



**The Center for
Alternative
DISPUTE RESOLUTION'S**

**2011 Annual Conference
Managing Conflict and Removing Barriers
to Collaborative Decision Making**

June 16-17, 2011

**Martin's Crosswinds
Greenbelt, MD**

Wednesday, June 15, 2011
Pre-Conference Workshop (Full Day)
9:00 a.m. – 4:45 p.m.

I. The Search for Ethical Standards in Negotiation

Almost every profession has a canon of ethics that its members must adhere to. But for those who negotiate casually or for a living, what are the ethical canons negotiators should follow? As in love and war, is all fair? Should negotiators act ethically? What are the ethics of negotiation? This workshop will explore and develop some ethical canons for negotiators. This will begin the development of a broad consensus on the ethics of negotiation.

Lynn Sylvester, Commissioner
Federal Mediation and Conciliation Service
Washington, DC

II. Top Five Training Topics

This high energy, interactive one-day session touches on five hot topics in mediation training, as identified through a survey of the Maryland Program for Mediator Excellence members. Using facilitated discussion, experiential exercises, role plays and video, participants will have the opportunity to work on challenges concerning: (1) ethics and confidentiality, (2) diversity, (3) myths about mediation frameworks, (4) public awareness of mediation, and (5) tough moments in mediation. **This session is designed to provide 8-hours of training and as such will end at 5:30 p. m.**

Lou Gieszl, Deputy Executive Director
Cheryl Jamison, Esq., Quality Assistance Director
Maryland Mediation and Conflict Resolution Office

Pre-Conference Workshops (Half-Day)
Morning
9:00 a.m. – 12:15 p.m.

III. Caucusing: When to Caucus, Why Caucus, How to Caucus

Have you ever noticed how many mediation ethical quandaries begin with the phrase “In a caucus...?” This interactive and high energy session will explore the reasons why mediators go into caucus, whether it is the

best option, and what other options might be available. The key to this session will be a deeper exploration of the reasoning behind why the mediator chooses to caucus, when the mediator makes that decision, and whether the mediator has given thought to what the other possibilities might be. And, once the decision is made to use a caucus, what should those private sessions look like? Candidly, the presenters believe, to different degrees, that caucusing is a viable technique that might be used during mediation. The presenters are in agreement that caucusing probably occurs more than it should in a great number of mediations, and the presenters would like to teach mediators how to provide other options to the participants in mediation before resorting to caucus. Arguably, one of the benefits of mediation is the direct communication between the participants and what might happen because of that communication. Working through uncomfortable moments or moving the negotiation forward with all of the participants together can yield more understanding and perhaps more complete solutions than trying to have those conversations in separate rooms. Additionally, the participants’ experience of having this direct communication under challenging circumstances may help them in dealing with future conflicts.

Jonathan S. Rosenthal, Esq.
Executive Director, ADR Office
District Court of Maryland
Michele Ennis-Benn
Director of Mediation and Training
Center for Conflict Resolution at Salisbury University

IV. Race & Health in America

Is health more than health care? Are diseases purely genetic or are there social determinates of health? Can inequality impact individual and collective health? How do those of us in stressful careers care for ourselves and our families while understanding and caring for our clients? In this ½ day seminar we will explore these and other questions as we look to understand our individual, family and community health and the role of Race & Health in America.

Milagros Phillips, Founding Executive Director
National Resource Center for the Healing of Racism

V. Leadership for Conflict Resolvers

Leadership in conflict situations occurs at the interpersonal, group, and systems levels. The field of conflict resolution has focused historically on the role of individuals and groups in the promotion and resolution of conflict. Individuals, acting singularly or in teams, attempt to resolve conflict utilizing a variety of approaches. The role and importance of leadership frequently is a missing ingredient. This interactive workshop will explore: personal perspectives on conflict and leadership, leadership knowledge and skills, leadership role of mediators, and cultivating leadership in others.

Robert Fisher, Senior Partner
Consensus Building Institute

Pre-Conference Workshops (Half-Day) Afternoon

1:30 p.m. – 4:45 p.m.

