

MEDIATION ASSOCIATES OF EASTERN ONTARIO JUNE 2022 PROFESSIONAL DIALOGUES

**A CONTINUING EDUCATION PROGRAM FOR MEDIATORS, CONFLICT
RESOLUTION PRACTITIONERS AND OTHERS WHO HAVE NEED TO CALL UPON
CONFLICT RESOLUTION SKILLS IN EXERCISING PROFESSIONAL
RESPONSIBILITIES**

**At Queen's University
Mackintosh-Corry Hall, Room D216
168 University Avenue, Kingston, Ontario**

**Friday, June 10, 2022 (from 1 p.m.)
Saturday, June 11, 2022 (to 4 p.m.)**

PROGRAM IN CONTEXT

This is a Program that was first presented in 2014. It was scheduled to be presented again in revised form in May 2020 but had to be cancelled because of Covid 19. It has now been further updated and revised, with added content, for post-Covid presentation.

REGISTRATION

Full Registration (Two Days)	\$ 725.00 + HST = \$ 819.25
Group Rate (3+ member group) For Each Person (Group to be Identified)	\$ 600.00 + HST = \$ 678.00
One Day Registration (if space available)	\$ 375.00 + HST = \$ 423.75
Student Rate Full	\$ 200.00 + HST = \$ 226.00;
One Day	\$ 100.00 + HST = \$ 113.00

[Friday Dinner and Saturday Lunch Included]

CONTACT

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INTRODUCTION

The practice of a Mediator or Conflict Resolution Practitioner, whether private or within organizations, subjects one to an isolated and lonely existence to maintain the required confidentiality. Yet it is the input and feedback from trusted colleagues that expands one's capacity and develops one's expertise. Learning experiences such as interactive workshops are those safe venues, where, without the breach of confidentiality, we can present challenging situations for review and recommended action, and where professional skills can be enhanced.

Over the many years that our team of Mediators, Instructors and predecessor Affiliates have been engaged in this field, we have been privileged to witness talented people from diverse walks of life embark into the "Mediation World" through participation in our course offerings. Their skills and strengths blossomed in the classroom through collegial support and input. Confronted by subsequent challenges and opportunities, they have called upon us from time to time for individual support and coaching.

Professional Dialogues is a gathering designed to do two things: bring together Alumni/ae to check-in with each other and network, and most of all to benefit from workshops within which colleagues present challenging situations for feedback and strategies for resolution. These developmental workshop sessions will give experienced and new participants to the field expanded awareness of the range of professional options available to them.

Professional Dialogues is also intended to serve others in related fields who, in their professional capacities, are called upon to exercise Conflict Resolution and related skills in the effective discharge of their duties. It addresses, variously, the roles of managers and officers in both public and private sectors, lawyers, human resources professionals, grievance officers, educators, and others engaged in activities in which outcomes can be enhanced by the effective use of these skills.

To encourage community "networking" an option for joining together in initial informal conversation has been included on the Program, and for those with specific interest, a

place on the Program has been reserved to accommodate suggestions for discussion that can be submitted by Registrants.

Participation in the Program will contribute some of the necessary qualifying hours towards securing the Q.Med designation of the ADR Institute of Ontario, as set out on the ADR Institute's web site. We will be seeking confirmation that it qualifies for Continuing Professional Development Credits under the Law Society of Upper Canada's Annual Reporting requirements for Members of the Bar. Members of other professional organizations requiring Continuing Education credits are encouraged to enquire whether the Program qualifies under the requirements of their own professional organizations.

A one-day registration for the Saturday will be provided. There will also be a reduced Student Rate. We hope to reach out to students who have participated in our Programs over the years, notably from Law, Master of Industrial Relations (MIR) and Urban and Regional Planning (SURP).

A Certificate of Full Participation will be issued to those who attend the full Program.

THE VENUE

The selected venue, Room D216 in MacCorry, is an attractive and well appointed Teaching and Learning facility. It is also quite close to available parking, and to resident accommodation that can be booked through Queen's Event Services. A promotional photo provided by Event Services is made part of the Program description. Much more detailed information and additional photos can be accessed on the Event Services part of the Queen's University web site.

PROGRAM PRELIMINARY AND TENTATIVE SCHEDULE

DAY ONE

1:00 p.m.

Welcome and Introduction

Ronald R. Price, Q.C.

Mediation Associates of Southeastern Ontario

1:15 p.m.

