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## Schedule at a Glance

### **BREAKFAST & REGISTRATION (California Grand Ballroom)**

**8:00am - 8:45am**

Registration & Continental Breakfast and New Members and First Time Attendees Reception

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### **OPENING PLENARY (California Grand Ballroom)**

**8:45am - 10:15am**

Keynote Speaker - Kenneth Cloke

Presentation of the Cloke-Millen Peacemaker Award - Avis Ridley-Thomas

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### **BREAK (California Grand Ballroom)**

**10:15am - 10:30am**

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### **SESSION ONE WORKSHOPS**

**10:30am - 11:45am**

#### **Workshop 1 (Bunker Hill)**

Mediators Effecting Systems Change Step by Step

#### **Workshop 2 (Pacific Salon 1)**

More than a Messenger: Advanced Communication Skills for the Modern Mediator

#### **Workshop 3 (Angelino)**

Mediation Awareness Starts in the Schools: The Training, Practice, and Benefits of Peer Mediation Programs in Middle and High Schools

#### **Workshop 4 (Pacific Salon 3)**

Understanding How the Neurobiological Differences Between Men and Women Affects Communication and Collaboration

#### **ADVANCED TRACK 1 (Olympic Room)**

*\*Pre-registration Required.*

The Modern Mediator: Interplay of Psychology and Mediation Strategy / The Modern Mediator: 6 Universal Principles of Ethical Persuasion (Cialdini)

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### **LUNCH**

**(California Grand Ballroom)**

**12:00pm - 1:00pm**

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### **SESSION TWO WORKSHOPS**

**1:00pm - 2:15pm**

#### **Workshop 5 (Pacific Salon 1)**

Facilitating Apologies and Forgiveness in Mediation

#### **Workshop 6 (Bunker Hill)**

Online Defamation & Strategies for Settlement

#### **Workshop 7 (Pacific Salon 3)**

No Limits - Expand Your Practice by Adding Online Mediation

#### **Workshop 8 (Angelino)**

Becoming a Certified Professional Mediator - Information and Q&A with the MC3 Board

#### **ADVANCED TRACK 2 (Olympic Room)**

*\*Pre-registration Required.*

The Modern Mediator: Managing High-Conflict Personalities at Mediation

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### **BREAK (California Grand Ballroom)**

**2:15pm - 2:30pm**

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### **SESSION THREE WORKSHOPS**

**2:30pm - 3:45pm**

#### **Workshop 9 (Pacific Salon 1)**

Show Me(diators) the Money: Strategies for Success

#### **Workshop 10 (Bunker Hill)**

Dirty Deeds Done At Mediation: Exploring Tactics and Responses.

#### **Workshop 11 (Angelino)**

Eldercaring Coordination: A New Court-Connected ADR Process for California Probate Courts.

#### **Workshop 12 (Pacific Salon 3)**

Healing thru the Law: Using the Law & ADR as Tools for Healing & Transformation.

#### **ADVANCED TRACK 3 (Olympic Room)**

*\*Pre-registration Required.*

The Modern Mediator: Bringing Value to the Mediation Process

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### **BREAK (California Grand Ballroom)**

**3:45pm - 4:00pm**

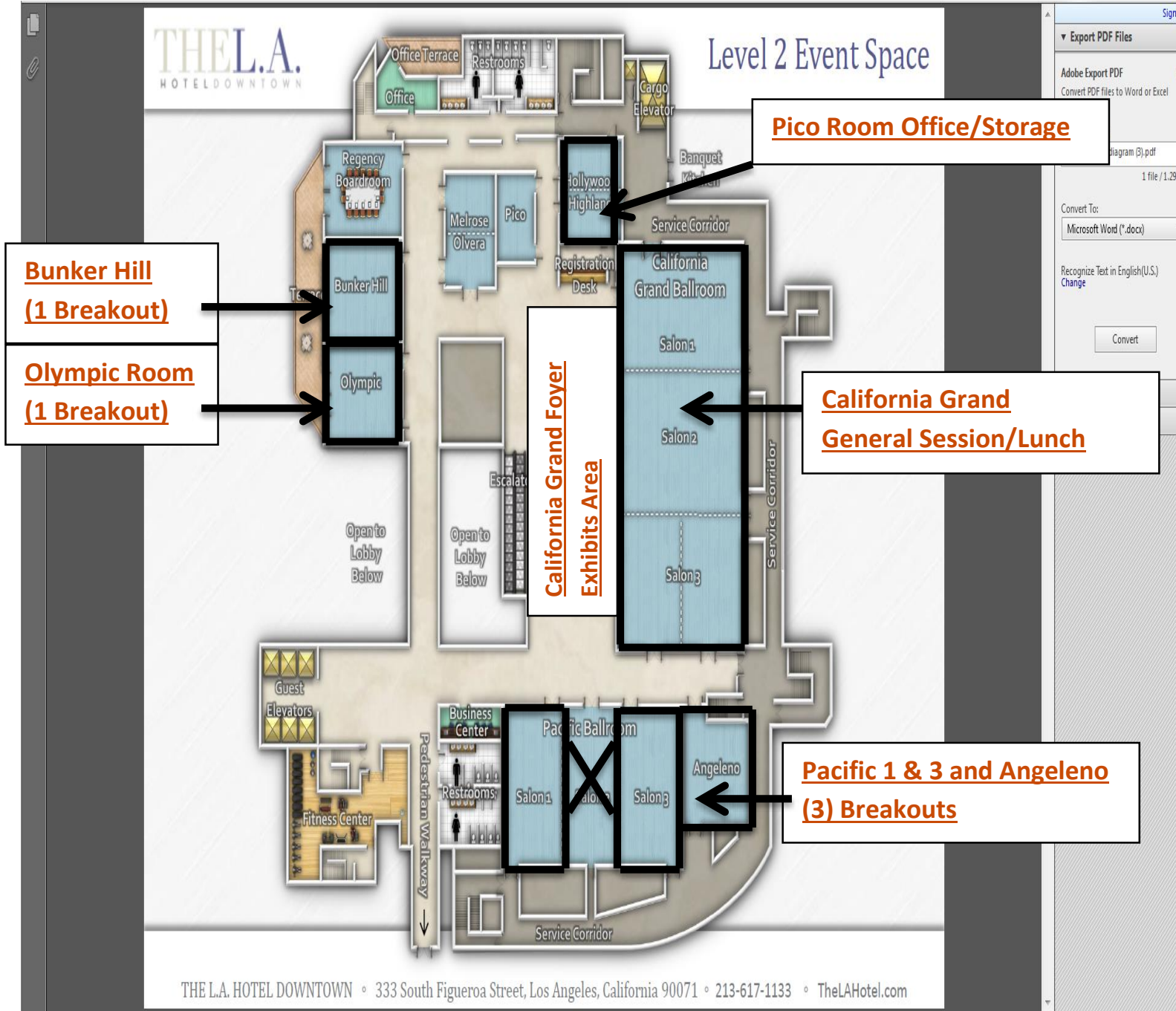
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### **CLOSING PLENARY (California Grand Ballroom)**

**4:00pm - 5:15pm**

Panel Discussion moderated by SCMA President, Dr. Jack R. Goetz, Esq., with panel members from the American Arbitration Association and local university ADR leaders.

