

ADRIC 2019

November 20-22, 2019

Victoria, B.C.

ADRIC.ca

ADR Institute of Canada Annual National Conference 2019

“Realizing ADR’s Full Value”

Conference schedule

Wednesday November 20, 2019

9:00 – 17:00 – **Pre-Conference A** workshop
13:30 – 17:00 – **Pre-Conference C** workshop
14:30 – Tour of the BC Legislature
15:00 – Tour of the BC Legislature
19:00 – Legislative Assembly Meet and Greet Wine/Beer and Canapés (Registration required for *all*)

Thursday November 21, 2019

8:00 – Registration and Full Hot Breakfast
8:30 – Annual General Meeting
9:15 – Conference Opening & Welcome
9:30 – Concurrent Sessions
10:30 – Networking Break
10:45 – Concurrent Sessions
12:00 – Luncheon, Awards and Keynote Speaker
14:00 – Concurrent Sessions
15:00 – Networking Break
15:15 – Keynote Presentation
16:00 – Concurrent Sessions
17:15 – Cocktail and Networking Reception

Friday November 22, 2019

8:00 – Registration and Full Hot Breakfast
8:45 – Concurrent Sessions
10:00 – Networking Break
10:30 – Concurrent Sessions
12:00 – Luncheon and Keynote Speaker
13:30 – Concurrent Sessions
14:45 – Networking Break
15:00 – Concurrent Sessions
16:15 – 16:45 – Closing Plenary and Coffee

Speakers and Sessions subject to change

Platinum

大成 DENTONS

Gold

BLG
Borden Ladner Gervais

Silver

JSS BARRISTERS

Jensen Shawa Solomon Duguid Hawkes LLP

Bronze

MARSH

IBC  BAC

LAWSON
LUNDELL

Wednesday November 20, 2019 - Pre-Conference Workshops


	Pre-Conference A Room: Rattenbury A	Pre-Conference B and C Room: Rattenbury B
8:00	Registration and Full Hot Breakfast	Registration and Full Hot Breakfast
9:00	A – Aboriginal Consultation - a Workshop for Industry, Government, and Indigenous People <p>If you want to better consult with Aboriginal People/Industry or you are in a position that requires that you engage Aboriginal People/Industry (Stakeholder Relations, Consultation Department, Community Relations, Chief and Council, Surface Land, Aboriginal Relations) and have asked these questions, then this workshop is for you. Using a combination of information transference and interactive dialogue, participants will be guided through the many complicated aspects of the fundamentals of why the Duty to Consult exists and how the three major players - Industry, Government, and Aboriginal people - can create relationships to enhance the chances of success. It also provides valuable information on Impact and Benefit Agreements. Learn how to have meaningful consultation and engagement with Aboriginal Groups.</p> <p>Facilitator: Clayton Desjarlais, mawandonanconsulting.com</p>	<p>B – The Good, The Bad, & the Ugly of Parenting Coordination – Do you have clients who can't seem to disengage from their co-parenting conflicts? Are you interested in learning more about how Parenting Coordination might work for your clients? Or maybe thinking about becoming a Parenting Coordinator? In this workshop we will address frequently asked questions including:</p> <ul style="list-style-type: none"> • What is parenting coordination; • Choosing a parenting coordinator; • Managing cost of the process; • Which families are best suited to parenting coordination, success stories, and more. <p>Patricia Lane, JD, C.Med, C.Arb, Patricia Lane Settlement ; Joan Cotie, RSW, C.Med, C.Arb, CFamArb, Joan Cotie Mediation & Consulting Ltd ; Kat Bellamano, RSW, LL.M., C.Arb, Kat Bellamano Consulting ; John Harder, Social Worker; Craig Neville, LL.B, Watson Goepel</p>
10:30	Refreshment Break	Refreshment Break
10:45	Workshop resumes	Workshop resumes
		Pre-Conference B Workshop concludes at 12:30
12:30	Hot Buffet Lunch	Registration for Pre-Conference C and Hot Buffet Lunch
13:30	Aboriginal Consultation - a Workshop for Industry, Government, and Indigenous People Workshop resumes	C – Med-Arb: Innovative, Effective and Fair Med-arb can be designed to resolve disputes in family, commercial, partnership, landlord and tenant, condominium, and many other disputes. This workshop is an in-depth look at the knowledge and competencies required to run a fair, effective and efficient med-arb process. Colm Brannigan , ADR LL.M. (ADR), C.Med, Cert Med (IMI), C.Arb, Mediate.ca-Brannigan ADR Richard Moore , LL.B., C.Arb, C.Med, CFM, Cert. Med. IMI, MDR Associates
15:15	Refreshment Break	Refreshment Break
15:30	Workshop resumes	Workshop resumes
17:00	Pre-Conference A Workshop concludes	Pre-Conference C Workshop concludes
14:30 and 15:00	Tours of the Legislative Assembly of British Columbia, 501 Belleville Street / About the Buildings Architect: Francis Rattenbury Completed: 1897. If you are interested, please meet at the Designated Waiting Area (DWA) in the Fairmont lobby (look for the ADRIIC sign) about ½ hour before the tour to meet up with any others interested before walking over. You will need photo ID to enter. You should depart the hotel no later than 20 minutes prior to the tour to allow for the walk and the time to clear security.	
19:00	Members and BC Legislature Meet and Greet Wine & Canapés – Separate Registration and fee Come, meet and help influence the MLA's (\$50 includes taxes, 2 drinks and hors d'oeuvres)	

