ADR Institute of Ontario

ADR UPDATE

Issue 99 | Winter 2018

The Latest Alternative Dispute Resolution News, Announcements, Events and Much More!

Featuring

PRESIDENT'S MESSAGE BY JENNIFER BELL, C.Med

Welcome to our first newsletter of 2018. It is the year of the dog - a signifier of loyalty and commitment - two words that aptly represent the membership and staff at ADRIO.

I am filled with gratitude as I reflect on all that we have accomplished in the previous year. We continue to benefit from a dedicated, passionate staff team under the leadership of our Executive Director, Susette Clunis. Combined, they have almost 50 years of experience supporting our members! From successful professional development programs and collaborations to new member benefits, 2017 was certainly a productive, engaged and memorable year thanks to the devoted efforts of the staff, our committees, our Board of Directors and you, our members.

This year, ADRIO is working hard to bring you even more professional development and networking programs. The first half of the year includes:

- "ADR In the Capital" – an important professional development program in Ottawa
- Civil Procedure Workshop – back by popular demand
- A pub night in Ottawa and London
- A free webinar/section meeting from the Business-Commercial Section
- "The New ADR" – ADRIO's 33rd Annual General Meeting and Conference

Our staff, committees and Board of Directors are also working on important advocacy initiatives in the areas of construction adjudication, education and regulation. We are also working behind the scenes to further develop the organization's strengths in Indigenous awareness, governance and policy, cultural competency, and our relationships with our regional and national affiliate partners.

In fact, if you haven't done so already, I encourage you to renew your membership by visiting your Member Portal now.

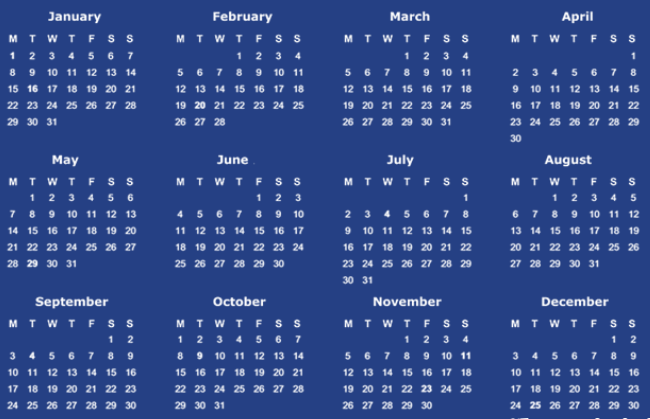
As always, members continue to receive:

- The most updated information and news in the ADR community
- New job opportunities
- Exclusive discounts to events
- Discounts for various products and services through our affinity programs. New member benefits are being added regularly. Be sure to check the Member Resources page for the latest offers.

Lastly, I want to remind you that your membership voice matters. If you have any creative ideas or comments for ADRIO, you can email: info@adr-ontario.ca. I also strongly encourage you to lend your voice to the governance of your organization by attending the AGM on June 7th, exercising your right to vote for your Board of Directors or standing for election yourself.

Thank you for your continued loyalty and commitment,

Jennifer Bell, C.Med,
President, ADR Institute of Ontario



2018

The best is yet to come.

Recommit | Stay Connected | Renew

Renew Now by Visiting Your Member Portal

Congratulations

New Designation Holders!

New Q.Med Designation Holders

Alan Howard
Dale Burt
David Lewis
Jeffrey Edelist
Laila Karimi Hendry
Laura Pursiainen
Robert Besunder
Seymour Hersh
William Lukewich

New Q.Arb Designation Holders

Burhana Bello-Ayorinde
Christopher Matthews
Ibukunoluwa Badmus
Matthew Ebbs
Michael Schafler
Paul Bates
Stephen Campbell

These designations are Canada's only generalist designations for practicing mediators and arbitrators. They demonstrate the member's specific credentials, education and expertise. Recognized and respected across Ontario, Canada and internationally, they allow the holder to convey their superior level of experience and skill.

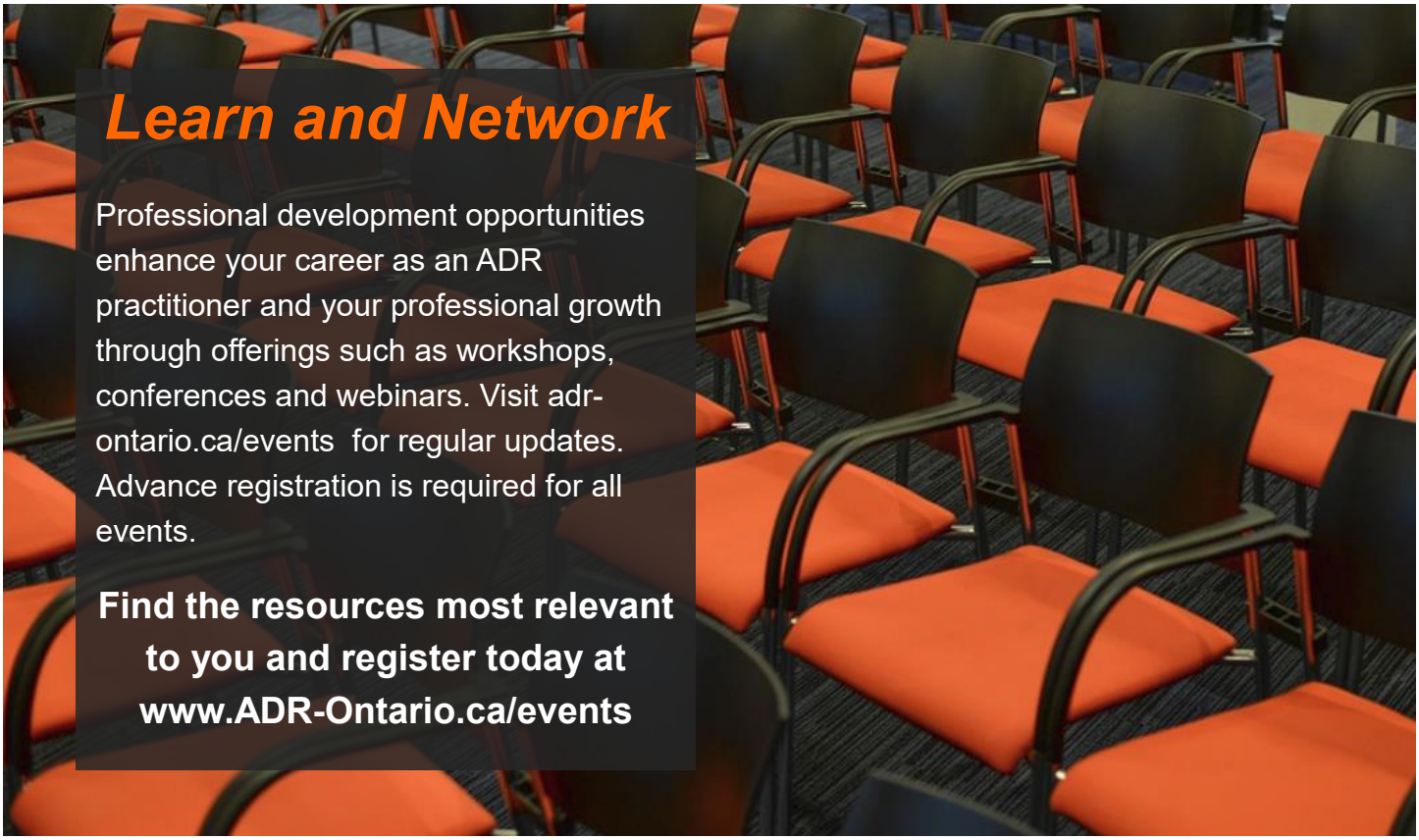
Visit ADR-Ontario.ca for more information on designations.

Contents

About ADRIO

The ADR Institute of Ontario™ assists the public, businesses, non-profits and government bodies at all levels to consider, design, implement and administer alternative dispute resolution (ADR) strategies, programs and processes including mediation and arbitration.

Our goal is to assist our members, and users of ADR services, by providing information and education, maintaining high professional standards and providing a structure to ensure members adhere to those standards.