## Map of Locations



## President's Message

### Dear colleagues:

It was my great pleasure to serve you during the last year as your President. It was a year of tremendous growth for SCMA, both in membership and its geographic boundaries, and I want to thank all of you for your support and encouragement. Leading SCMA has challenged me both personally and professionally and I hope that all of you believe that I met those challenges successfully.

I challenged myself to break new ground for the organization by using my business and entrepreneurial background to transform it into something that will be positioned to serve the community for many years in the future. Much of the organizational decision making had devolved into one-year planning cycles, totally dependent upon the current President, and while perhaps convenient, it deprived SCMA and its members of the benefits of long-term planning and initiatives. I vowed to collaboratively share the decision making and create an organizational structure that would not change with every Presidential term. We brought in budgets and strategic plans, all designed to ensure that membership dollars were spent in places that would have the greatest impact for our membership. We now have organizational charts and missions for each Board Committee, expectations, and responsibilities. Most of the results of this may not be fully realized until years from now, but we went from serving fewer than 500 in our annual programming, including our Annual Conference, to serving close to 1000. We have innovated with webinar programming and created stronger relationships with organizations near and dear to us, including California State University at Dominguez Hills, Pepperdine University Law School, the University of Southern California Gould School of Law, and our Advanced Track sponsors, the American Arbitration Association's mediation.org.

I took a "sabbatical" in the spring from my teaching activities to devote myself to the tasks at hand, and I worked it as I would work any job—even a volunteer one—but I sure had unbelievable support. First, there were the President whisperers—a group of past SCMA Presidents who were always there for me if I needed help. Jason Harper, Floyd Siegal, Wendy Kramer, Phyllis Pollack, and Barbara Brown all took time to lend me a hand (or an ear) when needed, and I cannot thank them enough. Yes, I had the ability and "know how" to perhaps do some things here that had not been accomplished before, but none of it could have come to fruition without their support.

Your next President, Angela Reddock-Wright, took an amazing step with me last fall in sharing the responsibility for being a change agent, and not only has she been a great help, she will be a wonderful leader for SCMA. Andy Shelby took on the Membership Committee with

enthusiasm, and all year we have been at record levels in membership. Susan Guthrie, traveling between San Diego and Chicago, revitalized our Communications Committee, and Noah Stein (Treasurer) and Leslie Kushner (Secretary) gave strong support to our Executive Committee. Terri Breer took the entrepreneurial reins on a new Family Mediation Institute in Orange County, spreading our geographic wings and sparking our membership there. Mitch Tarighati continued to support and nurture our Mentorship Program, Jim Cameron and Mark Lemke led our efforts to network with bar associations, and Richard Erhard, Dale Ordas, and Ana Sambold all helped us establish a stronger nexus to the mediation community in San Diego.



But it takes a lot more than just Board members to help SCMA make a difference in our community. Many volunteers serve on committees and devote enormous amounts of time to SCMA, all to the betterment of our community. On a separate page in this program, we have honored some members with President's awards who have not run for our 2019 SCMA Board but devote volunteer time because they want to help enrich our lives. But there are countless others...thank you for all your dedication, and I only regret that space limitations prevent me from mentioning everyone.

I hope to follow the example of our past Presidents by continuing to serve SCMA, but also do not want to get in the way of our wonderful new leadership team! Perhaps I will be called upon to be a "President whisperer!" I humbly pledge to do my best to continue to devote time to our community and make it a better place in which all of us choose to work.

Until we see each other again, thank you again for all your support.

*Regards,*

*Dr. Jack R. Goetz, Esq.*

## Message from the Incoming President

### Dear SCMA Colleagues:

Thank you for sharing in SCMA's 30th Annual Conference and Anniversary year! Many thanks to our Board of Directors, our Executive Director Anne Sawyer, our sponsors, exhibitors, Mediation Fair participants, and vendors for helping to make the conference a success.

We are especially thankful to our honorees, Professors Avis Ridley-Thomas and Lisa Klerman; our keynote and lead speakers, Kenneth Cloke, India Johnson, and Forrest "Woody" Mosten; and our lead sponsors, the American Arbitration Association, California State Dominguez Hills, Pepperdine University School of Law, and the University of Southern California Gould School of Law. SCMA is fortunate to have friends and partners like you.

As mediation professionals, we have made many strides over the last 30 years. However, until mediation becomes a household name, and every person thinks of mediation as a first option for resolving their personal and business problems, we have many more milestones to achieve.

As the incoming President of SCMA, it is my hope to follow in the footsteps of our current President Dr. Jack R. Goetz, Esq., our Immediate Past President Jason Harper, and the host of other SCMA Past Presidents and leaders in continuing to lead SCMA forward into the future. Thanks to the leadership of Dr. Goetz and our hardworking Board of Directors, by the end of this year, SCMA will have a strategic plan that will lay the groundwork to carry us into our next stage of growth.

My vision for 2019 is simple – to use the power we have as an organization of more than 400 members to raise the profile of the mediation profession, and to increase opportunities for professional mediators to build long-term, sustainable practices. We will do this by: (1) continuing to grow our membership; (2) continuing to provide value-added programs, benefits, and services to our members; (3) expanding our relationships and partnerships with affiliate organizations and bar associations; and (4) enhancing our relationships with our sister organizations, MC3 and Kids Managing Conflict.

No woman or man is an island. I cannot achieve these goals by myself. SCMA needs each of you – your ideas, your participation, your energy, your insight, your wisdom, and the benefit of your experiences. If you are not serving on an SCMA committee, I encourage you to consider joining a committee that matches your inter-

ests. Likewise, if you are not participating in a Professional Development Group (PDG), I encourage you to join or help start one in your local area. SCMA cannot become the organization it wants to be without the contribution and engagement of each member.



Thank you again for attending our 30th Anniversary Conference. I hope you leave with new resources, tips, and tools to help you take your practice to a new level. If we have not had a chance to meet, personally, please stop me and say hello, or reach out to me at some point during the year. I would love to know your name and to hear your thoughts about how SCMA can better serve your needs and the needs of the mediation profession. Enjoy the conference!

