1.1 ADR Practice Tips and Tricks for New Lawyers
Presenters: Sasha S. Philip, Philip Mediation, Kenmore, WA; Adrienne Keith Wills, Keith Law & Mediation, Seattle, WA; Melvyn Simburg, Simburg Ketter, Sheppard & Purdy, LLP, Seattle, WA; R. Craig Smith, Bellevue, WA

This session addresses effective lawyering in both mediation and arbitration under the state court Mandatory Arbitration Rules (MAR). The presenters will offer tips, practice pointers, and active role play experience to foster success in ADR settings. This session is intended for law students and newer lawyers who want to go beyond the “basics” of ADR and bridge the gap between law school and law practice.

1.2 Heart-Intelligent Mediation
Presenters: Franca Baroni, JD, LLM, Seattle, WA; Jane Faulkner JD, PCC, CPCC, Seattle, WA; Beth C. Bryant, JD, Seattle, WA

This experiential program explores cutting-edge science about the power of the heart and how it relates to mediation. Learn practical tools to increase your effectiveness as a mediator, create a non-linear effective space for client breakthrough and conflict resolution, and increase the systemic impact of your mediation.

1.3 Are You Ready for Arbitration?
Presenter: Donna Lurie, Lurie Workplace Solutions, Woodinville, WA

Get some tips and strategies on how to strengthen your case for arbitration and maximize your evidence, witnesses, and documentation. Examine the role of the arbitrator. Learn about new Washington case law on the award of attorney fees in arbitrations and administrative hearings. Work with your colleagues on a case involving employee use of social media. Get social media case resources on the state and federal level.

1.4 Online Dispute Resolution: Introduction to Simulation and Ethical Considerations – Part 1*
Presenter: Simon Boehme, JD, Conflict Resolution Specialist for Martin F. Scheinman, Sands Point, NY

Engage in an interactive session discussing and exploring online dispute resolution (ODR) ethical issues. Participants will examine these ethical ideas and quandaries through Modria’s
Mediation Room, a text-based ADR platform, to solve a real-world dispute spanning the Conference. (Please bring a laptop; if not possible, come nonetheless to partner with someone).

*1.25 Ethics Credits

1.5 Pump Up Your Presentation Skills! Public Speaking Skills for Mediators
Presenter: Guila Muir, MEd, Seattle, WA

The importance of presenting excellently has never been more important. In this energetic workshop, you will learn and practice skills used by professional presenters to move their audiences to action. The workshop includes a research-based exposé of gender-based speaking behaviors that may currently be hurting your message.

1.6 Attorney-Client Overconfidence in Dispute Resolution: Facts, Causes, and Correctives
Presenter: Randy Kiser, DecisionSet®, Palo Alto, CA

This program will describe the frequency, costs, and predictors of attorney-client overconfidence in dispute resolution, discuss some causes of overconfidence, and identify proven corrective methods.

Session Series 2 – Thursday, March 24, 2016, 10:00 a.m. - 11:15 a.m.

2.1 Getting Started – A Primer on Mediation
Presenters: Colleen Kinerk, Cable, Langenbach, Kinerk & Bauer, LLP, Seattle, WA; Carolyn Cairns, Stokes Lawrence, Seattle, WA

Session description not yet available.

2.2 Stories that Harm, Stories that Heal: Moving Beyond “Them” and “Us”
Presenter: Robert Stains, Public Conversations Project, Watertown, MA

Learn how the power of story and discourse can influence the trajectory of conflict by dehumanizing, imprisoning, or liberating. Participants will explore how stories can reinforce or erode stereotypes about “us” and “them,” gain an understanding of the group dynamics of storytelling, and learn how, through facilitated conversation, storytelling can foster new depths of understanding between people.