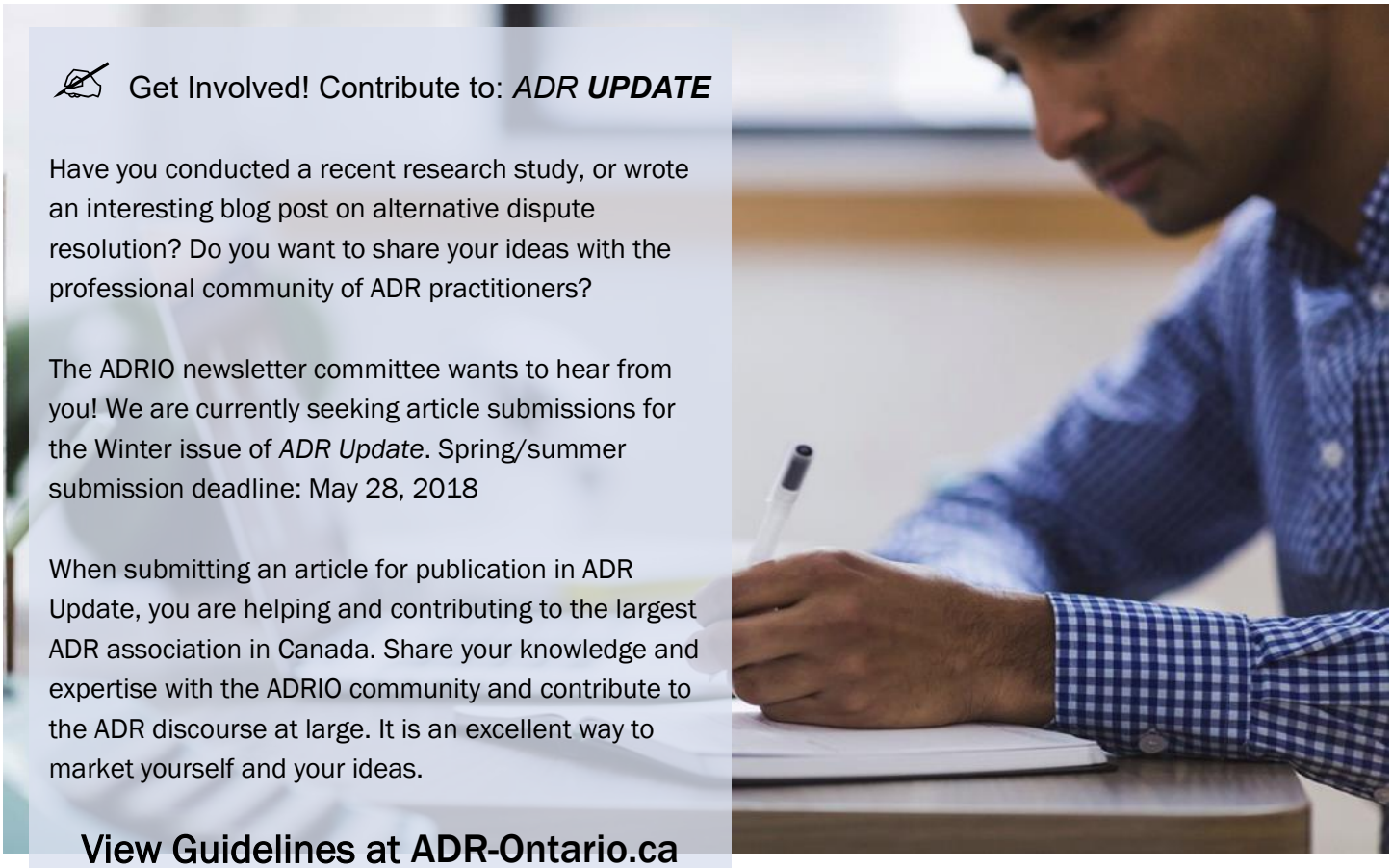
Learn and Network

Professional development opportunities enhance your career as an ADR practitioner and your professional growth through offerings such as workshops, conferences and webinars. Visit adr-ontario.ca/events for regular updates. Advance registration is required for all events.

Find the resources most relevant to you and register today at www.ADR-Ontario.ca/events

20 MAR.		**Business Commercial Section Meeting** 5:45 PM to 7:15 PM ADRIO Office, Toronto & By Webinar Guest Speakers: Robin A. Dodokin B.A, LL.B, LL.M, Q.Med FREE! | Read More
24 MAR.		**Civil Procedure Workshop** For Non-lawyer mediators 8:30 AM to 4:00 PM ADRIO Office, Toronto Starting at $195 | Read More
29 MAR.		**London Pub Night** 5:30 PM to 8:00 PM Toboggan Brewing Pub, London FREE! | Read More

26 APR.	ADR in the Capital	**ADR in the Capital** April 26, 8:30 AM to 8:30 PM Ottawa Embassy Hotel, Ottawa Read More
26 APR.		**Ottawa Pub Night** April 26, 6:00 PM to 8:30 PM Cooper's Gastropub, Ottawa Read More (see page 4) FREE!
7 JUN.	ADRIO 2018 The New ADR Diverse. Transforming. Regulated?	ADRIO's 33rd AGM & Professional Development Conference **The New ADR: Diverse. Transforming. Regulated?** June 7, 9:00 AM to 3:30 PM Ramada Plaza, Downtown Toronto Details to be announced. View Sponsorship Package.



Get Involved! Contribute to: *ADR* ***UPDATE***

Have you conducted a recent research study, or wrote an interesting blog post on alternative dispute resolution? Do you want to share your ideas with the professional community of ADR practitioners?

The ADRIO newsletter committee wants to hear from you! We are currently seeking article submissions for the Winter issue of *ADR Update*. Spring/summer submission deadline: May 28, 2018

When submitting an article for publication in ADR Update, you are helping and contributing to the largest ADR association in Canada. Share your knowledge and expertise with the ADRIO community and contribute to the ADR discourse at large. It is an excellent way to market yourself and your ideas.

View Guidelines at ADR-Ontario.ca

ARE YOU BEING CALLED TO ACTION?

BY CATHY WILLS, MA (CONFLICT STUDIES), C.Med, AccFM

Cathy Wills, MA (Conflict Studies), C.Med, AccFM. Cathy is currently a full-time mediator with National Defence. She has worked with Indigenous Peoples and groups since 1996.

This is the second article of a two-part series. Read part 1 here.

Canada's Truth and Reconciliation Commission (TRC) spent two years hearing about and reflecting on how the Indian Act and Indian Residential School policies worked together to devastate families and create generations of traumatic legacy for Indigenous Peoples. We can never undo what has been done in the past, but we can commit to respectful co-existence now and in the future.

The TRC has compiled 94 Calls to Action. I bet you, as an ADR practitioner, are being called by at least 5 out of the 94. It takes about an hour to sit down with the 11 page, 94 point document and assess where you and your practice intersect with the aims of the TRC. ADRIO is challenging you to do so!

To get you thinking about your Commitment to Action on reconciliation and renewal, here's a summary of one practitioner's attempt to identify the relevance and implications of the Calls to Action for her own practice:

- Legacy Calls 1-5 ask us to become culturally aware, sensitive and competent before imposing our paradigm of ADR on a community or group.
- Education Calls 6-12 ask us to be savvy about education inequities and biases in secondary systems and to research and celebrate genuine reconciliation efforts at post-secondary institutions.
- Language and Culture Calls 13-17 ask for access, attention and respect for context, history, Gladue reports and language accommodation in all interactions with professionals and especially in court-connected and justice contexts.
- Health Calls 18-24 ask us to facilitate meaningful conversations about care and service delivery and to assist with jurisdictional disputes about Indigenously-appropriate health care.
- Justice Calls 50-52 ask us to think about how access to justice is controlled and how we can support advancing access to First Nations, Metis and Inuit Peoples' justice.
- Reconciliation Plan Calls 53-56 ask us to dig deep in our wells of ADR experience and tools and participate actively in promoting the kinds of dialogue and ADR processes that honour coexistence.
- Church Apologies and Reconciliation Calls 58-61 ask us to think about how ADR can support community-controlled healing, relationship building, regional dialogue and reconciliation processes.
- Education and Youth Programs Calls 62-66 ask us to think about how ADR can respond to the need for innovative and interactive reconciliation processes that engage youth, teachers, school administrators and school communities to build teacher and student capacities for intercultural understanding, empathy and mutual respect.
- Museums and Archives Calls 67-70 ask us to think about the UN Declarations on the Rights of Indigenous Peoples, Human Rights and other research on reconciliation globally to determine Canada's compliance with global

expectations, particularly with regard to “consultation”.

- Calls 71-91 ask us to take action on Missing Children and Burial Information, to support establishing a National Centre for Truth and Reconciliation as well as commemoration of those harmed by residential schools. They also ask us to celebrate Indigenous sports and athletes and to hold Media accountable for properly reflecting the diverse cultures, languages and perspectives of First Nations, Metis and Inuit Peoples.
- Call 92 asks all of us to adopt the UN Declaration on the Rights of Indigenous Peoples as a reconciliation framework for all organizations and to provide education for all employees and volunteers on the histories and legacies of Crown relations with First Nations, Metis and Inuit Peoples. It also calls us to take training on intercultural competency, conflict resolution, human rights and anti-racism.
- Calls 93-94 will help newcomers to Canada understand the history of this country through Indigenous perspectives and remind us that Treaties are laws and adherence to Treaties with Indigenous Peoples is a core competency for calling ourselves lawful Canadians.

ADRIO challenges you, our members, to review the 94 Calls to Action and to let others know that you are on the path of truth and reconciliation by signing on to ADRIO’s Declaration of Action. To join the exciting work of the Indigenous Reconciliation and Advancement Working group, please send an email to Cathy Wills or Bob Waldon.

Exclusive Resources for ADRIO Members

The “Member Resources” Page Includes:

- Exclusive Discounts
- Job Opportunities
- Member Logos
- Webinar Recordings
- Publications and News
- Customizable PowerPoint Presentation

Visit Your Member Portal Today!

Note: Some Resources are Only Available to Full Members.