VI. Unseen Bias in Mediation

We all want to believe we are able to examine issues in a fair, unbiased way, and that, as mediators, we respond equitably to the concerns of all parties. In actuality, however, we often harbor unconscious preferences that can influence how we handle certain cases. In this interactive workshop participants will examine the nature of unconscious bias in the mediation process. Participants will examine how bias presents itself during mediation, and its impact upon the mediator's neutrality. We will examine issues of difference (such as race and gender) within mediation and the ways in which these differences intersect with our own unseen prejudices. Finally, we will consider strategies for dealing productively with covert bias and hidden preferences in the mediation process.

Linda M. Brothers, Associate Ombudsman
Center for Cooperative Resolution
National Institutes for Health

VII. Vocational Truthfulness: Having the Courage to Discover Deeper Meaning in Our Work

What we have discovered in our work as mediators is that we serve our clients and ourselves best when we

identify and are intentional about what it is we love about our work and how it is that we experience these qualities with our clients. We have identified seven tenets of vocational truthfulness and they are: Grace, Connectedness, Witness, Energy, Grateful Humility, Authenticity and Spiritual Sustenance. This will be a highly interactive session where everyone will be asked to identify what qualities they exercise and experience to be true to their vocation. We believe it is one of the most important discussions we can have because it identifies our core values and establishes a strong foundation from which we can practice and an anchor that provides stability in the midst of the most difficult challenges in conflict.

Michael John Aloji, Esq., Immediate Past President
Association for Conflict Resolution
Louise Phipps Senft, Esq.
Louise Phipps Senft and Associates

VIII. The Art of Listening: Can the Simple Act of Listening Be Healing?

Listening is one of the most important skills to have in the field of ADR. How well we listen has a major impact on our work, our effectiveness and the quality of our relationships with others. We listen to obtain information. We listen to understand. We listen to help in negotiations. We listen to learn. Do we listen to heal? In this interactive workshop we will explore different ways of listening and tools for engaging in active listening. We will look at everything from how to frame questions to how to truly hear what the other person is saying to how to provide feedback and guidance without closing down the lines of communication (or shutting the person down). Through these intricacies of listening we will define for ourselves how listening can be a tool for reconciliation and healing. Listening is infinitely more than hearing and this session is for anyone interested in becoming a more skillful listener.

Meghan Clarke
Principle, Creative Resolutions
Cincinnati, OH

Conference Schedule

Thursday, June 16, 2011

8:00 a.m. – 9:00 a.m. **Registration**

9:05 a.m. **Welcome and Plenary**

Lynn Sylvester, Commissioner
Federal Mediation and Conciliation Service
Washington, DC

Lou Gieszl, President
Association for Conflict Resolution
Washington, DC

Concurrent Workshops 1 **9:30 a.m. – 11:00 a.m.**

1.1 Getting to Yes by Way of Sorry: How Mediators May Facilitate Forgiveness

Myra Warren Isenhardt
President
Organizational Communication, Inc.
Michael Spangle
Professor/ Faculty Chair, Master of Arts
Regis University

1.2 Peace for the Peacemakers: A Dialogue on the Importance of Self-Care for Our Work and Our Lives

Meghan Clarke, Principle
Creative Resolutions, Cincinnati, OH

1.3 Words, Logic, Power, and Racial Conflict in the Workplace and Beyond

Sabrina Johnson
United Independent Justice Project

1.4 Facilitating Water, Agriculture and Energy Issues in the Middle East: The Arava Project

Brian Polkinghorn, Ph.D.
Professor and Program Director
Department of Conflict Analysis and Dispute Resolution
Executive Director, Center for Conflict Resolution at
Salisbury University

1.5 Politics, Partisanship, Polarization – Are We Relevant?

Mary Jacksteit, Project Manager and Associate
Public Conversations Project

Concurrent Workshops 2 **11:15 a.m. – 12:45 p.m.**

2.1 Cultivating Engaged Communities of Practice

Joan Wangler, Master Certified Coach and
NASA/ Goddard Learning Community Members

2.2 Reasoning and Deduction in Problem Solving: Lessons from Einstein

Lisa S. Cameron, Ombudsman/Mediator
Program Administrator for the Maryland Association of
REALTORS® Mediation Program for Buyer-Seller
Disputes

2.3 ADR and Land Use Planning in the District of Columbia: What's Next?

Mencer Donahue "Don" Edwards
Principal and CEO
Justice and Sustainability Associates, LLC
Neil Richardson, Director of Continuing Education
Community College of DC
Steve Brigham, Chief Operating Officer
AmericaSpeaks

