

**AMERICAN BAR ASSOCIATION
SECTION OF DISPUTE RESOLUTION**

Seventh Annual
**Advanced Mediation
and Advocacy Skills
Institute**

**October 15–16, 2009
Sheraton City Center | Philadelphia, PA**

In cooperation with the State Bar ADR Sections
and Committees of Delaware, Pennsylvania,
Maryland, New Jersey, New York and Virginia
and the New York City and Philadelphia Bar
Associations



An Interactive Two-Day Course of Instruction Featuring...

- Highly valuable interaction and advice from leading experts in mediation
- Small group sessions to encourage full participation
- Practice development essentials

Who Should Attend?

- Mediators
- Litigators
- Judges
- In-House Counsel

What Past Participants Have Said...

“It is one of the most worthwhile programs I have attended in the nearly 40 years I have been in this business.”

“The faculty are excellent, and the opportunity for advocates and mediators to interact in small facilitated groups made this an exceptional and valuable program for mediators and advocates alike.”

“The Institute delivered engaging, knowledgeable and informative panelists, moderators and participants. The participants represented a wide range of experience yet the group was kept small enough to allow for useful conversations and sessions. It was a very constructive and productive use of two days and I would certainly do it again.”



Institute Co-Chairs:

Bruce E. Meyerson and Cliff Hendler

www.abanet.org/dispute

INSTITUTE FACULTY

Simeon H. Baum

Resolve Mediation
Services, Inc.
New York, NY

John Bickerman

Bickerman Dispute
Resolution, PLLC
Washington, DC

Robert Creo

President
Master Mediation Institute
Pittsburgh, PA

Barbara Daniele

Senior Vice President and
General Counsel
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Danbury, CT

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Warner, Coleman &
Goggin
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Roger M. Deitz Esq.
Dispute Resolution
New York, NY

Ruth V. Glick

Mediator and Arbitrator
Burlingame, CA

**Francine Friedman
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Greenberg Traurig
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U.S. Bankruptcy Court
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Kukin Program for Conflict
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Former Chief Litigation
Counsel, Air Products &
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Philadelphia, PA

Peter Woodin

JAMS
New York, NY

Seventh Annual
**Advanced Mediation and
Advocacy Skills Institute**

October 15–16, 2009 | Sheraton City Center | Philadelphia, PA

This two-day advanced curriculum features interaction with some of the leading mediators and mediation advocates in North America. Each panel features an expert mediator, a high-powered in-house counsel, and a skilled outside counsel. Each phase of the mediation process will be discussed, followed by small group discussions led by experts in the field. The opportunity for mediators and advocates to interact in small facilitated groups provides a unique environment to enhance your skill, knowledge and understanding of the mediation process.

THURSDAY, OCTOBER 15

8:00 am **Registration and Continental Breakfast**

9:00 am **Welcome and Introductions**

Speakers:

Homer C. La Rue, 2009–2010 Section Chair

Bruce E. Meyerson, Institute Co-Chair

9:15 am **Preparing for Mediation**

Mediators, corporate counsel, and litigators reveal preparation techniques that maximize opportunities for favorable settlements.

Faculty:

Bennett Picker

R. Bruce Whitney

Barbara J. Davis

10:15 am **Break**

10:30 am **Small Group Discussions—Preparing for Mediation**

In-depth discussion about issues such as written submissions, process design, managing client expectations, administrative details, and pre-mediation conferencing.

Noon **Luncheon**
Developing and Marketing a Dispute Resolution Practice
Mediators with robust practices will share practical and proven business advice with participants on how to build a successful mediation practice.

1:30 pm **The Joint Opening Session in Mediation**
Learn how mediators work to create a problem-solving environment in the first hour of a mediation, and how advocates use that time to set expectation levels.

Faculty:
Homer C. La Rue
Deborah Masucci
Samuel J. Pace, Jr.

2:30 pm **Break**

2:45 pm **Small Group Discussions—The Joint Opening Session**
Find out how the opening is used by mediators and advocates to set the stage for a successful outcome. Explore strategies on whether or not to make opening statements, and if so, by whom.

4:00 pm **Break**

4:15 pm **Open Forum: Common Ethical Issues Faced by Mediators and Advocates**
Faculty members will share advice on how to recognize and solve potential ethical issues in the mediation process.

