

October 16, 2020



IAM

**A Time for Reflection
& Conversation**

IAM 2020 Virtual Fall Conference

Welcome

Dear Mediator or IAM Colleague,

Welcome to the IAM Fall 2020 Virtual Conference. It is indeed a time for reflection and conversation - about who we are as mediators with the challenges and opportunities we face in a time of great social, political and technological change across the globe. True to our mission as an academy, the International Academy of Mediators is ideally suited to lead such a discussion among the world's top commercial mediators. Just a glance at our program will no doubt start you thinking in ways beyond the nuts and bolts of a mediation practice. The virtual program you will experience brings out the best our profession has to offer on these important topics affecting us as a profession and in our individual practices. But it does so because you are attending and, like all IAM conferences, draws on our collective, collegial, and often controversial exchanges of ideas.

We will also recognize at the conference our newest IAM Fellows and Distinguished Fellows, who deserve congratulations on their induction. And we welcome our guest mediators and the mentees under the IAM Mentorship Program. We look forward to their active participation.

Enjoy the conference. We hope you are challenged by it. If you have not registered yet, you can still do so here.

[IAM Fall 2020 Virtual Conference](#).

Jon Fidler, IAM President

Paul Van Osselaer, Conference Chair



Program



A TIME FOR REFLECTION AND CONVERSATION

In a climate of immense societal change, what role, if any, should mediators play when resolving conflicts with competing views of societal norms? What are the techniques and practical skills that will assist us and challenge us to provide a more culturally sensitive and bias-aware mediation process? When we face these issues as mediators, how have changes in commerce, technology, and interpersonal relations affected confidentiality as a cornerstone of mediation?

All times are Eastern Time, so we are starting at 15:00 UTC.

To convert the times for your time zone, [click here](#).

Friday, October 16, 2020

11:00 am – 11:10 am Welcome

11:10 am – 12:20 pm Implicit Bias: Moving Beyond Awareness to Knowledge and Skills with Nina Meierding, IAM Honorary Fellow

In these unsettled times, issues of race and ethnicity are at the forefront of many conversations throughout the world. Recognizing and understanding our implicit and unconscious biases are only the first steps towards effectuating change in both our personal and professional lives. In this hour, we will explore specific techniques and practical skills that will both assist us and challenge us to provide a more culturally sensitive, bias-aware mediation process.

12:20 pm – 12:35 pm Break

12:35 pm – 1:45 pm Confidentiality: Myth, Illusion or Endangered Species? with Distinguished Fellows, Michel Kallipetis, Birgit Sambeth Glasner, Jeff Kichaven, Mercedes Tarrazon, & William Wood

Confidentiality is the cornerstone of the discussions we have as mediators. The scope of confidentiality is constantly being challenged by developments in commerce, technology, and the way people relate to each other. IAM President-Elect Michel Kallipetis will lead a discussion with Distinguished Fellows from around the world exploring the changing ambit of this foundation of our profession.

1:45 pm – 2:00 pm IAM Recognition of New Members and Dedication to Conference Issues

2:00 pm – 2:10 pm Break

2:10 pm – 3:10 pm KEYNOTE ADDRESS: The Critical Now of Diversity, Equity and Inclusion in International Alternative Dispute Resolution with Paulette Brown, former President of the American Bar Association, Partner at Locke Lord LLP, and a recognized renowned speaker and educator on efforts related to diversity and inclusion.

Why should we give enhanced thought this issue now? What is the impact of not giving the lack of diversity and inclusion in International ADR immediate attention? Ms. Brown will discuss how without the lived experiences of a wide range of people, of different races and cultures, the likelihood of achieving the optimal result is minimized. Considering the long-term effects of having homogenous viewpoints, she will explore how an understanding of all of the tools and resources available can achieve the best decisions.

3:10 pm – 3:25 pm Break

3:25 pm – 4:55 pm The Perennial Dilemma: Pericles or the Plumber? with Lela Porter Love, IAM Scholar in Residence and Distinguished Fellows Bill Marsh and William Wood

Given the current climate of immense societal change, what role, if any, should mediators play when resolving conflicts with competing views of societal norms? Are we just deal-makers or do we have a role to play in societal change?