2.3 Examining Consumer Arbitration Clauses – Part I: Latest Legal Developments*

Presenters: Craig Beles, Arbitrator and Mediator, Seattle, WA; Terrence Carroll, Retired Superior Court Judge, Seattle, WA; Philip Cutler, Cutler Nylander & Hayton, PSC, Seattle, WA;
Paris Kallas, Retired Superior Court Judge, Judicial Dispute Resolution, LLC, Seattle, WA; Melvyn J. Simburg, Simburg, Ketter, Sheppard & Purdy, LLP, Seattle, WA; Lish Whitson, Lish Whitson PLLC, Seattle, WA

With increasing frequency, arbitration is specified as the only dispute resolution process in consumer contracts, most of which are between parties with decidedly unequal bargaining power and involve disputes over relatively modest financial claims. This program will review the pros and cons of enforcing such agreements and the impact on justice for consumers.

Part I of this program will review the three-part New York Times (NYT) article entitled “Beware the Fine Print,” which was critical of arbitration clauses and class action waivers in consumer and employment contracts. The panel will highlight issues raised by the NYT articles, including waiver of the 7th Amendment right to jury trial, waiver of class action, arbitrator bias and conflicts, secrecy of proceedings and lack of precedent, and procedural disadvantages of arbitration. The panel will then examine three recent U.S. Supreme Court cases and their impact on Washington State law, focusing on 7th amendment jury trial and class action rights.

* Part II of this program will be presented immediately following Part I, in Session 3.3.

2.4 Parsing Conflict in Social Media: What You Need to Know
Presenters: Kimberly Koch-Hult, Chair, Oregon Federal Executive Board’s Shared Neutrals Program, Bainbridge Island, WA; Tom Melancon, Dispute Resolution Program, Seattle Federal Executive Board, Seattle, WA; George Sidles, Student, Raisbeck Aviation High School, Bainbridge Island, WA

The much-lamented demise in civility roughly corresponds to the rise of electronic communication. As more of our communication takes place online, our conflicts happen there too. We will explore the characteristics and dynamics of online conflict, like context collapse and conversation smoosh, and discuss what mediators might learn from them. Who are digital immigrants and how do generational differences fuel online conflict? What is the dark tetrad and what does it tell us about how to deal with trolling? In this interactive workshop, participants will share stories, identify best practices for helping clients navigate confidentiality in social media, and discuss how mediators might help manage conflict in the mediascape.

2.5 Skillfully Building Strong, Child-Centered Parenting Plans from Your Phone!
Presenters: Karen Bonnell, ARNP, MS, Bellevue, WA; Joseph Shaub, JD, LMFT, Bellevue, WA

This workshop will introduce participants to the components of a four-part video series with workbook. We will discuss how to walk parents through the empathic process of “standing in their children’s shoes” while diminishing patterns of competition, ownership, and conflict. We
will examine how parents can learn to skillfully build child-centered parenting plans. Today’s parents require today’s methodologies – to meet the needs of today’s families.

2.6 Judging Mediators by Their Cover
Presenters: Sasha S. Philip, Philip Mediation, Kenmore, WA; Michael Rust, Winnebago Conflict Resolution Center, Inc., Oshkosh, WI

This program stems from a lively debate that occurred between the presenters when they first met at the 2015 ABA Dispute Resolution Conference in Seattle. This interactive presentation will identify some of the language used to describe mediators and mediation processes – and how that language impacts the practice of mediation and its public perception.

Session Series 3 – Thursday, March 24, 2016, 11:30 a.m. - 12:45 p.m.

3.1 Advising Clients on the Tactical Use of Mediation in Family Law and Low-Bono Litigation*
Presenter: Paul McVicker, JD, Family Law Mediator; Seattle, WA

This program will examine different models, styles, and methods of mediation, and will explore options for mediation. This program will examine the culture of mediation, methods, models and goals of mediation used in Washington in general terms and in all areas, but with an emphasis on family law practices. This program is appropriate for new lawyers and emphasizes legal representation in mediation in light of the lawyer’s duties under the rules of professional conduct. The focus is basic, but might also be useful for those engaged at an advanced level.