ADR Institute of Ontario

ADR In The Capital

THURSDAY, APRIL 26th, 2018 | OTTAWA

8:30AM – 8:30PM | Ottawa Embassy Hotel, 25 Cartier St.

Early bird deadline: February 27th

9:20 am - 10:00 am

Morning Keynote: Justice Robert N. Beaudoin

Is Everybody a Mediator?

10:15 am – 12:00 pm

Ottawa Mandatory Mediation: 20 Years and Counting

Program Faculty

Moderator:
Ian C. Szlazak,
B.A., LL.B., LL.M.
(ADR), C.Med
Mediator, Arbitrator

Justice Robert N.
Beaudoin
Superior
Court of Justice

Laura Bruneau,
BA, LL.B, CMC
Mediator, Arbitrator

Paul Champ,
Champ & Associates
Lawyer

David Elliott,
Dentons Canada LLP
Lawyer

1:00 pm – 2:30 pm

Bringing a Quiet Mind into ADR

With Joy Noonan, LL.B., LL. M. (ADR), C.Med

This program contains 1 hour and 30 minutes of Professionalism Content.

6:00 pm – 8:30 pm

ADRIO Pub Night and Mixer

At Cooper's Gastropub connected to the Ottawa Embassy Hotel

Cost

Includes materials for both programs, breakfast, lunch and snacks.

Early bird member: $200
Member regular: $250
Students: $100
Non-member: $320

* +HST on all rates. Early bird deadline: February 27th, 2018. Once your registration is accepted and payment is processed, the refund policy below will apply in all circumstances.

View Details & Register Now: www.adr-ontario.ca/ottawa

LAW SOCIETY OF ONTARIO accredited

This program contains 1 hour and 30 minutes of Professionalism Content and 8 CEE points.

Cancellation Policy: If you are unable to attend, your registration is fully transferable to another person in your organization. If you must cancel, notice must be received in writing. All refund requests received on or prior to March 29th, 2018 will receive a refund less a 20% administrative fee; those received on or before April 5th, 2018 will receive a refund less 50%. No refunds after April 5th, 2018. Sessions, speakers and times are subject to change. Registrations are tentative until April 20th. Should ADRIO need to cancel this event, you will receive a full refund. Photo Credit: The Ottawa Courthouse, taken by SimonP at en.wikipedia. Used under CC BY-SA 3.0. View License. Blurred and cropped from original.

ONLINE DISPUTE RESOLUTION—NOW A REALITY

BY GENEVIEVE A. CHORNENKI, C.Med, C.Arb

Genevieve A. Chornenki, C.Med, C.Arb, has worked as a mediator, facilitator, arbitrator, and ADR consultant since 1989. She is co-author of Bypass Court: A Dispute Resolution Handbook (LexisNexis), now in its 5th edition.

Over the last 18 months, as a member of the board of directors of the Condominium Authority of Ontario, I have had a front row seat in the implementation of a new dispute resolution initiative, the Condominium Authority Tribunal (CAT).

CAT came into existence as a result of an 18-month public consultation and review of the *Condominium Act, 1998*. The process—in which several ADRIO members played a role— identified the need for an easier and more cost-effective method of resolving disputes in condominium communities. The notion was to improve upon the existing options of private mediation and arbitration or court that, while valid and useful, are not always easy for people to initiate. In developing the tribunal, everyone involved—the board of directors, staff, consultants, contractors and advisors—was committed to a user-centric, people-first philosophy that would make dispute resolution as accessible as possible.

CAT began operations on November 1, 2017, and is currently accepting cases that relate only to disputes regarding records. The tribunal's jurisdiction is expected to expand over time.

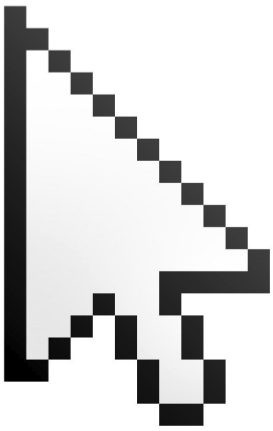
So, what are the features of this new tribunal? Here are the key ones.

1. CAT is not a bricks-and-mortar institution. It is an online dispute resolution system that is available to members of the public 24/7. People who use CAT to resolve their disputes can communicate asynchronously and at their own convenience. In general, they will not need to miss work to take part in a dispute resolution process that is scheduled on a week day during business hours. CAT's customized on-line system

was developed in partnership with the University of Montreal's Cyberjustice Laboratories and builds upon PARLe, the open-source platform that Cyberjustice adapted for consumer disputes in Quebec.

2. CAT is intended to be easy to use and to understand. It scrupulously steers away from legal terminology, opting instead for colloquial words and plain language. For instance, people who bring disputes to CAT are not referred to as "parties." Instead, they are called "users," a term that is familiar to people of all ages and stages given the ubiquity of personal computers and mobile devices.

3. CAT is an interest-based, goal-oriented system that encourages collaboration and early resolution. Its proceedings make use of a dispute resolution ladder with increasing levels of intervention as a dispute progresses. The first stage, Negotiation, allows users to negotiate in a neutral forum and attempt to resolve the dispute themselves. If the dispute is not resolved at that stage, the users can move to stage two, which is Mediation, where a dedicated CAT mediator will join the case and assist the users in resolving the dispute. If still unresolved, the dispute moves to the third and final stage, Tribunal Decision, where a dedicated CAT member will conduct a formal adjudication of the dispute and issue a legally-binding decision. Although the default is online communication, tribunal members will have discretion to adopt other forms of communication according to the users' needs.



4. To minimize access barriers, CAT's dispute resolution services are low cost. Users do not pay hourly fees for mediation or adjudication services. Instead, the applicant pays an application fee ranging from $25 to $150 as a dispute progresses up the dispute resolution ladder. Retaining a lawyer or paralegal is, of course, always an option for users, but the tribunal will not order one user to pay another user fees charged by such an outside advisor unless there are "exceptional reasons" to do so.

5. While CAT's services are predominantly online, CAT is more than a computer screen. It is peopled by experienced dispute resolution practitioners who are trained in mediation and adjudication as well as in condominium law. The tribunal chair, Ian Darling, brings years of experience as an organizational ombudsperson and is deeply committed to procedural fairness and people-centric processes. The vice chair, Michael Clifton, brings in-depth expertise in condominium law.

6. CAT's processes are integrated into and supported by the Condominium Authority of Ontario, a statutory body accountable to the Ontario government and charged with responsibility to administer certain provisions of the *Condominium Act, 1998*. This means that people with condominium-related disputes may also have access to the authority's "guided pathways" that deliver general information about the rights and responsibilities of condominium living, as well as to the no-cost online training for condominium directors.

7. CAT, together with the Condominium Authority of Ontario, has a general commitment to service excellence. To this end, the tribunal will seek ongoing user feedback and will adapt and develop its operations to meet the needs of its users and the condominium community at large.

No doubt there will be issues or obstacles that CAT will need to address over time, but it will be enlightening to see how this unique dispute resolution initiative will evolve.

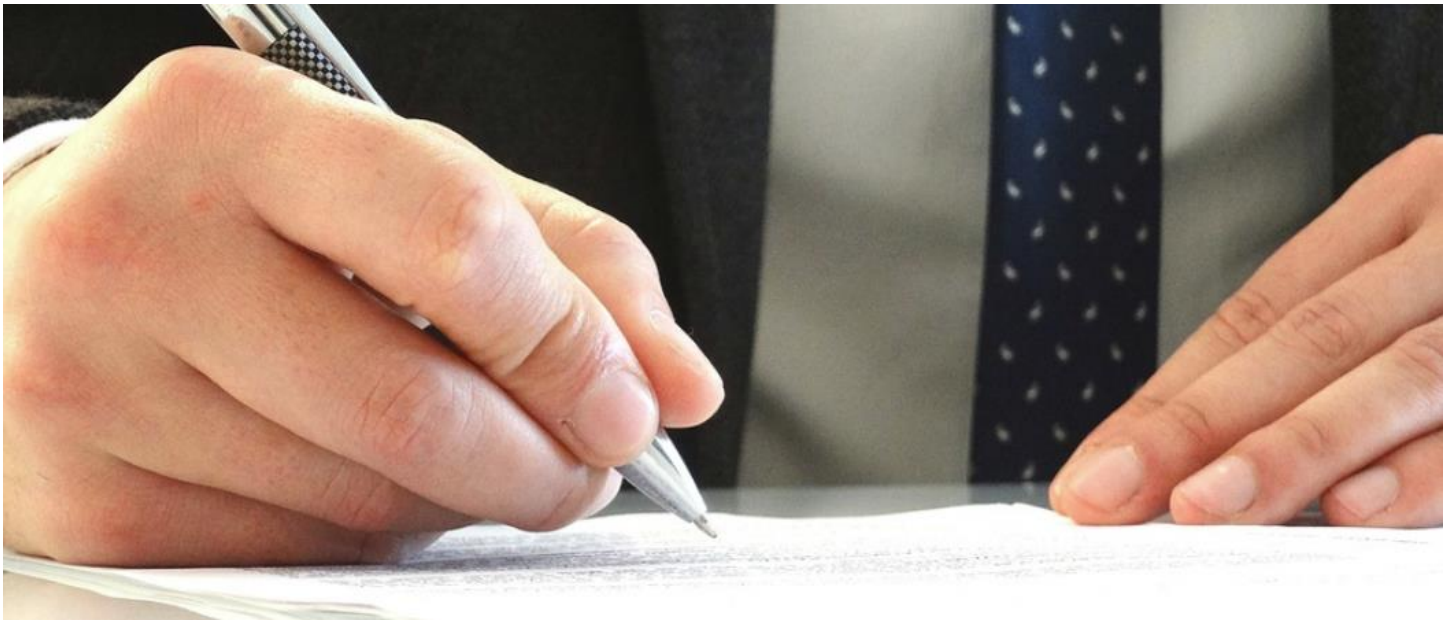
ADR Institute of Ontario

Another Way to Find ADR Practitioners in Ontario

Introducing ADRIO's New:

Ontario Resolution Professionals Directory

www.ADR-Ontario.ca/directory



HELPING PARTIES PREPARE PERSUASIVE MEDIATION BRIEFS: WHO DO YOU THINK YOU'RE TALKING TO?

