



Mediator and Advocates as Allies in the Mediation Process

May 1, 2015 – TBA Bar Center

Program Description: The TBA Dispute Resolution Section has designed this seminar for attorneys who understand that legal advocacy is not inconsistent with the process of a mediated settlement. To achieve the best results, an advocate must let go of adversarial tactics, not because they're wrong or unfair, but because they can create barriers to the best outcome for the client. Come and learn what to replace them with! Good advocates want to know how to best prepare and take advantage of the mediation process. We will cover issues such as preparing yourself and your client to mediate, knowing the rules so as to shape the outcome effectively. Mediators and arbitrators will receive guidance from experienced practitioners with practical experience in the field of civil dispute resolution and information on the latest developments in Tennessee.

Program Producer Jackie Kittrell, *Community Mediation Center*

Agenda

- 8:30 – 9:00 a.m. **Registration/Welcome**
- 9:00 – 10:00 a.m. **(Keynote speaker)**
TSC Rule 31 and Recent Developments
Howard Vogel, O'Neil Parker & Williamson PLLC
- 10:00 – 11:30 a.m. **Playing by the Rules: Game Theory and Mediation**
For over 70 years social economists, behavioral therapists and neuroscientists have attempted to predict human behavior through game theory. This session will explore lessons learned by mediators from game theory disciplines about how people in conflict can be guided to better outcomes.
Steve Shields, Jackson, Shields, Yeiser & Holt
- 11:30 – 1:15 p.m. **Lunch (on your own)**

1:15 – 2:45 p.m.

Mediation Ethics: Obvious and Not So Obvious Ethical Pitfalls

This session will cover ethical dilemmas faced by mediators both prior to during the mediation, such as disclosure of relationships, confidentiality/breaches of confidentiality, and other challenging situations faced by mediators.

John Blankenship, *Blankenship & Blankenship*

Steve Shields, *Jackson, Shields, Yeiser & Holt*

Mark Travis, *Travis ADR Services, LLC*

2:45 – 3:00 p.m.

BREAK

3:00 – 4:30 p.m.

Interaction between Mediators and Lawyers

Lew Conner, *Waller*

Marnie Huff, *Margaret Huff Mediation*

Jack Waddey, *Waller*

****Total Credit hours: 4 General: 1.5 dual**