

The American Bar Association Section of Dispute Resolution Presents

FAMILY MATTERS

*A Symposium on Preventing and Resolving
Family and Family-Business Disputes*

October 22, 2004

Sheraton Boston Hotel

(Prudential Center, 39 Dalton St.)



Cosponsored by the ABA Section of Real Property, Probate and Trust Law

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Boston Law Collaborative, LLC

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Association of Family and Conciliation Courts

The Family Firm Institute

Attorneys for Family-Held Enterprises

Program Committee:

Marjorie C. Aaron; David Hoffman; Paul Pearson; Peter Salem; John G. Wofford

CLE Credits Available

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AGENDA

7:30 am – 8:30 am	Registration
8:30 am – 8:45 am	Welcome David Hoffman, Boston, MA, Chair-Elect, ABA Section of Dispute Resolution
8:45 am – 10:00 am	Plenary <i>Difficult Conversations – How to Talk About What Matters Most in Family and Family Business</i> Erica Fox, Program on Negotiation at Harvard Law School, Cambridge, MA; Patrick McWhinney, Insight Partners Inc., Boston, MA
10:00 am – 11:45 am	Concurrent Sessions <i>Using ADR in Trust and Estate Planning and Dispute Resolution</i> Prof. Ray D. Madoff, Boston College Law School, Newton, MA; David F. Gage, BMC Associates, LLC, Arlington, VA; John A. Gromala, Gromala Mediation Service, Eureka, CA <i>Conflicts of Interest and Confidentiality: Ethical Issues in Working with Members of a Family-Owned Business</i> Fredda Herz Brown, Metropolitan Group, LLC, Cresskill, NJ; Charles Lachman, Capital Investment Partners, Englewood, NJ; A. Max Kohlenberg, Edwards and Angel, Providence, RI; Thomas Livergood, Family Office Management, Hinsdale, IL
11:45 am – 1:15 pm	Lunch and Table Top Discussions/Networking
1:15 pm- 3:00 pm	Concurrent Sessions <i>Using Parenting Coordinators to Resolve High-Conflict Family Cases</i> Peter Salem, Association of Family and Conciliation Courts, Madison, WI (moderator); Hon. Arline Rotman (ret.), Dispute Resolution Services, Norwich, VT; Robin Deutsch, Massachusetts General Hospital – Children and the Law Program, Boston, MA; Oran E. Kaufman, Burres, Fidnick, Booth & Kaufman, LLP, Amherst, MA <i>ADR Systems to Prevent and Resolve Disputes in Family-Owned Businesses</i> John G. Wofford, mediator/arbitrator, Cambridge, MA (moderator); Thomas D. Davidow, Genus Resources, LLC, Needham, MA; Richard L. Narva, Genus Resources, LLC, Needham, MA; Carrie R. Seligman, Northwestern Mutual Financial Network, Boston, MA; David S. Weiss, Goulston & Storrs, P.C., Boston, MA
3:15 pm – 5:00 pm	Concurrent Sessions <i>Mental Illness and Substance Abuse/Addiction: Their Impact on Conflict Resolution</i> Paul Pearson, attorney/mediator, lecturer, Dept. of Psychiatry, SUNY Buffalo Medical School, Buffalo, NY (moderator); Richard N. Wolman, Psychomatrix, Boston, MA; Beryl Minkle, Tapestry Counseling, Cambridge, MA; Dr. Brian Johnson, psychoanalyst, Harvard Medical School, Boston Psychoanalytic Society and Institute, Boston, MA <i>Triaging Family and Family Business Disputes: Do They Need Collaborative Law, Mediation, or Other Processes?</i> Marjorie Aaron, University of Cincinnati College of Law, Cincinnati, OH (moderator); Chip Rose, The Mediation Center, Santa Cruz, CA; Julie MacFarlane, University of Windsor Faculty of Law, Windsor, Ontario; David Hoffman, Boston Law Collaborative, LLC, Boston, MA
5:00 pm – 7:00 pm	Reception at the Westin Hotel (two blocks from the Sheraton Boston) Jointly sponsored with the International Academy of Collaborative Professionals <i>The DR Section has scheduled its “Family Matters” program, in conjunction with the International Academy of Collaborative Professionals, whose annual Forum on Collaborative Law will begin at the Westin Hotel following our program. For information about the IACP Forum, please go to www.CollabGroup.com.</i>

A multi-disciplinary approach is often essential for resolving family decisions. The “Family Matters” symposium is designed to bring together representatives of multiple professions, including accountants, psychologists, lawyers, mediators and arbitrators to focus on the use of dispute resolution in producing positive family decision-making.

Disputes arising in family settings can be extraordinarily difficult to resolve and costly for the participants. Whether the dispute arises from intergenerational wealth transfers, family business succession, divorce, or child-related issues, substantial amounts of money are often at stake along with issues of family stability and safety. It has been estimated that family-owned business account for 49% of the gross domestic product of the United States, 59% of all jobs, and 79% of all new jobs. More than half of these businesses will experience a change of control in the next ten years, and yet more than half of the CEOs of these companies have no succession plan. In addition, mediators frequently report that inheritance disputes and high-conflict divorce cases – even when they do not include complex family business issues – are among the most difficult to resolve.

Professionals who work with families and family-businesses need sophisticated dispute resolution tools – including mediation, arbitration, and other ADR methods – to help their clients weather change and thrive. The purpose of the “Family Matters” symposium is to help such professionals acquire and sharpen those tools.

Accommodations: The Sheraton Boston (www.starwood.com/sheraton) has a block of rooms reserved at the reduced rate of **\$235 (single/double)** plus tax (12.45%) for Symposium attendees. **The cut-off date for hotel reservations is September 23, 2004 at 5:00 PM (CST).** Reservations received on or before the cut-off date will be honored at the ABA group rate. After the cut-off date, the hotel shall continue to accept reservations, at the ABA group rate, ONLY on a space-available basis.

Call the Hotel directly at (617) 236-6034 or (800) 325-3535 and refer to the ABA Section of Dispute Resolution Family Matters Symposium.

REGISTRATION FORM: *FAMILY MATTERS SYMPOSIUM*

Name: _____

Org./Firm: _____

Address: _____

City/State/Zip: _____

Email address: _____ Phone: _____ Fax: _____

Special needs: _____

Price: \$ 200 Regular registration
\$ 175 for ABA Section of Dispute Resolution members and members of cosponsoring organizations
\$ 150 for judges, government workers, professors, and community mediators
\$ 75 for full-time law or graduate students

Registration Fee Enclosed: \$ _____

**Please make check payable to “The American Bar Association” and return to:
ABA Section of Dispute Resolution, 740 15th St. NW, Washington DC 20005.**

Or pay with Credit Card (M/C, VISA, AE) and fax to: 202-662-1683.

_____ Exp.: _____ Signature: _____

**Call 202-662-1680 for more information. E-mail: dispute@abanet.org
Check DR Section Web Site for updates and current information: www.abanet.org/dispute**

CANCELLATION POLICY: Refunds, less an administrative fee of \$50, will be given for cancellations received in writing by **9/22/04**. Cancellations received after that date will not be refunded; however substitutions may be designated with notification to our office. We are not responsible for charges arising from cancellations or changes. Requests for refunds must be **submitted in writing**.

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