



12TH ANNUAL

Colorado **ADR** Conference

LIVE ONLY: Friday, November 2, 2018

At the **Renaissance Denver Hotel**
3801 Quebec Street • Denver, CO

Submitted for 8 General Credits, Including 2.7 Ethics Credits

REGISTER for the Annual ADR Conference online @ ADRCONFERENCE.ORG

12TH ANNUAL

Colorado ADR Conference

Colorado's 12th Annual ADR Conference is essential for all ADR practitioners! ADR is evolving and practitioners need to be aware of developments like the increased use of technology, and attentiveness to concepts like implicit bias and emotional intelligence. This Conference will challenge your thinking, expand and improve your skills, and allow you to connect with colleagues.

Your Planning Committee has put together an agenda focusing on the needs of modern ADR practitioners: mindfulness, self-care, resilience, professional development, communication skills, and practical skill-building are just some of the topics that will be addressed!

LIVE ONLY: November 2, 2018

Submitted for 8 General Credits, Including 2.7 Ethics Credits*

- Plenary session includes 1.5 Ethics credits. You must attend breakout session #3 in order to claim the additional 1.2 Ethics credits.
- Please note that you cannot claim CLE credit for attending breakout session #11.

CONFERENCE LOCATION:

Renaissance Denver Hotel

3801 Quebec Street • Denver, CO 80207



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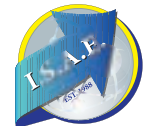
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7:30 - 8:15 AM **Registration and Continental Breakfast – Please Visit the Poster Presentations and Your Sponsors!**

8:15 - 8:30 AM **Welcome and Opening Remarks**
Presented by Marianne K. Lizza-Irwin, Esq., Chair, CBA ADR Section, Foothills Mediation and ADR

PLENARY PRESENTATIONS

8:30 - 9:20 AM **Believe It or Not, Resolution Can Even be Achieved in the State Legislature**
 After traveling to all 50 states in one year to collect and share the stories of ordinary people solving problems in their communities, Dafna Michaelson Jenet ran for and won election to the Colorado State Legislature. During her first term, with the first bill she introduced, Dafna achieved the magical unicorn: unanimous passage and unanimous co-sponsorship, in both chambers of the State Legislature. Dafna will share what she’s learned around the country and from her time in the legislature about finding common ground, getting to yes and building a stronger society in the process.
Presented by Dafna Michaelson Jenet, State Representative, House District 30, President, The Journey Institute



Jenet

9:20 - 10:35 AM **Navigating Ethical Issues**
 Experienced ADR professionals know that ethics issues often arise without warning and require you to identify and deal with the situation promptly and appropriately. A panel of seasoned professionals discuss various ethical scenarios. Your participation is strongly encouraged.
Moderator: Joel Bogen, Conflict Resolution Works!
Panelists: Peggy Evans, Mediator/Restorative Justice Practitioner, Peggy A. Evans, LLC, Sara E. Johnson, Johnson Mediation Group, Ben T. Stetler, Esq., Attorney/Mediator, Ben Stetler PLLC, and Honorable Vincent R. White (ret.), Mediator/Arbitrator/Special Master/Private Judge, Colorado Mediation and Resolution Services, LLC
Presented by the Ethics Committee of the Mediation Association of Colorado: Joel Bogen, Conflict Resolution Works!, Susan Demidovich, Esq., Attorney/Mediator, Richard Fullerton, Constructive Options, and Katherine Head, MSW/Mediator, Center for Solutions

1.5 Ethics Credits

10:35 - 10:50 AM **Networking Break – Please Visit the Poster Presentations and Your Sponsors!**

10:50 AM - 12:05 PM **BREAKOUT SESSIONS 1- 3. Please choose a session to attend:**

SESSION 1 Motivating Parties to Settle
 This session will focus on techniques for encouraging and assisting parties to reach agreements in the face of high conflict and adversity. The session will emphasize techniques that ensure that parties maintain a sense of dignity and self-respect, as well as a strong sense of pride in their decisions regarding these agreements. Eight specific techniques will be presented using case examples. These techniques incorporate emotional intelligence, effective praise, the use of constructive responses, and strategies for offering suggestions to parties who appear to be at an impasse. Participants will practice these techniques and be encouraged to offer additional ideas of their own.
Presented by Judy Mares-Dixon, M.A., Mares-Dixon & Associates

