediation Centre, Edmonton, Alberta, Canada

**G7: Reevaluating the Role of Autonomy in ADR**

*Lessons from Theory and Practice*

Room: Union Square - Lower Level

Practice Area Track: Dispute Resolution Generally

Autonomy, self-determination, and freedom-of-choice are often extolled as primary virtues of ADR. Yet empirical research and our own experience suggest, e.g., that parties in mediation sometimes don't participate meaningfully and

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that lawyers in arbitration sometimes don't exercise effective process choices in clause drafting. This "theory & practice" panel considers what autonomy means for the law, policy, and practice of ADR. We will raise questions such as: How does autonomy both help and hurt ADR? Is autonomy more rhetoric than reality, and if so is that a problem? Where does autonomy stand in relation to other values such as procedural fairness?

Hiro Aragaki, Loyola Law School, Los Angeles, CA

Jennifer Reynolds, The University of Oregon School of Law, Eugene, Oregon

Michael Lewis, JAMS, Inc., Washington, District of Columbia

Stephen Ware, University of Kansas School of Law, Lawrence, Kansas

Claudia Bernard, Ninth Circuit Court of Appeals, San Francisco, CA

### **G8: Managing the Evolving Needs of Parties in Government Mediation**

*Mediation is the New Formal*

Room: Gramercy - Lower Level

Practice Area Track: Government

The evolution of informal real time processes such as coaching, ombudsmanry, and rapid response have led parties to avoid mediation—deeming it “too formalistic”, “formulaic”, and “time consuming.” This interactive panel discussion session will explore meaningful methods to overcome party resistance to mediation and will offer tools to empower parties and attorneys in resolving employment, regulatory, commercial, energy, and other disputes. Panelists will discuss methods and tools to use in outreach and the convening process, and will engage participants through interactive short scenarios that will draw upon the tools and methods presented.

Jennifer Gartlan, Federal Maritime Commission, Washington, DC

LoValerie Mullins, National Mediation Board, DC, DC

Karen White, National Guard, Arlington, VA

Deborah Osborne, Federal Energy Regulatory Commission, Washington, DC

### **G9: Elder & Adult Family Mediation – Opportunities and Challenges in this Growing Field**

Room: Riverside Suite, 3rd Floor

Practice Area Track: Family

As the population ages, families are facing difficult decisions about elder care, living situations, family homes, and personal property. These decisions can be emotional and challenging even when everyone is “on the same page,” and they become rapidly more complex when there is disagreement in the ranks. Learn how Elder Mediation can help, and consider the skill sets needed to offer this increasingly sought-after service. Hear about challenges in this practice area, including: determining who needs to be at the table; concerns about capacity; working with multiple stakeholders; geographically dispersed families; and involving other professionals; to name just a few.

Crystal Thorpe, Elder Decisions, a division of Agreement Resources, LLC, Norwood, MA

### **G11 America at a Demographic Tipping Point: Does ADR Have Anything to Offer?**

Room: Sutton Place - Lower Level

Practice Area Track: Social Justice and ADR

The short answer to the question is “yes.” What is needed is empathy to move beyond “us” versus “them,” to see individuals, not merely a stereotype of “the other.” The field of ADR has developed a set of behaviors, problem-solving methods, and listening skills that are replicable, objective and effective. As professionals in the law, along with ADR, we have the capacity to recognize the need for principled negotiation around legal principles; including that sometimes the rule of law requires engagement of the court system to maintain societal norms in times of stress.

Phyllis Bernard, Oklahoma City University School of Law, Oklahoma City, OK

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

## 12:15 PM - 2:00 PM

## Friday Lunch Break

Hudson Market Bistro Lunch and local restaurants of your choice

Conference attendees have the option of purchasing pre-paid lunch tickets at the Sheraton Hudson Market Bistro.

Conference registrants may purchase Bistro lunch ticket for \$28 as part of your registration process. There are a limited number of these hotel bistro lunch tickets available. Tickets are only valid for the date of purchase.