**Pre-Conference B
CANCELLED
due to low registration**

Thursday November 21, 2019 - ADRIC AGM followed by 4 Concurrent Streams

8:00	Registration and Full Hot Breakfast – Palm Court and Crystal Ballroom		
8:30 - 9:15	ADR Institute of Canada Annual General Meeting – Crystal Ballroom		
9:15 - 9:30	Conference Opening & Welcome Andrew D. Butt, President		
9:30 - 10:30 Concurrent Sessions			
Stream 1 Arbitration <i>Room: Library</i>	Stream 2 ADR Processes <i>Room: Shaughnessy Ballroom</i>	Stream 3 Family / Community ADR <i>Room: Rattenbury A</i>	Stream 4 Special Interest <i>Room: Rattenbury B</i>
1A Reforming BC’s Arbitration Act The last major revision of the BC’s Arbitration Act occurred more than 30 years ago. Some elements of the domestic commercial Act continue to work well; other elements show signs of age. Join our panelists for a review of potential opportunities to improve this important piece of legislation. Jonathan Eades , Legal Counsel, Civil Litigation, Government of BC Angus Gunn , QC, LL.M, Eyford Partners LLP	2A Confidentiality! Privacy! Conflict of Interest! We ADR practitioners have myriad ethical obligations to those we serve. Confidentiality and freedom from conflicts of interest, already essential, are now complicated by additional responsibilities about collecting, using and disclosing personal information. Understanding these concepts and implementing protections for clients and ourselves is necessary in our current fast-paced milieu. Diane E. Tucker , Q.Arb, CIPP/C, CIPP/US, J.D., DET et al Dr. Eva Malisius , Q.Arb, Royal Roads University	3A The Growing Practice of Elder Mediation Seniors make up more of our population, we are living longer, adult children are the sandwich generation. The need for mediation for elders and the people who support them is growing. Join us to learn about how elder mediation can support clients to have durable outcomes that support relationships, and learn information on what types of issues are best suited. Joan Cotie , RSW, C.Med, C.Arb, CFamArb, Joan Cotie Mediation & Consulting Ltd. Kat Bellamano , BSW, RSW, C.Med, C.Arb, FMC Cert. CFM, Ambitus Consulting Lisa F. Kerwin , Lawyer Elisabeth A. Leith Strain , Lawyer	4A Understanding how Film Contributes to the Pedagogy of Dispute Resolution The purpose of this workshop is to address how film contributes to the pedagogy of dispute resolution. Considering the growing appetite for social media and technology, most students fall into a visual/spatial and divergent learner category. With film in the classroom as a springboard for the pedagogy of dispute resolution concepts, historic influences, the power of love, the impact of culture, and the multi-layered impact of politics provide an opportunity to understand dispute resolution concepts in a unique way. Helen Lightstone , LL.M, C.Med, Lightstone Mediation Services
10:30 – 10:45	Refreshment break – Palm Court		


