



Annual Conference 2021

Dates and Times (Mountain Standard Time):

October 8, 2021 - 8:00 – 5:00

October 9, 2021 - ANNUAL MEMBERSHIP MEETING 7:30 – 8:15

October 9, 2021 - 8:30 – 1:00

DAY ONE – October 8, 2021

8:00 – 8:15 **Welcome, Logistics & Opening Orientation** for the next 12 hours

8:15 – 9:10 **Manuel Carral (Spain): The Crisis of Common Sense**

DESCRIPTION:

We are living a global phenomenon of polarization that leads to an escalation of conflict; this phenomenon is due to "the crisis of common sense". We are social individuals; we unite in the common and divide in the differences. When we lack common sense, we lack "the common ground" in which dialogue and understanding can take place. In order to restore dialogue and manage conflict, it is necessary to build "common sense", a construct that provides a frame of reference in which we can listen to understand instead of answering and speak to share instead of to impose. In a polarized society, diversity confronts, and we need to build a "common sense" in which diversity can create synergy.

KEY TAKEAWAYS:

- We are suffering a "crisis of common sense".
- We are driven by a polarized logic that create a win/lose scenario where conflict escalate.
- Mediation is the way to "build common sense" between the parts to allow the possibility of dialogue.

9:10 – 9:15 **BREAK**

9:15 – 10:10 **Genny Heikka (Boise): The Power of Your Personal Brand for Mediators**

DESCRIPTION:

Your personal brand matters more than ever right now. It can open the door to new career opportunities and success, and it can give you greater clarity about what differentiates you and how to apply that in your business. Leveraging her years of experience in marketing, communications, and branding, Genny Heikka has created a framework to help you discover your distinct edge and strengthen and maximize your personal brand for the greatest positive impact. You'll discover a new perspective on personal branding and learn practical steps and insights you can start applying today.

KEY TAKEAWAYS:

- A fresh perspective on personal branding: what it is and why it's so important for mediators.
- Practical ways to strengthen, manage and clearly communicate your personal brand.
- Inspiration and a clear roadmap to apply personal branding to your mediation career for the greatest positive impact.

10:10 – 10:15 BREAK

10:15 – 11:10 **Will Chalmers (England) – Online Dispute Resolution – Making it Work for You and Your Clients**

DESCRIPTION:

With the pandemic and lockdown driving up the need for remote mediation services, Online Dispute Resolution (ODR) has become a staple part of the mediator's toolkit. We will look at how mediators can make better use of ODR platforms to ensure that clients receive a comparable service to mediations which take place in person.

KEY TAKEAWAYS:

- Gain a better understanding of ODR in practice
- Excellence in ODR – best practice
- Top tips to help clients prepare for ODR

11:10 – 11:15 BREAK

11:15 – 12:10 **Bryant Galindo (Los Angeles): The New Middle – Using Heart & Mind to Collaboratively Disagree**

DESCRIPTION:

How do you navigate the fears, anxieties, and deep resentments that occur when people experience change, thereby creating psychological safety? This is the focus of this talk. This session will explore you as a change agent, how to have the difficult conversations you may be avoiding, and the personalization patterns that keep people stuck when in disagreement. We'll examine how the COVID-19 pandemic has created a situation of extreme anxiety and fears and how to address these emotions collaboratively and safely when navigating change. This talk will ultimately inspire you to build social capital and buy-in so teams and individual contributors get out of survival mode and create greater connection and collaboration – with you at the center.

KEY TAKEAWAYS:

- Increased understanding regarding your role in navigating change and conflict
- Rehumanizing difficult conversations by creating psychology safety
- How to leverage relationships and social capital to create buy-in
- A communication tool for navigating difficult conversations/the people side of change

12:10 – 1:05 LUNCH

1:05 – 2:00 **Treena Reilkoff QMed, PHSA, WFA, BSW, BA (Canada): Trauma Informed Mediation**

DESCRIPTION:

You don't have to have a background in counseling or therapy to become trauma-informed. If you work in the ADR profession, developing a trauma-informed approach will lead to an enhanced skill set. Trauma Informed means you are aware of the impact trauma has on the brain and the body. You will learn to communicate and develop a set of strategies to de-escalate an individual who may be experiencing a trauma related response and/or recognize trauma responses within yourself and others.