BY MEGAN KEENBERG, BA (HONS), LLB, LLM (DISP. RES.)

Megan Keenberg is a commercial litigator and mediator at Van Kralingen & Keenberg LLP, with significant experience in the mediation of high-stakes, multi-party commercial disputes, both as representative counsel and as a mediator.

The strategies, techniques and tactics lawyers use to advocate for their clients will necessarily be informed by the context of the advocacy, the forum in which it takes place, the relief available and, most importantly, by the audience. The party autonomy inherent in mediation shifts the focus of advocacy from an impartial judicial audience, to a partisan audience. Unlike in court, where advocacy efforts are directed towards an impartial trier of fact, the primary target audience in mediation is the opposing party: a party with a vested adverse – often hostile – position.

The mediation brief is a crucial instrument that can make or break mediation efforts. Many counsel make the mistake of treating their mediation briefs as a summary judgment factum, focusing on the legal merits of the case and presenting adversarial arguments. A strident mediation brief that exclusively argues the legal merits of the case will usually fall on deaf ears – indeed, such a brief may backfire, leading to the opponent becoming further entrenched in her position, and less inclined to settle. This approach ignores the party autonomy inherent in the mediation process and undermines any attempt at integrative bargaining.

As mediators, we can mitigate against the undermining effects of such a mediation brief by expressly setting out what will be compelling and assistive in the mediation process (and what won't be) in the pre-mediation conference. To this end, the critical ground to be covered in the mediation brief includes:

I. Key Facts

This section should focus on the material facts of the case that are

crucial for making out the claims and defences advanced by each party. It should also include facts about the context in which the dispute arose and about the sphere in which the parties operate. In addition, the parties should identify the facts anticipated to engender sympathies in the ultimate trier of fact, and which facts about the opposite party may not pass the smell test.

II. Key Legal and Evidentiary Issues

A short description of the key legal issues, citing one or two leading statutory and common law authorities, is required in order to situate the dispute within the legal framework from which it arises. While a factum-like argument about the relative merits of the case is unlikely to be persuasive, parties and their counsel should include in this section any known evidentiary frailties of their opponent's case, such as credibility issues for their key witnesses, the potential unavailability of certain witnesses who reside extra-jurisdictionally or who may be infirm or elderly, insufficient documentary evidence to support a key fact, or contradictory evidence.

III. Status of the Litigation

The status of the litigation will provide important clues to the mediator about the ripeness of the dispute, and the readiness of the parties to settle. Parties who have not yet progressed past the pleading stage may not be ready to settle: they haven't spent much on legal costs yet, and they haven't yet had an opportunity to test the theories of their cases in discovery. As a result, they may be overly optimistic about their chances of success at trial. At the other end of the spectrum, when the parties are set down for trial, they may have become entrenched in their positions, and the sunk costs of trial preparation may be a strong motivator to continue to trial.

IV. Settlement Discussions to Date

Many parties are reluctant to provide this information in the mediation in the likely vain hope of recovering more, or paying less, than they had previously offered. The omission of these important cues to the Zone of Possible Agreement only serves to keep the mediator in the dark: the parties themselves are well aware of the settlement positions taken to date, and there is nothing to be lost by setting them out for the mediator. Parties should include any written offers, particularly Rule 49 offers, with their attendant costs consequences, in their key document brief. In addition, parties should include details of any circumstances that have changed the settlement landscape since those offers were made.

V. Barriers to Settlement

After the settlement positions have been laid out, the parties should include the parties' best guesses as to why they are not able to come to a resolution of their dispute without the assistance of a mediator. Common barriers include (i) a party's overconfidence in the merits of their case; (ii) differential access to key information; (iii) the need for an expert opinion; (iv) the parties' mistrust of one another; or (v) power plays in which one or more parties are attempting to wear down their opponent, and drain their resources, in an effort to force a capitulation.

VI. Party Dynamics

The mediation brief should describe in some detail the relationship between the parties: its duration; whether it is ongoing; how they have dealt with previous disputes; whether a party represents a wider constituency of stakeholders and what the broader interests of that group are; and the existence of any coalitions in multi-party disputes.

VII. Risk Analysis and Costs Estimates

While a hostile opponent may be disinclined to pay any credence to the legal merits of the other party's case, they may be more susceptible to arguments based on process risks, including: the potential damage to reputations occasioned by a public court dispute; the high costs of legal fees on both sides; the difficulty in accurately predicting the outcome of trial, and the risk associated with the zero-sum game of litigation; the stress of submitting to cross-examination; and, often most importantly, the time and attention that will be diverted from other personal and business pursuits (and the potential to forfeit income from such pursuits).

A mediation brief that includes these elements will be immensely helpful to the mediator and will drive productive settlement discussions. However, moving from the standard factum-like brief to this kind of mediation brief represents a sea-change that will be met with resistance in many cases. Mediators can ease the transition by explaining the benefits of these inclusions at the pre-mediation conference, and addressing any concerns around disclosure.

Civil Procedure Workshop

For Non-Lawyer Mediators

Register before Feb 24th for early-bird rates.

This workshop covers the basics of civil procedure in Ontario for non-lawyer mediators and goes toward fulfilling the requirements for the Ontario Mandatory Mediation Program (OMMP). It also counts towards the educational component of the Q.Med & C.Med designations.

Topics include:

- ✓ Basic civil procedure
- ✓ Civil procedure for contract & employment claims
- ✓ Civil procedure for tort & insurance claims

Led by Gary Furlong, B.A., C.Med, LL.M. (ADR)

Registration includes continental breakfast, lunch and refreshments.

Registration Rates	ADRIO Members	Non-Members
Early-Bird (before Feb 24th, 2018)	195.00	275.00
Regular Rate	235.00	305.00

For Full Details and Registration,

Visit ADR-Ontario.ca/events

Plus HST on all rates. See registration page for cancellation policy.

THE PROMISE OF FAMILY MEDIATION-ARBITRATION: IS IT REAL?

BY HILARY LINTON

Hilary Linton is the president of Riverdale Mediation Ltd. She is also a Toronto family mediator and arbitrator who recently co-taught, with Dr. Richard W. Shields, a five-day course in Family Arbitration Law and Skills to family lawyers, mental health professionals and paralegals from across Canada. The course will be offered again in the spring, 2018. Visit www.riverdalemediation.com for more information.

The crisis in access to family law justice has led to many great things happening outside of court. Collaborative practice, for example, has grown from disenchantment with the adversarial legal system's assumption that positional bargaining necessarily protects the interest of parents and their children. Family mediation has become the go-to solution for both the public (seeking to avoid paying lawyers) and government (seeking to reduce the costs of providing family law justice).

In many jurisdictions, mediation-arbitration (med-arb) is increasingly seen as a pragmatic and cost-effective dispute resolution option for those seeking the combined benefits of interest-based negotiation premised on self-determination, and the "back up" security of a reliable and fair decision-making mechanism should negotiations fail.

In some ways, med-arb, as it is known, is a higher-commitment version of open mediation in the litigation context, where the mediator may report to the court on what happened if a settlement is not reached. People who decide to try mediation to resolve litigation may opt for open mediation when they do not trust the other person to negotiate in good faith. They feel they need the security of reporting to the court to keep the other person honest.

Likewise, there are fundamental similarities between med-arb and collaborative practice. In both, there is a dire consequence if the parties do not reach an agreement. This dire consequence, in the case of collaborative law, the expense of retaining new counsel, and in med-arb the requirement to participate in an adjudication, becomes an impetus to settle.

And so med-arb fits nicely in the continuum of evolving conflict resolution processes that are being developed, designed and refined to respond to contemporary access to justice challenges.

Med-arb is wholly private. Parties enter into a contract with the mediator-arbitrator. Ideally they will choose the one that best meets their personal needs, as the ways in which professionals deliver med-arb services vary widely. Not all mediator-arbitrators are family lawyers - many are mental health and family professionals whose expertise in child matters gives them authority. Some operate formally; others less so. Some require lawyers to be present; others do not. Some offer opinions in the mediation phase; others choose to carefully avoid any comments that might undermine the arbitration phase should it occur. Some will use caucusing in the mediation phase; others will not.