Thursday November 21, 2019 - Concurrent Sessions

10:45 - 12:00 Concurrent Sessions				
Stream 1 Arbitration <i>Room: Library</i>	Stream 2 ADR Processes <i>Room: Shaughnessy Ballroom</i>	Stream 3 Family / Community ADR <i>Room: Rattenbury A</i>	Stream 4 Special Interest <i>Room: Rattenbury B</i>	Consultative Session: <i>Room: St. James</i> (all welcome)
1B The Role, if any, of Prehearing Questioning in Arbitration, both International and Non-international The panelists will provide insights on: <ul style="list-style-type: none"> • Why and how to oppose the inclusion of prehearing questioning in arbitration; • If prehearing questioning is to occur, how should that be done?; • Is there a difference between international versus non-international arbitral proceedings? Bryan Duguid , QC, FCI Arb, Jensen Shawa Solomon Duguid Hawkes LLP Robert Deane , LL.B, Borden Ladner Gervais LLP Erin Greenan , Legal Counsel, CNOOC International Chris O'Connor , QC, C.Arb, FCI Arb, O'Connor Alternative Dispute Resolution	2B Building Conflict Capacity Through Insight This interactive session provides practical concepts and tools for participants to reorient our practice from “conflict resolution” to “building conflict capacity”. Applying a cognitive model of decision-making that includes knowing, valuing and deciding, the session offers strategies for analyzing ethical dilemmas, managing difficult people, interacting respectfully and balancing work/life priorities. Dr. Marnie Jull , Associate Professor and Program Head, Conflict Analysis and Management Program, Royal Roads University	3B Dispute Prevention and Resolution for Family Business Conflict is a natural part of running a business. When business colleagues and employees are also family members, the conflict can be particularly complex because there are three spheres of interests at play: Family issues, business issues and ownership issues. Many, if not most, family firms lack formal processes and strategies to resolve disputes. This session outlines the most common forms of family business conflict and the methodologies and best practices to assist business families to resolve them. Paul Bradley , CPA, CA, CBV, CFF, CFE, CPE, Partner, Valuation Services, Deloitte LLP Nicole Garton , BA, LL.B, C.Med, TEP, Heritage Law Alyson Jones , MA, RCC, Alyson Jones & Associates	4B ODR: Is It Mainstream Yet? This session will take attendees from " Online Dispute Resolution 101" to how it can be best applied in various contexts to ameliorate access to justice concerns in the public justice system. Panelists will provide an in-depth look at MylawBC and the BC Civil Resolution Tribunal (CRT) plus a brief update on what ADRIC's ODR Task Force is up to. Chair: Andrew Eckart , Mediator, Eckart Mediation and Chair of ADRIC's ODR Task Force Candice Lee , PMP, Manager of Digital Delivery, Legal Services Society Kandis McCall , Director of Case Management, Civil Resolution Tribunal Shelina Neallani , RSW, LL.B, Mediator and Mediation Consultant, Legal Services Society Darin Thompson , Legal Counsel, BC Ministry of Attorney General	5B Consultative Session: ADRIC Indigenous Perspectives Working Group On 10 May 2019, the ADRIC board adopted the following statement of principle: <i>ADRIC, in collaboration with its federation partners, and consistent with MOU article 10, is committed to recognizing and including Indigenous perspectives in its work.</i> ADRIC desires the counsel of interested parties in its journey towards achieving this principle, recognizing that this path is not one that it can travel alone. With this in mind, ADRIC seeks suggestions on how it can better meet any ADR needs not currently met within and on behalf of Indigenous communities and how it can better recognize and include the breadth of Indigenous perspectives in its work. Join this session to learn more.
12:00	McGowan Awards Luncheon – Crystal Ballroom Sponsored by BORDEN LADNER GERVAIS LLP 			
12:20-12:55	Keynote Speaker: Hon. David Eby, QC, Attorney General for British Columbia			
13:15 - 13:30	Presentation of the McGowan Awards of Excellence			

