



(Please read Membership Criteria and on pages four and five before completing this application)

1. **Sponsor:**
2. **Co-sponsor:**
3. **Nominee Information** Include the following: Name, Firm, Address, City, State/Province
Zip/Postal, Country; Phone/Fax, and email
4. **Description of Nominee's Practice** (include information regarding the market in which the Nominee practices, eg., whether courts mandate mediation and how frequently mediation is utilized in that market)
5. Please attach the Nominee's current curriculum vitae, including mediation certifications, training, speaking, writing, teaching and training.
6. **IAM Conference Attendance**
Please list the place and date of all IAM Conferences attended by the Nominee:
7. **IAM Members Known.** Please identify any IAM members the Nominee knows

8. Mediation Experience

a. How many years has the Nominee served as mediator for compensation in commercial disputes? ____

b. How many days has the Nominee served as a mediator for compensation in commercial disputes?

i. In the past 12 months _____

ii. In the past 3 years _____

iii. in the Nominee's career _____

(Commercial disputes do not include residential landlord/tenant or dissolution of marriage matters. A day is at least 4-6 hours or more, including preparation time.)

c. Please attach a description of any other mediation-related experience that the Nominee considers to be relevant to this nomination for membership (eg., mediation training, teaching, presiding over settlement conferences as a judge or magistrate, etc.).

9. References

Please list three references whom the Sponsors have contacted and submit summaries of each reference's comments along with this form. References should be counsel, parties, or party representatives with whom the Nominee has worked in a mediation session in the past year.

Name/Address/Phone/Email

Name/Address/Phone/Email

Name/Address/Phone/Email

10. Background

Has the Nominee ever been convicted of or are charges pending regarding a violation of any criminal law (other than minor traffic offenses), ethical, code of conduct, or disciplinary rules of any state government or provincial agency, bar association or private or public professional entity? _____

If yes, please explain status and/or resolution in an attachment.

Nominee Affirmation

The undersigned Nominee affirms and verifies that he or she has read and understands the information provided herein, and that the information is true and complete to the best of his or her knowledge, information and belief. Nominee also confirms that he or she understands this submission does not create any obligation on the part of the International Academy of Mediators to admit me as a member. If granted, membership is subject to the conditions of the IAM By-laws and Constitution, including but not limited to dues and conference attendance requirements.

Nominee's Signature/Date

Sponsors' Affirmations

We the undersigned sponsor and co-sponsor of this Nomination, affirm that based on our personal knowledge and review of at least three professional references, the Nominee meets all the qualifications for membership in the IAM and accordingly, we are pleased to nominate _____ to become a Fellow/Distinguished Fellow (circle one) of the IAM immediately upon approval of this Nomination by the Board of Governors. (Please attach any additional comments regarding this Nomination that you believe will be helpful to the Board in reviewing the Nomination)

Sponsor's Signature/Date

Co-sponsor's Signature/Date

INTERNATIONAL ACADEMY OF MEDIATORS MEMBERSHIP CRITERIA

Overview

New IAM members will be admitted to membership in the Academy under the following guidelines:

- Membership is by **invitation only**
- Membership is limited to **professional commercial mediators** who are **well established and recognized** in their local or regional community as **leading mediators** in the field
- The IAM is dedicated to **inclusiveness** and **diversity** across a full spectrum
- The Membership and Recruiting Committees assist Academy members in identifying mediators who meet the criteria for invitation by the Board of Governors to join as **Fellows** or **Distinguished Fellows**

Criteria for Admission to Membership as Distinguished Fellow

Nominees for membership in the Academy in the **Distinguished Fellow** category must generally meet the following **minimum qualifications** with respect to **mediation experience**:

- in commercial mediation practice at least **5 years**, with corresponding certification for those mediators who practice in jurisdictions that have certifications for commercial mediation
- at least **a majority of their professional efforts** are dedicated to commercial mediation
- in developed markets, must have worked at least **600 commercial mediation days**
- in emerging markets¹, must have worked at least **300 commercial mediation days**
- in undeveloped markets², must have worked at least **100 commercial mediation days**
- **mediation days** consist of **at least 4 hours** of work focused on **mediation of commercial disputes** (including teaching, training or facilitating as well as mediating disputes and excluding days spent mediating pro bono, small claims and domestic relations matters)
- **alternative mediator experience** may be considered provided it is **substantially equivalent** (participation in mediations as party or counsel is not considered mediator experience)

