

Mediation and ADR Training Workshop

Organized by

**The Association of China Appointed Attesting Officers Limited (“ACAAOL”)
& ADR Chambers (HK) Limited**

Date: Wednesday, October 29 – Sunday, November 2, 2003

Time: 8:30 am to 5:30 pm

**Venue: ACAAOL, Suite 2603, Bank of America Tower,
12 Harcourt Road, Central, Hong Kong**

**Trainers: Allan Stitt (Canada) and Stephen Lancken (Australia)
Trillium Group / Stitt Feld Handy Group**

**Tutors: Norris Yang (Chairman, HK Mediation Council)
Helena Yuen (Vice-Chairman, HK Mediation Council)
Lilian Yue (Hon. Secretary, HK Mediation Council)
Jody Sin (Council Member, HK Mediation Council)**

Language of Instruction: English (lectures, interactive exercises, role-plays, demonstrations).
Materials Supplied: Instruction Manual; and
“*Getting to Yes*” by Prof. Roger Fisher, William Ury & Bruce Patton.

Certificate of Achievement: Notre Dame University Law School (Indiana, USA)
Accreditation by Hong Kong International Arbitration Centre (HKIAC) and
Hong Kong Mediation Council (HKMC) as “Accredited Mediation Course”:
Stage 1 – Assessment for “HKIAC Accredited Mediator”

CPD (Law Society of Hong Kong): 15 CPD Points for period ending Oct 31st 2003;
22.5 CPD Points for next period ending Oct 31st 2004.

Course Fee: Members of ACAAOL or HKMC – HK\$12,000;
Non-members - HK\$12,800.

Course Limited to 24 participants only.

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REPLY SLIP for REGISTRATION

I wish to register for the “Mediation and ADR Training Workshop” (29th Oct – 2 Nov 2003).

Name: _____ Member: ACAAOL / HKMC
Company: _____ Profession: _____
Address: _____
Tel: _____ Fax: _____ Email: _____

Please Return with Cheque (payable to “*ADR Chambers (HK) Limited*”) to:
Norris Yang, 4001 Gloucester Tower, The Landmark, 11 Pedder Street, Central, Hong Kong
Tel: 2298 7628; Fax: 2869 0862; Email: adrchambershk@netvigator.com

Mediation and ADR Training Workshop

29th October to 2nd November 2003 in Hong Kong

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**The Association of China Appointed Attesting Officers Limited (“ACAAOL”)
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THE TRAINERS

Allan Stitt (Toronto, Canada) and Stephen Lancken (New south Wales, Australia) will be the trainers. They are from the Trillium Group and the Stitt Feld Handy Group. They offer ADR Workshops in North America, Europe, Asia, Africa, and Australia. In addition to being trainers, Allan Stitt and Steve Lancken are professional negotiators, mediators, and facilitators. Both have been involved in ADR in Canada and Australia respectively for many years. They were pioneers in their own country when ADR was just taking hold in Australia and Canada more than a decade ago. They are both renowned experts and internationally recognized.

The Coaches will be Norris Yang, Helena Yuen, Lilian Yue and Jody Sin. They are HKIAC Accredited Mediators. They are respectively the Chairman, Vice-Chairman, Hon. Secretary and Council Member of the Hong Kong Mediation Council (a division of the Hong Kong International Arbitration Centre, a charity institution limited by guarantee).

OUR TRAINING

Two of the core ADR processes that we teach are principled negotiation and interest-based mediation. Experience has taught us that the best way for people to develop ADR skills is through practice and interactive exercises, rather than lectures. Our ADR Workshops involve role-plays, exercises, videos, and demonstrations.

ADR MEDIATION & NEGOTIATION WORKSHOP

At the 5-day ADR Workshop, you will learn how to use Principled Negotiation, developed at Harvard, and develop the practical skills and techniques you need to resolve conflicts effectively and with confidence. You will also learn how to mediate and gain experience mediating difficult and complex disputes, and disputes with obstructionist parties.

Participants will receive a copy of the best-selling book, *Getting to Yes*, written by Harvard Professor Roger Fisher, William Ury and Bruce Patton. Participants will also watch a video of Professor Fisher negotiating a difficult business dispute, and a video of Allan Stitt mediating the break-up of a family business.