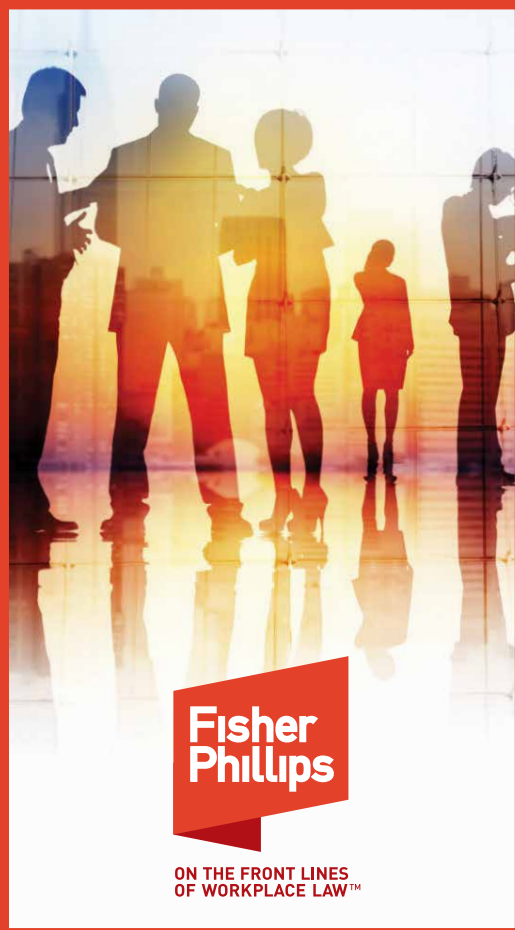
***Yours in Service,***

***Angela J. Reddock-Wright, Esq.  
SCMA President-Elect***

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on her installation  
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## L. Randolph Lowry Award

The SCMA presents the L. Randolph Lowry Award to a member of the dispute resolution community who has honored and inspired us through their passion and dedication to education in the field of dispute resolution. The award is presented at the Friday Evening Installation & Awards Dinner.

We are proud to announce that the recipient of the 2018 L. Randolph Lowry Award is Clinical Professor Lisa Klerman.

### Clinical Professor Lisa Klerman

Lisa Klerman is a renowned clinical professor who has trained hundreds of USC Gould School of Law students in dispute resolution. After launching the law school's Mediation Clinic over a dozen years ago, she served as the director of its ADR Certificate Program, and was the founding director of the Judge Judith O. Hollinger Program in Alternative Dispute Resolution. The Mediation Clinic courses that she designed and developed received national recognition in 2011 when the Ninth Circuit Judicial Council honored USC Gould with its prestigious ADR Education Award.

As a mediator with an active private practice, Professor Klerman is able to bring to the classroom practical tips and cutting edge techniques in order to maximize her students' skill sets. The mediators in her clinic have consistently achieved impressive success rates in their mediation venues, which include the Los Angeles County Superior Court system, as well as partnerships with the Department of Consumer and Business Affairs, the Los Angeles Fire Department, California Lawyers for the Arts, the United States District Court, the Department of Industrial Relations, the EEOC, and the Department of Fair Employment and Housing.

Professor Klerman is a frequent speaker on alternative dispute resolution, negotiation, mediation, employment law, and class actions. She has been interviewed by major publications and appeared as a legal commentator on NBC Nightly News, National Public Radio, the BBC, and other radio programs

in both national and international broadcasts. She is a graduate of the University of California at Berkeley, where she received her BA degree with distinction. She received her JD degree from the University of Chicago, where she was a member of the University of Chicago Law Review. Her recent

ADR publications include *Inside the Caucus: An Empirical Analysis of Mediation from Within*, 12 *Journal of Empirical Legal Studies* 686-715 (2015) (with Dan Klerman), and *Alternative Dispute Resolution* (contributing author of Chapter 10), in *Litigating Employment Discrimination Cases* (James Publishing, 2006-2012 editions).



# CONGRATULATIONS!

## Cloke-Millen Peacemaker Award

Each year the Southern California Mediation Association presents the Cloke-Millen Peacemaker Award to an individual or organization in the dispute resolution community who inspires us through their passion and dedication to peacemaking.

The award is named in honor of two of the SCMA's founding members: Kenneth Cloke and Richard Millen. Kenneth Cloke, the Director of the Center for Dispute Resolution in Santa Monica, is an internationally-recognized speaker and author in the field of conflict resolution. He is also the founder of Mediators Beyond Borders. Richard Millen, who passed away in 2010, was a distinguished mediator and mediation trainer, who co-chaired the first conference of mediators in Southern California, which led to a second conference at which the SCMA was born.

### Avis Ridley-Thomas

Avis Ridley-Thomas founded Los Angeles City Attorney's Dispute Resolution Program in 1989, and served as Director until retiring in March 2011. Under her leadership, the program grew from four staff members to include over 2,000 volunteer conciliators, mediators, trainers, facilitators and peacemakers who handled thousands of disputes annually.

The program specialized in mediation, violence prevention, cross cultural relations and has provided consultation, training and support to institutions, businesses, organizations and communities throughout the Southern California Region. Ridley-Thomas also worked as a civilian Hearing Examiner for LAPD and an arbitrator for the National Futures Association and the Better Business Bureau.

She was awarded the Healers of Conflict Award from the Southern California Mediation Association in 1994, the Rosa Parks Award of the Southern Christian Leadership Conference in 1995, and the Phenomenal Woman Award from the Women's Studies Program of California State University at Northridge in 1996. In 1998, the NAACP Legal Defense and Educational Fund selected Ridley-Thomas as a Black Woman of Achievement recipient.

Ridley-Thomas now serves Co-Director of the Institute for Nonviolence in Los Angeles and Days of Dialogue. Recent honors include St. Michael – Guardian Angel Award, the Who's Who Award of the National Coalition of 100 Black Women, the Los Angeles African American Women's Public Policy Institute's Women in Action Award and the Los Angeles Child Guidance Clinic christening of the Avis and Mark Ridley-Thomas Life Learning Center.



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## KMC Director's Award

### Karen Crowley-Marks

Kids Managing Conflict is pleased to announce that Karen Crowley-Marks will be honored with this year's Directors Award at the SCMA Fall Conference dinner on November 2, 2018.

Karen Crowley-Marks was born and raised in Upstate New York where she received her BS from College of the Rose and her MS in Education at SUNY. Karen taught math in New York State for six years before moving to Los Angeles where she worked for LAUSD retiring a few months ago after 28 year of successful service. Karen began her career at Van Nuys Middle School and then transferred to Uni High School where she taught math, served as Math Department Chair, part-time Dean, and full-time Dean for the past 5 years.

In 2007, Elois McGhehee, Principal, had the vision to start a Peer Mediation program. Karen was selected to implement the program. Starting with only six students and no knowledge of Peer Mediation, she utilized internet research, personal interviews, and student input to launch the program.

Peer Mediation has changed the climate at Uni High School. It has increased student communication, decreased the suspension rate, and developed positive relationships on campus. Karen believes Peer Mediation is a win, win situation. The disputants are able to voice their concerns in a non-threatening, safe, confidential and neutral environment. Once their conflict is resolved, students can focus on school and learning. The mediators, through extensive training and practice, build confidence, increased self-esteem, leadership skills, and develop a skill set that they will utilize long after high school.

Since 2007, almost 400 students have been successfully trained as Peer Mediators. University High School is unique in that it is the only LAUSD high school on the Westside that offers such a program. Karen's strength is the ability to integrate Peer Mediation skills with Restorative Justice techniques in carrying out her role as Dean of Students.

In 2015, Karen was awarded the Educational Leadership Award from the Asian Pacific American Dispute Resolution Center (APADRC). In May, 2018, she was honored at the Galen Center by the Kids Managing Conflict foundation (KMC) for her 11 years of Peer Mediation service. Over the past 10 years, she has served on several Peer Mediation panels and was a guest speaker at the KMC symposium in April 2018.