Sign up for Lunch-Arounds on the conference web site: [ambar.org/spring2016](http://ambar.org/spring2016).

## 12:30 PM – 1:45 PM

## Meeting of Section Boards (private meeting)

Room: Lenox Ballroom, 2nd Floor

### Publications Board

Dispute Resolution Magazine Editorial Board

Membership Committee

Section of Dispute Resolution Advisory Committee

## 1:00 PM - 1:45 PM

## Mediation Research Task Force Meeting

## 2:00 PM - 3:00 PM

## Concurrent Series H

### H1: Getting what You Asked For: Managing a Fast and Efficient Arbitration

Room: Empire Ballroom West, 2nd Floor

Practice Area Track: Arbitration - Domestic & International

Experienced in-house counsel address how to shape and manage an arbitration so that it meets the expectation that arbitration is “faster, better and cheaper” than litigation. The panel will address issues to be considered in drafting the arbitration clause, selecting an arbitrator or arbitral panel, defining the scope of disclosure and managing the arbitration proceedings.

Olivier André, CPR Institute, New York, NY

Viren Mascarenhas, King and Spalding, New York, NY

Amanda Perez, Pfizer, New York, NY

Erin Gleason Alvarez, AIG, New York, New York

### H2: “She said, He said”

*Deconstructing a successful mediation when the United States is a party*

Room: Bowery - Lower Level

Practice Area Track: Government

Department of Justice litigators will present two case studies involving an actual mediation, describing their opposing points of view at various stages in the exchange of offers and information. They will break at a number of critical junctures when the panel moderator will solicit evaluations and suggestions from the audiences as to alternative moves a mediator could have chosen. Each case study will end with a description of the actual results of the mediation and ultimate disposition of the case and each attorney will briefly evaluate the mediation process and impact on the case from their respective points of

Joanna Jacobs, US Department of Justice, Washington, DC

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

### **H3: Developing Cultural Competence in Mediation**

Room: Riverside Ballroom, 3rd Floor

Practice Area Track: International

In today's world of increasing globalization, mediations bring together parties, counsel and mediators from different countries and backgrounds. Inevitably, the participants bring to the mediation world views, expectations and values that are shaped by their national, regional or organizational culture. While it is increasingly recognized that such cross-cultural differences contribute to the complexity of mediation, the objective of this presentation is to move beyond this starting point to provide mediators not only with practical insights into how these differences might be understood but also specific practice tips on how to manage such cultural differences.

Michele Riley, Columbia University, International Center for Cooperation and Conflict Resolution, New York, NY

Stephanie Stobbe, Menno Simons College at University of Winnipeg, Winnipeg, Manitoba, Canada

Anupama Ahluwalia, Delhi, India

### **H4: Case Evaluation Discussions in Civil Court Mediation**

*How to Facilitate Inherently Evaluative Discussions*

Room: New York Ballroom West, 3rd Floor

Practice Area Track: Mediation

The negotiation of the settlement of civil litigation often takes the form of positional bargaining, in which the parties try to realize the value of their case as they know it. When the parties become locked in their positions, it has become commonplace for civil court mediators to slip into the role of neutral evaluator to help their clients bridge the gap between their positions. This session explores a more facilitative approach to helping the parties evaluate their case, principally by the use of well framed and well placed questions.

Andy Little, Mediation, Inc, Chapel Hill, NC

### **H5: It's Only Money**

*How to settle insurance claims*

Room: New York Ballroom East, 3rd Floor

Practice Area Track: Negotiation

An interactive discussion of how insurance claims are settled: Consideration of the players involved, the claimant(s), the attorney(s), the insurance company representatives. Unique situations in connection with resolution of insurance claims. Geographic limitations, cultural limitations or differences between the venue and the location of the insurance company/ adjuster. Strategies developed by claimants, by the insurance company/ adjuster. Critical Paths of the Insured Dispute. Issues between Insurance Company and Insured, how does that affect the claimant's claim and potential resolution of the 'underlying' dispute. How to overcome obstacles to resolution as perceived by claimant/ insured/ insurer. How to address the ethical concerns between the insurer and insured.