Aside from the limited requirements imposed by Ontario's Ministry of the Attorney General in 2007, family arbitrators are free to design their mediation and arbitration components as they and the parties wish. This allows for enormous flexibility in process design, which in turn means that med-arb, in theory, offers great opportunity for separating couples who do not find direct negotiation between themselves helpful. And it can be the best process for unrepresented parties if the

mediator-arbitrator is skilled in working with those without counsel and practices in a way that ameliorates the risks arising from power imbalances inherent in such a process.

What are the benefits of family mediation-arbitration?

1. Parties can work with a decision maker they trust. In a recent panel discussion at an ADRIO/FDRIO/Osgoode Professional Development program, former Chief Justice Warren Winkler described med-arb as the process requiring the highest professional trust and I think he is right. Mediator-arbitrators work intensely and closely with parties in a mediation, often spending time with them privately for screening for power imbalances and family violence (one of the unique requirements for family arbitrators under the Arbitration Act Regulation), and learning their respective procedural needs, and also often working with them separately in caucus during the mediation to better understand what they need substantively. If the parties trust the mediator-arbitrator's professionalism and integrity, they will be more inclined to accept the eventual decision, if one is made, even if they don't like it.

2. Parties (and their counsel) can design the process in a way that suits their needs. If the mediation fails, they can consent to using any part of that process in the arbitration. They can agree on using agreed facts and documents, affidavits and reports in an efficient way. The Statutory Powers and Procedures Act applies to arbitrations, meaning the rules of evidence can be more flexible as is appropriate. The process is intimate and empathetic, giving parties—especially those without lawyers—the sense that they have participated in something meaningful and cost-effective.

3. Family arbitrators are generally very well trained and highly experienced. They know how to make and write good decisions, and are able to focus as much time on the case and writing the decision as the parties need, making the process more time responsive, in many cases, than court. There are no long wait times for a court date, no paying a lawyer to sit in court waiting to be heard by the judge. This is, when well done, a highly efficient and responsive process.

There are also challenges with family mediation-arbitration. Because it is a high-commitment process, it is critical that those providing the service take time to assess whether the parties and the process are in fact well suited for each other. (Under Ontario law, family arbitrators have a duty to assess whether the case is appropriate before and during the arbitration process.) People who are ungovernable, or where a party is afraid of the other, those who are manipulating the process to extend their control over the other person, or those who are incapable of complying with procedural requirements or substantive decisions; these are the cases that should not be in a high commitment process like mediation-arbitration because they are likely to fail. When an arbitration fails, the parties are left in the worst possible situation - with no progress made and often no money left.

Family mediation-arbitration is a highly skilled process offering great promise for the right people in the right circumstances. Those seeking to work with a mediator-arbitrator—whether they have counsel or not—would be wise to ask many questions about the process and the proposed mediator-arbitrator before signing a contract.

MAXIMISING ADR IN THE UK: A CONSULTATION

BY TERRY RENOUF

Terry Renouf is a CEDR and UK Civil Mediation Council accredited mediator. He is also Consultant to BLM, one of the UK's leading litigation practices where he was Senior Partner. Terry briefed BLM clients on the CJC Consultation and prepared BLM's response.

On October 17, 2017 the UK's Civil Justice Council ("CJC") – an advisory body to the Ministry of Justice, chaired by the Master of the Rolls – published a Consultation on "ADR and Civil Justice"[1]. As mentioned in the Fall edition of the ADRIO Newsletter[2] there are a number of reports and reforms by senior UK Judges presently being considered that support ADR or design it in to the civil process. The Consultation is a wide-ranging review across UK civil jurisdictions of the successes (and failures) of ADR and includes a series of 29 Recommendations and 43 Questions that will inform the CJC and subsequently a roundtable in the early part of this year (2018). The report notes and considers the reasons for the "patchy" progress of ADR in the UK across different type of cases and across different civil jurisdictions.

It is impossible to do justice in a short article to the report which considers the present landscape of provision and how it might be made to be used more frequently and effectively. The report notes that the breadth of ADR includes successful consumer conciliation schemes such as that of the Financial Ombudsman Service ("FOS") which handled 1.6m enquiries in its last full year and investigated 341,000 new cases. Within that context other schemes are often small, as too is the more conventionally recognised process of mediation where CEDR[3] estimates that 10,000 civil mediations take place per annum[4]. Other areas of dispute resolution are also reviewed including those in the family courts where the limited success of Mediation Information and Assessment Meetings ("MIAM") is noted and the greater success of the judicial Financial Dispute Resolution appointments ("FDR") that requires parties to make settlement proposals prior to the FDR.

This detail provides context within a Consultation that poses, as mentioned, numerous recommendations and more questions and where responses (which at the time of publication) are not yet available but were provided to the CJC by the December 17 deadline.

So where might we end up? In the earlier ADRIO article mentioned above I noted longstanding judicial support for ADR and it is surely worth noting in full the words of the Master of the Rolls, Sir Terence Etherington on launching the Consultation on the CJC website:

"ADR is a very effective means of resolving civil disputes quickly and cheaply. This report explores the current use of ADR and the reasons why it is not used more frequently. As we prepare to enter a digital age of dispute resolution it is an ideal time to look in detail at how the potential for ADR can be maximised."

The Consultation itself asks whether the leading case providing guidelines on ADR should be reviewed. This case (*Halsey v Milton Keynes NHS Trust*[5]) is now

---

[1] ADR and Civil Justice, Civil Justice Council, October 17, 2017 (https://www.judiciary.gov.uk/publications/cjc-invite-submissions-on-the-future-role-of-adr-in-civil-justice/)

[2] Building ADR into UK Civil Justice Reforms, *ADR Update*, Fall 2017

[3] CEDR: Centre for Effective Dispute Resolution is a leading UK provider of mediation and training

[4] Seventh CEDR Mediation Audit 2016, CEDR, May 11, 2016 (https://www.cedr.com/docslib/The Seventh Mediation Audit (2016).pdf)

[5] Halsey v Milton Keynes NHS Trust, Court of Appeal, May 11, 2004 (http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/E

nearly 14 years old and there have been many changes to civil process in the intervening years together with those anticipated. It is understood that the senior judiciary recognise that this is the case and we must anticipate that, subject to a case being appealed on the point, there will be further and new judicial guidance in the nearer rather than the more distant future that will provide further impetus in favour of ADR.

Other recommendations pose questions as to whether costs sanctions for "unreasonable refusal" to mediate might be considered earlier in the process. At present costs penalties are imposed at the end of the court process in the relatively rare circumstances where a Judge has determined the issues. The Consultation suggests that an interim costs order could be made sooner thereby compelling parties to consider ADR at a point where it might save costs rather than then having to argue the point at the conclusion of a well conducted hearing and carefully considered judgment and having to make submissions that the hearing itself could have been avoided. Having regard to the much greater emphasis on judicial case management and the fact that the settlement of disputes is seen as the objective for parties rather than (as was historically the case) the accidental by-product of the system it does seem likely that this recommendation will have resonance with those responding, the CJC and the Judiciary.

It should also be noted that there is a full chapter of the Consultation considering whether mediation should be compulsory. The conclusion is that it should not but it is plain that there are nuanced views amongst the members of the Working Group that authored the Consultation on what is a more complex issue than can be expressed in the two sentences of this paragraph.

There are a number of other recommendations that consider the process and some of the cultural challenges facing mediation. Clients will no doubt welcome any recommendations that reduce the cost of civil litigation whilst facilitating efficient settlement. The Consultation does also pose some challenging questions for UK mediators. Is there a concern amongst users of mediation about the quality and consistency of the "product"? Should there be more thorough regulation of civil mediators and how should such regulation be funded and managed?

This short article does not do justice to an extensive report that considers other issues such as Online Dispute Resolution, Judicial Early Neutral Evaluation, the provision of low value ADR and the absence of mid-value ADR. It is clear that there is an appetite for reviewing and improving access to ADR and as the Master of the Rolls indicated "how the potential for ADR can be maximised." Further developments are anticipated and will be reported.

WCA/Civ/2004/576.html&query=(Halsey)+AND+(v)+AND+(Milton)+AND+(Keynes))

ADR Institute of Ontario

33rd Annual General Meeting & Professional Development Conference

ADRIO 2018

Toronto

June 7th, 2018 | The Ramada Plaza

The New ADR: Diverse. Transforming. Regulated?

- ✓ Three Streams: Mediation, Arbitration and More Dispute Resolution Approaches.
- ✓ 11 Speakers, 10 Sessions.
- ✓ Exceptional opportunity for learning, training, and networking.
- ✓ Registration includes breakfast, lunch, and break refreshments.

Keynote: Janice Rubin

Martha Simmons
Barbara Benoliel
Tricia Gazarek
Marshall Schnapp
Michael Erdle
Ian Mackenzie
Blaine Donais
John Beaucage
Alicia Kuin
Cinnie Noble

ADRIO Members:

Register before midnight, April 30th, 2018 for the early-bird rate of only $195.