Thursday November 21, 2019 - Concurrent Sessions

14:00 - 15:00 Concurrent Sessions			
Stream 1 Arbitration <i>Room:</i> Library	Stream 2 ADR Processes <i>Room:</i> Shaughnessy Ballroom	Stream 3 Family / Community ADR <i>Room:</i> Rattenbury A	Stream 4 Special Interest <i>Room:</i> Rattenbury B
Peer to Peer Facilitated Conversations			
1C <i>Peer to Peer Facilitated Conversation:</i> Ethics in Arbitration Join an interactive conversation with experienced arbitrators about difficult ethical challenges faced in arbitration practice, presented for discussion by asking “what would you do?”. Your questions and examples for discussion are also highly encouraged. William G. Horton , C.Arb, FCI Arb, William G. Horton Corporation Jim McCartney , C.Arb, C.Med, McCartneyADR	2C <i>Peer to Peer Facilitated Conversation:</i> Addressing the Causes Rather Than the Symptoms: Working with Leaders to Create Conflict Competent Cultures This presentation engages experienced mediators in a conversation about the practice of expanding their role in order to transform the systems and structures that give rise to destructive conflict in organizations. Such a role, which offers services in addition to mediation, can be called ‘Conflict Consulting’. Julia Menard , M.Ed, Menard & Associates Jane Morley , QC, LL.B, Restorative Solutions Gordon C. White , MBA, Gordon White Consulting	3C <i>Peer to Peer Facilitated Conversation:</i> Parent Coordination: Path to a Lasting Peace or an Expensive Road to War? Parenting Coordination (PC) has been used in BC since 2010 and part of the Family Law Act since 2016. Hear seasoned PC panelists provide answers to questions like: <i>Who needs a PC? How do we measure success? Isn't it very expensive? How do I help my clients limit costs if they get a PC? Why not just go to court and get it over with? Is this mediation or arbitration or a hybrid?</i> and any others you want to bring. Audience members will be encouraged to ask their own questions and address these issues from their own perspectives. This session will be of interest to family lawyers, policy makers and family mediators and arbitrators. Chair: Patricia Lane , JD, C.Med, C.Arb, Patricia Lane Settlement; Kat Bellamano , BSW, RSW, C.Med, C.Arb, FMC Cert. CFM, Ambitus Consulting; Jennifer A. Cooper , QC, Cooper Family Law; Joan Cotie , RSW, C.Med, C.Arb, CFamArb, Joan Cotie Mediation & Consulting Ltd.	4C <i>Peer to Peer Facilitated Conversation:</i> Under 40: Barriers and Opportunities Join an interactive session primarily focused on issues faced by ADR practitioners under 40 years of age. This session will include a frank discussion about barriers, challenges and opportunities faced by this age cohort, with perspectives from across the country. Audience questions and topics for discussion are highly encouraged. Michelle T. Maniago , Partner, Borden Ladner Gervais LLP (Vancouver) Dominique Panko , Q.Med, Panko Collaborative Law and Mediation
15:00 – 16:00 Palm Court 15:15 - 15:45 Keynote: Crystal Ballroom	Refreshment break and Keynote Address - Palm Court and Crystal Ballroom Grab a refreshment and hear keynote speaker John Fletcher, B.Comm, LL.B, M.Phil, Ph.D, Product Group Director, Dispute Resolution Service, Royal Institute of Chartered Surveyors (UK) present: ADR from an International Perspective From his base in the United Kingdom, John Fletcher is deeply involved world-wide in a wide range of ADR initiatives as the Director of the ADR Products Group for the Royal Institution of Chartered Surveyors (RICS). As the oldest and largest provider of ADR services in the UK, RICS builds and manages ADR systems, provides training, qualification and accreditation programs for ADR practitioners, and serves as the appointment authority in diverse locations from Africa, South Asia and Australia to Europe, with a particular focus on dispute avoidance in the built environment. John will provide his insights into the burgeoning growth of dispute resolution practice, and with the arrival of Canada’s newest ADR system, Construction Adjudication, he will highlight his experiences since the birth of Construction Adjudication in the UK twenty-three years ago. John will then join the Panel Session on Construction Adjudication that follows from 4pm to 5:15pm.		