The workshop will provide you with 40 hours of training in mediation.

At the ADR Workshop, participants will learn how to:

- Handle difficult issues and difficult problems
- Deal with emotional people
- Resolve disputes while preserving relationships
- Mediate complex disputes with power imbalances
- Deal with people who lie in mediations

Mediation and ADR Training Workshop

COURSE OUTLINE:

Day 1 Wednesday 29th October 2003

Conflict: its cause and effect
Avoiding negotiation pitfalls
The 7 Elements of Principled negotiation
Dealing with difficult situations
Cases: oil pricing (Harvard) and salary negotiation

Day 2 Thursday 30th October 2003

Preparing for negotiation
Dealing with strong emotions
Video of Harvard Professor Roger Fisher negotiating
Demonstration of a mediation
Cases: partnership (Harvard) and parent/teacher dispute

Day 3 Friday 31st October 2003

The process of mediation: stages and techniques
How to conduct a mediation
Cases: mediations involving landlord/tenant, customer dispute, and workplace conflict

Day 4 Saturday 1st November 2003

Framing issues to promote resolution
Dealing with lying in mediation
Getting to closure: how to wrap up a mediation
Cases: mediations involving neighbourhood disputes, personal injury claims, and contract disputes

Day 5 Sunday 2nd November 2003

Dealing with difficult situations in mediation
Co-mediation
Video of Allan Stitt mediating a family-business dispute
Cases: mediations involving a family business, employment issues, lease issues

Here are some good quotes from selected participants:

Lord Goff of Cheveley, ADR Chambers, London

"Teachers were very experienced, competent, and well prepared. Excellent materials. Practical advice. Course both interesting and enjoyable. Very effective instructors."

Cherie Booth (Mrs. Tony Blair) Q.C., Matrix Chambers, London, England

"I found it really helpful and very informative. The instructors were both helpful, approachable and knowledgeable."

Kenneth M. Forrester, The Anglican Church of Trinidad & Tobago, Tobago

"I am empowered to do more in this field of endeavour - this VOCATION!"

Edward Hobson, London Maritime Arbitrators' Association, London, England

"I felt that the workshop opened my eyes to how mediation actually works in practice. I enjoyed the workshop and learned a great deal."

Allan Jeffrey Stitt

Education, and Academic Awards and Activities

- 1992 **Master of Laws**, Harvard Law School.
- 1990 **Bar Admission Course**, Law Society of Upper Canada, Toronto.
- 1988 **Doctor of Jurisprudence**, University of Detroit Law School.
- Graduated *summa cum laude* with the highest grade point average.
- 1988 **Bachelor of Laws**, University of Windsor Law School.
- Gold Medalist, with the highest grade point average.
 - Awarded University of Windsor President's Medal "for outstanding contributions to campus activities while maintaining a superior academic record".
 - Editor of the *Windsor Review of Legal and Social Issues* (the student Law Review), 1986-1988.
- 1984 **Bachelor of Commerce**, University of Toronto, St. George Campus.

Selected Work Experience

- 1994- Present **President** of the Stitt Feld Handy Group, and **Partner** in the law firm of Stitt Feld Handy Houston, Toronto.
- ADR consultant (for systems design)
 - Trainer for Negotiation and ADR courses in Canada, the United States, Europe, Australia, Asia, and Africa.
- 1990 - 94 **Lawyer**, Osler, Hoskin & Harcourt, Toronto.
- 1992 - Present **Adjunct Professor**, University of Toronto Faculty of Law.
- Teaching courses in Negotiation and Alternative Dispute Resolution.
- 1998 - Present **Sessional Lecturer**, University of Windsor Faculty of Law.
- Teaching courses in Alternative Dispute Resolution.
- 2001 Lecturer, University of Lisbon (Portugal)
- Teaching a course in Alternative Dispute Resolution
- 2000 Lecturer, University Philippines
- Teaching a seminar in Alternative Dispute Resolution
- 2000 **Assistant Adjunct Professor**, Notre Dame Law School
- Teaching a course in Negotiation.
- 1988-89 **Law Clerk to the Justices**, Ontario Court of Appeal.