Most of all, Karen feels none of this could have been accomplished without the support and recognition of agencies such as the Southern California Mediation Association, the Western Justice Center, APADRC, and the Kids Managing Conflict foundation. For this she is eternally grateful.

KMC is delighted to be honoring Karen this year as she joins Marco Turk, Esq., Mary Culbert, Esq., John Haas and Barbra Brown as past recipients of this award.

## SCMA President's Awards



**Stacey Lisk**



**Barbara Brown, Esq.**



**Jason Harper**

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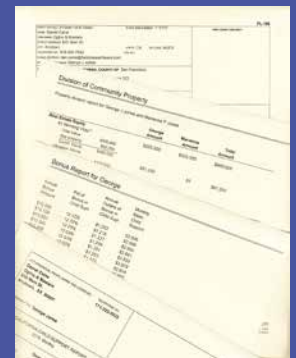
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## Workshop Descriptions

### OPENING Plenary (California Grand Ballroom) 8:45am - 10:15am

- Master of Ceremony: Angela Reddock-Wright, Esq., SCMA President-Elect.
- SCMA President's Awards Presentations: Dr Jack R. Goetz, Esq., SCMA President
- Presentation of the Cloke-Millen Award : Avis Ridley Thomas, Institute For Non-Violence Los Angeles
- Keynote Speaker: Kenneth Cloke, "Politics, Dialogue and the Evolution of Democracy"
- SCMA 2018 Mentorship Class: Mitchell B. Tarighati, Esq.

### SESSION 1 WORKSHOPS 10:30am - 11:45am

#### Workshop 1 (Bunker Hill) Mediators Effecting Systems Change Step by Step

The focus of this workshop will be how mediators can effectively use skills in every sector of life; in the family, in the neighborhood, at work, in community organizations, in religious institutions, in the civic arena to enhance our collective quality of life. Practical examples of the wide range of potential applications and opportunities for involvement will be highlighted.

Speaker:

- Avis Ridley-Thomas

#### Workshop 2 (Pacific Salon 1) More than a Messenger: Advanced Communication Skills for the Modern Mediator

This workshop will lay bare the common mistakes mediators make and the traps that lie beneath the surface in nearly every mediation. From pre-mediation calls all the way through closing and follow-up, Stacie Feldman Hausner, Esq. and Jan Frankel Schau, Esq. will add insight into all of the ways that effective communication can positively affect both the process and outcome of commercial litigation.

Speakers:

- Stacie Feldman Hausner, Esq
- Jan Schau, Esq.

#### Workshop 3 (Angelino) Mediation Awareness Starts in the Schools: The Training, Practice, and Benefits of Peer Mediation Programs in Middle and High Schools

This workshop is in partnership with "Kids Managing Conflict" – the foundation arm of SCMA. Mediators have long been frustrated by the fact that most members of the general public do not know what mediation is and do not see its value. The importance and potential of mediation as it applies to peaceful

families, communities, and schools, as well as legal disputes, is lost on most people in conflict.

However, students who participate in Peer Mediation Programs (PMPs) in their schools not only see the value of mediation in resolving disputes, they understand the benefit to themselves as future mediators and to their communities. Having learned the skills, techniques, and practices used in resolving conflict, and having served as mediators, some for years, they carry their experiences with them into adult life. Over several decades, research has repeatedly demonstrated that a peer mediation program on campus creates an atmosphere of safety and empowerment among the most vulnerable students and leads to a safer school overall.

Panelists:

- Maria Simpson, Ph.D.
- Karen Crowley-Marks
- Karen DeVoogd
- Clayton Scott

#### Workshop 4 (Pacific Salon 3) Understanding How the Neurobiological Differences Between Men and Women Affects Communication and Collaboration

Does gender affect communication and collaborative problem solving? Well, it turns out that men and women's brains are not the same. They process information and emotions quite differently. Business Therapist Michel Zelnick will be discussing some of the neurobiological factors that impact the interactions between men and women and, more importantly, how an understanding of these factors can result in more effective communication and collaboration.

Panelists:

- Michel Zelnick, Esq.

 PGP  
..... mediation .....

**Congratulations to the SCMA, President Jack Goetz and President-Elect Angela Reddock Wright on another successful 30th Annual Fall Conference.**

## Workshop Descriptions

### SESSION 2 WORKSHOPS

1:00pm - 2:15pm

#### Workshop 5 (Pacific Salon 1) Facilitating Apologies and Forgiveness in Mediation

The power of saying “I’m sorry” cannot be overstated in its impact on possible settlements. The adversarial system discourages parties from taking responsibility for their action as apologies are often viewed as admissions which can later be used against the apologizer and demonstrate weakness.

Participants in this workshop will explore the concepts of apology and forgiveness, and learn a step by step template to prepare parties and their lawyers for the process of apology. In addition to exploring the proactive coaching role of the mediator, you will learn how to help parties utilize the apology process whether it goes well...or unfortunately, whether the parties cannot properly express an apology or be willing to accept an apology that is delivered in a heartfelt manner.

Speaker:

- Forrest “Woody” Mosten

#### Workshop 6 (Bunker Hill) Online Defamation & Strategies for Settlement

Online reviews are critically important to companies’ reputations, profits, and survival. A tension exists between online speech, and real-world repercussions, between freedom of speech and the abuses of outright lies. This tension arises in many disputes. Mediators need to know how to incorporate online reviews and posts in settlement agreements, and need to know how to do so in an enforceable way. Panelists will analyze the California Supreme Court’s recent landmark ruling in *Hassell v. Bird* regarding an allegedly defamatory Yelp review. Panelists will also equip mediators with tools for addressing online reputation management, non-disparagement, and confidentiality into their settlements. This workshop is tailored to commercial, employment, and community mediators.

Speakers:

- Mark Lemke, Esq.
- Renata L. Hoddinott, Esq.
- Martin E. Sullivan, Esq.

#### Workshop 7 (Pacific Salon 3) No Limits – Expand Your Practice by Adding Online Mediation

Today we live in a world where business is routinely conducted via video conferencing and messaging and personal relationships are maintained over Facetime and Skype. Physical boundaries do not inhibit workplace meeting among colleagues around the globe and long-distance relationships thrive despite the fact that the parties are geographically remote. As the internet has become an integral part of our everyday lives clients and parties in disputes are increasingly looking for, and expecting to find, access to mediation and dispute resolution services online. The vast majority of our potential clients are already using the technology in their everyday lives and many courts and private ADR practitioners are seeking to integrate an online platform into their offered services. This workshop will introduce mediators to the basics of online mediation and outline best practices and ethical considerations applicable to the online dispute resolution process, most importantly the issues of privacy and confidentiality. In addition, we will review tips and pointers for conducting a successful mediation via video or web-conferencing and/or screen sharing. Finally, we will outline how a practitioner can quickly and easily integrate the online platform into their existing practice in order to expand their availability and convenience to those seeking to resolve their disputes.