Sheryl Goski, Law Offices Sheryl Mintz Goski, Esq., Hoboken, New Jersey

Bonnie Goldsamt, Verona, NJ

Thomas Quinn, Wilson Elser Moskowitz Edelman & Dicker LLP, Florham Park, New Jersey



## **H6: The Contribution of Experts to Mediation**

Room: Union Square - Lower Level

Practice Area Track: Mediation

This highly interactive session will explore the positive contributions experts can bring to mediation success. The panel of accomplished experts, advocates, and neutrals will provide practical suggestions and helpful opportunities to best employ experts in bringing even the most difficult disputes to resolution.

Roger M. Deitz, New York, New York

Joan Stearns Johnsen, JSJ ADR, Boston, MA

Charles Porten, Weston, CT

Patricia Koetting, PKoetting & Associates, Chapel Hill, NC

Ross Tulman, Trade Investment Analysis Group, Columbus, OH

## **H7: The EDR Imperative**

*How To Use Early Dispute Resolution To Minimize Disruption to Your Business and the Cost of Litigation*

Room: Gramercy - Lower Level

Practice Area Track: Advocacy in ADR

This program will provide an in-depth focus on how the systematic use of EDR processes can reduce the time and cost involved in resolving disputes. The panel, moderated by the Chair of the DR Section's EDR Task Force, includes in-house and outside counsel with extensive EDR experience. The panel will discuss why EDR is a critical element in cost-effectively managing disputes, how to implement EDR processes, and the benefits of EDR programs. The panel will also share the results of the Task Force's recent survey which asked attorneys about their views on EDR.

Anne Jordan, Chicago, IL

Kirk Dailey, Google, Inc., Chicago, IL

Kurt Hansson, Paul Hastings, New York, NY

Daniel Churay, MRC Global, Inc, Houston, TX

## **H8: ADR Ethics: Hot Topics and Old Chestnuts**

*A Roundtable Conversation in ADR Ethics*

Room: Empire Ballroom East, 2nd Floor

Practice Area Track: Ethics

This "Roundtable" presentation will be a highly interactive discussion about both emerging and longstanding ethical issues in the field of mediation. Issues that will be covered including: new legislative efforts in the area of mediator confidentiality, mediator bias, informed consent, and mediator malpractice. The four group leaders will be ready to have discussions on these and other issues the ethical practice of mediation.

Kristen Blankley, University of Nebraska College of Law, Lincoln, NE

David Batson, AlterEcho, Washington, DC

Daniel Yamshon, Daniel Yamshon, Esq., Sacramento, California

Jacqueline Nolan-Haley, Fordham University Law School, New York, NY

## **H9: Trauma Informed Mediation – Implications and Preparation for Mediators**

Room: Riverside Suite, 3rd Floor

Practice Area Track: Family

This workshop proposes to help mediators recognize how the impacts of trauma might be expressed in mediation and identify strategies for conducting "Trauma Informed Mediation." Awareness of the prevalence of trauma in mainstream

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America and its far-reaching impacts arose in part from the ACEs Study (Adverse Childhood Experiences). It has led to the recognition of how important it is to understand the nature and effects of trauma and the needs of those who have experienced it. Trauma informed mediators are able to use preparation to help increase participants' feelings of safety and reduce the risk of their trauma being

Zena Zumeta, Ann Arbor, MI

Karen Largent, Largent Mediation and Consulting, Tucson, AZ

**3:00 PM - 3:15 PM**

**Coffee Break in the Exhibit Hall**

**3:15 PM - 4:30 PM**

**Concurrent Series I**

**I1: The Art and Science of Mediation and Decision Making: Latest Works**

*Let's Get (Cautiously) Excited*

Room: Union Square - Lower Level

Practice Area Track: Communications/Neuroscience/Psychology

Participants will explore key insights derived from studies of the brain, as well as behavioral economics and cognitive behavioral psychology. Focus will be placed on the most recent lessons learned from neuroscience including new reasons to remain (cautiously) excited with regard to their impact on cooperation, empathy, problem solving and ethics. This workshop will be meaningful to Negotiators, Mediators, Arbitrators, Judges, Lawyers and anyone who deals regularly with conflict and decision making.