Selected Publications

Books

Mediation, Cavendish (U.K.), to be published in 2004.

Mediating Commercial Disputes (Canada Law Book), January, 2003. Number one on National Post Business Books bestseller list, July, 2003.

ADR For Organizations: How To Design A System For Effective Conflict Management (John Wiley & Sons), 1998. Number one on Globe and Mail Business Books bestseller list, October, 1998.

Understanding the Income Tax Act, (2nd ed.) (Toronto: Carswell, 1991). (Textbook co authored with C. Rand).

Other

ADR Practice Manual, (editor), (Toronto: CCH Canadian Ltd., 1996 to present). Author of “Mediation” chapter in *ADR Practice Manual*.

“*The Role of A.D.R. in the Civil Justice System*” (1996) Rethinking Civil Justice: Research Studies for the Civil Justice Review, Volume 2, page 449, (co-authored with Francis J.F. Handy and Peter Simm), commissioned by the Ontario Law Reform Commission.

Professional Activities and Appointments

1996 - Present	Chartered Mediator: National Board of Accreditation and National Board of Directors of the ADR Institute of Canada.
2000 - Present	Chartered Arbitrator: National Board of Accreditation and National Board of Directors of the ADR Institute of Canada.
2000 - 2001	President of ADR Institute of Canada.
1999 - 2000	President of the Arbitration and Mediation Institute of Canada.
1995 - 2000	Board of Directors of the Canadian Foundation for Dispute Resolution.
1998 - Present	Member of International Panel of Mediators: American Arbitration Association.
1997 - 1999	President of the Arbitration and Mediation Institute of Ontario.
1996 - 1997	Chairman: Alternative Dispute Resolution Section, Canadian Bar Association (Ontario).
1994 and 1995	Teaching Assistant to Professor Roger Fisher at Harvard Law School for the Negotiation Workshop at the Program of Instruction for Lawyers.

Workshops Designed and Taught

Designer and instructor of customized workshops in ADR and Negotiation for such organizations as:

- Law Society of Upper Canada;
- Petro Canada;
- Caribbean Development Bank, Barbados;
- Ontario Human Rights Commission, Ministry of Health;
- Human Resources Development Canada;
- Farm Products Marketing Commission;
- Lang, Michener, Barristers and Solicitors;
- Ontario Public Service;
- Workers’ Compensation Appeals Tribunal;
- Consulting and Audit Canada;
- Royal Canadian Mounted Police;
- BDO Dunwoody, Chartered Accountants;
- McCarthy, Tétrault, Barristers and Solicitors;
- Member of teaching team for Canadian Bar Association Mission to Uganda and Kenya, teaching A.D.R. to Ugandan and Kenyan bar;
- British Dental Association;
- Australian Industrial Relations Commission;
- ADR Chambers (UK) Ltd.;
- Osler, Hoskin & Harcourt;
- Ontario Power Generation;
- 4 Pump Court (Barristers Chambers, U.K.);
- East Anglian Chambers (U.K.);
- Native Title Services and Native Title Tribunal (Australia).

Stephen Lancken

Stephan Lancken has been practicing as a Commercial Lawyer and Mediator for over 18 years. He is an experienced Arbitrator and Accredited Specialist Mediator.

His training include courses conducted by Harvard University, The Trillium Group, Australian Commercial Dispute Centre, Institute of Arbitrators and Mediators Australia, LEADR and The Accord Group.

He is a Councilor of the Law Society of New South Wales.

Qualifications:

- Bachelor of Arts and Laws, *University of NSW*, 1981
- Accredited Specialist, Mediation and Commercial Litigation
- Grade 2 Arbitrator and Accredited Mediator, *Institute of Arbitrators and Mediators Australia*
- Arbitrator, *District Court of NSW & Local Court of NSW*
- Mediator, *Supreme Court, Land and Environment Court, District Court and Local Court (NSW)*
- Costs Assessor, *Supreme Court of NSW*
- Accredited Mediator, *ACDC/LEADR/Retail Tenancy Tribunal*
- Accredited Farm Debt Mediator
- Accredited Mediator, *Hong Kong International Arbitration Centre*
- Arbitrator and Mediator *Workers Compensation Commission of NSW*