Thursday November 21, 2019 - Concurrent Sessions

16:00 – 17:15 Concurrent Sessions			
Stream 1 Arbitration <i>Room: Library</i>	Stream 2 ADR Processes <i>Room: Shaughnessy Ballroom</i>	Stream 3 Family / Community ADR <i>Room: Rattenbury A</i>	Stream 4 Special Interest <i>Room: Rattenbury B</i>
<p>1D Construction Adjudication: Through the Lens of the Adjudicator</p> <p>Construction Adjudication will soon govern all payment claims in Canadian construction contracts. Facing unique contracts, confusing, ill-focused and lengthy submissions, conjecture and argument, the Adjudicator must deliver an interim determination in 6 weeks - 90% of British disputes become permanent. Using a conversational format, the Panel will explore federal and provincial legislation, and adjudication practice compared to arbitration, based on RICS' 25 years of experience in the UK</p> <p>Chair: Robert Bales, P.Eng, LL.B, Adjudicate.ca</p> <p>John Fletcher, B.Comm, LL.B, M.Phil, Ph.D, RICS Dispute Resolution Service</p> <p>Duncan Glaholt, Partner, Glaholt LLP</p> <p>Bruce Reynolds, FCI Arb, Partner, Singleton Reynolds</p>	<p>2D Mediating High Conflict Disputes: Using a Proposal Focused Process</p> <p>"High-conflict" disputes usually involve individuals who lack self-management skills, who are temporarily overwhelmed or have a high-conflict personality pattern. Mediators can be effective by using a structured process, while maintaining a relationship with the parties, and assisting them to take responsibility for the outcome.</p> <p>William Eddy, LCSW, Esq, High Conflict Institute</p> <p>Michael Lomax, JD, High Conflict Institute</p>	<p>3D Restoring Public Trust Through ADR – Resolving Complaints Against Police</p> <p>Erosion of trust in our police services is highly publicized. Adversarial and investigative processes are not designed to build meaningful resolutions. Using ADR basic principles, we have built an inclusive process to resolve highly emotional public complaints, by restoring trust, achieving resolutions and closure.</p> <p>Mike Lamothe, LL.M (ADR), Ottawa Police Association</p> <p>David Merkel, Staff Sergeant, Ottawa Police Service, Professional Standards Section</p> <p>Richard Moore, LL.B., C.Arb, C.Med, CFM, Cert. Med. IMI, MDR Associates</p>	<p>4D Embracing Forgiveness & Restoration in ADR Processes</p> <p>This experiential, introductory workshop orients practitioners/ facilitators to a multi-module approach to embracing forgiveness and restoration. It covers:</p> <p>Understanding emotional responses to conflict; breaking the cycle of violence; restoring strength; discovering new narratives for healing; and moving forward in a positive direction.</p> <p>Lorna Lemay, CEO & Founding Member of ForGiving-ForRestoring Canada</p>
<p>17:15 - 19:00</p> <p>Palm Court</p>	<p>Cocktail Reception – Palm Court</p> <p>Sponsored by DENTONS CANADA LLP</p> <p>Enjoy hors d'oeuvres and a couple of drinks with your new colleagues after a good day of learning.</p> <div data-bbox="1961 1099 2382 1185">  </div>		
<p>19:00</p>	<p>Designated Meeting Area (DMA): Look for the DMA sign in the Lobby, check the list of local restaurants and decide with old or new friends where you might like to go.</p>		

Friday November 22, 2019 - Concurrent Sessions

8:00		Registration and Full Hot Breakfast – Palm Court and Crystal Ballroom	
8:45 – 10:00 Concurrent Sessions			
<div>Stream 1</div> <div>Arbitration</div> <div>Room: Library</div>	<div>Stream 2</div> <div>ADR Processes</div> <div>Room: Shaughnessy Ballroom</div>	<div>Stream 3</div> <div>Workplace/Labour/HR</div> <div>Room: Rattenbury A</div>	<div>Stream 4</div> <div>Indigenous ADR</div> <div>Room: Rattenbury B</div>
<div>1E</div> <div>Data Hacks, Attacks and Breaches: How to Manage Cybersecurity Risks in a Changing Technological World</div> <div>Join our panelists to discuss risks, management of risks, best practice tips for technology use in arbitration, and approaches to meeting regulatory compliance targets. The panel will also discuss some of the new technological developments and resources available in arbitration and ADR practice, as summarized in the recent IBAArb40 report.</div> <div>Chair: Sarah McEachern, JD, Partner, Borden Ladner Gervais LLP</div> <div>Gerry Bliss, Information Risk Management Advisor and Adjunct Professor at University of Victoria</div> <div>Hilary Palmer, Vice President, Marsh Canada Limited</div>	<div>2E</div> <div>Mediating From a Distance – Tools From the Front Line</div> <div>Hear lessons and best practices from ADR professionals experienced with the use of various online, phone, written, and hybrid remote mediation approaches. How can you adapt to using remote methods successfully? What are the challenges and opportunities of distance mediation? Does it work? Is it for you? Can it expand your practice and improve access to justice?</div> <div>Paul Denis Godin, BA, B.Sc, LL.B, C.Med, Principal and Founder, Katalyst Resolutions</div> <div>Anne Gottlieb, Hons. BA, LL.B, LL.M, Mediation at Work Ltd.</div> <div>Eugene Raponi, QC, LL.B, Waddell Raponi LLP</div> <div>Michelle Simpson, C.Med, C.Arb, Simpson Law</div>	<div>3E</div> <div>Workplace Restoration – The Role and Function of a “Transformative” Mediator Post-Investigation</div> <div>The demand for workplace investigators has increased significantly since 2010, when a number of provinces mandated, through various Occupational Health and Safety legislation, that allegations of workplace harassment, discrimination and violence must be investigated. The Federal Labour Code now also includes this mandate.</div> <div>Not all investigations result in any findings of what has been alleged, however, this does not mean that the “root cause” that gave rise to the complaint is resolved. This session will demonstrate how effective a “transformative” mediator’s approach is for resolving conflict in today’s workplace environments.</div> <div>Viki Scott, RC (c), BSc, RRP, CHRM, MBA, ADR(c), President and Principal Consultant, Scott & Associates Inc.</div>	<div>4E</div> <div>Intercultural Competency on the Road to Reconciliation</div> <div>The Truth and Reconciliation Commission’s (TRC) Calls to Action #27 and #28 inspired the topic of this panel. Panelists will discuss their perspectives on intercultural competency and exchange ideas about different culturally appropriate approaches to negotiation and mediation within and among indigenous groups and larger society. Obstacles experienced in DR processes and possible ways forward will be discussed. Participants will be invited to recognize, reflect on, and respect different perspectives (world views) that inform our understandings and actions as DR practitioners.</div> <div>Chair: Emilia Pech, Legal Counsel, Department of Justice Canada, PT Professor, UOttawa Faculty of Law and Saint Paul University Conflict Studies Program</div> <div>Jereme Brooks, Child Protection Mediator from the Okanagan, focusing on youth and indigenous issues</div> <div>Sheriden Barnett, a mediator for the Nunavut Human Rights Commission and in the private sector</div>
10:00 – 10:30		Refreshment break – Palm Court	