Speakers:

- Susan Guthrie, Esq.
- Maritza Gutierrez
- Adya Riss

#### Workshop 8 (Angelino) Becoming a Certified Professional Mediator - Information and Q&A with the MC3 Board

On October 4, 2017, the Los Angeles County Superior Court (LASC) issued a request for proposals (RFP) for civil mediation services. The RFP offers mediation providers the opportunity to help settle LASC cases in an effort to address LASC’s growing calendar overload. However, the RFP controversially excludes non-attorney mediators and attorney mediators with less than ten years of California Bar membership. This effectively disqualifies a significant number of mediators, many of whom have been successfully settling LASC cases for years. More- over, these restrictions have no basis in research on mediation success, which shows little difference in settlement rates between attorney and non- attorney mediators.

LASC’s RFP is a wake-up call for the mediation community. The RFP is evidence that if we fail to establish our own mediator qualifications, others will do it for us. And too often, they will do it in a way that is inconsistent with our shared values and the values of the mediation profession. This presentation will discuss the creation of the Mediator Certification Consortium

## Workshop Descriptions (Cont'd)

of California and the impending 2019 implementation of the Certification program to become a Certified Professional Mediator (CPM).

Speakers:

- Victoria Gray
- Dr. Jack R. Goetz, Esq.
- Chris Welch
- Barbara Brown, Esq.
- Jason Harper

### SESSION 3 WORKSHOPS 2:30pm - 3:45pm

#### **Workshop 9 (Pacific Salon 1)** **Show Me(diators) the Money: Strategies for Success**

Join three private commercial mediators (former SCMA President and co-founder of the SCMA Mentorship Program, Wendy Kramer, current chair of the SCMA Mentorship Program, Mitch Tarighati and SCMA Mentor Doug Schiffer) for a workshop designed to assist both new mediators who wish to create a successful private practice, as well as provide tips to those who have already launched their practices and desire to learn strategies to help fulfill their growth potentials in our highly competitive Southern California market.

Speakers:

- Wendy Kramer, Esq.
- Mitch Tarighati, Esq.

#### **Workshop 10 (Bunker Hill)** **Dirty Deeds Done At Mediation: Exploring Tactics and Responses**

Hardball tactics are mind games that negotiators use to throw a counterpart off their game. This program will cover the top hardball tactics typically employed in commercial mediations, and will explore how and why these tactics are used, how the parties and their representatives usually react to such tactics, and how a mediator who understands these tactics may offer assistance to keep the negotiation on track for settlement.

Speakers:

- Michael Diliberto, Esq.
- Jeffrey G. Huron, Esq.
- Nicholas P. Connon, Esq.
- Hon. Enrique Romero (Ret.)

#### **Workshop 11 (Angelino)** **Eldercaring Coordination: A New Court-Connected ADR process for California probate courts**

This is an educational, theory-based workshop on a new alternative dispute resolution process for high-conflict elder/probate cases called Eldercaring Coordination. The workshop will explain eldercaring coordination in the context of elder dispute resolution by: explaining how the process functions in relation to the court system and elder mediation; explain the purpose of the process in assisting families to resolve conflict in conservatorship, eldercare, and probate cases; and explain the relationship between elder mediation and eldercaring coordination. This workshop will also contain a training component on identifying high-conflict cases and evaluating whether cases are appropriate for eldercaring coordination rather than, or in addition to, elder mediation. The workshop will close with a discussion of the Orange County Superior Court Eldercaring Coordination pilot program (probate/mental health division) and the opportunities for both elder mediators and eldercaring coordinators that are now available.

Speakers:

- Sarah Gross, Esq.
- Judge Kim Hubbard

#### **Workshop 12 (Pacific Salon 3)** **Healing thru the Law: Using the Law & ADR as Tools for Healing & Transformation**

Unprepared for the inevitable non-legal components, most practitioners shy away from the emotionally-charged, psychological-blocks and "relationally-messy" elements of their cases – being prepared to effectively deal with and address these facets of your clients' cases will create expertise and fulfillment all around.

Likewise, learning proactive techniques to empower and bring creative transformation as well as breakthroughs for your clients on their cases is seminal to longevity in the marketplace.

This training will explore how we can become agents of transformation and creative visionaries, while training participants on practical and effective Integrative Law/ADR techniques to provide comprehensive and optimal service for clientele.

Speakers:

- Hass Sadeghi, Esq.



## Workshop Descriptions (Cont'd)

### CLOSING Plenary (California Grand Ballroom) 4:00pm - 5:15pm

#### Keynote Speaker: India Johnson, President & CEO, American Arbitration Association

Panel Discussion moderated by SCMA President, **Dr. Jack R. Goetz, Esq.**, with panel members from the American Arbitration Association and local university ADR leaders:

- **Prof. Sukhsimranjit Singh** – Managing Director, Straus Institute for Dispute Resolution, Pepperdine University School of Law
- **Dr. Brian Jarrett** – Director, Negotiation, Conflict Resolution, & Peacebuilding Program, California State Dominguez Hills
- **Prof. Richard Peterson** – Director, Judge Judith O. Hollinger Program in Alternative Dispute Resolution, University of Southern California Gould School of Law
- **Michael R. Powell** – Vice President, American Arbitration Association
- **Harold Coleman, Jr. Esq.** – Senior Vice President / Mediator / Executive Director, AAAMediation.org

#### GROUP DESCRIPTIONS:

##### Identity of the Mediator

Singh will speak on “the identity of a mediator” and based on his professor experience with hundred of mediations, he will discuss and raise questions about the power of ‘new self’ in mediation.

##### Sociology of Professions/Mediation

Dr. Jarrett will discuss the future of mediation from a sociological perspective. He proposes that in order for the contemporary practice of mediation to grow and thrive as a field mediator organizations should include a plurality of perspectives and practices. He recommends that mediation remain an interdisciplinary practice

##### Viewing Mediation Through the Lens of Therapeutic Jurisprudence

Therapeutic Jurisprudence is one of the vectors of the progressive law movement and was founded in the early 1990's as an interdisciplinary approach to evaluating how law acts as a therapeutic agent upon those who engage in its context. Mr. Peterson will discuss mediation as viewed through the lens of therapeutic jurisprudence and explore the potential synergies that may be generated by utilizing this lens to study the psychological and emotional impact of various approaches to mediation upon those who participate in the process.

#### Straight from the Source – Insights on What Users Need, Value and Expect from the ‘Modern Mediator’

AAA-ICDR-AAAMediation.org executives Harold Coleman, Jr. and Michael Powell will provide an overview of seminal findings and ‘take-aways’ from the ABA Dispute Resolution Section’s 2017 task force study and the Association’s 2018 survey of litigators, in-house counsel, and mediators on what the marketplace needs, values and expects from mediation and today’s ‘modern mediator.’ Don’t miss this -- you may be surprised!