Daniel Weitz, Statewide ADR Coordinator, New York State Unified Court System, New York, New York

**I2: Calling All Researchers: Is Mediation A Tool for Social Change and Development of Democratic Institutions?**

*Does the introduction of mediation in institutions, such as the courts, work to improve civil society? Experience from Russia and Croatia.*

Room: Riverside Ballroom, 3rd Floor

Practice Area Track: International

Our thesis is that introducing mediation in countries with undeveloped democratic institutions has great potential for the development of democratic institutions and social change generally, particularly in societies that don't have rich democratic traditions. Mediation helps to empower citizens and establish the groundwork for a more responsible and responsive attitude of people towards themselves and each other. Such sustainable changes in moving towards participatory democracy will only be possible with consistent work at a grass roots and institutional level to introduce mediation mechanisms. The experience of Russia and Croatia will be highlighted.

Tsisana Shamlkashvili, Center for Mediation and Law, Moscow, N/A, Russian Federation

Lela Porter Love, Benjamin Cardozo School of Law, New York, New York

Srdan Simac, Croatian Mediation Association, Zagreb, N/A, Croatia

Lisa Blomgren Amsler, Indiana University School of Public and Environmental Affairs, Bloomington, IN

**I3: ABA DR Fellows - Bringing the Practice to the People**

*A "Year in Review" Presentation*

Room: Gramercy - Lower Level

Practice Area Track: Advocacy in ADR

In this presentation, each of the five inaugural ABA DR Fellows will discuss how the Fellowship has allowed them to bring the practice of dispute resolution to society at-large i.e., "the people."

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

Michael Aurit, Phoenix, Arizona  
Brittney Alls, ABA DR Fellow, Columbia, South Carolina  
Bryan Branon, Burlington, Vermont  
Jory Canfield, Los Angeles, California  
Brian Farkas, Goetz Fitzpatrick LLP, New York, NY

**14: Hitting the Lavender Ceiling: Exploring the Issues of LGBT and Gender Diversity in the Mediation Profession**  
*What's the Real Problem, and What are the Best Solutions?*

Room: Sugar Hill - Lower Level  
Practice Area Track: Diversity

One of the least recognized diversity challenges in the mediation community is the relative absence of any visible gay, lesbian, bisexual or transgender (LGBT) participation. This is especially true in the attorney-mediator and commercial mediation environment. And, while a majority of mediators in the family law area are women, there also are very few women who do commercial mediation. This interactive program will explore the dimensions of this multi-dimensional situation, including an open discussion of career paths, unconscious bias, patterns of exclusion and self-limitations amongst mediators and those who hire them.

Frederick Hertz, Oakland, California  
Mariette Geldenhuys, Attorney and Mediator, Ithaca, New York  
Jaya Sharma, Madison, WI

**15: Employment Mediation: A View Behind the Curtain**

Room: Empire Ballroom East, 2nd Floor  
Practice Area Track: Employment and Labor

Mediation has long been a valuable tool for labor and employment lawyers to use to resolve disputes in the workplace, but opportunities to learn the thought process of your adversary and the mediator are rare. Join our panel of experts for a discussion, based on a set of vignettes, of how the parties and the mediator: Approach the pre-mediation process The structure of the mediation Handling difficult parties and difficult issues Overcoming impasse Fleshing out settlement terms Buttoning down an agreement

