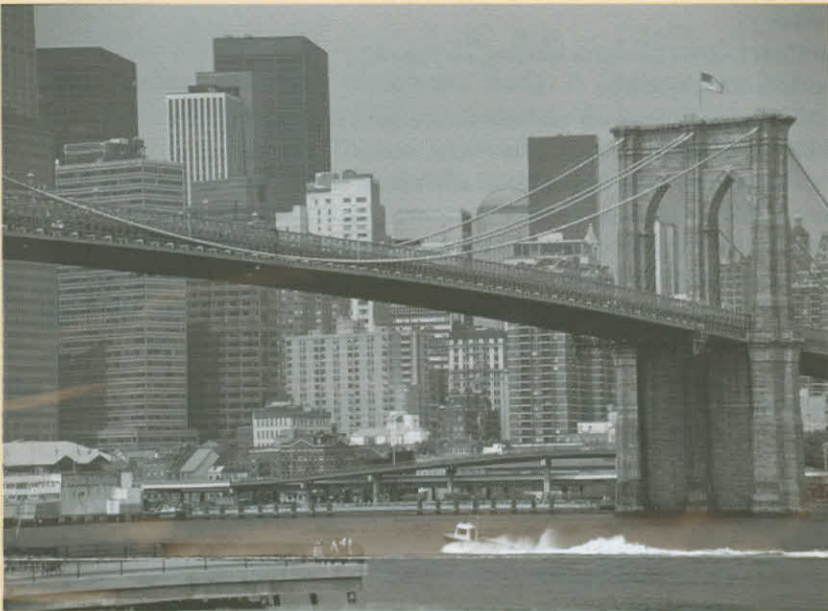


The American Bar Association Section of Dispute Resolution Presents  
***The Sixth Annual Conference***

***Resolution and Resilience in New York***



Courtesy of NYC & Company

**April 15-17, 2004  
New York City**

**Sheraton NY Hotel & Towers**

**811 Seventh Avenue**  
(Between 53rd and 52nd Streets)  
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***CLE Credits Available***

- ***The 15th Annual Frank E.A. Sander Lecture: Reconciliation and Reparations*** featuring Alexander Boraine, Ambassador Stuart Eizenstat and Professor Ziyad Motala
- ***A stellar Plenary on Maintaining a Healthy Corporate Body***, moderated by ABA President-Elect Robert Grey and featuring Enron Bankruptcy Examiner R. Neal Batson, Microsoft Mediator Eric Green, Tyco Executive Vice President William B. Lytton and Professor Lynn Stout
- ***Skills Training*** by leading practitioners on the latest innovations in DR practice
- ***Over 120 Presentations*** covering the diverse world of dispute resolution, organized into practice and interest specific tracks
- ***Presentation of the D'Alemberte/Raven Award*** to Ambassador Richard Holbrooke
- ***The Forum on Expanding Opportunities for Minorities and Women in Dispute Resolution***
- ***The Court ADR Mini-Conference*** for neutrals, judges, program administrators and more
- ***Innovative teaching techniques at the Legal Educators' Colloquium***
- ***An energized Special Focus on Family ADR***

*See Registration Details on Page 19*

## Conference at a Glance

### **Wednesday, April 14**

1:00 pm – 5:00 pm	Representation in Mediation Competition
4:00 pm – 6:00 pm	<b>Registration for Pre-Conference Events (Skills Training, Mini-Conference on Court ADR, Forum for Minorities and Women)</b>
3:00 pm – 6:00 pm	Section Council Meeting

### **Thursday, April 15**

7:00 am – 10:00 am	<b>Registration for Pre-Conference Events ONLY</b>
10:00 am – 5:00 pm	<b>Conference Registration</b>
8:00 am – 2:30 pm	<b>Mini-Conference on Court ADR</b> (Limited ticket event, see page 7)
8:00 am – 4:00 pm	Representation in Mediation Competition
8:30 am – 10:15 am	<b>Pre-Conference Skills Training Sessions</b> (Limited ticket event, see pages 4, 5)
10:30 am – 12:00 noon	<b>Pre-Conference Skills Training Sessions</b> (Limited ticket event)
9:00 am – 2:30 pm	<b>Forum on Expanding Opportunities for Minorities and Women in Dispute Resolution</b> (Limited ticket event, see page 6)
1:00 pm – 2:30 pm	<b>Committee Meetings / Networking Sessions</b> (See page 8)
2:45 pm – 4:15 pm	<b>Concurrent Sessions - Series A</b> (See page 9)
4:30 pm – 6:30 pm	<b>Opening Plenary – Frank E.A. Sander Lecture</b> Speakers: Alexander Boraine, Ambassador Stuart Eizenstat, Professor Ziyad Motala
6:30 pm – 8:00 pm	<b>Welcome Reception Honoring Faculty and Exhibitors</b> Sponsored by JAMS, National Arbitration Forum, PricewaterhouseCoopers LLP

### **Friday, April 16**

7:30 am – 8:30 am	Section Committee Meetings
7:30 am – 8:30 am	Gentle Yoga – An Opportunity for Guided Practice
8:00 am – 12:00 noon	Representation in Mediation Competition and Finals
8:00 am – 4:00 pm	<b>Registration</b>
8:30 am – 10:00 am	<b>Plenary – Maintaining a Healthy Corporate Body</b>
10:15 am – 11:45 am	<b>Concurrent Sessions - Series B</b> (See page 10)
12 noon – 1:45 pm	<b>Luncheon – Keynote Speaker: Ambassador Richard Holbrooke</b> Former Assistant Secretary of State for European and Canadian Affairs <b>The Presentation of the D'Almeida/Raven Award</b> Sponsored by Gibson, Dunn & Crutcher LLP, American Arbitration Association, Martindale-Hubbell
2:00 pm – 3:30 pm	<b>Concurrent Sessions - Series C</b> (See page 11)
3:45 pm – 5:15 pm	<b>Concurrent Sessions - Series D</b> (See page 12)
5:30 pm – 6:30 pm	Section Committee Meetings
7:00 pm –	<b>Enjoy New York</b> (See page 17)

### **Saturday, April 17**

7:30 am – 8:45 am	Section Committee Meetings
8:00 am – 1:00 pm	<b>Registration</b>
9:00 am – 10:30 am	<b>Concurrent Sessions - Series E</b> (See page 13) <b>Legal Educators' Colloquium</b> (See page 15)
10:45 am – 12:15 pm	<b>Concurrent Sessions - Series F</b> (See page 13) <b>Legal Educators' Colloquium</b>
12:30 pm – 2:00 pm	<b>Legal Educators' Colloquium Luncheon</b> (Limited ticket event, see page 15)
2:00 pm – 3:00 pm	Section Committee Meetings



For the latest updates on the conference agenda, see [www.abanet.org/dispute](http://www.abanet.org/dispute).

## Plenary Sessions

### **Thursday, April 15 4:30 pm – 6:30 pm**

#### **The 15th Annual Frank E.A. Sander Lecture: Reconciliation and Reparations (a two-part session)**

Plenary Planning Co-Chair, Melanie Greenberg of Washington, D. C. will moderate this presentation.

In Part I Former Deputy Secretary of U.S. Treasury Stuart Eizenstat will discuss efforts to achieve justice for Holocaust victims and families.

In Part II Alexander Boraine of New York City, Founder and President of the International Center for Transitional Justice and former Deputy Chair of the South African Truth Commission appointed by Nelson Mandela, will discuss the Commission. He will engage in a dialogue on the efficacy of Truth Commissions and Transitional Justice with Ambassador Eizenstat and human rights advocate Professor Ziyad Motala of Howard University School of Law and a native of South Africa.

### **Friday, April 16 8:30 am – 10:00 am**

#### **Maintaining a Healthy Corporate Body: A Dialogue on Major Corporate Disputes of the Last Decade**

ABA President-Elect Robert Grey will moderate a distinguished Panel that will address some of the highest profile business disputes of the last decade. The Panel will include Neal Batson, Examiner for the Enron bankruptcy; Eric Green, the mediator in the Microsoft antitrust cases; William B. Lytton, Tyco Executive Vice President; and Professor Lynn Stout of the UCLA School of Law. Discussions will cover lessons in corporate governance for management, counsel and accountants, and the role of the neutral dispute resolution professional as examiner, mediator, and independent investigator. We will explore the connection between the fields of Dispute Resolution and Corporate Governance. For instance, could a post Enron corporate health examination facilitated by a dispute resolution professional help restore trust and a balanced view for the long-term health of the corporation?