Criteria for Membership as Fellow

Nominees for membership in the Academy in the **Fellow** category must generally meet the following **minimum qualifications** with respect to **mediation experience**:

- in commercial mediation practice at least **3 years**, with corresponding certification for those mediators who practice in jurisdictions that have certifications for commercial mediation
- at least **a substantial proportion of their professional efforts** are dedicated to commercial mediation
- in developed markets, must have worked at least **300 commercial mediation days**
- in emerging markets, must have worked at least **150 commercial mediation days**
- in undeveloped markets, must have worked at least **50 commercial mediation days**

¹ “Emerging” markets are those areas or regions where relatively fewer commercial disputes are mediated, in contrast with developed markets where the majority of commercial disputes get referred to mediation, whether by courts, counsel or parties. Factors include: the extent to which mediation is mandatory, the length of time mediation has been in use, the types of disputes that go to mediation and the numbers of mediators who practice on a full or substantial-time basis.

² “Undeveloped” markets are those areas or regions where mediation is just beginning to be utilized and thus very few commercial disputes are mediated and very few mediators practice on a full or substantial-time basis.

- **mediation days** consist of **at least 4 hours** of work focused on **mediation of commercial disputes** (including teaching, training or facilitating as well as mediating disputes and excluding days spent mediating pro bono, small claims and domestic relations matters)
- **alternative mediator experience** may be considered provided it is **substantially equivalent** (participation in mediations as party or counsel is not considered mediator experience)

Membership Nomination Process

Invitations to join the Academy are issued only upon **approval** by the **Board of Governors** of a **Nomination** from a qualified **Sponsor** and **Co-sponsor**

- **Sponsors** must be **Distinguished Fellows** who have been **members** of the IAM **for at least two (2) years** or **who have attended at least four (4) conferences**
- **Nominations** are **submitted** to the Board of Governors **only from** qualified **Co-Sponsors** on a form that includes **attestations vouching** that the prospective new member is a ***pre-eminent distinguished or rising star mediator*** in their local community
- **Nominees for membership** must **previously have attended at least one IAM conference** at the **invitation of a member** (any Fellow or Distinguished Fellow may invite with approval of the Recruiting Chair)
- **Mentees** in the Mentorship Program who have gained the **requisite experience** are encouraged to seek Sponsors for nomination as **Fellows**

Fellows who have gained the **requisite experience** are encouraged to seek Sponsors for nomination as **Distinguished Fellows**

CURRICULUM VITAE OF A. JARVIS SCOTT

PRACTICE HISTORY:

2019 – Present	Mediator, Jarvis Scott Mediations Hamilton, Ontario
2018 – 2019	Counsel – Hughes Amys LLP Barristers & Solicitors Hamilton, Ontario
1988 – 2017	Partner, Hughes Amys LLP Barristers & Solicitors Hamilton, Ontario
1986 – 1988	Associate, Hughes Amys Barristers & Solicitors Toronto, Ontario
1984 – 1985	Student under Articles Hughes Amys Barristers & Solicitors Toronto, Ontario

PRACTICE:

- Over 34 years experience – practice is currently restricted to acting as a Mediator and Arbitrator
- Practice has included defending personal injury, 1st party disability, SABS, product liability, professional errors and omissions (real estate agents/insurance broker and lawyer), occupiers' liability, property damage and general negligence claims
- Frequently consulted with respect to insurance coverage issues
- Appearances before administrative tribunals including the Financial Services Commission (formerly the Ontario Insurance Commission) dealing with accident benefit disputes including mediations, pre-hearings, arbitrations and appeals
- Appearances before the Ontario Court (General Division), Superior Court of Justice, Ontario Court of Appeal
- Actively represented defendants interests in numerous private mediations

- For over 13 years has acted as the mediator in personal injury, statutory accident benefit, first-party benefits and insurance related mediations
- Numerous appointments as Arbitrator dealing with priority and loss transfer disputes relating to Statutory Accident Benefits

PROFESSIONAL QUALIFICATIONS:

1986 Admitted as Barrister and Solicitor – Supreme Court of Ontario

ARTICLES, PUBLICATIONS & PRESENTATIONS:

Damages Assessment Panel (Panelist from the Mediator's Perspective), Hamilton Law Association, 33rd Annual Insurance Seminar, April 30, 2019

The Art of Mediation, Hamilton Law Association, New Lawyers' Seminar, September 8, 2016

Mediations (Panelist from the Mediator's Perspective), Hamilton Law Association, 14th Annual Advocacy Conference, December 4, 2014

The Art of Negotiation, Hamilton Law Association, Practical Tips for the Courtroom, September 13, 2012

How To Run a Mediation, (Panelist from Mediator's perspective), Hamilton Law Association, 12th Annual Advocacy Conference, May 3, 2012

The New SABS – One Year In – Is It Worth Crying Over?, (Speaker and Panelist), Hamilton Medical Legal Society, Spring Symposium, XIII, April 21, 2012

Professionalism Workshop, Moderator, Hamilton Law Association, 25th Annual Joint Insurance Seminar, November 30, 2011

The Defence Reporting Letter, Ontario Trial Lawyers Association, 2011 Fall Conference, November 10, 2011

Absolute Liability: Forcing Payment – Minimum Limits – Insurer as Statutory Third Party, Ontario Trial Lawyers Association, 2010 Spring Conference, May 27, 2010

Expert Evidence Under The New Rules (Panelist), Hamilton Law Association, 10th Annual Advocacy Conference, April 28, 2010

Changes To The Auto Insurance Legislation – The "New" SABS (Panelist – From The Defence Perspective), Hamilton Medical Legal Society, Annual Spring Symposium, Niagara Falls, Ontario, April 25, 2010

Mediation Advocacy (Panelist), How To Win Your AB Case From Start To Finish, Canadian Defence Lawyers, April 15, 2010

New Rule Amendments – Get Prepared! (Topics relating to Mandatory Pre-Trials and Expert Witnesses) – Hamilton Law Association, Continuing Legal Education Committee, November 25, 2009

Mediations – Reflection of a Neophyte Mediator – Hamilton Law Association, 9th Annual Advocacy Conference, April 30, 2009

Acquired Brain Injury – Representing the Defence – Hamilton Medical Legal Society, Annual Spring Conference, Niagara-On-The-Lake, April 18, 2009

Catastrophic Impairment – The Defence Perspective – another "Good Idea" Gone Bad – Hamilton Law Association 8th Annual Advocacy Conference – April 23, 2008

Section 258 of the Insurance Act – A Refresher on Absolute Liability and The Insurer as Statutory Third Party – the 21st Annual Joint Insurance Seminar – Hamilton Law Association and the Ontario Insurance Adjusters Association (Hamilton Chapter), October 24, 2007

Accident Benefits – 2006 Top Cases in Review – Hamilton Law Association – 7th Annual Advocacy Conference, April 25, 2007

Sports Liability – the 18th Annual Joint Insurance Seminar – the Hamilton Law Association and the Ontario insurance Adjusters Association (Hamilton Chapter) – October 6, 2004

SABS Case Law Update – Top Ten for 2003 – the 17th Annual Joint Insurance Seminar – The Hamilton Law Association and the Ontario Insurance Adjusters Association (Hamilton Chapter) - October 22, 2003

Mock Mediation – Catastrophic Injury Assessment – Representing the Defence – Hamilton Medical Legal Society, Annual Spring Conference, Niagara-on-the-Lake – April 11 and 12, 2003

Subrogation: Strategies for Recovering Disability Dollars - Canadian Institute Litigation Insurance, Disability Claims, November 5, 2001

Demonstrative Evidence from the Defence Perspective - Hamilton Law Association Second Annual Advocacy Conference, January 18, 2001

What to do when your examiner/adjuster is sued - Panel presentation to the Canadian Insurance Claims Managers Association, June 2000

Use of Surveillance - paper and panel discussion chairman as part of the Advocate's Society Court House Series - Hamilton, February 19, 1998

Insurance Brokers Errors & Omissions - Ontario Bar Association, Insurance Law Seminar - January 1996

Statutory Accident Benefits - Hamilton Medical Legal Society - January 19, 1993

Numerous presentations and seminars both at the head office and local level for a number of insurance clients. Topics have included statutory accident benefits, real estate errors and omissions, tavern liability, social host liability, sexual abuse claims, duty to defend, file management at the insurance company level, chronic pain, diminished economic capacity, waiver and release, and the mediation process.