Robert Kraus  
Joan Stearns Johnsen, JSJ ADR, Boston, MA  
Jill Rosenberg, Orrick LLP, New York, NY

**16: Circles Sense for Youth and Families**

Room: Riverside Suite, 3rd Floor  
Practice Area Track: Family

Based on Aboriginal and indigenous traditions, circles create space for people to share, story tell, explore and discover in a way that fosters safety, respect and good will. Circle practice is a fluid and flexible process that can be used to enhance mutual understanding, help resolve conflicts, support problem solving, encourage decision making, deepen relationships, and more. The circle process provides a framework with the use of circle elements for communities or families to share needs, issues and ideas in an effort to determine how to move forward in respectful, safe and constructive ways that reflect their values

Elizabeth Vastine, In-Circle Solutions, Inc., London, UK, United Kingdom  
Susan Butterwick, Washtenaw County Trial Court, Ann Arbor, MI

**I7: Unpacking, Mapping, and Evaluating Conflicts**

*Analytical Tools For Resolving Complex Disputes and Enhancing Your Practice*

Room: New York Ballroom West, 3rd Floor

Practice Area Track: Dispute Resolution Generally

Multiple stakeholders, complicated data, differing values, high emotion -- there are many factors that make some disputes more difficult to resolve. Two attorneys who have worked with many different dispute resolution procedures, conflicts, and issues, -- from multiparty regulatory and commercial matters to high conflict custody disputes --, share approaches for analyzing the source, level, and intensity of conflict, and other factors affecting resolution. Session will include interactive exercises applying these tools to various dispute scenarios, and discussion of how these tools can help you expand your practice to include facilitation of stakeholder dialogues, conflict prevention, and conflict coaching.

Sarah Read, Law Offices of SJ Read, Columbia, MO

Conna Weiner, Conna Weiner ADR, Boston, MA

**I8: Why I 'Hate' Arbitration**

Room: Empire Ballroom West, 2nd Floor

Practice Area Track: Advocacy in ADR

A candid in-house panel discussion addressing reasons parties and counsel avoid/resist using arbitration and whether that resistance is driven more by perception or reality.

Beth Trent, CPR Institute, New York, NY

Natalie Reid, Debevoise & Plimpton, New York, NY

**I9: Heard Not Seen: Internet Radio for the ADR-Minded**

*Free Resources to Enlighten, Entertain, and Educate with a Dispute Resolution Emphasis*

Room: New York Ballroom East, 3rd Floor

Practice Area Track: Tools for Trainers

Looking for a new source of inspiration for your ADR practice or in the classroom? Panelists will share online resources that they use for self-enlightenment, entertainment, and education about dispute resolution. Ranging from the high-brow to the hilarious, the audience will be taken on a tour of freely available earworms from guided meditations, to courts of Internet justice, to newscasts suitable for classroom instruction. Be prepared to think, laugh, and maybe even cry. Links will be provided and audience suggestions will be added afterwards. We will also discuss apps for downloading and organizing your growing list of content.

Rishi Batra, Texas Tech University School of Law, Lubbock, Texas

Jean R. Sternlight, UNLV School of Law, Las Vegas, NV

Richard Reuben, University of Missouri School of Law, Columbia, MO

Erin Archerd, University of Detroit Mercy School of Law, Detroit, Michigan

**I10: The 'Yes' Factor**

*Applying the improv concept of "Yes, And" to sharply improve communication skills*

Room: Sutton Place - Lower Level

Practice Area Track: Communications/Neuroscience/Psychology

Through a series of interactive, thought-provoking, exercises and activities, participants will learn how to apply the improv concept of 'Yes, And' to sharply increase positive, effective communication and interpersonal interactions. Galen's high energy presentation will captivate and engage attendees while providing them with powerful skills that can

be applied immediately. This unique, compelling content is delivered in a dynamic, entertaining way that will have attendees laughing and enjoying this impactful, memorable experience.