#### ***Conference Executive Committee***

Section Chair	Richard Chermick
Conference Chair	John Bickerman
Program Committee Chairs	John Lande, Lela Love
Fundraising	Barry Garfinkel, Larry Keeshan
New York Advisors	Elayne Greenberg, Scott Carfello
Skills Training Program	Margaret Shaw, Deborah Masucci
Networking Sessions	Jeffrey Senger
Plenary Sessions	Melanie Greenberg, Hal Abramson
Legal Educators' Colloquium	Andrea Schneider, John Lande, Suzanne Schmitz Scott Peppet, Michael Moffit, Maureen Weston
Local Activities	Alida Camp
Court ADR Mini-Conference	Amy Bressler Nee, Ellen M. Miller
Representation in Mediation Competition	Ann Woodley, Paula Young
Law Student Essay Competition	Nancy Welsh
Coordinator of Volunteers	Gene Johnson
Opportunities for Minorities and Women	Homer La Rue, Marvin Johnson, Danielle Hargrove, Jack Hanna

#### ***Program Planning Track Chairs***

Arbitration	Sarah Rudolph Cole, Paul Dubow, June Lehrman
Community & Peer Mediation	Timothy Hedeem, Gene Johnson, Maria Volpe
Communication	Bobbi McAdoo, Amy Glass
Construction ADR	Jim Groton, Ken Bloom, Dottie Terrell
Corporate/Business	Peter Phillips, Don Rome
Court-Connected ADR	Amy Bressler Nee, Ellen M. Miller, Daniel M. Weitz
Employment & Labor ADR	Jay W. Waks, Sara Adler
Ethics	Jay Folberg
Family	Paul D. Pearson, Andrew Schepard, Adam Berner
Environment	Heather Sibbison, David Batson
Government	John B. Stephens, Leah Meltzer, Charles Pou
Intellectual Property & Technology	Tim Cole
International	Betty Southard Murphy, Lawrence Graves
Practice Development & Management	John Phillips
Miscellaneous	Jack Hanna, Gina Viola Brown, John Bickerman

## *Mediators, Arbitrators and Advocates: Sharpen Your Skills and Expand Your Practice!*

The pre-conference workshops are designed for novice, intermediate and experienced practitioners alike. In addition to our traditionally well-received skill-building sessions and sessions designed to enhance neutrals' reflective practice and marketing, we are introducing the "master class" concept, allowing experienced neutrals to explore through observation and role-playing challenging issues that arise in specific subject-matter areas.

### **Thursday, April 15 8:30 am to 10:15 am**

#### **1. Advanced Negotiation Skills\***

*L. Randolph Lowry, Malibu, CA*

The presenter will address the "Intuition of Mediators," examining the intuitive responses the very best mediators seem to make even though they themselves are often unable to explain such responses. This pragmatic workshop will address how, when and why some mediators are driven by something beyond the training they receive.

#### **2. Mediating the Case with Companies in Bankruptcy**

*Hon. Cecilia Morris, Poughkeepsie, NY; Hon. Elizabeth Stong, Brooklyn NY; Marc Abrams, New York, NY*

The bankruptcy courts have embraced mediation to handle a wide variety of cases. The faculty will identify the kinds of terms, values and alternatives that distinguish mediation in this context, and work with participants to adapt their practices to the bankruptcy arena.

#### **3. Mediating Employment Disputes\***

*Margaret Shaw, New York, NY; Homer La Rue, Washington, DC*

Mediation is now part of every employment litigators' toolbox. How have their expectations of mediation changed and how does the employment mediator adapt to and work with these changes? For example, are parties attempting more frequently to spin the mediator or do parties mislead the other side on their reason to mediate? How should mediators respond to these and other challenges?

#### **4. Strategies for Growing Your ADR Practice**

*Forrest "Woody" Mosten, Los Angeles, CA; Richard Chernick, Los Angeles, CA*

Are there differences between how you develop an arbitration and a mediation practice? What techniques are most successful, what are the best ways to implement them and how do you measure success?

#### **5. Public Policy and Environmental ADR\***

*Peter Adler, Keystone, CO; Howard Bellman, Madison, WI*

The presenters will tackle the current issues that are faced in Government Public Policy cases and in particular environmental cases that involve multiple parties including public interest groups and the government. These cases impact the public at large for years to come. The faculty will describe techniques to approach sophisticated parties who have learned to utilize mediation to their benefit and are pushing the envelope.

#### **6. Advanced Skills for Resolving International Cases\***

*Murray Smith, Vancouver, Canada*

Arbitration is the most accepted form of ADR in International cases. Parties are increasingly seeking special processes offered by arbitrators to overcome jurisdictional and enforcement problems. The faculty will use scenarios to delve into complicated issues facing international arbitrators and challenges for mediators in the international arena.

#### **7. Tax, Accounting and Valuation Issues**

*Rufus Rhoades, Pasadena, CA*

This session will help mediators and arbitrators navigate the numbers when complicated tax accounting and valuation issues are critical to a successful outcome.

*Pre-Conference Skills Planning Chairs:*

*Margaret Shaw, New York, NY; Deborah Masucci, Brooklyn, NY*

**10:30 am to 12:00 noon**

## **8. Making Decisions in Mediation: The New New Grid System**

*Len Riskin, Columbia, MO*

In the mid-1990's, Leonard Riskin introduced the "grid" of mediator orientations, based on the facilitative-evaluative role-of-the-mediator continuum and the narrow-broad problem-definition continuum. He has recently reconsidered that grid and proposed—in the Notre Dame Law Review—the "New, New Grid System," which allows us to focus on a wide range of decisions (substantive, procedural and meta-procedural) and the influence that each participant (rather than just the mediator) exerts, or could exert, on such decisions. In this workshop, participants will learn the new system and use it to understand real and simulated mediations and improve their own practices.

## **9. Using the Non-Caucus Model in the Commercial Context**

*Jack Himmelstein, New York, NY*

The non-caucus model for mediation is widely used in family mediation and is utilized increasingly in the employment context. Is this technique transferable to commercial cases? Participants will experience the challenges and rewards of the non-caucus model in this context.

## **10. International Mediation**

*Karl Mackie, London, England; Eileen Carroll, London, England*

International mediation is increasingly common in today's global environment. What special challenges does this create for mediators and mediation practice? The presenters will outline typical international scenarios from real life, and invite participants to consider how they might best be managed. The workshop will follow a structured approach focusing on the classic stages of a mediation model—initiation, appointment, preparation; opening and exploration; negotiation and concluding; follow-up and enforcement.

## **11. Business Disputes - Impasse Breaking Techniques for the Business Mediator\***

*Linda Singer, Washington, DC; Michael Lewis, Washington, DC; Dwight Golann, Boston, MA*

What can mediators do to move the parties towards efficient settlements? Using cases from their own practices, the presenters will help the participants to experiment with mediator strategies designed to assist business parties to overcome the most common barriers to settling intractable commercial disputes.

## **12. Ethics**

*Carrie Menkel-Meadow, Washington, DC*

This session will explore advanced ethical scenarios for neutrals in a variety of contexts; for example, are there any guidelines for neutrals who serve as both arbitrators and mediators and does such a mixed practice prevent them from accepting assignments? When does the mediation end and how can the mediator resolve post settlement disputes regarding the terms of the agreement? Beyond the ethics of more conventional mediators and arbitrators, this session will also focus on some ethics issues for the facilitator of multi-party or "convened" processes in both public and private disputes (consensus-building, class actions, environmental disputes, reg-neg and public policy disputes).

## **13. Advanced Skills for the Domestic (non-international) Arbitrator\***

*Robert Davidson, New York, NY*

This session will explore critical skills of the arbitrator to manage and control the arbitration hearing even in the face of disruptive parties and to ensure party satisfaction, including satisfaction of the losing side. The techniques discussed also will explore the increasing judicial scrutiny of arbitration decisions and how the arbitrator can ensure that court intervention is minimal.