Professional Associations:

- Associate Member *Chartered Institute of Arbitrators*
- Associate Member, *Institute of Arbitrators and Mediators Australia*
- Member, *LEADR (Lawyers Engaged in Alternative Dispute Resolution)*
- Member, *Law Society of NSW*
- Member, Dispute Resolution Committee of *Law Society of NSW*, 2000,2001
- Member, Litigation Law and Practice Committee of the *Law Society of NSW*, 1998 & 1999
- Member, *Corporate Lawyers Association*
- Member, *Australian and New Zealand Sports Law Association (ANZSLA)*
- Member, *Insolvency Practitioners Association of Australia*
- Member, *Hong Kong International Arbitration Centre*, Mediation Group
- Fellow, *Australian Institute of Company Directors*
- Chair, *Settlement Week Steering Committee, Law Society of NSW*

Training Courses Conducted:

- Five-day Personal Injury Mediation Course for Hong Kong Law Society
- Coaching and Assessing of Mediators for Construction Industry Development Board Malaysia (three courses) and Hong Kong International Arbitration Centre, Mediation Group
- Training and Assessing of Mediators for The Accord Group, Law Society of NSW and Global Mediation Services
- Representing Clients in Mediation course for College of Law and Coudert Bros Lawyers
- ADR and Advanced ADR Workshops, The Trillium Group, Toronto, Canada, Sydney, Perth, Brisbane and Melbourne
- Conflict Management Course, Master of Business Administration, Australian Graduate School of Management, 2002

Selected Publications:

- "AS 4608: Standard for the prevention, management and resolution of disputes", **Australasian Dispute Resolution Journal**
- "ADR for Insolvency Practitioners", **The Insolvency Bulletin**
- "The Preliminary Conference: Option or Necessity", **Australasian Dispute Resolution Journal**
- "The Benefits of Mandatory Mediation" **Lawyers Weekly**
- "Compulsory Mediation in Asia" **Asian Dispute Review**



香 港 調 解 會
The Hong Kong Mediation Council

APPLICATION FORM FOR NEW / AMENDMENT TO CORPORATE MEMBERSHIP	
Name of Organisation:	
Address of Organisation:	
Telephone:	Fax:
Person to contact:	E-mail:
Names of Proposed Nominee Members	
1.	E-mail:
2.	E-mail:
3.	E-mail:
Amendment of Nominee Members	
1. in lieu of	E-mail:
2. in lieu of	E-mail:
3. in lieu of	E-mail:
DECLARATION:	
If accepted by the Committee as a corporate member of the Hong Kong Mediation Council, we agree to abide by its rule, to support and promote the objectives of the Council to the best of our ability and to pay an annual subscription at a rate to be determined by the Committee.	
Signed:	Date:

1. Corporate Membership is open to all organisations that support and promote mediation as an ADR process. Applicants for Corporate Membership or existing members wishing to amend their Nominee Member should complete the application form and are entitled to nominate up to three individual Nominee Members. The joining fee is HK\$3,500 (HK\$1,750 after 30th June 2003) which includes annual subscription to 31st December 2003. A nominal administrative charge of \$300 is payable in respect of each amended Nominee Member.
2. All applications should be accompanied by a cheque for the appropriate amount made payable to “HKIAC – Hong Kong Mediation Council” and forwarded to the HKMC Membership Secretary, c/o HKIAC at 38/F Two Exchange Square, Central, Hong Kong.
3. Within the first 12 months upon taking up a Corporate Membership with the HKMC, the Corporate Member will receive free of charge a half-day in-house workshop on “Introduction to Mediation” presented by members of the HKMC. Corporate Members may use the HKMC logo on their stationery to identify their affiliation with the Council.
4. Each Nominee Member shall be entitled to a single vote at the AGM (block voting by a Corporate Member will not be valid).
5. Nominee Members may receive discount, to be determined by the Committee from time to time, for accredited Advanced Mediation Training Courses and other events organised by the Council.
6. Nominee Members are entitled to receive free annual subscriptions to the “Asian Dispute Review” and Council’s quarterly publication “Mediation”.