*0.25 Ethics Credits

3.2 Supporting Individual Transformation Through Conflict Coaching
Presenter: Betsy BeMiller, Workplace Resolutions, LLC, Federal Way, WA

This session focuses on applications of transformative conflict coaching that include aspects from transformative mediation, narrative mediation, and motivational interviewing. I have developed and utilized this coaching approach through 25 years of work. These coaching skills can be applied whenever the client might benefit from gaining greater insight into self and perspective about others – in situations such as preliminary to mediation/facilitation/caucus, efficient 1-hour (or longer) coaching sessions, or part of more in-depth coaching. We will apply this coaching approach directly to a narrative with examples and interactive exercises.

3.3 Examining Consumer Arbitration Clauses – Part II: Practical Remedies*

Presenters: Craig Beles, Arbitrator and Mediator, Seattle, WA; Terrence Carroll, Retired Superior Court Judge, Seattle, WA; Philip Cutler, Cutler Nylander & Hayton, PSC, Seattle, WA;
Building on Part I of this program on consumer arbitration clauses, Part II will provide a critical analysis of arbitration versus litigation in the real world, with examination of empirical data and means for improvement. Panel members will discuss the current reality of arbitration clauses within the context of the American Arbitration Association (AAA) and Searle reports, the response of the International Institute for Conflict Prevention & Resolution (CPR), and others. The panel will compare and contrast arbitration and litigation in terms of cost and speed, arbitrator bias and conflicts, secrecy of the proceeding and lack of precedent, and procedural disadvantages of arbitration. The session will conclude by examining areas needing improvement and potential future action, including legislation and professional regulation.

*0.25 Ethics Credits

3.4 Identifying the Role of Mediators in Social Activism
Presenters: Marc Steiner, MA, Mediator, Consultant, Trainer, Seattle, WA; Andrew Kidde, Mediator, Trainer, Seattle, WA

Activist communities are discovering the potential power and immediacy of the intersection of social activist groups. Conflicts over work styles, strategies, and ranking priorities seem almost unavoidable. Is there a role for mediators in helping to nurture and strengthen these collaborative efforts? Do I compromise my profession by sharing my social values? We will consider these and other questions including those raised by participants in this interactive panel discussion.

3.5 Mediation’s Expanding Role in Elder Law
Presenters: Zena Zumeta, Mediation Training & Consultation Institute, Ann Arbor, MI; Regina Lyons, Mediator, Facilitator, Trainer, Vashon, WA; Kathleen Wareham, Mediator, Facilitator, Seattle, WA; Janet Smith, Northwest Elder Law Group, PLLC, Seattle, WA; Lisa Mayfield, Aging Wisdom, Seattle, WA

As average life expectancy increases, the need for mediation for elders and their families is on the rise. Come to this workshop to learn about how the facilitative model of elder mediation is put into practice in mediation and in facilitated family meetings; how to include the voice of the elder when his or her attendance is not possible; and what to expect and manage in the roles of those attending (elders, attorneys, guardians ad litem, family members, care managers, etc.). The panelists have many years of experience in working with elders and those who support them. This session will focus on an interactive exchange between panelists and attendees.
3.6 The Voluntary Stewardship Program
Presenter: James Goche, JD; Manager, Friendly Grove Farm, Adjunct Instructor, Saint Martin’s University, Olympia, WA

This presentation will offer an overview of the Voluntary Stewardship Program (VSP) and how it opens new venues for applying mediation and alternative dispute resolution approaches. VSP creates a means for our communities around the state to work together and voluntarily meet the goals of the Washington State Growth Management Act. VSP serves as an alternative to the more traditional adversarial approaches, which have become increasingly counter-productive.

Session Series 4 – Thursday, March 24, 2016, 2:15 p.m. - 3:45 p.m.

