



Montana Mediation Association  
238 6th Ave. SE  
Cut Bank, MT 59427

# Horizons of Mediation Practice

*11th Annual Conference*

**Missoula**

**April 29-May 1, 2010**

*Co-sponsored by*



*The Montana Mediation Association and*



The University of  
**Montana**



# Horizons of Mediation Practice

**Thursday, April 29, 2010**

**Pre-Conference Reception 6:30-8:30pm**

**University of Montana School of Law, Missoula, Montana**

Join us for a Meet and Greet reception — a wonderful opportunity to pick up your packet and to network with board members, speakers, and other mediators in an informal setting!

**Friday Morning, April 30, 2010**

**Opening Session 8:00—11:30am**

**Welcome and Introductory Remarks**

**Coralee Hicks, President, Montana Mediation Association**

**Irma Russell, Dean of the University of Montana School of Law Mediation Clinic**

**Keynote Address: The Promise - and Dangers - of Mediation**

**by Joseph B. Stulberg, JD, Ph.D.**

John W. Bricker Professor of Law, Michael E. Moritz College of Law, The Ohio State University

We celebrate mediation's use both as a significant element of our justice system and as a crucial procedure for resolving social conflicts in civil society. How can we secure and capitalize on mediation's strengths—its extraordinary promise—without compromising its integrity?

**Practitioner Panel**

This panel discussion featuring practicing mediators will introduce you to many different areas of mediation.

**Moderated by**

**Eduardo R.C. Capulong**, Director, Mediation Clinic, Assistant Professor of Law, University of Montana School of Law

**Mediation Topics of Discussion**

**Workplace—Vicki Knudsen**, Labor Mediator/Trainer/Facilitator for the Montana Board of Personnel Appeals

**Elder Care—Ann Milkovich**, certified in Elder Care Mediation through Manouso Mediation of Houston Texas

**Family—Candice Ragsdale Pollock**, Collaborative Law Attorney primarily in the areas of Domestic Relations

**Real Estate—David DiJulio**, member of the Los Angeles Superior Court's ADR Panel.

**Environmental/Public Policy—Mary Ellen Wolfe**, Associate, Center for Collaborative Solutions

**Faith-based/Spirituality—Rose Everett-Martin**, Paralegal, Victim/Offender Dialogue Facilitator

**Cross-cultural—Margot Luckman Hart**, Certified Rehab. Counselor & Licensed Clinical Prof. Counselor

**11:30am—1:15pm Annual MtMA Membership Meeting, Election of Board Members and Lunch**

*(included with registration) Everyone welcome! Not limited to MtMA members!*

**CEU's Pending**

CLE, Social Workers, OPI Renewal Units, Real Estate CEU's

Check the web site for final approval—[www.mtmediation.org](http://www.mtmediation.org)

# The Montana Mediation Association and The University of Montana School of Law

## Friday Afternoon Schedule Expanding Your Mediation Practice

Seminars, workshops, and Panel discussions helping you to investigate new opportunities!

1:30 pm—5:00pm Concurrent Sectionals—Choose up to three!

### Panel Discussions

**Best Interests of a Child: What a Mediator Should Keep in Mind Regarding Developmental Theory**

Moderator: Shane MacIntyre, Clinical Intern, University of Montana School of Law Mediation Clinic

**Informed Consent in Landlord and Tenant Mediations: How Aware Should the Parties Be?**

Moderator: Dan Sweet, Clinical Intern, University of Montana School of Law Mediation Clinic

**Restorative Youth Justice Programs: An Alternative Healing Approach to Crime for the Victim and the Offender**

Moderator: Sara Cadwell, Clinical Intern, University of Montana School of Law Mediation Clinic

### Seminars

**You Want Me to Do What? Facilitating a Contentious Public Process – An Introduction**

**Mary Ellen Wolfe**

Mediators are sometimes asked to moderate contentious public processes. Is this mediation? If so, what sets these processes apart from other types of mediation? What does it take to be successful when you take on that public process management job? This session will examine answers to these and other questions as a “warm-up” for Saturday’s half day session of the same title.

**Mandatory Mediation in Real Estate Contracts- Is It the Way to Go in Montana?**

**R. David DiJulio**

Some states now require residential real estate disputes to mediate before litigation. Is this good for Mediation? We will have an open discussion of this topic and the issues it creates including: Would this work in Montana? Is it good for Montana? Are there enough mediators to service the real estate industry? How is it enforced?

**Core Principles for Cross-Cultural Mediation**

**Margot Hart and Candice Ragsdale-Pollock**

Isn't mediation, just Mediation? The answer is both Yes and No. There are core principles which a mediator should follow for a successful cross-cultural mediation. This session will provide a Mediator with the internal and psychological training necessary for this type of Alternative Dispute Resolution.

**Family Law - Settlement by Design**

**Candice Ragsdale-Pollock**

How does Collaborative Law fit in the Alternative Dispute Resolution paradigm? What sets the Collaborative Law process apart from the other Dispute Resolution Processes? Why use the Collaborative Family Law process? This session will attempt to answer these questions and provide guidelines for the use of the Collaborative Law process in Family Law, as well as its use in other areas of law.