SESSION 2 Using Conflict Analysis to Achieve Better Resolution
 Conflict is a part of life. Employing conflict analysis is key to a successful and lasting resolution. Yet, many plunge into negotiation without any analysis of the specific conflict and the parties involved. This leads to unsatisfactory resolutions and, often, continuing conflict. In this session, participants will learn to analyze conflict to achieve lasting, unparalleled results.
Presented by Ann Marie Byers, Esq., Attorney/Mediator, Conflict Resolution Services

SESSION 3 Online Dispute Resolution Platforms, Online Communication Tools, and Artificial Intelligence in the Law: ‘Tools’ or ‘The Terminator’?
 This panel discussion explores how the relatively new tools of online dispute resolution, decision-assisting algorithms, artificial intelligence decision-makers, and online communication applications are impacting the legal profession. The panelists will demonstrate and discuss the technological platforms behind the new technology, what types of cases might be suited to its use, and, most importantly, **the ethical issues and potential pitfalls inherent in the platforms and processes.** They will educate you about how this technology is being embraced world-wide and that in many ways, the

1.2 Ethics Credits

SESSION 3
continued

United States is a “late adopter” to these technologies. Panel members will also introduce the emerging field of legal Artificial Intelligence (AI) and discuss potential ethical challenges. There will be plenty of time throughout for questions and comments. It promises to be a lively discussion of these emerging topics. **The following Colorado Rules of Professional Conduct will be addressed: Preamble, CRCP 1.1, 1.2, 1.6, and 2.1.**
Presented by Douglas I. McQuiston, Esq., Accord ADR Group, David Littman, Esq., Littman Family Law, and Sharon Sturges, J.D., M.P.A., Director, Colorado Office of Dispute Resolution Court Services Unit, State Court Administrator’s Office

12:05 - 1:20 PM **Networking Buffet Lunch – Sponsored by FaciliCase** *(Please indicate on the registration form if you plan to attend the luncheon.)*

1:20 - 2:35 PM **BREAKOUT SESSIONS 4-6.** *Please choose a session to attend:*

SESSION 4 **Implicit Bias in Alternative Dispute Resolution**

Explicit sexism, racism and other types of overt biases have become less common in public settings over the past few decades. At the same time, social scientists have increasingly called attention to implicit bias, unconscious attitudes that unintentionally shape decision-making and behaviors. Research into implicit biases has shown that they are pervasive and have real-world consequences in legal settings. In ADR, parties, mediators, arbitrators, and evaluators are coming to the table with implicit biases that influence the way they communicate, evaluate evidence, and make judgments. This session considers what debiasing strategies might be available to ADR professionals. The main goals of the session are to educate participants on the social science research and to create a space for thoughtful consideration of how to counter implicit bias in one’s own practice.
Presented by Mara Aruguete, Ph.D., Professor, Lincoln University

SESSION 5 **Everything You Ever Wanted to Know About Colorado Law on Mediation**

What is the statutory and case law framework for Colorado mediations? What are the relevant court rules? When do you really have an enforceable mediation settlement? What parts of mediation are confidential? What are some ethical issues and pitfalls? A helpful and practical session!
Presented by Steven Choquette, Esq., Attorney/Mediator, Choquette & Hart LLP

SESSION 6 **Manage Your Energy, Not Your Time**

Helping others to manage conflict is demanding work. To maintain our own sense of well-being and to remain centered in the eye of conflict, we need to pay attention to four energy dimensions: physical, emotional, mental, and spiritual. In this workshop, we will do an ‘energy audit’, discuss the four energy dimensions, and create an action plan.
Presented by Robin Amadei, J.D., Common Ground Mediation and Coaching, LLC

2:35 - 2:50 PM **Networking Break – Please Visit the Poster Presentations and Your Sponsors!**