\* Denotes "master class"

## **CONFERENCE MCLE CREDIT**

Accreditation will be requested for the entire program from every state (including California and Pennsylvania) with mandatory continuing legal education (MCLE) requirements for lawyers. Please be aware that each state has its own rules and regulations, including its definition of "CLE." Attorneys seeking to obtain MCLE credit in Pennsylvania are required to pay state accreditation fees directly to the Pennsylvania CLE Board (PACLE). Certificates of attendance will be available at the conclusion of the program for both attendees and speakers.

## Forum on Expanding Opportunities for Minorities and Women in Dispute Resolution

**Thursday, April 15 9:00 am – 2:30 pm**

This series of workshops is intended to expand the participation and involvement of minorities and women in the dispute resolution profession. The goal of this forum is to identify specific ways to address the problem of under-representation of minorities and women in our field and to feature practice development skills.

**9:00 am - 10:30 am**

### **How Government Agencies Recruit and Assign Neutrals**

*Angelia Tolbert, Little Rock, Arkansas, Moderator; Jeff Knishkowsky, Director, USDA Conflict Prevention & Resolution Center, Washington, DC; Peggy McNeive, Acting Director, FMCS Access to Neutrals Initiative, Kansas City, MO; Leah Meltzer, United States Securities and Exchange Commission, Washington, DC*

### **What Large Corporations Look For in Mediators/Arbitrators**

*Linda Obayashi, Baltimore, MD, Moderator; Wilbur Hicks, Ombuds and Director, Dispute Resolution Program, Shell International, Houston, TX; Kevin Clunis, Employment Litigation Counsel, American Airlines, Fort Worth, TX*

**10:45 am - 12:15 pm**

**Sessions Repeated**

### **How Government Agencies Recruit and Assign Neutrals**

*Steve Gonzales, Los Angeles, CA, Moderator; Faculty from the earlier session*

### **What Large Corporations Look For in Mediators/Arbitrators**

*Dan Naranjo, San Antonio, TX, Moderator; Faculty from the earlier session*

**12:30 pm - 1:30 pm**

**Luncheon**

*Greetings by ABA President-Elect Robert Grey, Jr., Richmond, VA, and Hon. Juanita Bing Newton, New York, NY*

**1:30 pm - 2:30 pm**

**Diversity Committee Networking Session**

*Danielle Hargrove, San Antonio, TX, Moderator*



#### **Planning Chairs:**

*Danielle Hargrove, San Antonio, TX; Homer La Rue, Washington, DC  
Marvin Johnson, Silver Spring, MD; Jack Hanna, Washington, DC*

#### **Cooperating Organizations for the Forum for Minorities and Women:**

*American Arbitration Association, CPR Institute for Dispute Resolution, JAMS, Mediators of Color Alliance  
Metropolitan Black Bar Association, National Arbitration Forum, National Native American Bar Association  
National Hispanic Bar Association*

#### **ABA Cosponsor:**

*Commission on Racial and Ethnic Diversity in the Profession*

# The Mini-Conference on Court ADR

## BEYOND IMPLEMENTATION EXAMINING OUR ASSUMPTIONS AND FINE-TUNING OUR PROGRAMS

**Thursday, April 15, 2004**

**8:00 am – 9:00 am**

### Opening Breakfast Plenary

#### **The Balance Between Process and Resolution, or Have We Tipped the Scales Too Far?**

*Judge Nan R. Shuker, Senior Judge, Superior Court of the District of Columbia, Washington, DC*  
*Joseph B. Stulberg, Professor of Law, The Ohio State University, College of Law, Columbus, OH*  
*Lela P. Love, Professor, Benjamin Cardozo School of Law, New York, NY – Moderator*

**9:10 am -10:35 am**

### Concurrent Sessions

#### **The Successful Institutionalization of ADR: Hastening Justice or Just Undermining the Role of the Courts?**

*Bobbi McAdoo, Professor and DRI Senior Fellow, Dispute Resolution Institute, Hamline University School of Law, St. Paul, MN*  
*Nancy Welsh, Assistant Professor of Law, Dickinson School of Law, Carlisle, PA*

#### **Serving Self-Represented Litigants: Program Design Approaches to Addressing Issues of Access and Justice**

*Lois Bloom, Magistrate Judge, United States District Court for the Eastern District of New York, Brooklyn, NY*  
*Gail Davis, Coordinator of Dispute Resolution, Civil Court of the City of New York – Housing Part, New York, NY*  
*Jacqueline M. Nolan-Haley, Professor, Fordham University Law School, New York, NY – Moderator*  
*Andrew Thomas, Executive Director, Center for Dispute Settlement, Rochester, NY*

#### **Keeping Our Balance: Challenges for Established Programs — Part 1, Maintaining a Panel of Neutrals**

*Miriam R. Arfin, Director of ADR Programs, U.S. District Court, Northern District of California, San Francisco, CA*  
*Ann D. Marshall, ADR Administrator/Settlement Staff Attorney, U.S. District Court, Western District of OK, Oklahoma City, OK*  
*David E. Michael, Director, Multi-Door Dispute Resolution Division, District of Columbia Superior Court, Washington, DC*  
*Hal I. Abramson, Professor of Law, Touro Law Center, Huntington, NY*

**10:45 am - 12:05 pm**

### Concurrent Sessions

#### **Promoting Quality in Court-Connected Mediation: The Next Wave**

*Daniel M. Weitz, State ADR Coordinator, New York State Unified Court System, New York, NY*  
*Sharon Press, Director, Dispute Resolution Center, Tallahassee, FL*  
*Rachel Wohl, Executive Director, Maryland Alternative Dispute Resolution Commission, Towson, MD*

#### **Judges as Mediators**

*Judge Harold Baer, Jr., U.S. District Court for the Southern District of New York, New York, NY*  
*James J. Alfini, President and Dean, South Texas College of Law, Houston, TX*

#### **Keeping It Fresh: Challenges for Established Programs—Part 2, Improving Outreach and Introducing Innovation**

Same Facilitators as for Part 1

**12:10 pm - 1:20 pm**

### Networking Lunch

**1:30 pm - 2:30 pm**

### Court Committee Networking Session

#### **Mini-Conference on Court ADR Planning Committee:**

*Ellen M. Miller, San Diego, CA; Amy Bressler Nee, Boston, MA; Gerald Lepp, New York, NY*  
*Hon. Robert M. Levy, Brooklyn NY; Jacqueline Nolan-Haley, New York, NY; Amy Rothstein, New York, NY*  
*Andrew Thomas, Rochester, NY; Daniel M. Weitz, New York, NY; David Michael, Washington, DC*

# Networking Sessions and Meetings

## Networking Sessions

**Thursday, April 15 1:00 pm - 2:30 pm**

These Networking Sessions encourage broad and open dialogue by all attendees. They will allow individuals interested in a particular area of dispute resolution to meet with colleagues with similar interests in an informal setting. Experienced facilitators will lead a discussion of the most pressing and critical issues with an emphasis on comments and contributions from the attendees. Some sessions will be devoted to specific topics within the subject area. The purpose of the sessions is to provide an opportunity for dynamic participant interaction. There is no charge for these sessions.