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, St. Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-Mail: \_\_\_\_\_

**Friday, April 30th**

- \$ 85.00 MtMA Member..... \_\_\_\_\_
- \$ 95.00 Non-Member ..... \_\_\_\_\_
- \$ 25.00 Student with ID.... \_\_\_\_\_

**Saturday, May 1st Post Conference**

- \$ 60.00 MtMA Member ..... \_\_\_\_\_
- \$ 70.00 Non Member ..... \_\_\_\_\_
- \$ 25.00 Student with ID.... \_\_\_\_\_

**Payment Information**

Check # \_\_\_\_\_ enclosed  
 Credit Card: \_\_\_\_\_  
 Account # \_\_\_\_\_ Exp. Date \_\_\_\_\_  
 Billing address \_\_\_\_\_ Billing Zip Code \_\_\_\_\_

**Both days**

- \$130.00 MtMA Member ..... \_\_\_\_\_
- \$150.00 Non Member..... \_\_\_\_\_
- \$ 40.00 Student with ID.... \_\_\_\_\_

**Saturday Choices:** (Choose 1 full day workshop or 1 am and 1 pm)

- Full Day  Interest-Based Problem Solving
- Morning  Setting the Stage for Success
- Morning  Elder Care Mediation
- Afternoon  Environmental & Public Policy

Late fee if received  
 after 4/20/2010 ..... \$ 35.00  
**Total** .....

## Saturday Workshops

### Interest-Based Problem Solving

Full Day

**Vicki Knudsen, Labor Mediator/Trainer/Facilitator, Montana Board of Personnel Appeals**

Interest-Based Problem Solving (IBPS) is a process that can be used extensively in literally every type of conflict situation. Using it makes people better mediators immediately, even if those you are working with are not trained in the process. The specific process that will be the focus of this training is the PAST model, which was specifically developed to deal with conflict in the workplace. When people from different backgrounds, experiences and expectations come together, conflict will inevitably follow. Rarely does this converge more randomly than in the workplace. In most cases, people fear and avoid conflict like the plague, consciously and subconsciously. However, conflict and change generally go hand-in-hand, often making it difficult to tell which came first and caused the second. Because change is necessary for progress, learning how to deal with conflict is a primary attribute for those who manage people in the workplace. This session will include instruct participants in the process so they are able to use it effectively. The training includes extensive exercises and video, and is very interactive.

### Introduction to Elder Care Mediation

Half Day—MORNING

**Anne Milkovich, certified in Elder Care Mediation through Manouso Mediation of Houston Texas**

Elder Care Mediation is an emerging specialty in the mediation field as more families face the difficult joint decisions of providing care for their aging parents. In this introductory workshop, you will learn about the unique challenges of elder care mediation and how it differs from other mediation areas. You will learn about the many players involved and how to accommodate a diverse range of issues and representatives from property division to pharmacology. Participants will practice complex elder care mediations through interactive discussions, role-playing exercises and debriefs. If you are interested in exploring elder care mediation as a practitioner or simply to address your own family situation, you will gain a good grounding in the complexities and issues involved by attending this workshop.

### Setting The Stage For Mediation Success

Half Day—MORNING

**Alain Burrese, Licensed Montana Attorney, Mediator, Writer, and Speaker**

First impressions matter! This interactive session focuses on making the best first impression, right up through the opening statement, to ensure your mediation gets off on the right foot. Opening statements have the power to anchor parties toward successful resolution and participants will have the opportunity to learn strategies to enhance their own opening statements and the chance to practice and improve their personal skills. Don't just wing it. Learn to use your first interactions and opening statements to set the stage for mediation success.

### You Want Me to Do What? Fundamentals of 'Facilitating' a Contentious Public

Half Day—AFTERNOON

**Mary Ellen Wolfe, Associate, Center for Collaborative Solutions**

Dive deeper into the fundamentals of facilitating a multi-dimensional public process. How suited are you to be process designer, collaborative leader, meeting manager and mediator of environmental and public policy processes? Explore the context and conditions that make facilitation/mediation in such settings a special challenge. Learn a few "basics" about how to construct and conduct a mediated process in your community.

**MOTEL INFORMATION:** A block of rooms has been reserved:  
**Campus Inn** Single: \$ 62 + tax  
744 East Broadway Street Double: \$ 70 + tax  
Bozeman MT 59802  
(406) 549-5134 Please reserve by 4/28/09 for conference rates.

*Register for the conference  
by April 20th  
to avoid late fees!*

### SEND COMPLETED REGISTRATION FORM TO:

Montana Mediation Association, 238 6th Ave. SE. Cut Bank, MT 59427

Phone: 406-750-8813

Email: [memberservices@mtmediation.org](mailto:memberservices@mtmediation.org)

[www.mtmediation.org](http://www.mtmediation.org)