

# National Introductory Arbitration Course

November 23, 24, 25, 30 & December 1, 2016

[8:00 am - 5:30 pm daily]

Regina, SK

A comprehensive, 40 hour program which will include:

- ❖ An introduction to the process of arbitration and its various applications
- ❖ How to conduct arbitration hearings
- ❖ How to write arbitration awards

## PROFESSIONAL DESIGNATIONS

Once successfully completed, this course fulfills the educational requirements for the ADR Institute of Canada's national designations of Qualified Arbitrator (Q.Arb) and Chartered Arbitrator (C.Arb).

## WHO SHOULD TAKE THIS COURSE

- ❖ Lawyers wishing to add arbitration to their practice.
- ❖ Other professionals wanting to enter the field of arbitration, including: Mediators wishing to augment their ADR practice, Union Representatives, Management and Specialists in HR and Labour Relations, Insurance Adjudicators, Investigators, Chairs of Adjudication Panels, Tribunal Members, Accountants, anyone who presents a case at arbitration hearings, commercial arbitrators, construction arbitrators -- aspiring arbitrators!
- ❖ No prior arbitration training or qualifications required.
- ❖ This Course satisfies the Full Member criteria for an ADR Institute-approved 40 hour course in arbitration, thereby providing graduates with access to membership in the ADR Institute of Canada. It also provides the basic training component for the national designations of Qualified Arbitrator (Q.Arb) and Chartered Arbitrator (C.Arb).

## LEARNING OBJECTIVES

- ❖ Become familiar with Arbitration as a process
- ❖ Be able to distinguish the difference between Arbitration, Mediation, Negotiation and Litigation
- ❖ Become aware of the various applications for Arbitration
- ❖ Become fluent in the Arbitration Act of Saskatchewan
- ❖ Know the key objectives of Arbitration
- ❖ Be introduced to the Stages of an Arbitration File and Process
- ❖ Understand the Role and Responsibilities of the Arbitrator
- ❖ Gain practice in dealing with Ethical Dilemmas
- ❖ Fully understand Evidence in all its various forms
- ❖ Understand the Role of Contract Law in Arbitration
- ❖ Gain practice in Decision Making as the Arbitrator
- ❖ Gain practice in Writing Awards

### CONTINUING PROFESSIONAL DEVELOPMENT

- ❖ Approved by the Law Society of Saskatchewan for 40.0 CPD Hours (including 2.0 hours Ethics).
- ❖ Earn 50 CEE points from the ADR Institute of Canada for C.Meds and Q.Meds.



## INSTRUCTOR



**Anne M. Wallace, Q.C., LL.B., C.Arb, C.Med, CTAJ, IMI Cert.**, Anne Wallace Legal Professional Corporation.

A lawyer for more than 30 years, since 2007 Anne works exclusively as a dispute resolution neutral, instructor and trainer. She is a labour arbitrator, mediator, conciliator and investigator and performs other adjudicative functions. Anne instructs tribunal members, tribunal staff and advocates in the Foundation of Administrative Justice's certificate program in administrative justice.

*The ADR Institute of Canada National Introductory Training Programs are delivered exclusively through highly qualified Trainers who have been accredited to deliver the programs by ADR Institute of Canada.*



### Course location:

Dispute Resolution Office  
Walter Scott Building  
323-3085 Albert Street  
Regina, SK

## DRAFT SCHEDULE

Timelines	Day 1 Nov. 23	Day 2 Nov. 24	Day 3 Nov. 25	Day 4 Nov. 30	Day 5 Dec. 1
8:00 - 10:00 AM	1.0 – 2.2 Pre-Course Arbitration in Context Introduction to Arbitration	Role-play Exercise (Dynamic Drywall)	5.0 – 5.3 Law of Contract	6.0 – 6.2 The Award	6.8 – 6.10 The Award cont. Group Exercise
<i>Break</i>					
10:15 AM - 12:15 PM	3.0 – 3.1 Arbitration Overview Arbitration Act Exercise	4.0 – 4.3 Evidence	5.3 – 5.7 Law of Contract cont. Case review	6.3 Debrief Landlord Tenant case The Award cont.	7.0 – 7.4 Ethics
<i>Lunch</i>					
1:15 - 3:15 PM	3.2 – 3.6 Arbitration Overview cont.	4.4 – 4.6 Evidence cont. Evidence Exercises	5.8 – 5.11 Law of Contract cont. Contract Exercises	6.4 – 6.7 The Award cont. Review of cases	Group review Wrap up
<i>Break</i>					
3:30 - 5:30 PM	3.7 Arbitration Overview cont. (The Process)	Evidence Exercises Video	Landlord Tenant Exercise Video	6.0 – 6.2 The Award cont. Exam Preparation	Exam video
<b>HOMEWORK</b>	Read <b>Sec. 4</b> Evidence	Read <b>Sec. 5</b> Contract Law	Landlord Tenant – Practice Award Read <b>Sec. 6</b> The Award	Read <b>Sec. 7</b> Ethics Read Exam Material & Prepare	Final Award Submission

## COURSE OUTCOMES

### DAY 1

- ❖ Gain familiarity with terms used during Arbitration
- ❖ Arrive at a shared definition of Arbitration
- ❖ Understand where Arbitration fits on an ADR Continuum
- ❖ Compare Arbitration to Negotiation, Mediation, and Litigation
- ❖ Become fluent in the Arbitration Act of the Province
- ❖ Be introduced to Roles and Responsibilities as well as the Arbitration Process.