Other Rates:

Member regular: $250
Non-member: $325

+HST on all rates. Once your registration is accepted and payment is processed – the refund policy below will apply in all circumstances.

Session details coming soon. Sponsorship Opportunities Available.

Registration Now Open: www.adr-ontario.ca/adrio2018

ODETAAN MAAMWI - OJIBWE SPIRIT NAME

"WITH ALL OUR HEARTS TOGETHER WE CREATE THIS" - ELDER JACQUI LAVALLEY

"WE REACH IT TOGETHER" - HEALER JAMES CARPENTER

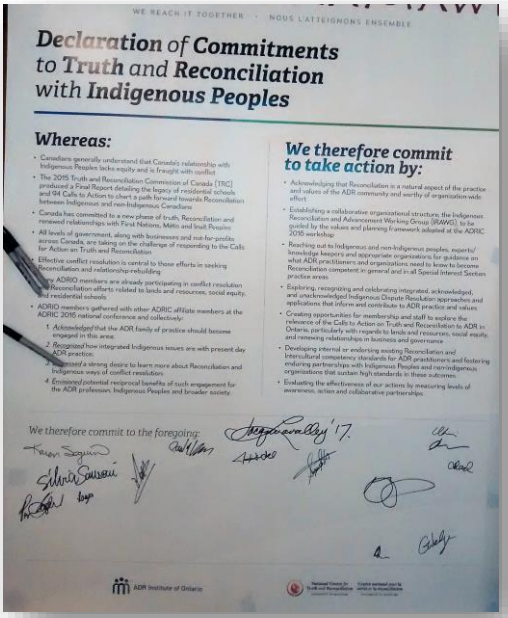
WRITTEN BY MARTINA PALOHEIMO AND DAVID NG

This is the story of our Anishnawbe spirit name giving ceremony for our Indigenous Reconciliation and Advancement Working Group (IRAWG). We were privileged as a group to be gifted a spirit name by the Great spirits to move forward in a good way with our work with ADRIO and reconciliation in Canada. This is the story of the ceremony, our teachings from it and our experience within it.

On the evening of September 6, 2017, a group of likeminded individuals gathered in the backyard of the Anishnawbe Health Toronto building at 179 Gerrard St. East. We were ten individuals of diverse genders, ages, ethnic backgrounds and directions who were united in the cause of cultural reconciliation and advancement for Indigenous peoples. However, the present working name of this mediation group was in English, namely the Indigenous Reconciliation and Advancement Working Group.

Also, there was a collective feeling that this name did not capture the essence of what this group was trying to achieve. With the hope and intention of finding a new more all-encompassing name, we met to participate in a traditional sweat lodge ceremony.

A sweat lodge is a small dome-shaped hut traditionally made of all natural materials. A healer or elder guides every sweat as this sacred journey is typically for healing and praying. On this particular summer's evening we were guided by our sweat lodge conductor, James Carpenter, together with his conductor helper and fire keeper; they lead the sacred ceremony to help return the occupants of the lodge back into the womb of Mother Earth. The grandfather rocks that will centre the lodge are heated up hours ahead of time. They were guided by a fire keeper outside, in preparation for the entrance into the lodge for the sweat. One by one, we crawled into the darkened lodge, reconnecting ourselves back to Mother Earth. As we sat in a circle these grandfather rocks were gently carried into the lodge on the backs of deer antlers, as had been done for centuries. These rocks were welcomed and given thanks. We thanked each Grandfather for


WE REACH IT TOGETHER · NOUS L'ATTEIGNONS ENSEMBLE

Declaration of Commitments to Truth and Reconciliation with Indigenous Peoples

Whereas:

- Canadians generally understand that Canada's relationship with Indigenous Peoples lacks equity and is fraught with conflict
- The 2015 Truth and Reconciliation Commission of Canada (TRC) produced a Final Report detailing the legacy of residential schools and 94 Calls to Action to chart a path forward towards Reconciliation between Indigenous and non-Indigenous Canadians
- Canada has committed to a new phase of truth, Reconciliation and renewed relationships with First Nations, Métis and Inuit Peoples
- All levels of government, along with businesses and not-for-profits across Canada, are taking on the challenge of responding to the Calls for Action on Truth and Reconciliation
- Effective conflict resolution is central to these efforts in seeking Reconciliation and relationship-rebuilding
- Many ADRIO members are already participating in conflict resolution and Reconciliation efforts related to lands and resources, social equity, and residential schools
- ADRIO members gathered with other ADRIC affiliate members at the ADRIC 2016 national conference and collectively:
  1. Acknowledged that the ADR family of practice should become engaged in this area;
  2. Recognized how integrated Indigenous issues are with present day ADR practice;
  3. Expressed a strong desire to learn more about Reconciliation and Indigenous ways of conflict resolution;
  4. Envisioned potential reciprocal benefits of such engagement for the ADR profession, Indigenous Peoples and broader society.

We therefore commit to take action by:

- Acknowledging that Reconciliation is a natural aspect of the practice and values of the ADR community and worthy of organization-wide effort
- Establishing a collaborative organizational structure, the Indigenous Reconciliation and Advancement Working Group (IRAWG), to be guided by the values and planning framework adopted at the ADRIC 2016 workshop
- Reaching out to Indigenous and non-Indigenous peoples, experts/knowledge keepers and appropriate organizations for guidance on what ADR practitioners and organizations need to know to become Reconciliation competent in general and in all Special Interest Section practice areas
- Exploring, recognizing and celebrating integrated, acknowledged, and unacknowledged Indigenous Dispute Resolution approaches and applications that inform and contribute to ADR practice and values
- Creating opportunities for membership and staff to explore the relevance of the Calls to Action on Truth and Reconciliation to ADR in Ontario, particularly with regards to lands and resources, social equity, and renewing relationships in business and governance
- Developing internal or endorsing existing Reconciliation and intercultural competency standards for ADR practitioners and fostering enduring partnerships with Indigenous Peoples and non-Indigenous organizations that sustain high standards in these outcomes
- Evaluating the effectiveness of our actions by measuring levels of awareness, action and collaborative partnerships.

We therefore commit to the foregoing:

ADR Institute of Ontario

their wisdom, guidance and presence. The grandfather rocks, glowing in the darkness, were lovingly placed into the centre of the lodge into a fire pit. We had no idea what we were in for as the medicine water was poured onto the rocks and we began to sweat as the lodge quickly started heating up. Medicine from sacred plants was sprinkled by each individual into the glowing pit, sparkling and vaporizing into the lodge as we begun to see the channels to Great Spirit opening up. The conductor beat his drum and sang songs handed down through generations over millennia, synchronizing the collective heartbeat of the lodge and reconnecting to the heartbeat of Mother Earth.

We went through two rounds of sweating and prayers, one for individuals and one for the world, the conductor and us. In between each round, taking a few minutes to breath and cool down. The fire keeper opens up the flaps over the hut to let a breeze roll through and for us to reflect on the experience taking place. We all braced ourselves, and entered with great curiosity into the final third round. Jointly seeking and hoping the Great Spirit would gift us with a new name for our group as we remain in the circle, sweating, curious and open. The conductor cautioned that nothing might appear to him. More glowing grandfather rocks were brought into the lodge. More sacred plant medicine was sprinkled onto the rocks. Rattles were handed out and everyone shook these rattles louder and louder, as we witnessed sparks flying into the darkness - the strongest light seen from the beat of the conductor's drum. The volume in the lodge grew as he drummed and sang, rising into a thunderous crescendo.

Then it grew silent. The conductor claimed that he could see the people in the lodge reaching up with their hands outstretched as if grabbing at something in front of them. And he then announced that the name that had come to him was –

ODETAAN MAAMWI

Ojibwe for:

"We reach it together"

"With all our hearts together we create this"

The conductor explained it was an Ojibwe phrase meaning "We Reach It Together." After the sweat lodge, we were amazed by the magic and appropriateness of this phrase our group had been gifted by the spirits. What we found when we researched further is that the phrase can be broken down into 2 parts:

1. **Odetaan** means: Ode (Heart) Taan (object &/or exchange); Elder Jacquis Lavalley's translation. Ojibwe online dictionary: approach, reach it, or come up to

2. **Maamwi** means**:** together

This resonates because the idea of reconciliation is the end goal and there is no other way than by working on it together or we will not be able to get anywhere. As mediators we would like to do our part to help facilitate this process in whatever way we can. We are honoured to have such a fitting and beautiful spirit name gifted to us; a name that highlights the importance of all of Canadians, Indigenous and non-Indigenous, working together towards this goal. We hope that this group may help navigate this journey as it unfolds, to honour our name working to reach it together, "with all our hearts we can create this."

However difficult or impossible the situation this new spirit name reminds us that anything is possible to achieve if we work from our hearts all together.