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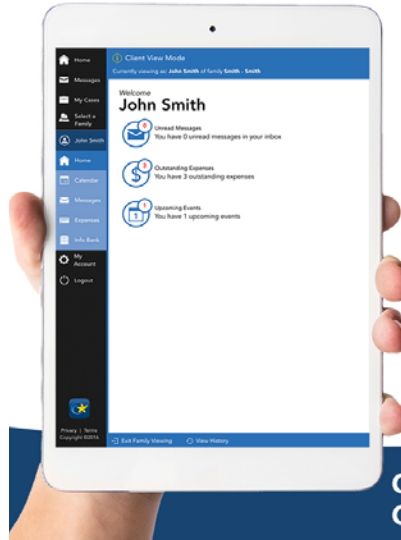
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congratulates  
Angela Reddock-Wright  
for her installment  
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LISA PR CONGRATULATES  
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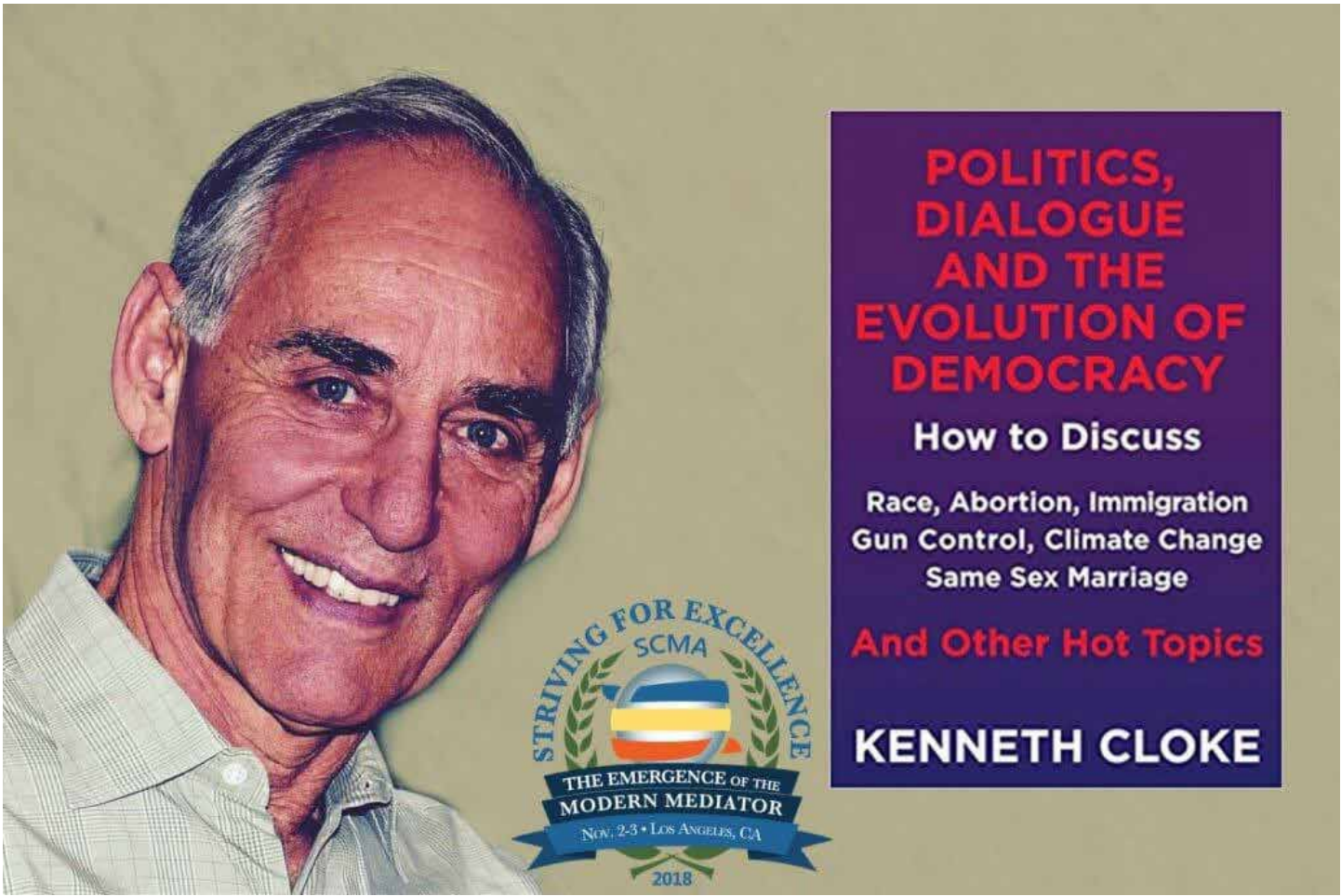


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Master of Laws in Dispute Resolution  
FINRA Roster of Mediators  
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www.AragonMediation.com  
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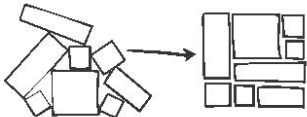
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| • <b>Homeowner Associations</b> | • <b>Service Animals/Pets</b> |
| • <b>Contracts (General)</b>    | • <b>Health Care</b>          |

Carole has her LL.M. in Dispute Resolution (Mediation Specialty, Straus Institute for Dispute Resolution, Pepperdine U. School of Law, 2015), is a member of the Financial Industry Regulatory Authority (FINRA) Roster of Mediators, and is on the FINRA Panel of Arbitrators. Carole lectures and trains mediators for CA Lawyers for the Arts, was profiled in *The Los Angeles Daily Journal*, December, 2017, is a Certified, Senior Mediator for Mediate.com, and has a nationwide mediation practice.



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## Advanced Track (Olympic Room)

Because all conflict resolution involves participants responsible for negotiations, problem solving and decision-making, all mediation is part people and part problem. Ignoring the people and only focusing on the problem assuredly inures to one's detriment. This interactive, advanced mediation track will explore how psychological dynamics impact negotiations at all phases of mediation process and how mediators can bring "high-value" dynamics to the process that are not part of most mediations today. Participants in this track will come away with an appreciation for the impact of emotions on decision making, greater confidence in their ability to engage high-conflict personalities constructively in the parties' negotiations, and techniques for bringing genuine value to the mediator's role and delivering a more satisfying mediation experience overall. Advocates, negotiators and mediators alike will also explore the "6 Universal Principles of Ethical Persuasion" and begin the process of thinking more adroitly about the role of ethics and persuasion in mediated settlement negotiations. Video vignettes and faculty demonstrations will illustrate key learning points and encourage lively input/engagement of workshop participants.

### SESSION ONE WORKSHOP 10:30am - 11:45am

#### The Modern Mediator: Interplay of Psychology and Mediation Strategy

This segment will explore and achieve learning outcomes to the following:

- What essential role do emotions play in mediated settlement negotiations?
- How do emotions impact rational decision making?
- Can emotional self-awareness permit better management of emotional content in mediated settlement negotiations?

#### The Modern Mediator: 6 Universal Principles of Ethical Persuasion (Cialdini)

- What is the very nature of persuasion/influence and why should I know this?
- What are the 6 universal factors of influence and the psychology behind them?
- How can mediators and advocates alike use ethical influence to impact party self-determination and process quality in a manner envisioned by the Model? Standards of Conduct for Mediators?