MEMBERSHIPS:

Law Society of Upper Canada
Hamilton Medical Legal Society
Canadian Bar Association (Member of Insurance Law Section – Alternative Dispute Resolution Section)
Canadian Defence Lawyers
The Defence Research Institute
Hamilton Law Association
Advocates Society
ADR Institute of Canada

EDUCATION & ACADEMIC STANDING:


1985-86	Law Society of Upper Canada Bar Admission Course
1981-84	Osgoode Hall Law School, York University
1975-78	University of Guelph - Bachelor of Arts

MEDIATION TRAINING:

- October 2008 – completed four day mediation training course conducted by the Honourable George W. Adams, Q.C. – "*Mediating Justice: Learning to Mediate in a Rights-Based World*"
- In 1995 completed the Harvard Mediation course through the Advocates Society

OTHER INTERESTS:

- Member of Hughes Amys Management Committee since 1990, Managing Partner of the firm from 2003 to 2007
- Hamilton/Burlington – Sopinka Luncheon - United Way Legal Committee – 2005 to the present – Chairman 2015 to the present

From: Jon Fidler jfidler@malach-fidler.com 
Subject: Jarvis Scott
Date: May 19, 2020 at 5:52 PM
To: Robert Daisley rob@daisleymediation.com, Jeff Hand JHand@ilslaw.com

JF

Gentlemen, I am attaching a Nomination Form for Jarvis Scott, an Ontario mediator. I am his Sponsor and Paul Iacono is his co-sponsor. I can't have the Form signed but this e-mail will be in leu of signatures and confirms that Paul, Jarvis and I should be considered to agree to all statements as if the Form was signed. I am sending you by separate e-mails his CV and reference letters. He is a "no brainer" Distinguished Fellow. It would be great if he could be on the Agenda for the July Board meeting. If you need anything let me know. Thanks.

Begin forwarded message:

From: Jon Fidler <jfidler@malach-fidler.com>
Date: May 15, 2020 at 11:58:59 AM EDT
To: Jon Fidler <jfidler@malach-fidler.com>
Subject: 2020 IAM Nomination Fillable Form.pdf



2020 IAM
Nomin...rm.pdf



Grosso Hooper Law

128 Hughson Street North
Hamilton ON L8R 1G6

T: 905-522-8002

F: 905-777-1220

GH Law, Professional Corporation

May 15, 2020

VIA EMAIL ONLY: jfidler@malach-fidler.com

Mr. Jon Fidler
Malach & Fidler
30 Wertheim Court, Unit 6
Richmond Hill, Ontario, L4B 1B9

Dear Sir:

RE: Jarvis Scott

Without exception, I cannot think of a better candidate to join the International Academy of Mediators.

I have mediated with Mr. Scott in excess of 100 times in the last 7 years. I am a lawyer who acts for plaintiffs exclusively and I find Mr. Scott's attention to detail as it relates to the plaintiff and their condition second to none.

His opening remarks and handling of all parties but in particular, the strangers to the process, is done with empathy but firmness about the cold hard facts of the litigation system and what the process of mediation could bring to their lives.

His ability to handle difficult lawyers, including myself at times, is beyond reproach.

Mr. Scott continues to update himself on the law in the areas in which he mediates. I have noted that he twigs his techniques and is forever learning to hone his craft.

I not only think that Mr. Scott is a fit to join the International Academy of Mediators but you would be an organization who would benefit also from his involvement in your membership.


I am available at 905-522-8002 extension 101 if you require any further information from me on his application.

Yours very truly,

Robert J. Hooper

Robert J. Hooper

RJH/ek

From: Jon Fidler jfidler@malach-fidler.com 
Subject: Fwd: Jarvis Scott's candidacy to join the International Academy of Mediators
Date: May 19, 2020 at 5:56 PM
To: Robert Daisley rob@daisleymediation.com, Jeff Hand JHand@ilslaw.com

JF

Third reference.