The six Networking Sessions and the facilitators for each are:

<u>Session</u>	<u>Facilitators</u>
<b>ADR for All Professions</b>	Rita Callahan, Atlanta, GA
<b>Corporate ADR</b>	Kevin Kreb, Chicago, IL
<b>Court Annexed ADR*</b>	Ellen M. Miller, San Diego, CA; Amy Bressler Nee, Boston, MA
<b>Diversity*</b>	Danielle Hargrove, San Antonio, TX
<b>Ombuds</b>	John Barkat, Briarcliff Manor, NY
<b>Rethinking Federal Employee Dispute Handling</b>	Leah Meltzer, Washington, DC

*\* These sessions will occur during luncheons associated with pre-conference events. See pages 6 and 7.*

**Thank You to Our Premier Sponsors JAMS and Gibson, Dunn & Crutcher LLP**

## Section of Dispute Resolution Meetings

Wednesday, April 14	3:00 pm – 6:00 pm	<b>Section Council Meeting</b>	
Thursday, April 15	1:00 pm - 2:30 pm	<b>Committee Meetings</b>	
		ADR Advocacy in Litigation Practice	Entertainment ADR
		Community Based and Peer Mediation	Pro Bono
		Intellectual Property & Online Dispute Resolution	
		Research and Statistics Task Force	
Friday, April 16	7:30 am - 8:30 am	<b>Committee Meetings</b>	
		Arbitration	ADR and Tax Matters
		ADR and the Construction Industry	
Friday, April 16	5:30 pm - 6:30 pm	<b>Committee Meetings</b>	
		Education	Training
		Environmental and Neutral Resources ADR	
Saturday, April 17	7:30 am – 8:45 am	<b>Committee Meetings</b>	
		Mediation	International
		Resolution of Public Disputes	
Saturday, April 17	2:00 pm - 3:00 pm	<b>Committee Meetings</b>	
		Lawyer as Problem Solver	



## Concurrent Sessions

### **Concurrent A: Thursday, April 15**

**2:45 pm – 4:15 pm**

#### **A1. Arbitral Power: Too Much, Too Little, Just Right?**

Richard Chernick, Los Angeles, CA  
Bruce E. Meyerson, Phoenix, AZ  
Sarah Rudolph Cole, Columbus, OH

#### **A2. Bringing Peace into the Room: How the Personal Qualities of the Mediator Impact the Mediation Process**

Daniel Bowling, Washington, DC  
David Hoffman, Boston, MA

#### **A3. Community Mediation and the Bar: Beneficial Partnerships between the Court, the Bar and a Community Mediation Center**

Elayne Greenberg, Great Neck, NY  
Mark Kleiman, Jamaica, NY  
Catherine Friedman, New York, NY

#### **A4. Construction Project ADR: Resolutions in Real Time**

Robert C. McCue, Berwyn, PA  
Joyce K. Hackenbrach, Philadelphia, PA  
E. Mitchell Swann, Berwyn, PA  
Stuart A. Law, Jr., Princeton, NJ

#### **A5. Advanced Neutrals' Roundtable: Experienced Arbitrators and Mediators Discuss Complex Issues in Business Dispute Resolution**

Gerald Aksen, New York, NY  
William H. Webster, Washington, DC  
Margaret Shaw, New York, NY  
Michael Lewis, Washington, DC  
Thomas Stipanowich, New York, NY

#### **A6. Getting Interest-Based Mediation Started: Addressing Resistance and Responding to Participant/Attorney Interests**

Joseph McMahon, Denver, CO  
Steven A. Shapiro, Washington, DC  
Cherie Shanteau, Tucson, AZ

#### **A7. Why Employers Decline to Mediate at the EEOC**

E. Patrick McDermott, Annapolis, MD  
Walter Wright, San Marcos, TX  
Hassan Tajalli, San Marcos, TX  
Ruth Obar, Salisbury, MD  
Anita Jose, Frederick, MD

#### **A8. Dispute Resolution & Decision Making: Judges, Neutrals, and Parties**

Gregory Todd Jones, Atlanta, GA  
Leigh Anne Liu, Nashville, TN  
David F. Sally, Ithaca, NY  
Chris Guthrie, Nashville, TN

#### **A9. Whistle While You Work: The Neutral as Whistleblower?**

Steven C. Salch, Houston, TX  
Marjorie Aaron, Cincinnati, OH  
Maxine Aaronson, Dallas, TX  
Jerry P. Roscoe, Washington, DC  
Charles M. Carberry, New York, NY  
Kathryn Keneally, New York, NY  
Jay Folberg, San Francisco, CA

#### **A10. If We Build It Will They Come? An Exploration of the Politics of Creating and Implementing a National Mediator Credentialing Program**

Josefina M. Rendon, Houston, TX  
Leila Taaffe, Atlanta, GA  
Thomas A. Taylor, Tallahassee, FL  
Peter R. Maida, Washington, DC

#### **A11. A National Consensus Council: Boon to Policy Development or Too Good to be True?**

John B. Stephens, Chapel Hill, NC  
Larry Susskind, Cambridge, MA  
Phillip J. Harter, Columbia, MO  
Peter L. Strauss, New York, NY

#### **A12. Negotiating at the Front Lines: Resolving Disputes in War Zones**

Joseph McDade, Washington, DC

#### **A13. Hot Topics on ADR in South America**

Christian Acuna, Bogota, Colombia  
Nelida Basabe, Buenos Aires, Argentina  
Maria Rosa Cattaneo, Buenos Aires, Argentina  
Julia Roig, Miami, FL  
Oscar Franco, Daytona Beach, FL  
Adolfo Braga Neto, Brazil

#### **A14. Truthfulness and Lying in Mediation: Hidden Agendas and Shell Games**

Jay Siegel, Brookline, MA  
Jack Himmelstein, New York, NY  
Louise E. Dembeck, New York, NY  
Alida Camp, New York, NY

#### **A15. Enlightened use of Structured Settlements to Resolve Cases**

Edward "Trey" Bergman, III, Houston, TX  
Lawrence Curtis, Rockville, MD  
Thomas R. Woodrow, Chicago, IL  
James L. Street, Austin, TX

#### **A16. Better than Tort Reform: The Health Care Ombuds**

Carole Houk, Alexandria, VA  
Ed Porter, Oakland, CA  
Barbara Moidel, Bethesda, MD

## **Friday, April 16 7:30 am - 8:15 am**

**Early Friday Morning** — Gentle Yoga - An Opportunity for Guided Practice

Helaine Golann, Newton, MA  
Dwight Golann, Boston, MA

## **Concurrent B: Friday, April 16 10:15 am – 11:45 am**

### **B1. Following Goldilocks through Grizzly Choices: Update on Drafting Effective, Enforceable Arbitration Clauses**

Anne W. Larkin, Richmond, VA  
Scott Carfello, Chicago, IL  
Paul Dubow, Danville, CA  
John Allen Chalk, Fort Worth, TX

### **B2. Negotiation Effectiveness: Is it the Words We Use, the Meaning We Intend; or Who's Speaking That Counts?**

Deborah M. Kolb, Boston, MA  
Jonathan R. Cohen, Gainesville, FL  
Andrea Schneider, Milwaukee, WI

### **B3. Can Community Mediation Survive Its Own Success?**

Mark V. Collins, Cohoes, NY  
Linda Baron, Washington DC  
Lisa Hicks, Troy, NY  
Andrew Thomas, Rochester, NY

### **B4. A New Frontier in Dispute Resolution: 'Up Front' Prevention, Control and Early Resolution of Disputes**

James P. Groton, Atlanta, GA  
Dorothy Terrell, Vienna, VA  
Lester Edelman, Falls Church, VA  
Gerald S. Clay, Honolulu, HI

### **B5. Commercial Mediator as Deal Maker: Meeting the Needs of the Adversarial Litigator**

Simeon H. Baum, New York, NY  
Susan D. Romer, New York, NY  
Stephen Hochman, New York, NY  
Steven Bloom, New York, NY

### **B6. Court Related Mediation? - What the Research Does and Doesn't Show**

Ellen M. Miller, San Diego, CA  
Susan Yates, Chicago, IL  
Heather Anderson, San Francisco, CA

### **B7. New Approaches to Conflict Resolution in the Workplace: a Panel Discussion**

Ruth D. Raisfeld, Scardale, NY  
Richard G. Hatfield, Chapel Hill, NC  
Marsha Wagner, New York, NY  
Stephanie Morse, Weehawken, NJ  
David B. Lipsky, Ithaca, NY

### **B8. Mediation Case Law Revue**

James R. Coben, St. Paul, MN

### **B9. Practical Ethics: Resolving Ethical Dilemmas Through Collaboration**

Jeremy A. K. Zeliger, Cohoes, NY  
Julie Loesch, Buffalo, NY

### **B10. Cutting Edge Strategies to Resolve Complex/High Asset Property and Spousal Support Issues**

Forrest S. Mosten, Los Angeles, CA

### **B11. Accountability in Governmental Dispute Resolution**

Nina E. Olson, Washington, DC  
Judy Kaleta, Washington, DC  
John C. Fleming, Austin, TX  
Robert M. Ackerman, Carlisle, PA  
Richard Reuben, Columbia, MO