Friday November 22, 2019 - Concurrent Sessions

10:30 – 12:00 Concurrent Sessions

Stream 1 Arbitration Room: Library	Stream 2 ADR Processes Room: Shaughnessy Ballroom	Stream 3 Workplace/Labour/HR Room: Rattenbury A	Stream 4 Indigenous ADR Room: Rattenbury B
1F Clause Drafting and Jurisdictional Issues <p>A review of the limits of the jurisdiction of an arbitral tribunal, whether contractual or statutory (in the case of oppression, winding up, etc.), with a review of key cases and issues regarding the assumption and declining of jurisdiction by arbitral tribunals and challenges to jurisdiction in the courts and before arbitral panels.</p> <p>Chair: Michael Mooney, Senior Vice President of Business Development, RicePoint Administration Inc.</p> <p>Matti Lemmens, LL.B, Borden Ladner Gervais LLP</p> <p>Norm Emblem, B. Comm, LL.B, Partner, Dentons Canada LLP</p>	2F Med-Arb Best Practices <p>The launch of the ADRI Med-Arb Rules provides ADR practitioners with a rare opportunity to offer this clearly defined innovative process to our clients from a well thought out best practices perspective. This will be a practical, focused interactive discussion about increasing the use of med-arb in our practices.</p> <p>Consider joining us in the afternoon in the St. James room from 15:00 – 16:15 for a Consultation on the New Med-Arb Rules to offer your feedback before we make them official and send them to print!</p> <p>Colm Brannigan, LL.M. (ADR), C.Med, Cert Med (IMI), C.Arb, Mediate.ca-Brannigan ADR</p> <p>Arlene H. Henry, QC, C.Med, Lawyer, Arbitrator, Instructor, and Coach, Arlene H. Henry Law Corporation</p> <p>Allan P. Seckel, QC, CEO, Doctors of BC</p> <p>Elton Simoes, MBA, MADR, IDP-C, C.Med, Q.Arb</p>	3F National Defence - Integrated Conflict & Complaint Management Services <p>In 2018, the Canadian Armed Forces (CAF) and Department of National Defence (DND) launched an integrated method of dispute resolution for members that has simplified access and management of conflict and complaints. The program brings together former recourse structures of Harassment Prevention, Human Rights and Diversity complaints, CAF Grievance Authority and Alternative Dispute Resolution Services into a single access point for users. With 17 Conflict and Complaint Management Services (CCMS) centres across the country, teams of Agents, Practitioners and Educators work to support both members and chain of command. Early, local and informal resolution is at the heart of service delivery together with supportive procedural guidance for rights-based processes. This presentation explores the fundamental aspects of this innovative new model of conflict management and its implications.</p> <p>Ken Ashdown, Integrated Conflict and Complaint Management Practitioner, Department of National Defence, Government of Canada;</p> <p>Grant Whittla, Agent Supervisor for Esquimalt Conflict & Complaint Management Centre (CCMS), Department of National Defence, Government of Canada</p>	4F ADR and Indigenous Legal Orders <p>This session will explore the role of Indigenous legal orders in alternative dispute resolution. Panelists will share their ideas on the application of Indigenous laws and legal processes to a variety of decision-making contexts, including consultation, negotiation, and the exercise of shared jurisdiction.</p> <p>Bruce McIvor, PhD, First Peoples Law Corp.</p> <p>Roshan Danesh, President, Education for Peace Canada</p> <p>Christina Gray, LL.M Candidate, J.D., B.A., University of Victoria Faculty of Law</p> <p>Prof. Mary Ellen Turpel-Lafond, Lawyer, Judge, and Legislative Advocate For Children's Rights, UBC Allard School of Law</p>
12:00	Plated Luncheon – Crystal Ballroom Sponsored by JSS BARRISTERS		
12:20 - 13:00	<p>Keynote Speaker: Hon. Sheilah Martin, Supreme Court of Canada: <i>Was ADR ever really “alternative”? ADR’s role in bridging legal systems and challenging the status quo</i></p> <p><i>If ADR is understood broadly as any form of dispute resolution outside of the courtroom, then it has never really been “alternative”. For most people, disputes between family, neighbours, and community members are usually resolved through negotiation and creative solutions. Lawyers too have always had negotiated solutions outside of the courtroom as a critical part of their toolset.</i></p> <p><i>ADR’s flexibility and breadth means that it can better take into account and represent dispute resolution across multiple legal systems, including Indigenous legal orders, and address harms that may not be recognized in court. Both the Milgaard settlement and the Indian Residential School Settlement Agreement provide examples of achieving these kinds of creative solutions through negotiation. As shown by the Indian Residential Schools Settlement Agreement, ADR is not merely a tool to be used to reconcile Indigenous peoples’ interests within the common law, but provides an opportunity to recognize and operationalize multiple legal systems in Canada. Justice Martin will also provide an overview of the workings of the Supreme Court of Canada.</i></p>		