Galen Emanuele, Shift Yes, Bellingham, WA

**4:30 PM - 5:00 PM                      Friday Finale -- Coffee and Cookie Break in the Exhibit Hall**

Room: Central Park East & West, 2nd Floor

**4:45 PM - 6:00 PM                      Legal Educator's Colloquium Resource Share**

**Legal Educators' Resource Share**

Room: Lenox Ballroom, 2nd Floor

Practice Area Track: Legal Educators Colloquium

Law faculty are always looking for good materials to use in their classes. Join Professors Bobbi McAdoo and Sharon Press as they once again lead a highly interactive session in which legal educators describe, in a minute or two, a resource they use (could be a website, a simulation, TED talk...) in their classes. This session is like an in-person listserv with the opportunity for attendees to follow-up with colleagues in real time. Half page handouts are encouraged and all information is collated and posted to the legal educators' listserv after the conference.

Sharon Press, Mitchell Hamline School of Law, St. Paul, Minnesota

Bobbi McAdoo, Mitchell Hamline School of Law, St. Paul, MN

**5:00 PM - 7:00 PM                      International Academy of Mediators (Private meeting)**

Room: New York Ballroom East, 3rd Floor

**7:30 – 10:00 PM                      ABA Section of Dispute Resolution Awards Reception and Dinner**

Ticketed Event – limited number of tickets are available to purchase on the Conference web site:

[www.ambar.org/spring2016](http://www.ambar.org/spring2016)

Yale Club of New York

**Saturday, April 9<sup>th</sup>**

The Legal Educators Colloquium is the main event on Saturday. The Colloquium is open to all conference attendees – academics, adjuncts, trainers, and teachers. Anyone interested in teaching – and learning about – dispute resolution. The Colloquium programs are available to all conference attendees who have registered for the full conference. Those who wish to attend the Colloquium programs only, may purchase a one-day registration for Saturday. Please wake up in time for the early morning “sunrise” programs and then join us for the Colloquium Awards Breakfast where we will honor Professor Robert Mnookin with the ABA Scholarly Work Award.

**7:30 AM - 8:45 AM**

**LEC Sunrise Programs**

**Teaching Collaborative Law in Law Schools**

*Collaborative Law is presently being taught in a number of law schools as a segment of ADR courses; and in a few law schools as a stand-alone course.*

Room: Riverside Suite, 3rd Floor

Practice Area Track: Collaborative Law

The collaborative dispute resolution process (commonly known as "Collaborative Law") has its roots in family law. The process is being used to resolve disputes arising in other areas of civil law, such as probate, trusts, estates and elder law, healthcare, employment, construction and within religious organizations. The Uniform Collaborative Law Act / Rules which codify and give statutory validation to the process, have been enacted in in varying forms in thirteen jurisdictions to date, and are pending in several jurisdictions. In the fall 2015 semester, David Hoffman began teaching a three hour course on Collaborative Law at Harvard Law School.

Lawrence R Maxwell, Jr., Collaborative Lawyer-Mediator-Arbitrator, Dallas, Texas

David Hoffman, Boston Law Collaborative, Boston, MA

Cynthia Hawkins DeBose, Stetson University College of Law, Gulfport, FL

Sherrie R. Abney, Collaborative Lawyer and Trainer, Carrollton, TX-Texas

**What I'm Reading, 4**

Room: Riverside Ballroom, 3rd Floor

What inspires us? For the past four years, the "What I'm Reading" panel has featured several established ADR scholars and practitioners speaking about books, articles, movies, music, and any other artwork that they have found inspiring--works that somehow facilitate key insights, bring beauty into practice and research, or make other meaningful connections. Each year, this panel seeks to bring together different people from the ADR universe; provide a sense of the breadth of ADR-relevant cultural sources; highlight the diverse literatures that scholars and practitioners may turn to; and compile a reading list.