4.1 Blending Advocacy with Collaboration in Mediation: Where Lions and Lambs Meet
Presenter: Don Kelley, WAMS, Seattle, WA

Participants in mediation are constantly confronted with the challenge of how to advocate their point of view in a way that will permit the opposing caucus to hear what they have to say. Advocacy, when not carefully advanced, can easily lead to unproductive counter-advocacy. Learning how to effectively communicate with a naturally-opposed listener takes a great deal of thought. This seminar will provide participants with thought-provoking ideas and more satisfying approaches to the processes of mediation, advocacy, and litigation.

4.2 Beyond Settlement in High Emotion Conflicts: Achieving Lasting Results
Presenter: Ann McBroom, Director, King County Office of Alternative Dispute Resolution, Seattle, WA

The facilitative, interest-based mediation model, a centerpiece of training and practice in the Northwest since the 1980s, works well when conflicts consists of defined issues that lend themselves to a settlement agreement. It is less effective in highly emotional, entrenched interpersonal conflict. This workshop will explore the theory and research and introduce the template that the King County Office of Alternative Dispute Resolution uses with measurable success. Workshop participants will have an opportunity to practice part of the process in a fishbowl, stop-action role play and see the differences at work. Parties will be introduced to an easy method to help broaden tightly woven conflict narratives, observe how conflict coaching can help prepare parties for joint session, and experience their own challenges in moving away from a settlement-driven approach. This session will focus on workplace disputes, but the approach also lends itself to divorce, family, and neighborhood mediations in which emotions are driving the conflict and the issues are secondary.
4.3 Recognition and Enforcement of International Arbitration Awards
Presenters: Paul Eklund, Eklund Law & ADR, Federal Way, WA; Mary Jo Heston, Lane Powell, PC, Seattle, WA; Laurin Schweet, Schweet Linde & Coulson, PLLC, Seattle, WA

Arbitration of international commercial disputes is often preferable to litigation in a national court. Many foreign countries (and a few U.S. states) facilitate international arbitration through laws based on the United Nations model law UNCITRAL. In 2015, Washington passed RCW 7.04B, which is based on UNCITRAL, and promotes arbitration of international disputes. Seattle is poised to join cities such as Hong Kong and New York in offering an attractive forum for international dispute resolution. Participants will have an opportunity to learn about and discuss Washington’s new international arbitration statute, and how to enforce international arbitration awards in Washington and abroad.

4.4 Cloud-Based Case Management and Document Development for Family Mediation
Presenters: Clare Fowler, Resourceful Internet Solutions, Inc., Eugene, OR; Jim Melamed, Resourceful Internet Solutions, Inc. and Mediate.com, Eugene, OR; Brad Holmes, MediationMate, Eugene, OR

This session will review and discuss available opportunities for cloud-based caseload management and document development for family mediators and family courts, agencies, and community programs. We will review Caseload Manager, Mediation Mate, and Complete Case to illustrate emerging cloud-based best practices for managing cases, calendars, activities, correspondence, reports, agreements, and document development.

4.5 The Art of Facilitation: Essential Facilitation Skills for the Mediator
Presenter: Guila Muir, MEd, Seattle, WA

Do you wonder why your mediation skills sometimes do not work when you try to run a meeting? In this short, highly interactive workshop, you will explore basic differences between mediation and facilitation. You also will develop an outcome statement for your next meeting, whether with clients, staff, or the public.

4.6 Decision, Determination, Resolution – How Science Helps Us Understand Creative Choice in Conflict Situations
Presenter: Jennifer Kresge, Mediation, Training & Counseling Services, St. Helena, CA

Developing creative solutions in challenging situations is something every ADR practitioner faces. This workshop will explore and inspire the cultivation of creative choice. Using neurobiology, cognitive structuring, and emotional regulation, we will learn how to develop the potential for the cultivation of strategies and solutions. We will consider how attention,
reactivity, and conflict shape our ability to construct choices, and how these choices influence the direction we take in our mediations and negotiations. This session will include interactive exercises to develop the creative and intuitive areas of the brain and teach attendees how the practitioner can use them to further enhance their own effectiveness at the table. The discussion will include current research on how the reactive mind provides opportunities for the practitioner.

