

Mediation and Arbitration in Oregon

Learn from the Experts

MOST OF US think we know a lot about mediation and arbitration, but do we really? Do we know what kinds of disputes lend themselves to a mediated settlement and what kinds of disputes require arbitration? Do we understand the strategies for selecting a mediator? Do we know which arbitration service to employ or whether to arbitrate without help from the outside? Do we really know how to prepare? OLI has assembled a stellar faculty to explore these and other questions with you.

The faculty represents diverse points of view, ranging from plaintiff's lawyers to defense lawyers to commercial litigators to judges and neutrals. Professor Richard Birke, Director of Willamette University's Center for Dispute Resolution, will lead off with a description of ADR options available to today's litigator.

This program will provide an opportunity to explore every aspect of mediation and arbitration with a faculty who have thought a lot about the subject.

Friday, April 2, 2004

Oregon Convention Center
777 NE Martin Luther King Jr., Blvd.
Portland, Oregon

6.25 MCLE Credits

SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:40 WELCOME AND INTRODUCTION
- 8:45 - 9:15 **The Landscape of ADR**
The different models and how they work.
– *Richard Birke*
- 9:15 - 10:15 **Effective Mediation Strategies**
 - Strategies for selecting the mediator
 - Strategies for preparing for the mediation
 - Strategies in the effective position paper
 - Strategies in the mediation session
 - More– *Agnes Sowle*
– *Stephen L. Brischetto*
– *Keith A. Ketterling*
– *Richard S. Yugler*
- 10:15 - 10:30 BREAK
- 10:30 - 11:15 **Effective Mediation—From the Perspective of Experienced Trial Lawyers**
Two trial lawyers, both members of the American College of Trial Lawyers, share their perspectives on mediation.
– *William A. Barton*
– *John E. Hart*
- 11:15 - 11:45 **Private and Court-Sponsored Mediation: The Differences and Similarities**
A mediator and a circuit judge talk about the differences and similarities inherent in mediations with a private mediator and with a judge.
– *Moderator: Jeffrey M. Batchelor*
– *Susan M. Hammer*
– *Hon. Kristena A. LaMar*
- 11:45 - 12:00 **Mediation in Federal Court**
A U.S. District Judge talks about mediation and its role in litigation in the federal court.
– *Hon. Garr M. King*
- 12:00 - 1:15 LUNCH (on your own)
- 1:15 - 1:35 **Why Arbitrate?**
Another member of the American College of Trial Lawyers shares his views on the advantages and disadvantages of arbitration.
– *Paul T. Fortino*
- 1:35 - 2:05 **The Pros and Cons of Arbitrating Under the Auspices of an Arbitration Service Provider**
This session will discuss the pros and cons of arbitrating under the auspices of arbitration service providers.
– *James J. Damis*
– *Peter H. Glade*

SCHEDULE (cont.)

2:05 - 3:00

Doing an Arbitration—Part One

- Selecting the arbitrators
- Pleadings
- Preliminary hearings
- Conducting discovery
- More

– *John R. Barker*

– *Nancie K. Potter*

– *Peter C. Richter*

– *Kathryn P. Salyer*

3:00 - 3:15

BREAK

3:15 - 4:15

Doing an Arbitration—Part Two

- Preparing for the hearing
- Presenting your case to the arbitrators
- Post-hearing proceedings and procedures
- More

– *Gary M. Berne*

– *Keith S. Dubanevich*

– *K. William Gibson*

– *Judy D. Snyder*

4:15

ADJOURN

Program Faculty

John R. Barker

Barker Law Firm

William A. Barton

Barton & Strever, P.C.

Jeffrey M. Batchelor

*Program Planner
Markowitz Herbold
Glade & Mehlhaf, P.C.*

Gary M. Berne

*Stoll Stoll Berne Lokting &
Shlachter, P.C.*

Richard Birke

*Willamette Center for
Dispute Resolution*

Stephen L. Brischetto

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Keith S. Dubanevich

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*Stoll Stoll Berne Lokting &
Shlachter, P.C.*

Hon. Garr M. King

U.S. District Court

Hon. Kristena A. LaMar

*Multnomah County
Circuit Court*

Nancie K. Potter

Foster Pepper Tooze LLP

Peter C. Richter

Miller Nash LLP

Kathryn P. Salyer

Farleigh Wada & Witt, P.C.

Judy D. Snyder

Law Offices of Judy Snyder

Agnes Sowle

*Office of the Multnomah
County Attorney*

Richard S. Yugler

Landye Bennett Blumstein LLP

LIVE PRESENTATION

Portland – 4/2/04

Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

Mediation and Arbitration in Oregon:
Learn from the Experts will receive **6.25**
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PROGRAM TAPES

Even if you cannot attend, you can still get the program on audiotape or videotape. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase the tapes at 50% off the full retail price.

QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at oli@lclark.edu; or visit our Web site at www.lclark.edu/org/oli.

VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 4/16/04

Replay 8:30 a.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 4/9/04

Replay 8:30 a.m.

Harrang Long Gary & Rudnick, P.C.
360 East 10th Avenue, Ste. 300

Medford – 4/9/04

Replay 8:30 a.m.

Offices of Claudette Yost
916 W. 10th Street

Pendleton – 4/15/04

Replay 9:00 a.m.

Corey, Byler & Rew
222 S.E. Dorion

Portland – 4/21/04

Replay 9:00 a.m.

Oregon Law Institute
Gus J. Solomon Courthouse,
620 S.W. Main St., Suite 706

Mediation and Arbitration in Oregon

Friday, April 2, 2004

 Name OSB No. or Profession

 Firm/Organization

 Street Address

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 Phone

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Please "✓" appropriate box below:

- Live presentation
- Video replay. Location: _____ Date: _____

TUITION

(Prices apply to live and video replays.)

- \$159 "Early Bird" tuition (*received by March 29, 2004*).
- \$119 "Early Bird" tuition for new attorneys (admitted 2002–2003), paralegals, or secretaries (*received by March 29, 2004*).
- \$ 15 OLI Annual Pass holder (Annual Pass No. _____).
- \$ 20 Add to above tuition if registration received *after March 29, 2004*.

BOOK AND TAPE ORDERS

I am unable to attend. Please send me:

- Audiotapes and course book, at \$169 per set.
- Videotapes and course book, at \$299 per copy.
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- Deduct 50% from order if you are an OLI Annual Pass holder (Pass No. _____)
- \$7.00 *Note: Add \$7.00 shipping & handling fee to above book and tape orders.*

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 Check out our website at www.lclark.edu/org/oli
 or email us at oli@lclark.edu.**

CONFIRMATION: Confirmation will be sent via e-mail or fax.**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by March 30, 2004.**NEED ASSISTANCE:** If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.**TUITION ASSISTANCE:** A limited number of scholarships are available based on financial need. Contact OLI.