### DAY 2

- ❖ Be able to define Evidence and its use in Arbitration
- ❖ Become familiar with the various kinds of Evidence
- ❖ Understand what evidence is admissible
- ❖ Arbitrator's duties related to evidence
- ❖ Gain an awareness of Burden and Standard of Proof
- ❖ Become familiar with basic objections related to evidence

### DAY 3

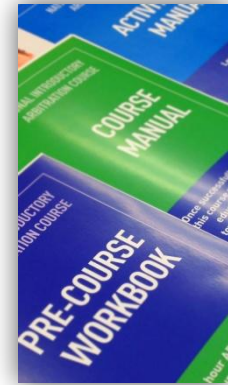
- ❖ Understand the role of contract law in Arbitration
- ❖ Be able to define what a contract is
- ❖ Understand what an offer and a counter-offer is
- ❖ Gain the ability to determine if a contract has lapsed
- ❖ Understand how to determine if a contract has been accepted
- ❖ Understand what it means to impeach a contract
- ❖ Become familiar with the framework for awarding damages
- ❖ Know what an Arbitrator needs to decide related to contracts

### DAY 4 & 5

- ❖ Understand the Decision Making Process
- ❖ Gain knowledge and practice in determining Evidence and Fact
- ❖ Learn how to make Findings of Fact
- ❖ Know the Essential Characteristics of an Award
- ❖ Gain knowledge and practice in Writing an Award
- ❖ Gain some insight on how Awards may be Challenged
- ❖ Be introduced to Procedure Requirements for Setting Aside an Award
- ❖ Exam
- ❖ Evaluation
- ❖ Wrap Up

## WHAT YOU'LL RECEIVE

- ❖ Included in your registration fee:
- ❖ The National Introductory Arbitration Course *Pre-Course* Manual (to be completed by students prior to the course).
- ❖ The National Introductory Arbitration Course *Course* Manual
- ❖ The National Introductory Arbitration Course *Activities* Manual
- ❖ The Arbitration Act of Saskatchewan - please download it from here:  
<http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/A24-1.pdf>
- ❖ Refreshment breaks on all 5 days.



## LEARNING FORMAT/STRUCTURE

- ❖ This course is in lecture format with presentations by the Instructor
- ❖ There are also in-class exercises and group discussions
- ❖ Some take home work is required
- ❖ You will be sent a *Pre-Course* Manual which needs to be completed prior to the start of the course
- ❖ The evaluation for the course consists of the writing of an Arbitration Award based on a case study.

Cancellation Policy: Request for cancellation must be received in writing. Requests received on or prior to November 1, 2016 receive a full refund less a \$100 administration fee; after November 1 to November 15, 2016, receive a full refund less a \$200 administration fee; on or after November 16, 2016, receive a full refund less a \$680 administration fee.

## MORE ABOUT YOUR INSTRUCTOR

### **Anne M. Wallace, Q.C, LL.B., C.Arb, C.Med, CTAJ, IMI Cert.**

Anne is a lawyer who since 2007 works exclusively as a dispute resolution neutral, instructor and trainer. Anne is an arbitrator, mediator, adjudicator, investigator and conciliator. She holds both the Chartered Arbitrator and Chartered Mediator designations conferred by the ADR Institute of Canada. In April 2010, she became one of the first seven people (the first in Saskatchewan) to achieve the CTAJ (Certificate in Tribunal Administrative Justice) earned through the Foundation of Administrative Justice. She is an IMI (International Mediation Institute) Certified Mediator.

Anne's work includes arbitration, mediation, conciliation and investigations in labour and employment. It also includes Indian residential schools adjudication, personal injury mediation, domain name dispute arbitration, and commercial mediation and arbitration. Anne is an instructor with the Foundation of Administrative Justice, teaching various topics in the Foundation's training programs for members and staff of administrative tribunals and for those who appear before tribunals, including labour arbitration boards.

Anne is Past President of the ADR Institute of Saskatchewan, and sits on the board of the ADR Institute of Canada. Anne has been actively involved in the Canadian Bar Association throughout all her years of practice, including serving as President of the Saskatchewan Branch in 2004-2005.

In 2004, *Saskatchewan Business Magazine* named Anne one of Saskatchewan's *Women of Influence*.

## COURSE FEES & ONLINE REGISTRATION

**Members:** \$1895 plus GST

**Non-Members:** \$1995 plus GST

**Members:** Via your **Member Portal**

**Non-Members:** Via this public link: <http://ow.ly/G06O3028eTs>

**Registration deadline:** November 15, 2016

**REGISTER EARLY! Space is limited and spots will be filled on the basis of PAID Registration Fees.**