KEY TAKEAWAYS:

- Define trauma in the context of mediation – family, civil, workplace, grievance and/or community environment
- Identify trauma responses in yourself (the professional), the parties, and the mediation process
- List the Pillars and Principles of being Trauma Informed Utilize tools to manage trauma responses in the professional, the parties and the mediation/investigation process

2:00 - 2:05 **BREAK**

2:05 – 3:00 **Jennifer Poole – Restorative Justice in Today's Polarized World**

DESCRIPTION:

As our communities and schools become more divided and many call for actions like "Defund the Police" we look for ways to peacefully impact change, create empathy and understanding while strengthening relationships and accountability.

KEY TAKEAWAYS:

- How to speak about defunding the police
- Things to know about violence in schools
- Utilizing Restorative Justice principles in all areas of ADR

3:00 – 3:05 **BREAK**

3:05 – 4:00 **Denise Evans (New Zealand): The Downside of Online Dispute Resolutions (ODR)**

DESCRIPTION:

Denise was key in attempts to establish an ODR platform to deal with Family matters and in establishing an ODR platform in New Zealand to deal with disputes in the Building and Construction Sector. Unfortunately, the platform was deemed unsuitable for the Family matters and although implemented was not successful in the Building and Construction sector. Denise will speak on the importance of design in the local community context particularly the importance of considering First Nations people and the need for systems to manage diversity.

KEY TAKEAWAYS:

- ODR system must be co-designed with the potential users; the platform did not work because it was incapable of dealing with the diverse needs of the users
- The biggest problem was that although the language of disputes may be expressed in monetary terms the real issue is very rarely only about the money
- The use of technology including case management platforms and AI enhances accessibility, delivery of service and increases confidence in the process and most importantly allows the mediators to efficiently and effectively deal with the people aspects of dispute resolution

4:00 – 4:05 BREAK

4:05 – 5:00 **Andrea Ohman (Idaho Falls): Mediation in our Global Community**

DESCRIPTION:

Consider the benefit and beauty of mediation’s unique grass roots ability to unite us in our naturally divisive and COVID stricken days.

KEY TAKEAWAYS:

- Mediation has been the bridge to navigating culture differences, divisiveness, and diversity throughout history, and continues to transform complex post conflict societies
- Mediation: the peacemaking practice
- Building capacity for restorative justice around the globe

5:00 – 5:10 **Wrap Up and Layout for Tomorrow**

DAY TWO – OCTOBER 9, 2021

7:30 -8:15 **ANNUAL MEMBERSHIP MEETING**

8:30 – 9:25 **Jose Martinez Aragon (Switzerland): Conflict Resolution at the World Health Organization**

KEY TAKEAWAYS

- TBD
- TBD
- TBD

9:25 – 9:30 BREAK

9:30 – 11:25 **Merlyn Clark (Boise): Mediation Ethics**

DESCRIPTION:

This two-hour presentation of mediation ethics is an updated continuation of the Mediation Ethics seminar that was presented during the Idaho Mediation Association Annual Meeting in 2020. This program will include a brief review of the governing laws, rules and standards that inform and define mediation ethics. During the program we will

discuss ethical problems and dilemmas that mediators encounter in the practice of mediation. Topics will include self-determination duties, impartiality duties, conflicts of interest and independence duties, protecting confidentiality, and how to deal with the unrepresented party. It will also include a discussion of the relationship between mediation ethics and mediator liabilities and immunities.

11:30 – 12:25 Panel on Shuttle Mediation vs. Mediating in the Same Room (Bryan Nickels, Trevor Castleton, Carol Barkes)

DESCRIPTION:

In the world of mediation there tends to be two camps – one in which parties are kept separate from each other with the mediator traveling back and forth delivering offers and information – and the other with mediators keeping parties in the same room as much as possible and using the caucus process. During this hour, the panel will discuss the pros and cons of each process.

KEY TAKEAWAYS

- Learn the value of keeping parties in the same room
- Understand considerations for using shuttle mediations vs. same room mediations
- Explore how to urge parties to engage in dialog with each other while helping them feel safe in the process

12:30 -12:35 BREAK

12:35 – 1:00 WRAP UP EXERCISE