### **B12. Permanency Planning Mediation**

Frank Woods, Cohoes, NY  
Susan Glatki, San Rafael, CA  
Kathleen Cleary, San Rafael, CA  
Justo Sanchez, Brooklyn, NY  
May Ping Szeto, Brooklyn, NY

### **B13. The New York and Panama Convention Connection: The Treaty Framework for International Arbitration**

Steven K. Anderson, San Diego, CA  
Delissa A. Ridgway, New York, NY  
John P. Bowman, Houston, TX

### **B14. The ABCs of Online Dispute Resolution: What is It and How Does It Affect Me?**

Tim Cole, Los Angeles, CA  
Debi Miller-Moore, Charlotte, NC

### **B15. Games People Play: Enlarging Our Tool-Box of Techniques to Promote Mediation Across Cultures**

Ewan Malcolm, Edinburgh, UK  
Avi Schneebalg, Brussels, Belgium  
Giuseppe de Palo, Rome, Italy  
Lou Gieszl, Towson, MD

## ***Concurrent C: Friday, April 16***

**2:00 pm – 3:30 pm**

### **C1. Class Arbitration Under Buzzle: What the Future Holds for Arbitrators, Advocates and Parties**

Edward F. Sherman, New Orleans, LA  
Chris Drahozal, Lawrence, KS  
Eric Tuchmann, New York, NY  
Maureen Weston, Malibu, CA

### **C2. The Positive Side of Resistance**

Lisa Gaynier, Ann Arbor, MI  
Sally Higgenbotham, Amesbury, MA  
Ann L. Begler, Pittsburgh, PA

### **C3. Justice Initiatives Promoting Accountability, Competency and Community Safety**

Alice J. Rudnick, Cohoes, NY  
Annemarie Adams, Ilion, NY  
Kathy Vaughan, Staten Island, NY  
Rosalyn Magidson, Goshen, NY  
Phyllis Turner Lawrence, Alexandria, VA

### **C4. Innovations in Evidence Presentations in Construction Arbitrations**

Richard F. Smith, Vienna, VA  
Judith Ittig, Washington, DC  
Robert J. MacPherson, New York, NY  
Roy S. Mitchell, Washington, DC

### **C5. Mediating With —Not Against—Insurance Companies: Advanced Topics**

Jacqueline Beatty, Seattle, WA  
Jeff Kichaven, Los Angeles, CA  
Kim Hogrefe, Warren, NJ  
Jill Berkeley, Chicago, IL

### **C6. Caught in A Round-About: What Direction Should We Go From Here to Foster Good Faith Participation in Mediation by Mediators and Mediation Advocates**

Jack W. Cooley, Chicago, IL  
Roger L. Carter, Columbia, MO  
Kimberlee Kovach, Austin, TX  
John Lande, Columbia, MO  
Homer La Rue, Washington, DC

### **C7. The Way You Wear Your (Neutral) Hat: Litigators Critique Neutrals**

Abigail Pessen, New York, NY  
David Marshall, New York, NY  
Arnold Pedowitz, New York, NY  
Claire Gutekunst, New York, NY  
Anne Golden, New York, NY

### **C8. Emotion and Negotiation Success: Why Not Too Bad May Not Be Good Enough and the New Science of Efficient Emotion**

Clark Freshman, Miami Beach, FL  
Daniel Shapiro, Cambridge, MA

### **C9. Is There a Place for Justice in Mediation?**

Ellen Waldman, San Diego, CA  
Jacqueline Nolan-Haley, New York, NY  
James J. Alfini, Houston, TX  
Jonathan M. Hyman, Newark, NJ

### **C10. Mediation and Domestic Violence**

Nancy Ver Steegh, St. Paul, MN  
Kelly Browe Olson, Little Rock, AR

### **C11. Ready, Able, and Neutral?: Using, Abusing, and Improving Inside-the-Government Mediators**

Neil Kaufman, Washington, DC  
Elissa Tonkin, Boston, MA  
Charles Pou, Washington, DC  
John Conbere, Minneapolis, MN  
Elena Gonzalez, Washington, DC

### **C12. Online Parent/Youth Coaching Program**

Frank G. Evans, Houston, TX  
Bruce Wettman, Houston, TX  
John Coselli, Houston, TX

### **C13. Mediating in the Shadow of Different Law**

Nadja Alexander, Queensland, Australia  
Lisa B. Bingham, Bloomington, IN  
Julie Macfarlane, Ontario, Canada  
Margaret Ross, Old Aberdeen, Scotland, UK

### **C14. When the Going Gets Tough: Advanced Mediation Techniques**

William Bettinelli, San Francisco, CA  
John Bickerman, Washington, DC  
Amy J. Glass, Kalamazoo, MI  
Michael Young, New York, NY

### **C15. Skills and Techniques Used in Mediation and Conflict Management in Hospitals**

Carol Liebman, New York, NY  
Chris Hyman, New York, NY

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## Concurrent Sessions

### **Concurrent D: Friday, April 16**

**3:45 pm – 5:15 pm**

#### **D1. International Arbitration & the Shrinking World**

Barry Garfinkle, New York, NY  
David Rivkin, New York, NY  
Richard Naimark, New York, NY  
Carroll E. Neesemann, New York, NY  
Robert Davidson, New York, NY

#### **D2. Multi-Dimensional Communication: Taking Communication into New Territory**

Barbara Madonik, Toronto, Canada

#### **D3. After Deadly Conflict: The Role of Truth and Reconciliation Commissions in South Africa and Peru**

Paula M. Young, Grundy, VA  
Javier Caravedo, Lima, Peru  
Donna L. Pavlick, Columbia, MO

#### **D4. Curing Conflict: Bridging the Divide Between Dispute Resolution and Health Care**

Virginia L. Morrison, San Anselmo, CA  
Lorraine Sanchez Hayes, Peachtree City, GA  
Dale Hetzler, Atlanta, GA  
Debra S. Gerardi, San Anselmo, CA

#### **D5. Consulting for Publicly Traded Corporations in the Post- Enron Era: What You Need to Understand about the Current Debates**

Margaret Blair, Washington, DC  
Reid Meyers, San Antonio, TX  
Tina S. Van Dam, Midland, MI  
Oliver B. Quinn, Newark, NJ

#### **D6. Appropriate Dispute Resolution in the Courts: Efficient Matching of ADR Processes to the Case**

David Michael, Washington, DC  
Howard Herman, San Francisco, CA  
Daniel Weitz, New York, NY

#### **D7. Mediating EEO Claims: The Faults and Failure of Successful ADR Programs in the Federal Government**

Howard Gadlin, Bethesda, MD  
Carrie Menkel-Meadow, Washington, DC  
Wallace Warfield, Fairfax, VA

#### **D8. Perspectives on Race and ADR from Law Professors of Color and Teachers of Dispute Resolution**

Llewellyn Joseph Gibbons, Toledo, OH  
Benjamin G. Davis, Toledo, OH  
Isabelle R. Gunning, Los Angeles, CA  
Michael Z. Green, Fort Worth, TX

#### **D9. The Review of the Model Standards of Conduct for Mediators**

Wayne Thorpe, Atlanta, GA  
Terry Wheeler, Columbus, OH  
Sharon Press, Tallahassee, FL

#### **D10. How to Safely Provide Children a Voice in Mediation**

Gay G. Cox, Dallas, TX  
Jill M. Katz, Kansas City, MO  
Lori Burns Bucklew, Kansas City, MO

#### **D11. Disputants' Voices in Mediation: Is Satisfaction All They Want or Need?**

Nancy A. Welsh, Carlisle, PA  
Grace E. D'Alo, Carlisle, PA

#### **D12. The Shift from Adversary to Advocate — Collaborative Law**

Suzanne Brunsting, Rochester, NY  
Paul Pearson, Buffalo, NY

#### **D13. International & Local Lawyers in Asian Arbitrations — Let's Compare the Techniques and Approaches**

Cao Lijun, Beijing, China  
Grant L. Kim, Seoul, Korea  
Sally A. Harpole, Hong Kong, China  
John Savage, Singapore  
Tushna Thapliyal, Bangalore, India