2.4 What You Need to Know About Circuit Court ADR Programs

Ronna K. Jablow, ADR Coordinator
Baltimore City Circuit Court
Jennifer Payne, Admin. Aide Retired Judges and
ADR Coordinator, Prince George's County Circuit Court
Joy M. Keller, DCM Coordinator/ Civil Mediation
Administrator, Circuit Court for Baltimore County

2.5 The Role of Culture in Conflict Resolution

Corrine Skye KillsPrettyEnemy, M.A.
(Yellow Dawn Woman)/Hunkpapa Lakota
Standing Rock Nation
Independent Consultant/Trainer, Sterling, VA

Luncheon and Mini-Plenary
1:00 p.m. – 3:00 p.m.

“ADR Techniques and Procedures Flowing Through Porous Boundaries: Flooding the ADR Landscape and Confusing the Public with ADR Terminology, Techniques and Procedure”

Marvin E. Johnson, Professor and Executive Director
Center for Alternative Dispute Resolution

Stephen S. Erickson
Erickson Mediation Institute, Bloomington, MN

PRESENCE, Center for Applied Theatre Arts
Charlottesville, VA

Concurrent Workshops 3
3:15 p.m. – 4:45 p.m.

3.1 Primed for Resolution? What Mediators Can Learn From the New Research on Priming and Automatic Processing

Jane Juliano, President, Juliano and Associates, PC
MTS, Harvard Divinity School, Visiting Clinical Mediator
Harvard Law School

3.2 Justice in the Internal Justice System: What Does It Look Like?

Linda Toyo Obayashi, Mediation Officer
The World Bank Group
Washington, DC

3.3 Rejection: Overcoming the Pain and Promoting Empowerment in Mediation

Angelia J. Tolbert, Esq., ACCESS ADR Fellow and
President, Absolute Resolution Services, Inc.
Little Rock, AR

3.4 An Overview of FINRA’s Mediation Program and Discussion of Opportunities for Mediators and Arbitrators

Julie Crotty, Deputy Director of Mediation and
Business Strategy, FINRA
New York, NY

3.5 Developing a Collaborative Process to Manage Conflict in a Diverse Environment

Colette Anthony, Employee and Labor
Relations Manager

Joey Pritchard, President, AFSCME Local 1453

Carlos A. Vargas, Chief Human Resources Officer
City of Rockville

Marvin E. Johnson, Professor and Executive Director
Center for Alternative Dispute Resolution

Friday, June 17, 2011

Concurrent Workshops 4
8:30 a.m. - 10:00 a.m.

4.1 Why We Do the Things We Do: Enneagram and MBTI as Tools to Enhance the “Self as Instrument” in Mediation

Cathy A. Costantino, Counsel
Labor and Employment Section
Federal Deposit Insurance Corporation

4.2 Psychological Barriers to Conflict Resolution

Kathie Nichols, Ph.D., LP, ABPP, Lawrence, KS
Patrick Nichols, J.D., Partner, Associates in Dispute
Resolution, LLC, Lawrence, KS

4.3 Tips & Tools to Help Parties Overcome Impasse

Andrew Pizzi, Mediator/Facilitator
Alexandria, VA

4.4 Communicating Neutrality, Verbally and Non Verbally

Fernaundra Ferguson, Ph.D.
Assistant to the Dean, College of Arts and Sciences
University of West Florida, Pensacola, FL
Catherine S. Powell, Ph.D., Director
Informal Dispute Resolutions & ADA Compliance
University of West Florida, Pensacola, FL

4.5 Negotiation Clichés - A Top Ten List of Things That Drive Negotiators Crazy

Paul F. Monicatti
Mediator/Arbitrator

Concurrent Workshops 5

10:15 a.m. - 11:45 a.m.

5.1 “Halo” Effects, Self-Serving Bias, and Other Tricks That Our Minds Play on Us: What Mediators Can Learn from Cognitive Psychology

David A. Hoffman, Esq.
Mediator, Arbitrator and Collaborative Lawyer
Boston Law Collaborative, LLC

5.2 Generational Conflict

Michael Spangle
Professor/ Faculty Chair, Master of Arts
Regis University

5.3 Mediation of Criminal Cases – Theory, Style and Strategy of Assisted Plea Bargaining

V. Michelle Obradovic, Law Professor and Mediator
Wise Resolution, LLC, Birmingham, AL

5.4 The Art and Science of Decision Making in Mediation

Robert A. Creo, Co-Founder
Monique McKay, Co-Founder
The Master Mediator Institute

5.5 Environmental Conflict Resolution: Risks to Stakeholders as They Engage and Change

John B. Stephens, Ph.D., Coordinator
Public Dispute Resolution Program
School of Government, University of North Carolina
Chapel Hill, NC
E. Franklin Dukes, Ph.D., Executive Director
Institute for Environmental Negotiation
University of Virginia, Charlottesville, VA

Luncheon and Mini-Plenary

12:00 p.m. - 2:00 p.m.