Jennifer Reynolds, The University of Oregon School of Law, Eugene, Oregon

Rebecca Hollander-Blumoff, Washington University School of Law, St. Louis, MO

Michael Colatrella, McGeorge School of Law, Sacramento, California

Amy Glass, Michigan Mediation & Arbitration Services, Kalamazoo, MI

Cathy Costantino, Georgetown Law School, Washington, D.C.

Nora Ludviksen, The Table Mediation, Seattle, WA

**8:45 AM - 9:45 AM**

**Legal Educator's Colloquium Awards Breakfast**

Room: New York Ballroom East, 3rd Floor

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**10:00 AM – 11:15 AM**

**LEC Series 1**

**LEC-1A: Teaching Mediation to Law Students: Practice, Theory, and Certification**

Room: Riverside Ballroom, 3rd Floor

The panel will discuss strategies, exercises, role plays, and requirements for effectively teaching the basic mediation class while also meeting the requirements for mediator certification. Panelists will explore the most effective means of integrating mediator certification into a mediation class and whether it is pedagogically sound to do so within the constraints of the typical 14 week semester. Also, is it important to teach students the theory behind mediation or should it primarily be a skills-based course? The panel will also discuss grading criteria for their courses including written requirements, video recordings and critiques, final exams, and pass/fail options.

Debra Berman, South Texas College of Law, Houston, Texas  
James Alfini, South Texas College of Law, Houston, Texas  
Bruce Wettman, South Texas College of Law, Houston, Texas  
Sharon Press, Mitchell Hamline School of Law, St. Paul, Minnesota  
Tasha Willis, University of Houston, Houston, Texas

**LEC-1B: Help! I've Been Asked to Teach My ADR Class Online!**

Room: Riverside Suite, 3rd Floor

Online instruction is increasing in both frequency and student popularity. ADR courses are often highly interactive, presenting particular challenges for faculty members asked to teach negotiation or mediation online. This session will cover the basics of what to do if you are asked to teach your ADR course online. This includes content delivery, use of simulations/activities, facilitating student interaction, assessment, and choice of technology. Advanced topics will include culture, creativity, and lessons learned. Participants will leave with a road map for planning and executing an online ADR course.

Brian Pappas, Michigan State Law, East Lansing, MI  
Noam Ebner, Werner Institute, Creighton University School of Law, Omaha, Nebraska  
David Larson, Mitchell Hamline School of Law, Saint Paul, Minnesota  
Eric DeGroff, Regent University School of Law, Virginia Beach, Virginia

**LEC-1C: Teaching conflict resolution in the midst of conflict**

Room: New York Ballroom West, 3rd Floor

How can we achieve meaningful learning when we teach conflict resolution to students from conflicted groups in the midst of an ongoing conflict? This session will address the challenges and means of creating a significant learning and teaching experience in multicultural and conflict-charged classes. The presenters will share their experiences teaching in various settings, including in mixed classrooms of Arab and Jewish students in an Israeli law school. Design dilemmas and various didactic methods will be discussed and compared, inviting participants to share their own experiences to enrich the conversation and generate an inventory of effective teaching tools.

Yael Efron, Zefat Law School, Israel, Israel  
Sharon Press, Mitchell Hamline School of Law, St. Paul, Minnesota  
Michelle LeBaron, Vancouver, Canada  
Nellie Munin, Jerusalem, Israel  
Paula Young, DOHA, DOHA, Qatar

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**11:15 AM - 11:30 AM**

Room: Metropolitan East Foyer, 2nd Floor

## **Legal Educators Colloquium Coffee Break**

**11:30 AM - 12:45 PM**

## **LEC Series 2**

**LEC-2A: Negotiation Courses: Beyond the Roleplay?**

*Expanding your Negotiation Teaching Repertoire*

Room: Riverside Ballroom, 3rd Floor

While roleplays are a core element of almost every negotiation course, are there other, more effective techniques for teaching negotiation skills? If roleplays are used, how can they be used effectively? This panel discussion of experienced negotiation professors will highlight issues with the use of roleplays, offer suggestions on how to best use them, and share exercises that supplement and replace the use of roleplays in the classroom. The audience will be encouraged to share their own experience as well. This panel will help refresh and enliven your negotiation course and get you beyond the roleplay.