#### **D14. Breaking Impasse: Techniques Mediators Use to Avoid or Break an Impasse**

Robert A. Creo, Pittsburgh, PA  
Phyllis N. Segal, Boston, MA  
Marvin E. Johnson, Laurel, MD  
James K. L. Lawrence, Cincinnati, OH

#### **D15. Water Wars Come East: Mediating Life's Most Precious Resource**

Justin Ordway, Grand Rapids MI  
James Tierney, Albany, NY  
Peter Skinner, Albany, NY  
Pamela Bush, West Trenton, NJ

#### **D16. Mediation Representation: How to Represent Clients in a Problem-Solving Process**

Lawrence R. Mills, Seattle, WA  
Ann E. Woodley, Tempe, AZ  
Gina Viola Brown, Washington, DC

## Concurrent Sessions

### **Concurrent E: Saturday, April 17**

**9:00 am – 10:30 am**

#### **E1. Avoiding the Arbi-Trial: How B2B Arbitration Can Be Expeditious and Cost Effective**

Luis Martinez, New York, NY  
Elizabeth Shampnoi, New York, NY  
Gerald F. Phillips, Los Angeles, CA  
Stephen P. Younger, New York, NY  
Richard Mattiaccio, New York, NY  
Rona G. Shamon, New York, NY

#### **E2. Legal Educators' Colloquium: The Interface between Negotiation Theory and Mediation Practice**

Bobbi McAdoo, St. Paul, MN  
Scott Peppet, Boulder, CO  
Jacqueline Nolan-Haley, New York, NY

#### **E3. Legal Educators' Colloquium: Grading in Negotiation Courses**

Michael Moffitt, Eugene, OR  
Charles Wilson, Columbus OH  
Joseph Harbaugh, Fort Lauderdale, FL

#### **E4. Legal Educators' Colloquium: Lawyer as Problem Solver Exercises**

Lela Love, New York, NY

#### **E5. Maximizing Corporate and Legal Performance Through ADR — Recent Research**

Richard Naimark, New York, NY  
Timothy R. Lister, New York, NY  
Dorothy Crouch, New York, NY  
Greg Martire, Englewood Cliffs, NJ  
Robert Williams, New York, NY

#### **E6. Why are Public Meetings a Disaster? — ADR Tools, Techniques and Common Sense**

John L. Krauss, Indianapolis, IN  
Nan Stager, Bloomington, IN

#### **E7. Harassment Solutions Through Conflict Resolution**

Michele Lane, San Ramon, CA  
Michal Longfelder, San Francisco, CA

#### **E8. Common Pitfalls and Some New "Twists" to IP ADR**

Jeff Jury, Austin, TX  
David Plant, New London, NH  
Peter L. Michaelson, Red Bank, NJ

#### **E9. Delivering Quality Mediation: What's Ethics Got to Do With It?**

Timothy Germany, Sands Point, NY  
Timothy Hedeon, Kennesaw, GA  
Roger C. Wolf, Baltimore, MD  
Mary Thompson, Austin, TX  
Brad Honoroff, Brookline, MA

#### **E10. Applying Improv Theater Skills for the Transformative/ Problem-Solving DR Practitioner**

Nancy Capaccio, Arlington, MA  
Larry Jay Tish, Cambridge, MA  
Jen Ulin, Belmont, MA  
Rob DiNinni, Boston, MA

#### **E11. Mediating with the Government**

Robert M. Levy, Brooklyn, NY  
Gerald P. Lepp, Brooklyn, NY  
Jeffrey M. Senger, Washington, DC

#### **E12. Mindfulness in Mediation**

Tuan Pham, Annandale, VA

#### **E13. Pro and Con Globalization: Why Dispute Resolution Will or Will Not Work**

Betty Southard Murphy, Washington, DC

#### **E14. How to Make Money Mediating**

Diana Mercer, Playa Del Rey, CA  
Andrew Golden, Santa Monica, CA  
Natalie J. Armstrong, Santa Monica, CA  
Daniel Naranjo, San Antonio, TX  
James MacPherson, Granite Bay, CA

### **Concurrent F: Saturday, April 17**

**10:45 am – 12:15 pm**

#### **F1. A New Era for Arbitration Ethics**

*Cosponsored by the ABA Section of International Law and Practice*

Florence Peterson, New York, NY  
Edward Anderson, Minneapolis, MN  
George Friedman, New York, NY  
Ruth Glick, Burlingame, CA  
Jay Welsh, Irvine, CA  
Robert A. Holtzman, Los Angeles, CA

#### **F2. Legal Educators' Colloquium: ADR Advocacy Clinics — Teaching Law Students to Think and Act Like Lawyers in ADR**

Deborah Masucci, Brooklyn, NY  
Jim Coben, St. Paul, MN  
Hal Abramson, Huntington, NY  
Jill Gross, White Plains, NY  
Romaine Gardner, New York, NY

## Concurrent Sessions

### **F3. Legal Educators' Colloquium: On Negotiation in Law, Society, Economics, and Everything Else**

Chris Honeyman, Madison, WI  
Deborah M. Kolb, Boston, MA  
Carrie Menkel-Meadow, Washington, DC

### **F4. Legal Educators' Colloquium: Resources for Adjuncts**

Maureen Weston, Malibu, CA  
Dwight Golann, Boston, MA  
Kelly Browe Olson, Little Rock, AR

### **F5. The Effective Arbitration of Complex Financial and Accounting Matters**

Kevin Krebs, Chicago, IL  
William E. Hartgering, Chicago, IL  
Christine W. S. Byrd, Los Angeles, CA  
Barbara G. Werther, Washington, DC

### **F6. Judicial Mediation in Canada: When Judges Act as Mediators for the Benefit of Citizens and Lawyers**

Helene De Kovachich, Montreal, Canada  
Louis Marquis, Sherbrooke, Canada  
Louise Otis, Montreal, Canada

### **F7. Building and Expanding an Employment, Labor and Workplace ADR Practice**

Michael Dickstein, San Francisco, CA  
Rita Callahan, Atlanta, GA  
Lawrence A. Huerta, San Diego, CA

### **F8. ADR and its Future in Resolving Historic Preservation Conflicts in America**

Tanya L. K. Denckla, Charlottesville, VA  
Deborah M. Osborne, Washington, DC  
Elizabeth Merritt, Washington, DC  
Jo Ann Kauffman, Spokane, WA  
John M. Fowler, Washington, DC

### **F9. Ensuring Confidentiality Does Not Sabotage a Just Enforcement of Your Mediated Agreement**

Peter Robinson, Malibu, CA  
Elizabeth Williams, Washington, DC  
Arthur Pearlstein, Washington DC

### **F10. Self-Awareness & Conflict: The Enneagram as Catalyst**

Thomas A. Baldwin, Cincinnati, OH  
Louise Phipps Senft, Baltimore, MD  
Lawrence H. Hoover, Jr., Bridgewater, VA

### **F11. Design and Implementation of Specialized Statutory Arbitration and Mediation Programs**

Cynthia S. Mazur, Washington, DC  
Deborah Kant, Washington, DC  
Kathleen Scully-Hayes, Baltimore, MD

### **F12. Resolving a Current Crisis: What Can We Learn?**

John Sturrock, Edinburgh, Scotland, UK  
Heather Allen, London, England, UK

### **F13. U.S. Initiatives to Bring Commercial, Court and Labor-Management Mediation to Eastern and Central Europe**

Eileen Barkas-Hoffman, Washington, DC  
Elena Nosyreva, Voronezh, Russia  
Neal Blacker, Los Angeles, CA  
Davor Babic, Zagreb, Croatia  
Robert C. Randolph, Alexandria, VA

### **F14. Enhancing Your Non-Verbal ADR Communication and Negotiation Skills**

Julie L. Bronson, Los Angeles, CA  
Patrick Collard, Las Vegas, NV  
Gina Collura, Los Angeles, CA

### **F15. Forgiving in Mediation: What Role?**

Dana Tait Sandlin, Charleston, SC  
J. Wescoat Sandlin, Charleston, SC  
Chris Boesch, Santa Barbara, CA  
Tina Patterson, Euless, TX  
Eric Galton, Austin, TX

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Compilation of all electronically-submitted session papers, up to 100 papers, will be available for purchase. \$30 for conference registrants and \$50 for non-registered purchasers or post-conference purchasers. See the registration form on page 19. The CD will be completed by July 15, 2004.