4:55 pm Conference Ends



Speakers



Paulette Brown, Keynote Speaker

The Critical Now of Diversity, Equity and Inclusion in International Alternative Dispute Resolution

Paulette Brown is the first woman of color to lead the American Bar Association (ABA) in its history. As the leader of this 400,000 voluntary member organization, Brown was responsible for governance, advocacy and serving as the voice and face of the ABA. Her presidential initiatives resulted in seven major policies that were developed and approved by the ABA, having a long-lasting impact on diversity and inclusion in the legal profession and the justice system. Brown is also a past president of the National Bar Association and currently serves as the Chair of the Africa Council for the ABA's Rule of Law Initiative.

Brown is a partner at Locke Lord LLP and nationally recognized for her dedication and efforts relating to diversity & inclusion, including the impact of implicit bias, and is a frequent speaker and educator on both. Brown has won numerous awards and honors, including three honorary doctorate degrees.



Michel Kallipetis, IAM Distinguished Fellow

Confidentiality: Myth, Illusion or Endangered Species?

40 years' experience as a practicing barrister in the field of general commercial, professional negligence, and employment work, and some 15 years' sitting as a Deputy High Court Judge sitting in Queen's Bench, Chancery and the TCC, provides a reliable basis for Michel's ability to mediate most civil and commercial disputes. Twelve years ago, he left Littleton Chambers, of which he had been Head, and founded Independent Mediators Ltd, to practice as a full-time mediator. He is recognized in The Legal Directories as an expert in his field in Mediation in the UK and internationally.

He is a Distinguished Fellow and the Vice President of the International Academy of Mediators. He was the first Chairman of the England and Wales Bar Council ADR Committee, a member of the working party which drafted the EU Code of Practice for Mediators, and gave expert opinion to JURI, the legal service committee of the European Parliament, prior to its adopting the European ADR Directive, and was a representative at the UNCITRAL Working Group II which drafted the Singapore Convention for the Enforcement of International Commercial Mediation Settlement Agreements. In 2012, he was invited to join the Singapore Mediation Centre's International Panel of Mediators. He was recognized by Who's Who Legal as a Thought Leader in 2016 and 2017 and as Mediator of the year in 2017.



Birgit Sambeth Glasner, IAM Distinguished Fellow

Session: Confidentiality: Myth, Illusion, or Endangered Species?

Birgit Sambeth Glasner is Co-Head of the Dispute Resolution Team. As a former substitute judge she is an acknowledged specialist in questions of strategic dispute resolution and is often appointed as a mediator in complex, international and domestic commercial, family and criminal matters. Further, she is frequently acting as a bankruptcy liquidator and creditor representative in the context of domestic and international bankruptcy and composition proceedings.



Jeff Kichhaven, IAM Distinguished Fellow

Session: Confidentiality: Myth, Illusion or Endangered Species?

Jeff Kichhaven is an Honors Graduate of the Harvard Law School (J.D. Cum Laude, 1980), a Phi Beta Kappa Graduate of the University of California, Berkeley (A.B., Economics, 1977), and a veteran of 15 years' of business litigation experience as a partner in Los Angeles' Alschuler, Grossman & Pines. In 1995, Jeff left the Alschuler firm to begin his ADR practice. Now a full-time neutral, Jeff handles over 150 mediations per year in a wide range of civil, business and probate matters, in areas including: Employment (Termination, harassment and discrimination) Intellectual property (Trademarks, Copyrights, Patents and Unfair Competition) Information Technology Insurance Coverage and Bad Faith Entertainment Real property (Construction defect, leases, partnerships and related matters) Contested probates (Wills, trusts, heirship and related matters) And all manner of business contract and tort disputes Jeff is an internationally-recognized speaker and writer on mediation. He has addressed audiences in the United States, Canada and England for six Sections of the American Bar Association (Business Law, Dispute Resolution, Family Law, Law Practice Management, Litigation and Tort and Insurance Practice). He has also addressed the Practising Law Institute, ALI-ABA, the State Bar of California, the Texas Association of Mediators, the North Carolina Bar Association, the California Center for Judicial Education and Research ("Judges' College"), the USC Insurance Law Institute, California Continuing Education of the Bar, the Los Angeles County and Beverly Hills Bar Associations, the national seminar series of the Negotiation Strategy Institute, and many other organizations. Jeff teaches Advanced Mediation Training for the Los Angeles County Bar Association-Dispute Resolution Services and serves as Adjunct Professor at Pepperdine University School of Law. In the organized bar, Jeff has served as a Member of the Governing Council of the ABA Section of Dispute Resolution, Chair or Co-Chair of the ADR Committees in the ABA Sections of Business Law, Intellectual Property Law and Tort & Insurance Practice, a Member of the ADR Committees of the State Bar of California and the Los Angeles Superior Court, a Director of the Los Angeles County Bar Association-Dispute Resolution Services, a Member of the Committee on Professionalism of the Los Angeles County Bar Association and Chair of its ADR Section.