Note: The name "Odetaan Maamiwi" was edited and updated as per Elder Jacqui Lavalley, Ojibwe Language Teacher who kindly reviewed our name and its traditional meaning. As an expert and teacher of Ojibwe, she recognized that spelling and meanings can be open to interpretation; we are privileged to have her interpretation and spelling approval for the declaration. Jacqui Lavalley is a member of the Shawanaga First Nation, East Shore Georgian Bay. She is an Ojibwe Traditional Teacher and an Ojibwe Traditional Kokomis (Grandmother). Jacqui is also a singer, dancer, songwriter and an exceptional Traditional Ojibwe Storyteller, using her own life story as an introduction into the Traditional, Spiritual aspects of being an Anishinaabe Ekwe (Indigenous Woman).

Elevate Your Career by Joining ADRIO

ADR Institute of Ontario

Learn, Network & Succeed

Take your ADR Career to the next level and join ADRIO today. We assist our members, and users of ADR services, by providing information and education, maintaining high professional standards and implementing a structure to ensure members adhere to those standards.

Learn more about becoming an ADRIO Member by calling Mena, Coordinator, Membership & Accreditation: 416-487-4447 x 101.

Join today to take advantage of the many benefits we offer:

ADR-Ontario.ca/join

Membership Benefits	MEMBERSHIP TYPE		
	FULL: $287+HST	ASSOCIATE: $117+HST	STUDENT: $54+HST
Education and Information			
Special Interest Section Meetings, webinars & access to a large back catalogue of recordings.	✓	✓	✓
Electronic delivery of *ADR Update* three times a year and *ADRIO Member Bulletin* throughout the year.	✓	✓	✓
Discounts to all Professional Development programs.	✓	✓	✓
Your own Member Portal with access to Members Only content.	✓	✓	✓
Opportunity to serve on ADRIO committees.	✓	✓	✓
Voting rights at the ADRIO AGM and during elections.	✓		
Automatic membership with ADR Institute of Canada.	✓		
Business Development			
Outreach to government and other organizations to promote ADR.	✓	✓	✓
Roster calls, RFPs and work opportunities.	✓		
Access to the ADRIO Member logo for your own use.	✓		
Use of a polished, customizable PowerPoint presentation explaining what ADR is.	✓		
Public listing on ADR CONNECT so clients can find and contact you.	✓		
$$ Exclusive Discounts			
Discounted home & auto insurance through The Co-Operators.	✓		
Discounted health & dental insurance through Loran Health Plus.	✓		
Up to 50% off ADRIO branded stationary through Vista Print.	✓		
Discounted laptops and other products from Lenovo.	✓		
Car rental discounts through National and Enterprise.	✓		
Extremely competitive errors & omissions insurance rates through Marsh Canada.	✓		
20% discount for any order on the Bloomex website.	✓		

Practical Ethics for Working Mediators

Get the best writings and videos on ethics in mediation from world renowned experts including course author Elaine Newman, B.A., LL.B., LL.M.

In order to ensure and encourage enhanced professionalism and adherence to best practices, ADRIO™ requires that new members take its online course: Practical Ethics for Working Mediators before or within the first three months of new membership.

The course will assist you in creating an "Ethical Blueprint," increase awareness of mediation values, assist you in becoming a more reflective practitioner and provide a foundation for skillfully resolving ethical dilemmas that emerge in your practice.

REQUIRED COURSE - This course is required for all new ADRIO members, designation applicants and roster applicants.

ADRIO MEMBERS SAVE $60 - To access your special discount code, log in to your Member Portal and click on the Member Resources tab.

Online Course - This course is offered in a flexible online format to allow you progress through the course at your own pace.

6-8 hours

Course Length: 6-8 hrs - The course is available online 24/7. Course session is valid for 60 days from date of purchase.

accredited cpd

Accredited by LSUC CPD - for 2.0 Professionalism hours and 6.0 Substantive hours.

16 CEE Points

16 CEE Points - C.Med and Q.Med designation holders earn 16 points towards your designation maintenance.

Insurance Discount

Save on Professional Liability Insurance - Complete the Ethics Course and save on Professional Liability Insurance from MARSH Canada.

Register Now: www.adr-ontario.ca/join

Learn & Succeed

Realize Your Full Potential by Taking an ADRIO™ Approved Course.

The ADRIO™ education committee is charged with the responsibility of reviewing and approving courses that it receives from instructors, institutions, and universities.

The following alternate dispute resolution programs have been evaluated by the education committee. Completion of a total of 40 hours meets the educational criteria for membership in the institute. For details regarding additional upcoming course dates, fees and locations, please see contact information in each of the listing.

ARBITRATION COURSES

Comprehensive Arbitration Training
Instructor: Murray H. Miskin, LL.B.
Location: Toronto, Ontario
Contact: 416-492-0989, 905-428-8000 or by email at miskinlaw@yahoo.com
Website: www.adrworks.ca

Correspondence Course in Arbitration
Location: Available anywhere in Canada
Contact: ADR Institute of Canada, Inc. at 416-487-4733 extension 101 or
Website: http://adric.ca/resources/training-handbooks/

Toronto Commercial Arbitration Society: the TCAS Gold Standard Course in Arbitration
Upcoming Dates: September 16, 2017 – May 12, 2018
Location: Arbitration Place
This 40-hour course is held over 18 weeks and provides an in-depth understanding of domestic and international commercial arbitration, both institutional and ad hoc. The program is directed by William G. Horton with the assistance of Stephen R. Morrison and is taught by a faculty of leading arbitration practitioners.

Website:
http://torontocommercialarbitrationsociety.com/gold-standard-course-arbitration/

MEDIATION COURSES

ADR & Advanced ADR Workshops (two 4-day programs)
Instructors: Stitt Feld Handy Group
Location: Toronto and Ottawa, Ontario (and other cities throughout Canada)
Contact: Stitt Feld Handy Group at 1-800-318-9741 or 416-307-0000

The Alternative Dispute Resolution (ADR) Graduate Certificate Program (full-time one-year program over two academic semesters)
Instructors: Various ADR practitioners
Location: Humber College Institute of Technology, Lakeshore Campus
Contact: Mary Lee, LL.M. (ADR), Program Advisor, ADR Graduate Certificate Program (mary.lee@humber.ca)
Website:
www.humber.ca/program/alternative-dispute-resolution

Certificate in Dispute Resolution (140-hour program)
Instructors: Desmond Ellis, PhD.; Blaine Donais, BA, LLB.; Richard W. Shields, LLB., MA., LLM., PhD., LSUC, Cert. CFM, C.Med., C.Arb., Cert.F.Med., Acc.F.Med.; Dennis Hodgkinson, BComm, LLM, Cert. ADR.
Location: York University, Toronto, Ontario
Contact: School of Continuing Studies, Ph: 416-736-5616
Website:
http://continue.yorku.ca/certificates/dispute-resolution/certificate/
Upcoming Dates: Winter 2017: January 23, 2017 - May 19, 2017
Summer 2017: July 2017

Collaborative Conflict Resolution and Mediation Skills & Process
Instructor: Janine Higgins, LL.B., C.Med
Location: University of Western Ontario, London, Ontario
Contact: Division of Continuing Education, Ph: 519-661-3658
Website:
www.uwo.ca/cstudies/courses/professional/adr/index.html

Conflict Theory and Introduction to Negotiation and Mediation (Modules I and II – 4 days each module)
Instructors: Evan Hoffman, Ph.D.
Location: Ottawa, Ontario
Contact: Canadian International Institute of Applied Negotiation 613-633-0491
ciian@ciian.org
Website: www.ciian.org

Family Negotiation and Mediation: Theory and Practice (40 hours)
Instructors: Hilary Linton, LL.M., Acc.FM.; Elizabeth Hyde, B.Ed., LL.B., LL.M., AFM
Location: Toronto, Ontario

Contact: Riverdale Mediation: Frank G., 416-593-0210, Ext. 270
Website: www.riverdalemediation.com

Fundamentals of Mediation
This course is accredited by the Law Society of Upper Canada for Continuing Professional Development. This program contains 1.75 Professionalism Hours and 38.25 Substantive Hours.
Instructor: Kathryn Munn, LL. B., Cert. ConRes., C.Med., C.Arb, IMI Certified Mediator & Donald Bisson, Q.Med
Location: London, Ontario and other locations in Ontario;
Contact: Munn Conflict Resolution Services – Ms. Munn at (519) 660-1242 or kmunn@munncrs.com; Northern Ontario – Mr. Bisson 1-855-647-4857 or donald@bissonmediation.ca
Website: www.munncrs.com; or for northern Ontario www.bissonmediation.ca
Upcoming Dates:
London, Ontario
March 21, 22, 23, 26, & 27, 2018
September 26, 27, 28, October 1 & 2, 2018
North Bay, Ontario
TBD

Mediation – Alternative Dispute Resolution (graduate certificate, one-year program)
Instructors: Dale Burt, Virginia Harwood, Q.Med, Tricia Morris, Q.Med
Location: Durham College – Oshawa, Ontario
Contact: Dale Burt and Virginia Harwood (Program Co-coordinators), Virginia.Harwood@durhamcollege.ca Dale.Burt@durhamcollege.ca
Website: http://www.durhamcollege.ca/programs/mediation-alternative-dispute-resolution