Presenters:

- Harold Coleman, Jr., Esq., Mediator;
- Debra Dupree, MFT, Psy.D., Mediator;
- Matt Argue, Esq., Mediator

### SESSION TWO WORKSHOP 1:00pm - 2:15pm

#### The Modern Mediator: Managing High-Conflict Personalities at Mediation (75 min.)

In this segment we'll explore and achieve learning outcomes to the following:

- What are "high-conflict personalities" at mediation, their indicators and triggers?
- How can I identify personality disorders and practical interventions for dealing with them?
- How can insightful mediators navigate 'difficult conversations' at mediation with high-conflict individuals?

Presenters:

- Harold Coleman, Jr., Esq. Mediator
- Debra Dupree, MFT, Psy.D. Mediator
- Neil Carmichael, M.A., Mediator

### SESSION THREE WORKSHOP 2:30pm - 3:45pm

#### The Modern Mediator: Bringing Value to the Mediation Process (75 min.)

This segment will feature the following practice skills to achieve learning outcomes designed to enhance one's value at mediation:

##### Conducting High-Value Pre-Mediation Reconnaissance

- How might mediators set about gathering useful pre-mediation 'intel'?
- How can I mine useful intelligence for strategy development and then circle back to parties/counsel with better strategic guidance?
- How can I leverage technology and 'ODR' in determining whether to convene live v. telephonic mediation?
- How does the consumer "Buying Cycle" parallel the mediated negotiation process?

##### Orchestrating High-Value Initial Joint Sessions

- Why are joint discussions indispensable for many, if not most, mediations?
- How should I "choreograph" a joint session for maximum effectiveness?
- How might I "coach" and sensitive parties/counsel prior to mediation for cooperation and resolution rather than adversarial posturing and rancor?
- What tools exist for developing a "Plan B," if joint discussions go awry?
- What options exist for situations where joint discussion is not appropriate?

## Advanced Track (Cont'd)

### Facilitating High-Value Party Negotiations

- Rule #1: Emotions before issues...why is this important?
- Rule #2: Questions only...easier said than done, so how do I do this?
- Rule #3: Declarative statements by invitation only...what foundation needs to be laid before I shift to an "evaluation?"
- Rule #4: Facilitating multiple joint sessions...why might these be useful?
- Rule #5: Facilitating creativity...what should I do when parties get 'stuck in the mud'?

### Navigating Deadlock in High-Value Mediations

- Playing a game...a new spin on "gamesmanship/games playing?"
- How can I use the "Mediator's Betting Line" to address deadlock?
- Why should I limit "BATNA" only to the context of a specific proposal?
- What strategic case assessments tools and Net Present Value (NPV) formulations might assist me in the evaluative mode?
- How might I leverage the psychology underlying the "Gain-Loss Theory" of negotiation to influence parties toward closure effectively and ethically?

### Emerging Areas and Practice Trends

- Is Early Neutral Evaluation (ENE) coming of age? What's in this for me?
- Why is "mixed-modes" mediation gaining in global popularity?
- How do the roles of "Special Master" and "Facilitator" play out in large consumer/employment caseloads?
- Is Restorative Justice really impacting community peace building?

#### Presenters:

- Neil Carmichael, M.A., Mediator
- Rebecca Callahan, LL.M., Esq., Mediator
- Harold Coleman, Jr., Esq., Mediator

## CONCLUDING THOUGHTS

### Concluding Thoughts / Summary of Key Practice Points (15 min.)

Faculty will wrap-up by summarizing key 'take aways' and practice tips for advocates, mediators and principals alike in creating a healthier and more value-driven climate conducive to mediated problem solving.



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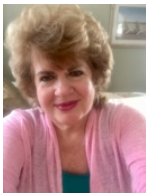
and thanks her for her constant commitment to Langston as a  
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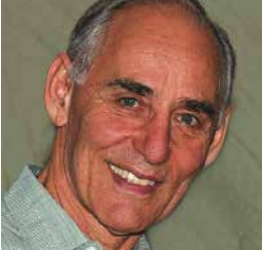


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## Speakers



**Kenneth Cloke**



**Avis Ridley-Thomas**



**Mark Lemke, Esq.**



**Renata L. Hoddinott, Esq.**



**Stacie Feldman Hausner, Esq.**



**Jan Frankel Schau, Esq.**



**Martin E. Sullivan, Esq.**



**Susan Guthrie, Esq.**



**Maria Simpson, Ph.D.**



**Karen Crowley-Marks**



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**Karen DeVoogd, MA**



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**Chris Welch**



**Wendy W. Kramer, Esq.**



**Michel Zelnick, Esq.**



**Forrest "Woody" Mosten**



**Mitch Tarighati, Esq.**



**Douglas Schiffer**

## Speakers



**Maritza Gutierrez**



**Adya Riss**



**Victoria Gray**



**Dr. Jack R. Goetz, Esq.**



**Sarah J. Gross, M.Ed., J.D., LL.M.**



**Prof. Richard Peterson**



**Judge Kim Hubbard**



**Michael R. Powell**



**Michael R. Diliberto, Esq.**



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**India Johnson**



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**Dr. Brian Jarrett**

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**The 2018 Board of Directors Congratulates incoming President  
 Angela J. Reddock-Wright, Esq  
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 Dr. Jack R. Goetz Esq.  
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**We are proud to welcome the incoming Board of Directors:**



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**Professor Lisa Klerman**

*Many thanks to SCMA President, Dr. Jack R. Goetz, Esq.  
and Immediate Past President, Jason Harper, for  
their Outstanding Leadership*

## Professional Development Groups



SCMA has created various Professional Development Groups to provide peer support, peer review and case analysis, to analyze and study ongoing developments in the laws surrounding mediation, as well as any other topics of interest to their members. Professional Development Groups typically meet once a month in the evenings for approximately two hours, throughout Los Angeles, Orange, Riverside, Santa Barbara, and San Diego Counties and have between 10 to 20 members. Professional Development Groups are free of charge to SCMA members. Watch for meeting announcements for each area on the SCMA Calendar.

### WANT TO FORM A GROUP?

If you are interested in joining an existing group or helping to form a new one in your area, please contact Anne Sawyer at (888)-440-7880 or [anne@scmediation.org](mailto:anne@scmediation.org).



Learn more at:  
[www.scmediation.org/professional-development/groups/](http://www.scmediation.org/professional-development/groups/)

## Mentorship Program

### SCMA Mentorship Program

Applications are now being accepted for the Spring 2019 Semester of the SCMA Mentor Program.

The SCMA Mentorship Program is designed for those new mediators who have some experience and training and are serious about starting their mediation practice. You will be mentored by top tier practitioners on the steps and goals of starting your own mediation practice. Each class is designed to move you closer to the launch of your practice, so it is anticipated you make the effort commensurate with the tasks and expectations of moving you towards the launch of your paid mediation practice.

The Mentorship Program provides mediators who have completed their training with 'real life' and 'hands-on' tools and

experiences necessary for successfully starting a private practice. Topics that are covered include: branding, marketing, networking, etc. In addition, extensive handouts and examples are shared so that mentees can develop a customized business model that is suited for them. In addition to class time, each mentee will be assigned to a different mediator following sessions 1, 2, and 3 for the purpose of shadowing them. There will be 3 shadowing opportunities.