# Legal Educators' Colloquium

Sponsored by the Association of American Law Schools, the ABA Section of Dispute Resolution,  
and the ABA Section of Legal Education and Admissions to the Bar

**Saturday, April 17 9:00 am – 2:00 pm**

Join law professors, adjuncts, and faculty from other disciplines to explore and discuss innovative ways to teach dispute resolution. The Colloquium runs concurrently with the *Resolution and Resilience* Conference and is free to all persons registered for the conference. This year the Colloquium will feature six breakout sessions with experienced teachers and researchers serving as the presenters. The Legal Educators' Working Lunch, a separate ticketed event, provides a networking opportunity for Colloquium attendees and presenters.

**Saturday, April 17 9:00 am – 10:30 am**

- E2. **Legal Educators' Colloquium: The Interface between Negotiation Theory and Mediation Practice**  
*Bobbi McAdoo, St. Paul, MN; Scott Peppet, Boulder, CO; Jacqueline Nolan-Haley, New York, NY*
- E3. **Legal Educators' Colloquium: Grading in Negotiation Courses**  
*Michael Moffitt, Eugene, OR; Charles Wilson, Columbus, OH; Joseph Harbaugh, Ft. Lauderdale, FL*
- E4. **Legal Educators' Colloquium: Lawyer as Problem Solver Exercises**  
*Lela Love, New York, NY*

**Saturday, April 17 10:45 am – 12:15 pm**

- F2. **Legal Educators' Colloquium: ADR Advocacy Clinics — Teaching Law Students to Think and Act Like Lawyers in ADR**  
*Deborah Masucci, Brooklyn, NY; Jim Coben St. Paul, MN; Hal Abramson, Huntington, NY; Jill Gross, White Plains, NY; Romaine Gardner, New York, NY*
- F3. **Legal Educators' Colloquium: On Negotiation in Law, Society, Economics, and Everything Else**  
*Chris Honeyman, Madison, WI; Deborah M. Kolb, Boston, MA; Carrie Menkel-Meadow, Washington, DC*
- F4. **Legal Educators' Colloquium: Resources for Adjuncts**  
*Maureen Weston, Malibu, CA; Dwight Golann, Boston, MA; Kelly Browe Olson, Little Rock, AR*

**12:30 pm - 2:00 pm Legal Educators' Working Lunch**

Please join us for this working lunch, an opportunity for small groups to gather, learn more about innovative new research and teaching techniques and network on a wide variety of dispute resolution topics.

<u>Table Topic</u>	<u>Facilitators</u>
Negotiation and Everything Else	Andrea K. Schneider
Grading Negotiation	Michael Moffitt
Lawyer as Problem-Solver	Lela Love
Adjuncts	Maureen Weston
Negotiation Theory and Mediation Practice	Scott Peppet
ADR Advocacy Clinics	John Lande

***Legal Educators' Colloquium Planning Committee:***

Andrea Schneider, Milwaukee, WI; John Lande, Columbia, MO; Suzanne Schmitz, Carbondale, IL  
Scott Peppet, Boulder, CO; Michael Moffitt, Eugene, OR; Maureen Weston, Malibu, CA

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  - Connecticut Bar Association
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  - Dispute Resolution Program at John Jay College of Criminal Justice - CUNY
- Family and Divorce Mediation Council of Greater New York
  - Institute for Transnational Arbitrations
  - International Academy of Mediators
    - JAMS
  - Metropolitan Black Bar Association
    - National Arbitration Forum
- National Association for Community Mediation
  - National Hispanic Bar Association
- National Native American Bar Association
- New York County Lawyers Association
  - NY County Lawyers Association Arbitration and ADR Committee
  - New York State Bar Association
- New York State Council on Divorce Mediation
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## Tours/Special Attractions

### **April in New York!**

**Resolution and Resilience** participants and their families will have the opportunity to tour exciting New York attractions including everything from shopping on Seventh Avenue to visiting Ellis Island. New York City has an unlimited variety of interesting, educational and fun attractions.

This year, we are giving our delegates the opportunity to customize their own tour of the "Big Apple." We provide the web address and contact information for selected activities and you make the choice of what tours you want.



- 1. Broadway** is the longest thoroughfare in Manhattan but when you hear "Broadway," you usually think of the few blocks from 41<sup>st</sup> Street to 52<sup>nd</sup>. That's the stretch known as "The Great White Way," which has the heaviest concentration of live theater in the Americas. Visit [www.broadway.com](http://www.broadway.com) or [www.bestofbroadway.com](http://www.bestofbroadway.com) for information on the hottest shows on and off Broadway. Call 1-800-Broadway, (212) 239-6200 or (212) 307-4100. For discount tickets on site, you can check out **TKTS® Times Square Theatre Centre**, located at 47th Street & Broadway, N.Y.C. TKTS® booths sell Broadway, Off-Broadway, Dance and Music events. Tickets are either half or three-quarter price (plus a \$3.00 per ticket service charge) and are available on the day of performance. Payment is by cash or traveler's check. All available tickets are posted on boards outside the ticket windows. **Changes in availability can occur on an hourly basis** as cooperating theatres supply or withdraw tickets, depending on box office demand. See [www.tkts.com](http://www.tkts.com).
- 2. The New York Pass** is the visitor's passport to New York, including admission to over 40 top attractions in New York City, unique added values and discounts at an additional 20 shops, restaurants, and service providers, as well as public transportation on all New York City bus and subway lines. Please visit them at [www.newyorkpass.com](http://www.newyorkpass.com)
- 3. Museums and Galleries:** visit [www.nycvisit.com](http://www.nycvisit.com) for information on museums and galleries. For small tour groups of eight or more, contact [www.viptoursny.com](http://www.viptoursny.com) at 1-800-300-6203. Larger groups should contact [www.phototrektours.com](http://www.phototrektours.com) at (212) 460-2514.
- 4. Hush Tours:** A 4-hour luxury bus tour of Harlem and the Bronx focused on the core elements of hip-hop music (rapping, dj-ing, graffiti art, break-dancing). Includes interactive demonstrations, all-you-can-eat soul food lunch, and photo ops.
- 5. Walkin' Broadway™** is the newest attraction to hit Times Square and makes Broadway's Theater District come alive for theater fans and international tourists. This self-guided audio tour delivers theater, history, architecture, music, humor and the true beat of New York City right in front of your eyes ... and in your ears! Cost: \$10.00 per person Website: [www.WalkinBroadway.com](http://www.WalkinBroadway.com)
- 6. Central Park Walking Tours:** Eight different tours of Central Park, including regional tours of park regions as well as separate tours specializing in Trees, Sculpture, Bridges and Architecture. Costs begin as low as \$10.00 per person in groups; \$17.00 per person individually. Website: [www.centralparkwalkingtours.com](http://www.centralparkwalkingtours.com)
- 7. Jazz Tours:** Tours of vibrant hidden jazz haunts. NY jazz fans are treated to an assortment of outstanding choices nightly: From the upscale Village venues such as Blue Note, to the vintage **Harlem night clubs** such as Lenox Lounge. Website: [www.bigapplejazz.com](http://www.bigapplejazz.com)
- 8. Food Tours:** Savory Sojourns. Your self-formed group can get a new and exciting "insider's" view of New York City... Visit top gourmet restaurants and the most interesting, food-worthy neighborhoods from the Battery to the Boroughs. Hands on cooking and demonstrations. Unique behind-the-scenes looks at galleries, boutiques and historic neighborhoods round off the experience. Mouth-watering website: [www.savorysojourns.com](http://www.savorysojourns.com)

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- ☛ **Practice Tips & Ethics Guidance** - The Section provides critical advice in the fast changing world of ADR.
- ☛ **CLE Sessions** - The Section offers several CLE trainings a year on current topics of interest to neutrals and lawyers who represent clients in ADR proceedings. Members receive a registration discount equal to the cost of Section Membership.
- ☛ **Internet Participation** - You will share the latest dispute resolution information and resources on the Section's Web Site and the Section-sponsored E-Mail Discussion Groups.