Moderators: *Bruce E. Meyerson*
and Cliff Hendler

6:00 pm **Reception with Faculty**
The faculty will be available to informally discuss questions raised from the first day's presentations. This social hour is a unique opportunity to take advantage of their many years of experience in the field of dispute resolution.

FRIDAY, OCTOBER 16

8:00 am **Continental Breakfast**

8:30 am **Negotiating in the Caucus Stage of Mediation**
Learn how skilled mediators and advocates use the private caucus to probe for information, develop options, refine interests, and conduct reality testing.

Faculty:
Joan Parker
Deborah R. Lorber
Francine Friedman Griesing

9:30 am **Break**

9:45 am **Small Group Discussions on Negotiating in the Caucus**
Examine and explore the techniques expert mediators and advocates use during a private caucus to move toward resolution.

11:15 am **Break**

11:30 am **Breaking Impasse in Mediation**

Skilled mediators will share tips on avoiding and addressing impasse. Advocates will describe when to “hold’em or fold’em” at the mediation table.

Faculty:

Robert Creo

Barbara Daniele

Thomas G. Wilkinson, Jr.

12:30 pm **Keynote Luncheon: Making Money Talk**



J. Anderson Little will present key learning points from his acclaimed new book, *Making Money Talk:*

How to Mediate Insured Claims and Other Monetary Disputes, published by the ABA Section of Dispute Resolution.

Insights include:

- Recurring problems of movement in the negotiation of monetary settlements
- The keys to understanding how those problems occur
- Helping the parties construct thoughtful and productive proposals
- The End Game: How to help them close the gap

All Institute participants will receive a complimentary copy of the book.

2:00 pm **Small Group Discussions on Breaking Impasse**

Participate in a highly focused examination of the factors causing impasse, and how mediators and advocates use patience and creativity to get the job done. Discussion leaders will use concrete case examples to sharpen your impasse-breaking skills.

3:30 pm **Open Forum: Putting it all Together**

Participate with the faculty in a wide-ranging discussion intended to answer any remaining questions you may have.

Moderator: *Bruce E. Meyerson*

4:00 pm **Adjourn**

Learn from Experienced Practitioners

Program faculty will answer your questions on an array of topics, such as:

- Proper drafting of a mediation agreement and retention letter
- Proper use of risk analysis
- Emotional and psychological issues in mediation
- How and when to use an apology
- Ethical dilemmas
- Developing and marketing a dispute resolution practice
- Advanced techniques for adding value

REGISTRATION INFORMATION

HOTEL INFORMATION

Sheraton City Center, Philadelphia, PA

Reservations: 1-800-325-3535

Rate: \$239 plus tax

Rooms will be offered at this rate until September 14, 2009. Refer to ABA Dispute Resolution Section Mediation Training for special rates.

REGISTRATION DEADLINE

Note: This program has a limited capacity. Please register early to ensure a seat.

The last day to submit a registration in advance is **October 1, 2009**. After this date please check the Section website for updates on availability.

ONLINE REGISTRATION

To register online please have your ABA member ID number (found on the mailing label of this brochure), or you must create a customer account on the ABA website and receive a customer ID number. Register online at: **www.abanet.org/dispute**

CANCELLATION POLICY

Cancellations must be received in writing by email: waughjos@staff.abanet.org or fax: 202-662-1683 by October 1, 2009 in order to receive a refund less a \$50 processing fee.

CLE CREDIT

14.0 hours of MCLE credit, including 1.75 hours of ethics credit, have been requested in 60-minute states. 16.8 hours of MCLE credit, including 2.1 hours of ethics credit, have been requested in 50-minute states.

REGISTRATION FORM

ABA SECTION OF DISPUTE RESOLUTION

Advanced Mediation and Advocacy Skills Institute | October 15-16, 2009-Philadelphia, PA

Full Name _____ Title _____

Firm/Organization _____

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Rates

- | | |
|--|---|
| <input type="checkbox"/> ABA DR Section Member \$895 | <input type="checkbox"/> ABA Member \$995 |
| <input type="checkbox"/> Cooperating Organization Member \$895 | <input type="checkbox"/> Non-Member \$1,095 |

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