Lela Porter Love, IAM Scholar in Residence

Session: The Perennial Dilemma: Pericles or the Plumber?

Besides being IAM's Scholar in Residence (SIR), Lela Porter Love is a professor of law and director of the Kukin Program for Conflict Resolution at Benjamin N. Cardozo School of Law (NYC). Her program has been ranked by U.S. News and World Report among the top ten law school programs in the US in dispute resolution since 2000. She founded (in 1985) Cardozo's Mediation Clinic—one of the first clinical programs to train law students to serve as mediators. Professor Love serves as mediator in community, employment, family, human rights, school-based and commercial cases. An

active educator and participant in dispute resolution activities, she regularly conducts mediation and arbitration training programs and courses both domestic and international. Professor Love is the Past Chair of the American Bar Association Section of Dispute Resolution. In her chair year she initiated the first International Mediation Leadership Summit in the Hague. She received a Lifetime Achievement Award from the International Academy of Mediators in 2012 and from the American College of Civil Trial Mediators in 2010 and was given the "Front Line Champion" Award at the Association of the Bar of NYC on Mediation Settlement Day in 2009. Professor Love has written widely on the topic of dispute resolution, including co-authoring three law school textbooks. Among her books are: *The Middle Voice*, co-authored with Joseph Stulberg and now in its 3d edition, and two collections of stories about mediations—*Stories Mediators Tell*, co-edited with IAM's Eric Galton, and *Stories Mediators Tell—World Edition*.



Bill Marsh, IAM Distinguished Fellow

Session: The Perennial Dilemma: Pericles or the Plumber?

Bill has a mediated full-time for the last 29 years. His practice is both UK and international. He mediates across the whole range of commercial and civil disputes, ranging up to multi-billion pound in value, and including almost every sector of business and law. Parties include national governments, public companies, public bodies/authorities, private companies and firms, pressure groups and individuals. Bill's international mediation practice has covered disputes/parties from UK, Ireland, France, Netherlands, Belgium, Luxembourg, Germany, Denmark, Sweden, Spain, Malta, Austria, Switzerland, Spain, Italy, Greece, Romania, Estonia, Slovakia, Bulgaria, Slovenia, Croatia, Hungary, Serbia, Poland, Belarus, Russia, Belarus, Ukraine, Uzbekistan, Kazakhstan, Kyrgyzstan, Turkey, Israel,

Morocco, Egypt, Lebanon, Tunisia, Bahrain, Qatar, Saudi Arabia, Ghana, Nigeria, South Africa, India, Pakistan, Nepal, Japan, China, Taiwan, USA, Canada, Australia, Singapore, Hong Kong, Cayman Islands and elsewhere. Bill also has significant experience as a mediator in religious and political conflicts.



Nina Meierding, IAM Honorary Fellow

Session: Implicit Bias: Moving Beyond Awareness to Knowledge and Skills

Nina Meierding has assisted in the resolution of over 4,000 disputes and has conducted training throughout the world, including Canada, Sweden, Ireland, England, Scotland, the Netherlands, New Zealand, and India. She has consulted and trained many groups – including court systems, corporations, medical agencies, governmental agencies, school districts, business entities, and individuals in the areas of conflict resolution, cross cultural issues, management skills, and negotiation skills. For over 25 years, Nina has been an Adjunct Professor at Pepperdine University School of Law in Malibu, California. In addition, she has been an adjunct professor at Southern

Methodist University's Dispute Resolution program in Dallas, Texas, SMU's Counseling program, and at Lipscomb University in Nashville, Tennessee.