Rishi Batra, Texas Tech University School of Law, Lubbock, Texas

Peter Reilly, Texas A&M University School of Law, Fort Worth, Texas

Andrea Schneider, Marquette University Law School, Milwaukee, WI

Lauren Newell, Ohio Northern University, Pettit College of Law, Ada, OH

Hiro Aragaki, Loyola Law School, Los Angeles, CA

**LEC-2B: The Reflective Practitioner: Incorporating Mindfulness in the ADR Curriculum in Law Schools**

Room: Riverside Suite, 3rd Floor

This session explores the experiences of law faculty who have incorporated mindfulness and other contemplative practices into their law school teaching, with particular applicability to ADR courses. Presenters discuss their goals, their practical approaches, and their perspectives on how mindfulness can enhance student learning. The session also provides an opportunity to experience mindfulness exercises for the classroom.

Charity Scott, Georgia State University College of Law, Atlanta, GA

Richard Reuben, University of Missouri School of Law, Columbia, MO

Rachel Wohl, Baltimore, MD

Austin Charles, Georgia State University College of Law, Atlanta, GA

**LEC-2C: Teaching about Ombuds Programs in Dispute Resolution Courses**

*A Report from the Law School Outreach Task Force of the Ombuds Committee*

Room: New York Ballroom West, 3rd Floor

The Ombuds Committee has created a task force, including several members who have presented lectures or taught courses at law schools, to develop course lectures, PowerPoint presentations, suggested reading lists and other resource materials, and a listing of knowledgeable ombuds throughout the country to assist law professors in teaching about the different types of ombuds programs as part of ADR systems design or introductory dispute resolution courses. This program will present the work product of the Task Force for comment and seek feedback from the legal educators present at the Saturday session.

Charles Howard, Shipman & Goodwin LLP, Hartford, CT

Natalie Fleury, Milwaukee, WI

Caroline Adams, Santa Barbara, CA

For more information and to register: [www.ambar.org/spring2016](http://www.ambar.org/spring2016)

**12:45 PM - 2:15 PM**

**Saturday Lunch Break**

Hudson Market Bistro Lunch –or Local Restaurants of your choice

Conference attendees have the option of purchasing pre-paid lunch tickets at the Sheraton Hudson Market Bistro. Conference registrants may purchase Bistro lunch ticket for \$28 as part of your registration process. There are a limited number of these hotel bistro lunch tickets available. Tickets are only valid for the date of purchase. Sign up for Lunch-Arounds on the conference web site: [ambar.org/spring2016](http://ambar.org/spring2016).

**2:15 PM - 3:30 PM**

**LEC-Shoptalk**

**Preparing students for the future of dispute resolution:**

*Skating to “where the puck is going, not where it’s been”*

Room: Empire Ballroom East, 2nd Floor

Wayne Gretzky, the hockey star, said he always tried to skate “to where the puck is going to be, not where it has been.” Analogizing the “puck” to the dispute resolution field, this program will address where we are going and how, as legal educators, we can best prepare our students to “skate” there. Through active audience participation, it will explore forces changing the dispute resolution field, the possible nature of legal and dispute resolution practice in the future, and how this should affect our teaching. We will collect ideas from the audience, which we will disseminate after the conference.

Lydia Nussbaum, UNLV Boyd School of Law, Las Vegas, Nevada

Cynthia Alkon, Texas A&M University School of Law, Fort Worth, Texas

Noam Ebner, Werner Institute, Creighton University School of Law, Omaha, Nebraska

John Lande, University of Missouri School of Law, Columbia, Missouri

**3:30 PM - 4:30 PM**

**Legal Educators Cookie and Coffee Finale**

Room: Metropolitan East Foyer, 2nd Floor