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**Or use the registration form on page 19 to join and obtain member discount on the conference fee.  
Call 202-662-1680 for more information about the Section of Dispute Resolution.**

### Books from the Section of Dispute Resolution (Additional discounts available at the conference)

***Mediation Practice Guide: A Handbook for Resolving Business Disputes* By Bennett G. Picker (Second Edition)**  
(2003, 222 pages) PC: 4740056, **\$39**, Section of Dispute Resolution members—**\$32**

***Dispute Resolution Ethics – A Comprehensive Guide* Edited by Phyllis Bernard and Bryant Garth**  
(2002, 520 pages) PC: 4740055, **\$49.95**, Section of Dispute Resolution members—**\$39.95**

***Mediation: A Path Back for the Lost Lawyer* By John Van Winkle** (2001, 140 pages) PC: 4740053  
**\$35**, Section of Dispute Resolution or Senior Lawyers Division members—**\$25**

***Arbitration Now: Opportunities for Fairness, Process Renewal and Invigoration* Edited by Paul Haagen**  
(1999, 274 pages) PC: 4740052, **\$45**, Section of Dispute Resolution members—**\$35**

***ADR Personalities and Practice Tips* Edited by James Alfini and Eric Galton** (1998, 264 pages) PC: 4740051  
**\$45**, Section of Dispute Resolution members—**\$35**

## ACCOMMODATIONS / TRAVEL INFORMATION

The Sheraton New York Hotel & Towers ([www.starwood.com/sheraton](http://www.starwood.com/sheraton)) has a block of rooms held at the reduced rate of **\$189 (single/double)** plus tax (13.25%) and a \$2.00 occupancy tax for Conference attendees. **The cut-off date for hotel reservations is March 29, 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 (212) 841-6450 or (800) 325-3535 and refer to the ABA Section of Dispute Resolution Sixth Annual Conference.**

Take advantage of the ABA Special Travel Rates. Either you or your travel agent may call. Please refer to the following discount codes. **American Airlines, Discount Code: 16666**, (800-433-1790); **Delta Airlines, 189419A**, (800-241-6760); **US Airways, 36632473**, (877-874-7687).

For airfare discounts, call the ABA travel agent, Jennifer Slago at 312-988-5862 or email to [jennifers@towertravel.com](mailto:jennifers@towertravel.com). Visit ABA Online Travel to reserve your tickets at <http://wcp.getthere.net/abaonlinetravel>.

Our Tax ID# is 36-0723150

**For additional information, call 202-662-1680, fax 202-662-1683 or send e-mail to [dispute@abanet.org](mailto:dispute@abanet.org).**

## REGISTRATION FORM

**Resolution and Resilience in New York (ABA Section of Dispute Resolution's 6<sup>th</sup> Annual Conference)**  
**April 15-17, 2004 Sheraton Hotel & Towers of NY, 811 Seventh Ave., NYC (800-325-3535, 212-581-1000)**

For Internal Use Only:

Name:	Title:
Organization:	
Address:	
City/State(Province)/Zip:	
Telephone Number:	Facsimile:
E-Mail Address:	

REGISTRATION FEES	Early Bird (By 2/23/04)	Pre-Registration (By 3/29/04)	On Site Reg. (After 3/29/04)	Your Choice
<b>Main Conference Registration</b>				
Regular Registration	\$350	\$385	\$425	\$
Government Employees, Judges, Community Mediators	\$295	\$340	\$375	\$
ABA-DR Section Member (ABA ID #: _____)	\$275	\$300	\$330	\$
Registration & DR Section Membership for ABA Member <i>Includes \$35 to join the DR Section – for current ABA members only. To join the ABA &amp; DR Section, contact 800-285-2221 to obtain an ABA ID # and get qualified to receive the Section Member Rate.</i>	\$295	\$330	\$365	\$
Registration & ABA/DR Section Associate Membership <i>Includes \$175 to join the ABA and the DR Section as an Associate.</i>	\$430	\$470	\$520	\$
Conference Faculty	\$275	\$295	\$325	\$
Full-Time Law or Graduate Students (Student ID Required)	\$ 65	\$ 75	\$ 85	\$
<b>Pre-Conference Skills Session Registration</b> (Limited ticket event, see pages 4-5) Registration opens 4:00 pm on Wed., 4/14/04.				
Skills Session – if NOT registered for the conference	\$105	\$115	\$125	\$
Skills Session – if registered for the conference	\$ 85	\$ 95	\$105	\$
Skills Session – Full -Time Law or Graduate Students	\$ 40	\$ 45	\$ 50	\$
<b>Please indicate your pre-conference skills workshop preference by number in each time slot.</b>				
8:30 am - 10:15 am Session	1 <sup>st</sup> choice _____	2 <sup>nd</sup> choice _____	3 <sup>rd</sup> choice _____	
10:30 am - 12 noon Session	1 <sup>st</sup> choice _____	2 <sup>nd</sup> choice _____	3 <sup>rd</sup> choice _____	
<i>Seating is limited. Tickets will be issued subject to participant limits in each session. See pages 4-5 for numbers and descriptions.</i>				
<b>Legal Educators' Colloquium Registration</b> (See page 15)				
Free, if registered for the conference	\$ 0	\$ 0	\$	\$
If not registered for the conference	\$ 65	\$ 75	\$	\$
Students - if not registered for the conference	\$ 10	\$ 15	\$	\$
Legal Educators' Luncheon (Limited ticket event)		\$ 30	\$	\$
<b>Court ADR Mini-Conference Registration</b> (Limited ticket event, see page 7) <i>Registration opens 4:00 pm on Wed., 4/14/04.</i>				
		\$ 50	\$	\$
<b>Forum on Expanding Opportunities for Minorities &amp; Women in DR</b> <i>(Limited ticket event, see page 6) Registration opens 4:00 pm on Wed., 4/14/04</i>				
		\$ 40	\$	\$
<b>CD-ROM of Conference Session Papers</b> (check here ___ for Mac version)				
For registered conference attendees		\$ 30	\$	\$
For non-registered purchasers or post-conference purchasers		\$ 50	\$	\$

**PAYMENT INFORMATION** **TOTAL DUE** \$ \_\_\_\_\_

___ Enclosed is check payable to the <b>ABA-DR</b> , check # _____ . Pay with ___American Express ___VISA ___MasterCard:	
Credit Card Number:	Expiration Date:
Cardholder's Name:	Signature:

**Please return this form to: ABA Section of Dispute Resolution, 740 15th St. NW, Washington D.C., 20005 or Fax to: 202-662-1683**  
**For more information, call 202-662-1680. Visit [www.abanet.org/dispute](http://www.abanet.org/dispute) for conference updates and schedule.**

**CANCELLATION POLICY:** Refunds, less an administrative fee of \$50, will be given for cancellations received in writing by **3/5/04**. 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 refund must be **submitted in writing**.

**SPECIAL NEEDS:** If you have special needs that will affect your attendance at the conference, please check here \_\_\_ and attach a statement describing your needs. We will confirm your arrangements in writing.

The American Bar Association Section of Dispute Resolution Presents  
***The Sixth Annual Conference***

***Resolution and Resilience in New York***



**April 15-17, 2004  
New York City**

**Sheraton NY Hotel & Towers**

**811 Seventh Avenue**

(Between 53rd and 52nd Streets)

New York, NY

(800) 325-3535, (212) 581-1000

[www.starwood.com/sheraton](http://www.starwood.com/sheraton)

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**ABA Section of Dispute Resolution's Annual Conference, New York City, April 15-17**

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**Section of Dispute Resolution**  
**740 15th St., NW**  
**Washington, D.C. 20005**



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