

ASSOCIATION OF ATTORNEY- MEDIATORS

Presents its

Advanced Attorney-Mediator Training and CLE Seminar



“Remote but Together”

Friday, September 11, 2020

Live Online Webinar

8:30 - 8:45 am Welcoming Remarks
Jimmy Lawson, AAM National President, Lakeland, TN
Allison Ellis, AAM Executive Director, Dallas, TX
Frank Neuner, AAM National President-elect, St. Louis, MO,
Moderator

8:45 - 9:45 am Facilitation vs. Evaluation....The Fine Lines We Tread
Jerry Diekemper, St. Louis, MO

The disagreements over facilitation versus evaluation have been around for years. In reality, all mediators are evaluators. Of paramount importance, however, are the questions of if, how, and when the mediator should verbalize the evaluations to preserve party self-determination. This presentation aims at providing thoughtful and practical answers.

(1.0 hour)

9:45 - 10:45 am BOUNDARIES! BOUNDARIES!
A Discussion of Ethical Considerations for Mediators
Karen Washington, Dallas, TX

This presentation and discussion will address the ethical rules and guidelines for mediators and attorneys as set forth, for example, by the Uniform Mediation Act, ABA, and AAA. We will discuss where the attorney and mediator roles are parallel and where they diverge. During an interactive sharing time, you will be asked to consider how to recognize and respond when ethical dilemmas present. You will have the opportunity to share ideas for best practices that will build your reputation and status as a reliable mediator.

(1.00 ethics hour)

10:45 - 11:00 am Break

11:00 - 12:00 **Zoom Mediations: the ABCs of this Essential Tool for Today's Mediator**
Frank Neuner, St. Louis, MO

As the world has changed, it has become critical that mediators have the ability to conduct business remotely. Both during the current pandemic and beyond, a robust mediation practice must accommodate the needs or desires of participants to attend by videoconference, rather than in-person. Conducting mediations in this format presents both challenges and opportunities. This presentation will cover the nuts and bolts of conducting a mediation on Zoom (one of the most widely used platforms). It will provide a step-by-step "how to" playbook. We will cover best practices for handling joint sessions, private caucuses, screen sharing, signing agreements, and other practical issues. Whether you have never conducted a video mediation before, or you simply want to improve your comfort level with this format, attend this session and learn to handle remote mediations easily and effectively.

(1.00 hour)

12:00 - 1:00 pm **Lunch Break**

Webinar feed will be muted/no video feed will be shown during the lunch break. If you log out of the webinar, please be sure and log back on for the 1:00pm CT start. To comply with state CLE requirements, afternoon attendance will be tracked via the platform's attendance reporting.

1:00 – 2:30 pm **An Introduction to Early Dispute Resolution: Fairly and Ethically Resolving Disputes 30 Days From Inception**
Michael Hawash, Houston, TX
Peter Silverman, Toledo, OH

In litigation, settlement comes after lawyers engage in months of expensive, adversarial posturing. Through the use of comprehensive practice and ethics protocols, Early Dispute Resolution (EDR) seeks to replace the traditional litigation model with methods to resolve disputes within 30-60 days at a fraction of the cost, while reaching roughly the same resolution as protracted litigation.

(1.50 hours)

2:30 – 2:40 pm **Break**

2:40 – 3:40 pm **Avoid Bias: How to Maintain your Status as an Impartial Mediator During Times of Racial, Cultural and Social Strife**
Lisbeth Bulmash, Dallas, TX
Sharmeen Ladhani, Dallas, TX

As our society copes with the effects of COVID-19 and confronts racial, political, cultural and social discord leading up to the November 2020 Presidential election, mediators might find themselves in tough situations that may challenge their ability to maintain their status as an impartial party. We will address the types of situations a mediator might encounter and discuss techniques and strategies for navigating through these challenges to mitigate impact on mediation.

(1.00 ethics hour and 1.00 elimination of bias hour)

3:40 - 3:50 pm **Closing Remarks**
Frank Neuner, AAM National President-elect, St. Louis, MO