2:50 - 4:05 PM **BREAKOUT SESSIONS 7-9.** *Please choose a session to attend:*

SESSION 7 **Using Emotional Intelligence to Manage Conflict in Mediation**

Effective mediators require a unique skill set. In addition to legal and analytical skills, they must be able to deal with the behavioral, cognitive and emotional aspects of conflict that arise during negotiations. In particular, the emotional aspects of the process, though often minimized, can derail a mediation, particularly when the individuals in conflict don’t understand their own feelings or what is motivating their actions. Emotional intelligence (“EQ”) - the ability to be aware of our own emotions and those of others in the moment, and to use that information to manage ourselves and our relationships - can be invaluable for mediators. In this program, we will explore the competency groups that comprise EQ, the ways in which EQ skills contribute to the success of a mediation, and how to develop these skills.
Presented by Marian Lee, Esq., ACC, Coach and Consultant, Career Reinvention LLC

SESSION 8 **The Business of Mediation: How to Get on the Short List of a Family Law Attorney’s Referral List**

Mediators play a vital and crucial role in the legal process for family law cases. More and more jurisdictions are relying on the Alternative Dispute Resolution option of mediation to assist the parties through the process, while relieving the courts’ dockets. Just as ensuring that there is a good fit between client and attorney, each mediator has their own unique style, and strengths and weaknesses. As such, matching the personality and dynamics of the parties and issues with the mediator’s style, and strengths and weaknesses is a vital component to a successful mediation session. But it’s not all about personality; mediators also need to have the relevant legal information and knowledge to be effective. Learn what skills are needed to be a mediator that family law attorneys want to work with and send pro se parties to. You will also learn tips and tools for working with family law attorneys, their clients, and pro se parties before, after, and during the process.
Presented by Kelley Rider Goodwin, Esq., Rider Goodwin Law Offices, LLC

SESSION 9 Mediation Advocacy: Best Practices for Attorney Preparation, Participation and Documentation

A panel of experienced mediators and attorneys will discuss what works in mediation and pitfalls to avoid. Best practices regarding client preparation, mediator's briefs, opening statements, presentation of evidence, experts as resources, use of caucus, working with the mediator, overcoming impasse, drafting settlement agreements and post-mediation communications will be presented.

Moderator: C.J. Larkin, Esq., MA, Professor of the Practice, University of Denver

Panelists: Nan Waller Burnett, MA, Senior Partner, Dispute Resolution Professionals, LLC, Erik Carlson, J.D., Foster Graham Milstein & Calisher, LLP, Joan McWilliams, Esq., MSJA, McWilliams Mediation Group, Wesley Parks, Esq., Cohen & Cohen PC, Sarah Rice, J.D., Law Clerk for the Honorable Gilbert Roman, Colorado Court of Appeals

4:05 - 4:20 PM **Networking Break – Please Visit the Poster Presentations and Your Sponsors!**

4:20 - 5:10 PM **BREAKOUT SESSIONS 10-12.** Please choose a session to attend:

SESSION 10 What's Happening in the Brains of Your Mediation Participants – Understand and Leverage the Brain Science of Stress and Trauma

The basis of human conflict is often unresolved stress and trauma, creating communication difficulties and skewed perspectives. Learn the neurobiological, clinical, and legal implications of stress and trauma in mediation, and how your informed behavior as a mediator can positively impact the myriad of dynamics involved in resolving a case.

Presented by Lisa Hogan, Esq., Brownstein Hyatt Farber Schreck, LLP, and Sarah Myers, Esq., LMFT, LAC, Executive Director, Colorado Lawyer Assistance Program

SESSION 11 Be Liked: Social Media Strategies for #ADR Businesses (NO CLE CREDIT IS GIVEN FOR THIS SESSION)

Connecting with clients and communicating the value of ADR services over social media are essential to business success. Businesses that effectively use social media consider their audience, content, strategies, and available tools. This presentation provides practical strategies that participants will start using immediately during the presentation.

Presented by Amber Hill, Owner/Mediator, Hilltop Mediation LLC

SESSION 12 Mediation Litigation: Recent Reported Court Opinions About Mediation

Mediation is supposed to provide an alternative to litigating disputes, but sometimes mediation becomes a source of litigation. This session will review recent case law that has developed where mediation caused litigation, rather than avoided it. The discussion will explore ways practitioners can minimize post-mediation litigation.

Presented by Tessa R. DeVault, Esq., Johnson Law, and Wesley Parks, Esq., Cohen & Cohen PC

5:10 PM **Adjourn to Cocktail Reception – Sponsored by The Mediation Association of Colorado**

5:15 - 6:30 PM **Cocktail Reception at Elevate Lounge Inside the Renaissance Denver Stapleton Hotel**



**NEW
THIS
YEAR!**

POSTER PRESENTATIONS

Make Sure to Visit Our Poster Presenters - A "Microlearning" Opportunity!