5 Day Intensive Mediation Workshop – MDR Associates Conflict Resolution Inc.
Instructors: Richard J. Moore, LL.B., C.Med, C.Arb, CFM, Cert. Med. IMI – MDR Associates
Location: Ottawa and various sites across Canada
Contact: Richard Moore at 613-230-8671
Website: www.mdrassociates.ca
Upcoming Dates: Oct 30-Nov 3, 2017

5 Day Advanced Mediation Workshop – MDR Associates Conflict Resolution Inc.
Instructors: Richard J. Moore, LL.B., C.Med, C.Arb, CFM, Cert. Med. IMI – MDR Associates
Location: Ottawa and various sites across Canada
Contact: Richard Moore at 613-230-8671
Website: www.mdrassociates.ca
Upcoming Dates: November 20-24, 2017

Dispute Resolution Level 1 – Fundamentals (3 days) and Dispute Resolution Level 2 – Mediation (3 days)
Instructors:
Rick Russell, B.A., LL.B., C.Med, C.Arb, Distinguished Fellow I.A.M.
Heather Swartz, M.S.W., C.Med, Acc. FM, Cert.F.Med.
Contact: Rose Bowden – 1-800-524-6967 or (905) 627-5582 or roseb@agreeinc.com
Website: http://www.agreeinc.com/alternative-dispute-resolution-level-1-2.html
Upcoming Dates:
February 28 – March 2, 2018 – Mediation (DR2)
Location – Atchison & Denman, Airport Location, 170 Atwell Drive, Etobicoke, ON M9W 5Z5
Level 1 – Fundamentals – July 9 – 11, 2018
Level 2 – Mediation – July 12 – 14, 2018
At Conrad Grebel University College, Waterloo, ON

Both workshops also qualify for credits toward a Certificate in Conflict Management and Mediation offered by Conrad Grebel University College, affiliated with the University of Waterloo.These courses also qualify for LSUC CPD hours.

Conflict Management Coaching
Instructors: Cinnie Noble, LL.M. (ADR), C.Med, PCC; (Toronto); Heidi Ruppert LL.B. Acc.FM(OAFM) and Terry McCarthy, LL.B. (Ottawa and Halifax); Nicole Charron C.Med (Ottawa – French)
Locations: Toronto, Ottawa, Halifax
Contact: Laureen McNeill at 416-6864247 or 1 866 3356466 (toll free) or cinnie@cinergycoaching.com
Website: www.cinergycoaching.com

Mediation for Professionals Certificate (Herzing College)
Instructors: Tricia Morris, Q. Med, Acc. FM, CP Med; Laura Gray, BA, MA, LLM, Acc. FM
Location: Online
Contact: Alysha Doria, Academic Director, Ph: 416-724-1053
Website: http://www.herzing.ca/professionaldevelopment/mediation-for-professionals-certificate/
Upcoming Dates: October 16, November 27, 2017

Carleton University, Department of Law and Legal Studies – Graduate Diploma in Conflict Resolution (GDCR) (7 graduate level courses over 18 months)
Director: Rebecca Bromwich, Ph.D., LL.B., LL.M.,B.A.(Hons).
Location: Carleton University, Ottawa Ontario
Contact: Department of Law and Legal Studies Ph:(613) 520-3690
Website: https://carleton.ca/law/future-students/gdcr/
Admission is rolling. Program entry is in February each year but there is also an option to enter the program in late May: https://carleton.ca/law/future-students/gdcr/apply-to-gdcr/

ADR specialization (within the Legal Studies Program) Program consisting of the following courses: Human Rights Mediation; Employment & Mediation; Family Mediation; Theory and Practice of Mediation
Name of Approved Course Provider: Legal Studies Program, Faculty of Social Science and Humanities, University of Ontario Institute of Technology
Location: UOIT, Oshawa, Ontario
Contact: Dr. Sasha Baglay, PhD, Director of Legal Studies Program, Faculty of Social Science and Humanities, University of Ontario Institute of Technology (UOIT)
Website: http://socialscienceandhumanities.uoit.ca/legalstudies/current-students/course-descriptions.php

✉ Subscribe

To receive *ADR Update* and other information for free, delivered right to your inbox, visit:
www.adr-ontario.ca/subscribe

Submit an Article

Are you a member of another ADRIC affiliate or a non-member? We encourage you to submit articles too! Please visit our website for our Author Guidelines or email events@adr-ontario.ca

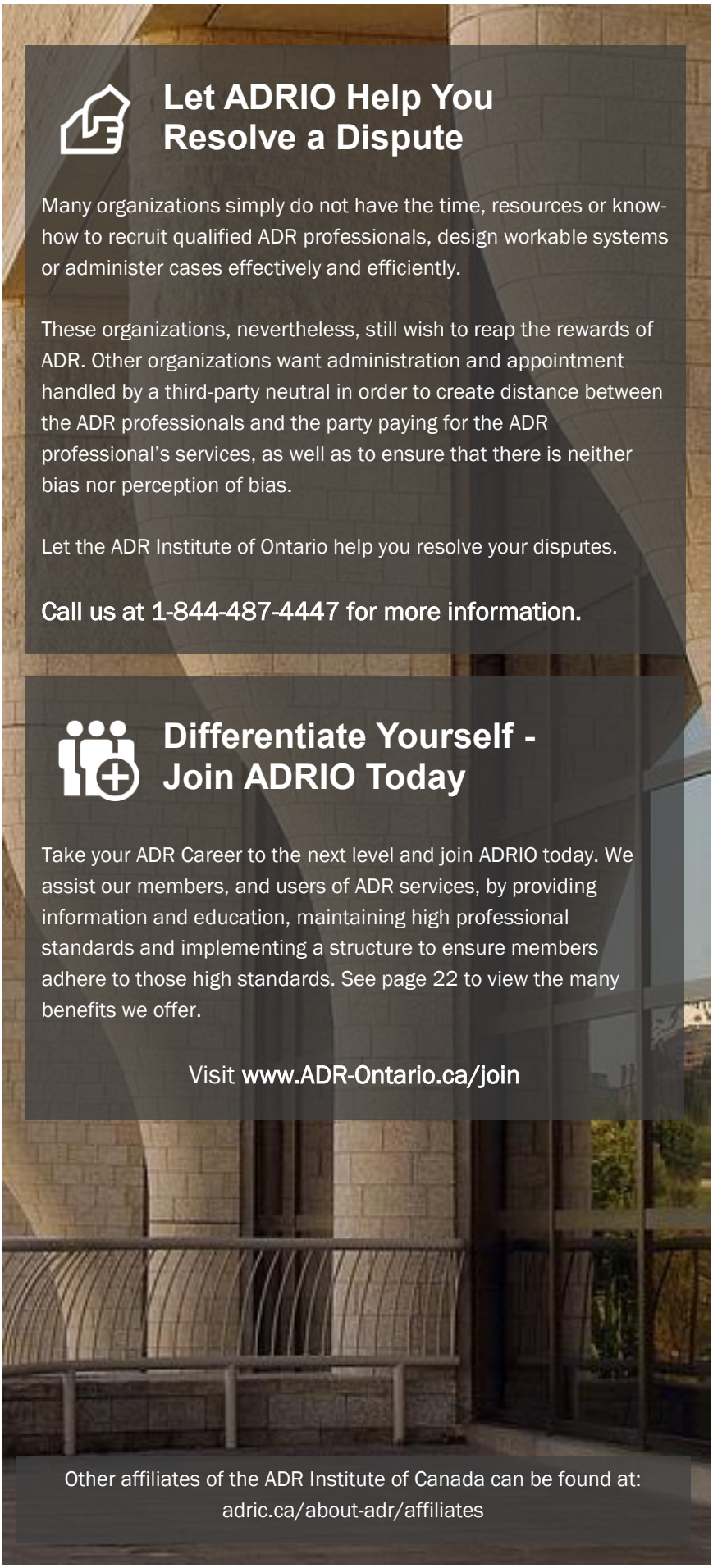
Advertising

Please visit our website for our rate card or email advertising@adr-ontario.ca

Contact ADRIO

ADR Institute of Ontario Inc.
405-234 Eglinton Avenue East
Toronto, Ontario, M4P 1K5
1-844-487-4447 | 416-487-4447
info@adr-ontario.ca

www.adr-ontario.ca



Let ADRIO Help You Resolve a Dispute

Many organizations simply do not have the time, resources or know-how to recruit qualified ADR professionals, design workable systems or administer cases effectively and efficiently.

These organizations, nevertheless, still wish to reap the rewards of ADR. Other organizations want administration and appointment handled by a third-party neutral in order to create distance between the ADR professionals and the party paying for the ADR professional's services, as well as to ensure that there is neither bias nor perception of bias.

Let the ADR Institute of Ontario help you resolve your disputes.

Call us at 1-844-487-4447 for more information.

Differentiate Yourself - Join ADRIO Today

Take your ADR Career to the next level and join ADRIO today. We assist our members, and users of ADR services, by providing information and education, maintaining high professional standards and implementing a structure to ensure members adhere to those high standards. See page 22 to view the many benefits we offer.

Visit **www.ADR-Ontario.ca/join**

Other affiliates of the ADR Institute of Canada can be found at:
adric.ca/about-adr/affiliates