**Session Series 5 – Thursday, March 24, 2016, 4:00 p.m. - 5:15 p.m.**

5.1 Mediator Humor: How Mediators Stay Sane and Break Impasse  
Presenter: Sam Imperati, JD, Institute for Conflict Management, Inc., Portland, OR

Learn stories, jokes, poignant observations, and one-liners designed to help mediators and parties stay sane, make better decisions, and break impasse. Sam Imperati is a full-time ADR professional and a competition-winning stand-up comedian. He has been involved in thousands of disputes, some of which he admittedly started! To keep the CLE deities du jour happy, the program will be framed around sound mediation theory and practice. Learn how well-timed and appropriate humor dissipates tension, promotes creativity, and improves decision-making so parties can better manage their “stuff” during mediation. Audience participation award for the best mediation one-liner or story!

5.2 Lessons from the Schoolhouse: How Childhood Trauma Affects People in Conflict  
Presenter: Jody McVittie, MD, Sound Discipline, Seattle, WA

The presenter will discuss the impact of childhood trauma and how it affects people under stress. Jody will also help mediators learn how to identify and work more effectively with people with trauma history.

5.3 Settlement Conferences with the State Bar: Ethical Questions in Ethics Cases*  
Presenters: Craig Beles, Arbitrator and Mediator, The Beles Group, Seattle, WA; Chris Gray, Associate Director, Office of Disciplinary Counsel, Washington State Bar Association, Seattle, WA; Kurt Bulmer, Attorney at Law, Seattle, WA

In 2014, the Washington State Bar Association started a settlement program for disciplinary cases. In this session, bar counsel, a respondent's counsel, and a program settlement officer will describe the program and discuss some of the challenges and ethical issues that have arisen in these cases.
5.4 Differences Between Mediation and Facilitation
Presenter: Zena Zumeta, Mediation Training & Consultation Institute, Ann Arbor, MI

This workshop will explore the differences between mediation and meeting facilitation, basic and developmental facilitation, the special skills mediators bring to facilitation, stages of facilitation, facilitation techniques, special issues in facilitation from a mediator’s perspective, and how to prepare for a facilitation. The presenter is a certified trainer in “Great Meetings! Great Results!” facilitation.

5.5 Bridging the Gap Between Workplace Mediation Research and Practice: The Irish Experience
Presenters: Deirdre Curran, National University of Ireland, Galway, Ireland; Treasa Kenny, University College Dublin, Dublin, Ireland; Alec Coakley, Maynooth University, Maynooth, Ireland

This workshop will demonstrate co-operative enquiry, the unique approach that the National Workplace Mediation Group in Ireland has taken to blending research and practice in an effort to develop the field of workplace mediation. Co-operative enquiry is active research designed to develop creative ways of applying an enlightened perspective to practice in order to do things better. This session emphasizes workplace/employment mediation.

5.6 Internal Family Systems in ADR Practice
Presenter: Robert Stains, Public Conversations Project, Watertown, MA

Workshop participants will learn how to communicate and lead with calmness, curiosity, and compassion. Participants will learn the basics of Public Conversations' and Internal Family Systems' approaches; explore the ways in which self-protective parts can help and hinder thinking, feeling and communication; identify their own experience of “self” when working at highest potential; and learn how to design meetings to invite more “self” and reduce the need for protective parts.

Session Series 6 – Friday, March 25, 2016, 8:30 a.m. - 9:45 a.m.

6.1 Maximizing Exceptional Communication with “Yes, And”
Presenter: Galen Emanuele, President, Shift Yes, Portland, OR

World class improviser and leadership mastermind, Galen Emanuele, will deliver his signature, captivating presentation that will absolutely change the way you interact with every last person in your life and business. Galen teaches organizations and teams how to apply the improv
concept of ‘Yes, And’ to radically improve communication, interpersonal behavior, engagement, and team culture. Galen has toured many times with Ryan Stiles (from the Canadian television series “Whose Line is it Anyway?”) and worked with countless teams from all over the globe. Come experience why many Fortune 500 companies and conferences bring him back at the request of their people again and again.