Friday November 22, 2019 - Concurrent Sessions

13:30 - 14:45 Concurrent Sessions			
Stream 1 Arbitration Room: Library	Stream 2 ADR Processes Room: Shaughnessy Ballroom	Stream 3 Workplace/Labour/HR Room: Rattenbury A	Stream 4 Indigenous ADR Room: Rattenbury B
1G Judicial Deference to Arbitration <p>An important reason to choose binding arbitration, rather than resolving disputes in the courts, is to avoid lengthy appeals. In 2014, the Supreme Court of Canada held in <i>Sattva Capital Corp v Creston Moly Corp</i> 2014 SCC 53 that commercial arbitral awards should be afforded deference. The panel will review the deference afforded to arbitral awards by tracing how <i>Sattva</i> has been interpreted and applied in subsequent decisions in Canada, and discuss what this means for parties to arbitration.</p> <p>Robert V. Wickett, Q.C., Managing Partner, MacKenzie Fujisawa LLP</p> <p>David Wotherspoon, MA, LL.B, Dentons Canada LLP</p>	2G Court-annexed Mediation: Deconstructing Justice <p>This session is intended to situate mediation in the current access to justice crisis in Canada. Court annexed mediation now has institutional standing in many jurisdictions. The session will review the manner in which mediation is conducted in the court system and raise the question whether court annexed mediation sufficiently satisfies justice criteria. It posits that this new form of justice is not only what is required but is becoming the norm of dispute resolution.</p> <p>John-Paul E. Boyd, A.O.C.A. M.A. LL.B, John-Paul Boyd Arbitration Chambers</p> <p>Gary Caplan, Partner, Mason Caplan Roti LLP</p> <p>L. Leslie Dizgun, C.Med, D. Jur., LL.M., Adjunct Professor, Counsel, Brauti Thorning LLP</p> <p>Murray Walker, C.Med, The Dispute Resolution Office, Government of Saskatchewan</p>	3G Transference / Compassion Fatigue <p>As mediators we hear and resolve issues arising from, at times, highly charged, conflict. How do we as mediators manage issues arising from transference? What are the signs and symptoms etc.</p> <p>Viki Scott, RC (c), BSc, RRP, CHRM, MBA, ADR(c), President and Principal Consultant, Scott & Associates Inc.</p>	4G How to be an Ally 101 <p>With all the Truth and Reconciliation information out there many wonder: "how do I want to be in this world?" Let us help you figure it out.</p> <p>We will chat about what makes a good Ally and how you can be conscious in your practice and in your life generally.</p> <p>We will also share some stories of "Ally attempts gone wrong".</p> <p>Jereme Brooks, Child Protection Mediator from the Okanagan, focusing on youth and indigenous issues</p> <p>Sierra Wells, B.A., Child Protection Mediator</p>
14:45 – 15:00	Refreshment Break - Palm Court		