- **The Negotiation Games, Testing Negotiators and Negotiation Theory with Crisis Simulations**

Presented by Kyle Bershok Ames, J.D., 15th Judicial District Attorney's Office

- **Examining Alternative Dispute Resolution in the NFL: Analyzing Policy Design, Procedural Frameworks, and Potential Solutions Surrounding Disciplinary Enforcement of Domestic Violence and Sexual Assault Allegations**

Presented by Joshua Hammond, J.D.

PLANNING COMMITTEE:

Joel Bogen*

Conflict Resolution Works!
Denver, CO

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Attorney/Mediator
Denver, CO

C. Adam Foster, Esq.

Hoban Law Group
Denver, CO

Julia Kneeland Lazure, Esq.

Kneeland & Lazure Law
Denver, CO

Marianne K. Lizza-Irwin, Esq.

Chair, CBA ADR Section
Foothills Mediation and ADR
Golden, CO

Wesley Parks, Esq.*

Cohen & Cohen PC
Denver, CO

Sharon Sturges, J.D., M.P.A.*

Director
Colorado Office of Dispute Resolution
Court Services Unit, State Court
Administrator's Office
Denver, CO

Paul Teven, CPCC

Paul S. Teven Mediation & Coaching
Services
Boulder, CO

**also a faculty member*

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Executive Director
Colorado Lawyer Assistance Program
Denver, CO

Sarah Rice, J.D.

Law Clerk for the Honorable Gilbert Roman,
Colorado Court of Appeals
Denver, CO

Ben T. Stetler, Esq.

Attorney/Mediator
Ben Stetler PLLC
Denver, CO

Honorable Vincent R. White (ret.)

Mediator/Arbitrator/Special Master/
Private Judge
Colorado Mediation and Resolution
Services, LLC
Greenwood Village, CO

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LIVE CONFERENCE ORDER FORM

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STEP 1: REGISTRATION CATEGORIES (DR110218L)

- CLE Elite Pass Holder:\$99
- CLE Basic Pass Holder:\$139
- New Lawyer Edge Partner:\$129.50
- Students:\$169
- CBA ADR Section, ODR, MAC Members:\$229
- Judicial Employee:\$229
- Nonprofit (Mediation program volunteer or staff):.....\$229
- CBA Member:.....\$259
- Government Employee:\$259
- Other:\$279

STEP 2: SELECT COURSE MATERIALS

- Digital Download via EMAIL sent approx. 24-48 hrs. prior to the seminar
- Printed Book (pick up at conference)

STEP 3: SELECT YOUR BREAKOUT SESSIONS:

- Breakout Sessions 1-3 – 10:50 am - 12:05 pm
- Session 1 Session 2 Session 3
-
- Breakout Sessions 4-6 – 1:20 - 2:35 pm
- Session 4 Session 5 Session 6
-
- Breakout Sessions 7-9 – 2:50 - 4:05 pm
- Session 7 Session 8 Session 9
-
- Breakout Sessions 10-12 – 4:20 - 5:10 pm
- Session 10 Session 11 Session 12

STEP 4: BUFFET LUNCH

- YES – I will attend the luncheon
 - I require a vegetarian option
 - I require a gluten-free option
- NO – I will not attend the luncheon

TOTAL ENCLOSED \$ _____

All registrations must include a check or charge card information. Mail to CBA-CLE, 1900 Grant St., Suite 300, Denver, Colorado 80203-4303. You may register by phone or fax when using MasterCard, Visa, or AmEx. Phone 303-860-0608 • Fax 303-860-0624



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when using VISA, MC or AmEx.

In Denver: (303) 860-0608 • Toll-Free: (888) 860-2531



Or **FAX** form to ...

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Or **MAIL** form to ...

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go to **ADRCONFERENCE.ORG**

Name(s) _____

Attorney Reg. No. _____

Firm/Organization _____

E-Mail Address _____

Street Address _____

City / State / Zip _____

Telephone () _____

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- The Mediation Association of Colorado
- Office of Dispute Resolution, Colorado Judicial Branch
- CBA Alternative Dispute Resolution Section



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