6.2 Conflict Revolution: Designing Mediative Approaches to Immigration, Race, Poverty, Gender, Climate Change, and Electoral Politics
Presenter: Kenneth Cloke, Center for Dispute Resolution, Santa Monica, CA

From Athens to Paris, Syria to Hungary, and Beijing to Mexico, whether the issue is poverty or racism, religious intolerance, climate change or hostility toward migrants, we are witnessing a massive increase in global conflict. The U.S. is in the midst of a deeply divisive electoral process that will profoundly impact all these conflicts, yet seems designed to intensify them. What is our responsibility as dispute resolvers for the social, economic, political, and environmental conflicts that are taking place around us? Can we apply conflict resolution principles to the inequalities, inequities, and dysfunctions that fuel these conflicts? Are we not implicitly responsible for learning not only how to discuss and resolve them, and but to redesign the conflict generating structures, processes, institutions, and practices that ensure their chronic recurrence? Can mediation and conflict resolution systems design create a “conflict revolution” in how we respond to social, economic, and political conflicts? And is it possible to bring about these changes without recreating the very problems we seek to solve?

6.3 What Happens to Your Mediation Practice When Courts Mandate Mediation?
Presenters: Matt Fairbank, Roger Carlstrom, Marcia Suko, DRC of Yakima and Kittitas Counties, Yakima, WA

Since 2012, the DRC of Yakima and Kittitas Counties has changed its practices in response to a court mandate that family-law disputes be referred to mediation before they reach court. The changes have increased caseloads substantially and have had a substantial impact on mediation sessions: Attorneys appear with their clients, who, usually in a state of high anxiety and tension, seek original parenting plans or dissolutions of their marriages or both, hoping to avoid costly court hearings with their uncertain outcomes. How might you need to change your mediation practice if such a requirement came your way?

6.4 Home Field Advantage? Facilitating Where You Live, Work, or Play
Presenters: Michael Kern, Director, UW/WSU William D. Ruckelshaus Center, Seattle, WA; Darren Nichols, Associate Director, UW/WSU William D. Ruckelshaus Center, Seattle, WA; Betsy Daniels, Senior Associate, Triangle Associates, Inc., Seattle, WA
This interactive session will address how practitioners adapt their methods, styles, expectations, and approaches when serving as a facilitator in places where they are personally well-known (such as their town, city, county, watershed, school district, etc.). This session will also address whether and when practitioners should say “yes” to this situation.

6.5 Ethical Dilemmas in Mediation and Settlement Negotiation*
Presenter: Randy Kiser, DecisionSet®, Palo Alto, CA

This program identifies and discusses critical ethical issues for mediators and attorneys, including party self-determination, informed consent, misrepresentation and concealment of material facts, mental impairment, confidentiality, and client perceptions of coercion.

*1.25 Ethics Credits

**Session Series 7 – Friday, March 25, 2016, 10:00 a.m. - 11:15 a.m.**

7.1 The Art of Asking Questions
Presenter: Kenneth Cloke, Center for Dispute Resolution, Santa Monica, CA

Adversarial approaches to conflict stress our bodies, close our minds, magnify our negative emotions, weaken our spirits, silence our hearts, and undermine our capacity for honest, empathetic communications and satisfying relationships. Through questions, it is possible to discover how to free ourselves from the all-consuming grip of discord. Through skillful questions we can begin to move into the heart of conflict and initiate open, honest, vulnerable conversations that allow people to work through their conflicts. This workshop will focus on learning how to mediate from a place of curiosity, compassion, and inquiry, rather than one of judgment, advocacy, and control. It will provide hundreds of questions to shift conversations, broaden perspectives, refocus priorities and engage the hearts of people in conflict. This workshop will help mediators design dialogues that permit us to work more deeply, yielding better answers, but also richer experiences, both for participants and mediators.