“The Search for Meaning in Mediation: The Paradox of the Heart and the Mind”

G. Daniel Bowling, ADR Program Staff Attorney and Mediator, US District Court for Northern California
San Francisco, CA

Concurrent Workshops 6

2:15 p.m. - 3:45 p.m.

6.1 Avoiding Getting Hooked: Mediation and Mindful Presence

G. Daniel Bowling
ADR Program Staff Attorney and Mediator
US District Court for Northern California
San Francisco, CA

6.2 Race Images and Perceptions: Understanding, Transforming, and Growth in “Post Racial America”

Milagros Phillips, Founding Executive Director
National Resource Center for the Healing Of Racism

6.3 Using ADR to Break the Legislative Logjam

Kevin T. Bryan, Mediator, Meridian Institute
Dan P. Dozier, Esq., Press and Potter, LLC

6.4 Somatic Skills for Conflict Resolvers

Stephen Kotev
Conflict Resolution Consultant

6.5 Mediating with Difficult and Challenging People Who Challenge the Skills of the Mediator

Stephen K. Erickson, J.D.
Marilyn S. McKnight, M.A.
Erickson Mediation Institute
Bloomington, MN

General Session – “Values and Choices”

4:00 p.m. - 5:00 p.m.

Marvin E. Johnson
Homer C. La Rue

Gregory Sobel Annual Reception

5:00 p.m. - 6:30 p.m.

Co-sponsored by (*as of this printing*): ACCESS ADR, the Center for Conflict Resolution at Salisbury University, and the Mediators of Color Alliance Network (MOCA)

Registration Information

*Conference (2-days):

Early Registration by May 13	\$285
Late Registration after May 13	\$360
Registration on-site after June 10	\$380

*Pre-Conference - Half-Day (Morning or Afternoon):

Early Registration by May 13	\$100
Late Registration after May 13	\$155
Registration on-site after June 10	\$185

*Pre-Conference - Full-Day or Morning and Afternoon:

Early Registration by May 13	\$190
Late Registration after May 13	\$250
Registration on-site after June 10	\$285

*The pre-conference and conference may qualify for MPME improvement activities.

For **special group rates**, see the Center's registration form.

Registration: After **June 10, 2011**, registrations will not be accepted by fax or mail. You must register on-site. There will be a **\$25 processing fee** for all training/purchase orders. A letter providing additional information and registration confirmation will follow receipt of written registration and payment. Contact the Center at (301) 313-0800, fax (301) 313-0033 or visit our website at www.natlctr4adr.org.

Cancellation Policy: Written notice of cancellation must be received by **June 2, 2011**. *(There will be a **\$25 administrative fee charged for all canceled registrations.**)* Registrants who do not attend and who have not canceled by the cancellation date are liable for the entire registration fee. If you have requested us to bill your organization/agency, we will do so in accordance with these conditions. Substitutions for registered participants are accepted at any time without charge.

Accommodations: The Holiday Inn Greenbelt is holding a block of rooms for conference attendees at the rate of \$129.00 per night. For reservations, call the Holiday Inn Greenbelt (Greenbelt, MD) at I-800- 280-4188 or 301-982-7000 by **May 31, 2011**. State that you will be attending the Center for Alternative Dispute Resolution Conference.

Questions: Contact the Center at (301) 313-0800, fax (301) 313-0033, or visit www.natlctr4adr.org.

Save-the-Dates

The Center for ADR's
2012 Annual Conference
June 14-15, 2012

Co-operating Sponsors (as of this printing):

Boston Law Collaborative, LLC
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National Center for Dispute Settlement
Office of Diversity and Inclusion, University of Maryland,
College Park
Society of Federal Labor & Employee Relations Professionals

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Dispute Resolution
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Crofton, Maryland 21114