

Dispute Resolution Law Forum 2024

May 9

Live/In-Person

Tennessee Bankers Association
Bradley L. Barrett Training Center
211 Athens Way
Nashville, TN 37228



Total Credits: 3 General, 2 Dual

Program Producer: Matt Haskell, Gullett, Sanford, Robinson & Martin

Join us in person on May 9, 2024 for the Dispute Resolution Forum. It will be held in Nashville at the Tennessee Bankers Association Barrett Training Center. An annual staple for Tennessee attorneys, this event provides insight from top professionals in the ADR vocation while allowing you to meet with other mediators from across the state. Sessions include ethics grievance and arbitration demos, a discussion of community mediation centers, changes in the arbitrability of sexual assault and harassment claims, and a course that covers settlement malpractice.

8:30am – 9:00am CT

Registration / Breakfast

9:00am – 10:00am CT

Dual

Mediation: Pro Bono and Pro Se

This session will survey the depth and range of pro bono mediation provided statewide by TN Community Mediation Centers (CMCs) and will examine both ethical and procedural challenges when mediating with pro se parties. Participants will also learn of pro bono opportunities available to them.

Sara Figal, Nashville Conflict Resolution Center (retired)

Shannon Wagner, Nashville Conflict Resolution Center

10:00am – 10:15am CT

Break

10:15am – 11:15am CT

Dual

Ethics Grievance Demo

This role play will involve a fact pattern which raises ethical issues requiring the application of the ethical standards to a mediator's conduct. Attendees will be asked to decide whether the mediator has violated Rule 31 standards and procedures.

Stephen Shields, Jackson, Shields, Yeiser, Holt, Owen & Bryant

Cindy Ettingoff, Memphis Area Legal Services

Jackie Kittrell, Community Mediation Center

- 11:15am – 11:30am CT **Break**
- 11:30am – 12:30pm CT **Arbitration Advocacy: Common Mistakes Counsel Make and How to Avoid Them**
This session offers attorneys an illustration of best practices in arbitration concerning evidence, motion practice, and discovery.
 Bob Arrington, Wilson Worley
 Wendy Oliver, US District Court
 Matt Haskell, Gullett Sanford Robinson & Martin
 Pat Vital, Vital Law Office & Dispute Resolution Services
- 12:30pm – 1:15pm CT **Lunch**
- 1:15pm – 2:15 CT **Continuing Changes in Arbitrability of Sexual Assault and Sexual Harassment Claims**
Arbitration clauses are routinely included in many contracts but, given changes in statutory and case law, are arbitration clauses enforceable? Join Cindy Ettingoff for a discussion of the impact of some recent decisions on arbitration clauses.
 Cindy Ettingoff, Memphis Area Legal Services
- 2:15pm – 2:30pm Break
- 2:30pm – 3:30pm **Settlement Malpractice**
Most lawsuits settle and lawyers play a central role in settlement negotiations. However, some lawyers sometimes fall short of the profession's standards of care in the settlement context. This session will focus on the ethical requirements of a lawyer as settlement counsel and a review of reported cases for substandard settlement advice or behavior.
 Stephen Shields, Jackson, Shields, Yeiser, Holt, Owen & Bryant
 Sandy Garrett, Tennessee Board of Professional Responsibility