Begin forwarded message:

From: Michael Lamont <michael.lamont@lamontlaw.ca>
Date: May 14, 2020 at 12:22:57 PM EDT
To: Jon Fidler <jfidler@malach-fidler.com>
Subject: Jarvis Scott's candidacy to join the International Academy of Mediators

Jon: I hope you are well.

I have been asked by Jarvis Scott to provide a reference regarding his admission to the International Academy of Mediators and, I do so without reservation.

Jarvis is an exceptional mediator given his intelligence, people skills and preparedness which he has put to good use at every one of his mediations that I have attended.

I have had numerous clients comment on how Jarvis put them at ease and created an atmosphere of trust and fairness from the beginning to the end of the process. Jarvis could correct me if I were wrong but, I cannot recall him conducting a mediation that did not settle on the date of the mediation or shortly afterwards.

Jarvis is in high demand as a mediator because I am sure all his other clients have shared the same experience as I have.

I cannot think of a more worthy candidate to the Academy.

Kind regards,

Michael L. Lamont
Certified by the Law Society of Ontario as a Specialist in Civil Litigation
Lamont Law

25 Main Street West, Suite 200
Hamilton, Ontario L8P 1H1
Tel: 905.529.6668 | **Fax:** 905.528.9646
[Start Your Case](#) | [Lamontlaw.ca](#) | [Facebook](#)



Nominated as one of the Best Law Firms in Canada

This email and any files transmitted with it are confidential and solely

for the use of the intended recipient. If you have received this email in error please delete this email immediately and notify the sender.



From: Jon Fidler jfidler@malach-fidler.com
Subject: Fwd: Mr Jarvis Scott Reference
Date: May 19, 2020 at 5:54 PM
To: Robert Daisley rob@daisleymediation.com, Jeff Hand JHand@ilslaw.com

JF

Begin forwarded message:

From: David Smye <smye@mackesysmye.com>
Date: May 15, 2020 at 2:06:50 PM EDT
To: Jon Fidler <jfidler@malach-fidler.com>
Subject: Mr Jarvis Scott candidate for Admission to the International Academy of Mediators .

Dear Mr President ,

I have been asked by Mr Jarvis Scott to submit a letter of reference in respect of his consideration for admission to the Academy . I robustly recommend him to the Academy for reasons which I will outline in a moment .

I was called to the Bar in 1972 and have practised as a Trial lawyer to this day . I was appointed as Queen's Counsel in 1984 , Certified as a specialist by the Law Society in 1991 , became an Invited Fellow to the American College of Trial Lawyers in 1995 , I received a Doctorate of Laws

from the Law Society of Ontario (Honoris Causa) in 2014 , and the Award of Excellence in Civil litigation by the Ontario Bar Association in 2020 . I have conducted countless Trials and Appeals at all levels of Courts . I have participated in hundreds of Mediations .

I commenced my career when Trials were the primary method of dispute resolution . However , pioneers like yourself introduced me to the Mediation process . I soon realized that it was a much more efficient , effective and less costly method of resolving disputes than the somewhat arcane Trial . I readily adopted it as my preferred method of case resolution and the Trial -the last resort . My embracement had one caveat . Success was very dependent on the Mediator .

Jarvis Scott has very few equals as a Mediator . His name is on every one of my choices as a proposed Mediators in virtually every Mediation proposed in our Firm .

Jarvis has the ability to carve through mountains of Briefs to cull out the issues . This is the skill set of the best Appellant lawyers and Judges . His ability in this regard is uncanny .

He has the skill to engender and maintain the trust of all participants . I often tell my clients that he reminds me of a Presbyterian Minister in that regard . He is always calm and measured and hopeful .

He has the ability to point out the strengths and weaknesses of your case without ever being off putting . Indeed he often does it in a manner that is so subtle that it goes unnoticed - at first .

He also posses limitless last minute strategies that he pulls out to resolve cases at the " last moment " .

Jarvis could and should teach the Mediation How to Course !

He is one of the most highly respected and sought after Mediators in the Personal Injury field throughout Ontario .

I most heartily recommend Jarvis to your Academy .

All of which Respectfully submitted David Smye Q.C.

David

Sent from my iPhone