Friday November 22, 2019 - Concurrent Sessions

15:00 - 16:15 Concurrent Sessions				
Stream 1 Arbitration <i>Room: Library</i>	Stream 2 ADR Processes <i>Room: Shaughnessy Ballroom</i>	Stream 3 Workplace/Labour/HR ADR <i>Room: Rattenbury A</i>	Stream 4 Indigenous ADR <i>Room: Rattenbury B</i>	Consultative Session: <i>Room: St. James</i> (all welcome)
1H Arbitrator Conflicts <p>Arbitrators are often sought out as neutrals based on a particular legal or industry expertise. Arbitrators, or their firms, may well have acted for one or more parties to an arbitration at some previous time. Procedures should be in place to catch potential conflicts at the outset, rather than at some later point in the arbitration. Once caught, arbitrators must make full disclosure of the conflict. Our panel can talk about conflicts at the time of file intake, and what to do if a conflict is discovered at a later stage.</p> <p>Rajit Mittal, JD, Associate, Dentons Canada LLP</p> <p>Lauren Tomasich, Partner, Osler, Hoskin & Harcourt LLP</p>	2H Let's Get Visual: Opportunities to Leverage Visual Communication in Dispute Resolution <p>Have you ever watched people in a dispute struggle to hear or understand what you or the other party is saying? Now imagine a new scenario: The key messages and points are being visually recorded - the important things are not just being spoken and evaporating into thin air! The parties can see their comments in real time, confirm their meaning <i>and</i> reflect on them. Now imagine how this could impact the process of coming to agreements! Learn how visual communication is being applied to mediation to make communication more effective and the mediation process more creative, engaging and interactive. Leave knowing how you too can strategically apply visual communication to help the people you serve.</p> <p>Lisa Arora, B.Ed, Lisa Arora, Big Time Visual</p>	3H Towards Collaborative Return-to-Work/Disability Management Programs and Practices <p>Within the context that more than 60% of all Human Rights complaints across Canada have a mental/physical health impairment component, that about 50% of all poverty cases across Canada (currently well in excess of 1.2 M) have a disability relationship (either the individual themselves or a member of their family) and that about 80% of impairments occur during someone's working life, then effective policy and program standards in this area have the greatest potential for positive socio-economic impact for the individual, workplace and society. Mediators will learn how to assist workplaces in developing policies and standards.</p> <p>Lani deHek, RN, CDMP, Manager of Disability Management and Health & Safety, BC Nurses' Union</p>	4H ADR in the Indian Residential Schools (and Other More Recent Class Action Settlements) <p><i>Session description to follow</i></p> <p>Angela Bessflug Klein Lawyers</p> <p>Kathleen Keating, Adjudicator, Indian Residential Schools Adjudication Secretariat</p> <p>Lee Schmidt, Associate Director, Indigenous Legal Studies, Peter A. Allard School of Law, The University of British Columbia</p>	5H ADRIC Med-Arb Documents Consultation <p>Join some of the Med-Arb Rules and Templates developers to learn more about and share your feedback on the new documents.</p> <p>Will they meet your clients' needs? Are they clear enough? What could be improved? Would you suggest any related documents?</p> <p>Colm Brannigan, LL.M. (ADR), C.Med, Cert Med (IMI), C.Arb, Mediate.ca-Brannigan ADR</p> <p>Elton Simoes, MBA, MADR, IDP-C, C.Med, Q.Arb</p>
16:15 - 16:45 Crystal Ballroom <p>Join us for a final refreshment to come together one last time, to reflect on the conference and provide inspiration for next year's. Tell us what worked, what didn't, what we should consider for future and the topics to plan. Meet with ADRIC directors to share your vision for the organization. Watch as the discussion is captured in a vibrant visual recording!</p>				

THANK YOU TO OUR SPONSORS



Platinum



Gold



Silver



Bronze



Champion



Independent Supporter



Exhibitors



CENTRE FOR
CONFLICT RESOLUTION



Joan Cotie | Kat Bellamano | Craig Neville | Heritage Law

and THANK YOU FOR JOINING US!