7.2 The Mediator’s Dilemma – Pitfalls and Problems When Neutrals Advocate Positions*
Presenter: Monte Bersante, WAMS, Seattle, WA

Neutrals often appear as advocates in mediation when they utilize penetrating questions to expose positional risk, to provoke party advocates to frame their positions, and to challenge advocates to assess their likelihood of success with the trier of fact. Drawing on his unique position as both an experienced litigator and mediator, Mr. Bersante will explore the mediator’s role and duties under applicable statutes, models, and ethical rules, and the challenges and pitfalls neutral might face when they advocate positions.
7.3  RACISM: There is No Hiding Place Down Here
Presenter: Andre Koen, AM Horizons Training Group, Mounds View, MN
Session description not yet available.

7.4  Advanced Mediator Skills: Ethical Pitfalls and How to Best Avoid Them or Work through Them*
Presenter: Nina Meierding, MS, JD, Negotiation & Mediation Training Services, Bainbridge Island, WA

This workshop will explore how many strategic techniques (including, but not limited to, the mediator’s proposal, separate and joint sessions, reality testing, and temporary agreements) can create ethical dilemmas if the strategies are not used correctly. We will explore how ethical dilemmas surface, so that the mediator can mindfully and effectively use these techniques without ethical complications.

7.5  Mediating the Litigation Employment Case
Presenters: Colleen Kinerk, Cable, Langenbach, Kinerk & Bauer, LLP, Seattle, WA; Carolyn Cairns, Stokes Lawrence, Seattle, WA
Session description not yet available.

Session Series 8 – Friday, March 25, 2016, 11:30 a.m. - 12:45 p.m.
8.1  Helping Parties Through the Minefield: Trust and Distrust in Mediation
Presenter: Dee Knapp, Visiting Professor, Seattle University School of Law, Accord and Collaboration Dispute Resolution Services, Seattle, WA

When people trust each other they usually can work out their own conflicts. It is when trust breaks down that mediators are called in. How do mediators deal with trust and distrust in mediation? How can mediators improve their skills in building trust so that an agreement can occur? Can pre-mediation conferences increase the chance for success at mediation? When and how are pre-mediation conferences used? This session will help hone your skills in building trust, whether you are a mediator or a mediation advocate.

8.2  Building Consensus: A Subtle Art
Presenters: Jennifer Arnold, Independent Consultant, Tacoma, WA; J. Marie Riche, Ideal Communications, Seattle, WA

Building consensus is challenging for all involved, requiring time, patience, and the ability to listen to and trust people who have opposing views. Whether you are a convener, facilitator or participant, this session will give you insight into the subtle art of building consensus, highlighting inspiring examples from Washington State.

8.3 Online Dispute Resolution: Simulation Debrief and New Frontiers – Part 2
Presenter: Simon Boehme, JD, Conflict Resolution Specialist for Martin F. Scheinman, Sands Point, NY

After participating in the Mediation Room simulation, teams will share their experiences, reflections, and critiques of online dispute resolution. This session will highlight steps to incorporate online tools in practice, along with technical and human implementation challenges.

8.4 “It is Not My Fault: Mistakes Were Made, But Not by Me”
Presenter: Nina Meierding, MS, JD, Negotiation & Mediation Training Services, Bainbridge Island, WA

As mediators we encounter people who tenaciously hold on to positions in the face of overwhelming evidence supporting another position. After first examining different forms of self-justification, blame, rationalization, source confusion, and denial discussed in the book “Mistakes Were Made But Not By Me,” this session will explore strategies to help people move forward towards settlement.

8.5 Mediating Bad Faith Insurance Litigation
Presenter: Tom Harris, Washington Arbitration & Mediation Service, Seattle, WA

This program will address the multitude of issues that arise when mediating bad-faith litigation in Washington, including litigation contexts involving alleged insurer bad faith and assignment of bad faith claims. Mr. Harris will discuss advance preparation efforts that promote successful mediations, issues that typically arise during the mediation, concluding the mediation session, and mediation follow-up.