She is a Past President of the Academy of Family Mediators, has served on the Executive Committee and Board of Directors of the Association for Conflict Resolution, and has also served on the boards of the Southern California Mediation Association, the Ventura County Bar Association, and the California Dispute Resolution Institute. She was awarded the Peacemaker Award in 1992 by the Southern California Mediation Association for her outstanding work in the conflict resolution field. In 2005 she was awarded the John Haynes Distinguished Mediator Award which is an international award given annually by the Association for Conflict Resolution and in 2017 she was awarded the Lifetimes Achievement Award from the American College of Civil Trial Mediators.

In the 1990's, Nina also served as a mediator for the California Department of Education's special education mediation program and from 2006- 2017 she was the mediation consultant and mediation partner for the Wisconsin Special Education Mediation System (WSEMS). Nina is a Life Member of the Association of Family and Conciliation Courts and was a founding member and President of the Board of Directors of the Ventura Center for Dispute Settlement, the first non-profit community mediation center in Ventura County, California. She is an honorary fellow of the International Academy of Mediators.



Mercedes Tarrazon, IAM Distinguished Fellow

Session: Implicit Bias: Confidentiality: Myth, Illusion or Endangered Species?

Mercedes is founding partner of DISPUTE MANAGEMENT, specializing in conflict management and resolution and international business law. She is Fellow of the Chartered Institute of Arbitrators both in arbitration and in mediation and Distinguished Fellow of the International Academy of Mediators.

She has seated as arbitrator under the rules of UNCITRAL, ICC, ICDR and several Spanish and French domestic arbitration courts. She is listed as well on several panels of arbitrators including ICDR, CPR, IACAC, WIPO and the Milan Chamber of Arbitration.

Mercedes' broad experience as a mediator is mainly ad hoc, having acted also under the rules of the ICC ADR International Center. She has served as well as member of Dispute Boards and is listed on the ICSID panel of conciliators (2020-2026).

She is member of the Mediation Forum of the Spanish Ministry of Justice where she coordinates the Task Group on Quality and Best Practices in Mediation and member of the Board of Management of the Spanish Club of Arbitration (CEA), where she chairs the Commission on Mediation.

Her scientific activity includes her participation as an expert in the drafting of the European Code of Conduct for Mediators (2004), the direction of the CEA Code of Best Practices in Mediation (2013) and the publication of several articles in specialist journals.

She has mediated or conciliated, conducted arbitrations and rendered awards in Catalan, Spanish, English, French and Italian. She has also a good knowledge of German and Portuguese.

Mercedes is listed in Who's Who Legal Mediation since the list's inception (2011 to 2020) and in several issues of Who's Who Legal Arbitration



William Wood, IAM Distinguished Fellow

Session: The Perennial Dilemma: Pericles or the Plumber? & Confidentiality: Myth, Illusion or Endangered Species?

Bill was educated at Oxford and Harvard before going to the Bar in 1980. He became a QC in 1998. He now practises as a full-time mediator from Brick Court Chambers handling some 80 cases each year.

In the main, he mediates large-scale commercial disputes centering on banking, financial services, and insurance. But he has experience of a wide range of work including professional negligence, competition and regulation, employment and discrimination, intellectual property, and planning disputes. He works abroad to an increasing extent and mediated in Hongkong three times last year. He has also worked in Paris, Dubai and New York. Bill Wood is a member of the board of the CMC (the Civil Mediation Council of England and Wales), Chair of the CMC's Accreditation Committee and, following the retirement of Sir Henry Brooke in February of this year, he is currently its Chair.

He teaches mediation as part of the CEDR faculty and writes on mediation matters for The Lawyer and The mediator magazine. He also sits as an arbitrator and arbitrates (and mediates) for the ICC.

Bill is married with two children and lives in Oxfordshire.