SCMA would like to send a special thank you to Board Member Mitch Tarighati & past Board Member David Levaton who both continue to administer the Mentorship Program on behalf of SCMA.

#### 2018 Mentors

Phyllis Pollack  
Douglas Schiffer  
Floyd Siegel  
Ralph Williams  
Nikki Tolt  
Scott Berman  
Jan Schau  
Michael Diliberto  
Dan Simon

#### 2018 Mentees

Sarah English  
Pawn Kongkasonkichkan  
Kelly Morford  
James Sullivan  
Azadeh Gowharzzi  
Esther Salinas  
Nora Sassounian  
Lydia Liberio  
Tayna Freeman  
Andy Reimer

#### For More Information

For More Information and Application/Information Forms, go to:

#### Mentee Application Form:

<http://www.scmmediation.org/about/mentorship-program/mentee-application/>

#### Mentor Application Form:

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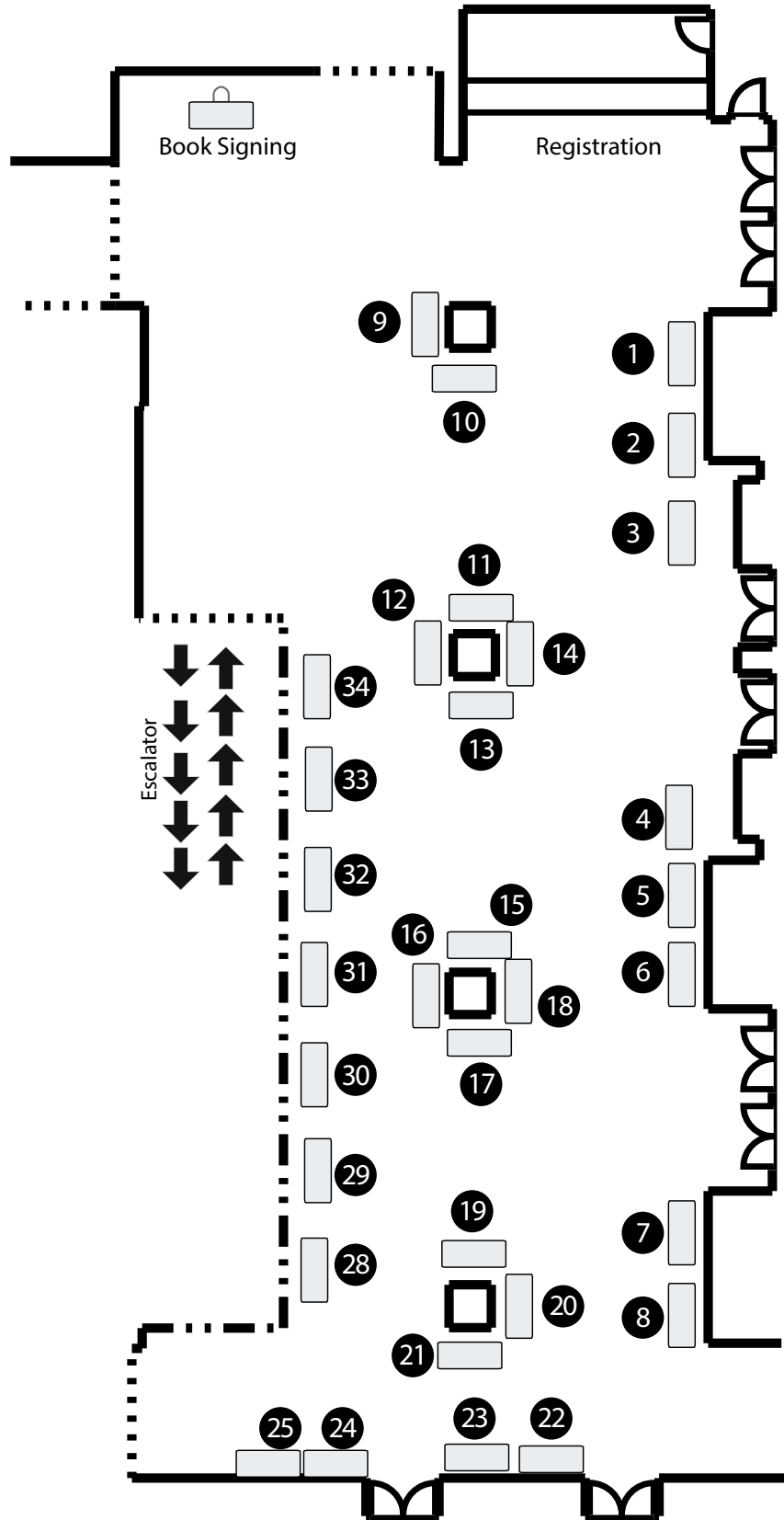
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# Exhibitors Floorplan





## Exhibitors

- 1 AAA
- 2 LACBA
- 3 Pepperdine
- 4 USC
- 5 Facilicase
- 6 MC3
- 7 Our Family Wizard
- 8 Commerce Home Mortgage
- 9 Center For Conflict Resolution
- 10 California Lawyers for the Arts
- 11 Asian Pacific American Dispute Resolution Center
- 12 Centenela Youth Services
- 13 Institute for Non Violence LA
- 14 Loyola Law School
- 15 Mediators Beyond Borders
- 16 OC Human Relations
- 17 US EEOC
- 18 Waymakers
- 19 Department Of Consumer & Business Affairs
- 20 Mediation Center of Los Angeles
- 21 Southern California Family Mediation
- 22 Kids Managing Conflict
- 23 Kids Managing Conflict
- 24 Unhooked Books
- 25 Unhooked Books
- 28 Author of Verbal Aikido
- 29 Book Mediation.com
- 30 CoParenter
- 31 Family Law Software
- 32 CSUDH
- 33 SCMA Membership/Mentorship
- 34 SCMA Outreach/Professional Development Groups

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## Mediation Opportunities Fair

Each year the SCMA hosts the Mediation Opportunities Fair, which is designed to provide conference attendees with access and exposure to the myriad of mediation opportunities in Southern California. Many of the organizations in attendance provide excellent opportunities for new and experienced mediators to obtain training and gain hands-on experience.

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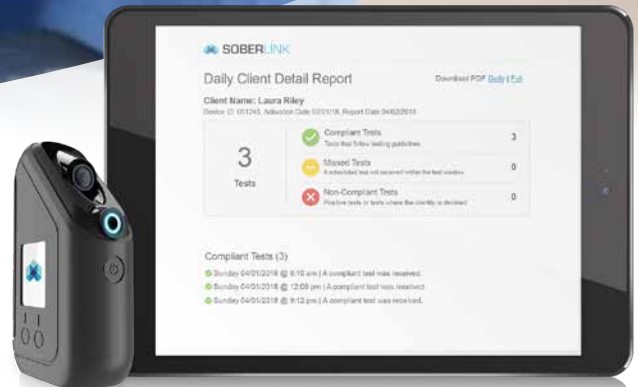
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