Challenges in a Mediation/Conflict Resolution Practice

John Curtis, Conflict Resolution Specialist

Mediation Associates of Eastern Ontario

johncurtis.ca

Neil Donnelly

Mediation Associates of Eastern Ontario

neildonnelly.ca

Group Discussion: Program Expectations; Sharing of Experience

Refreshments will be provided

Resource Materials

[Selected reading and resource materials will be available for distribution at this opening session to expand upon what is being presented in the Program itself, and to facilitate participation. The emphasis in these selections is intended to be practical and experiential. We plan to provide directive help, if needed, as guides through some of this if those participating appear to want that.

It will be appreciated that there is a rich and extraordinarily extensive literature in this field that includes a body of well recognized research in a number of related disciplines – all of this extending back more than fifty years. For a helpful overview piece by the generally acknowledged academic leader in the field, Carrie Menkel-Meadow, our distribution will include her 2013 article “The Historical Contingencies of Conflict Resolution” published in the **International Journal of Conflict Engagement and Resolution** (2013), pages 32 – 55.]

2:00 p.m.

The Restorative Approach: Concepts and Applications

Judy Tetlow, Mediation Associates of Eastern Ontario

Formerly: MEND Intervention Specialist for the Youth Diversion Program (YDP) & the Limestone District School Board (Retired)
Currently: Restorative Community Mediator

Workshop participants will have the opportunity to explore the concepts that underpin the Restorative Approach to Conflict Resolution.

Experiential exercises will clearly distinguish the advantages of the Restorative Approach to Conflict Resolution in contrast to more traditional responses.

The focus of the Restorative Approach is on building relationships and ensuring that participants recognize the impact of their actions on one another. Concepts such as ‘truth’ and ‘accountability’ will be challenged and re-defined.

The recognition and understanding of individual needs and unmet needs will be explored. Learnings from experiences within school and community settings will provide meaningful examples.

The Restorative Approach can readily be applied both within workplaces and for working with groups and individuals. Practical ideas for implementation will be discussed.

3:00 p.m.

BREAK

3:15 p.m.

Recent Technological Developments in Negotiation: Predictive Justice; Legal Analytics; the Application of Artificial Intelligence and Machine Learning to Dispute Resolution

Samuel Dahan is a professor at the Queen's Law Faculty, and cross-appointed to Cornell Law and Harvard Law. He is Director of the [Conflict Analytics Lab](#), a global consortium on AI and dispute resolution, and founded [MyOpenCourt](#), an AI-powered legal aid system.

4:15 p.m. **Networking and Gathering**

Space on the Program is designed to provide an opportunity for Participants to consult with Members of the Team of MAEO and other Contributors, and to network with one another. MAEO refers to the **Mediation Associates of Eastern Ontario**. Many of those presenting on the Program were affiliated with the **Mediation Centre of Southeastern Ontario** (MCSO, MAEO's predecessor organization), over its 18 years of operation. Other Instructors and Contributors to other MCSO offerings plan to be in attendance for the **Professional Dialogues** Program and expect to be available to Participants as a resource.

Networking can continue over dinner. Contributors who can remain will be attending dinner as MAEO guests.

Contributors: **Professor Deborah Leighton**, B.A. Law (Oxford), LL.M. (Texas), has been a Labour Mediator and Arbitrator since 1992. As evidenced from her Profile on the Queen's Industrial Relations Centre web site, she is a leader in this field in Canada. Since 1992, Deb has been the Instructor in Mediation and Arbitration for the Master of Industrial Relations Program, and is especially recognized for the mentoring support that she has provided for MIR Students. **Katharine Price-Raas**, MIR, General Manager, Talent and Organizational Development, Canada Post [MCSO 40-hour Certificate, 2003]; **Helen Dunlop**, Parks Canada (retired, formerly Policy Advisor & Negotiations and Treaty Advisor, Aboriginal Affairs Secretariat) [MCSO 40-hour Certificate, 2013]; **Barbara Castel**, MAEO, Elder Mediation and Advocacy Group [MCSO Certificates, 2009 & 2013, certified Solution-Focused Counselling Trainer, 2013]; **Maira Moore**, LL.M., MAEO, Elder Mediation and Advocacy Group [MCSO 40-hour Certificate]; **Trina Zeimbekis**, MCSO Associate, Workplace Conflict Specialist [MCSO 40-hour Certificate, Certificates on Advanced Mediation Skills and Elder Mediation].

5:30 p.m. **DINNER**

7:00 p.m.

Strategies for Mediation through Group Facilitation

Kimberly Bain, MA, CPF, Past Chair, International Association of Facilitators

International Facilitators' Hall of Fame Inductee. baingroup.ca

[Not all conflict happens at the individual level. Mediation principles and skills can help resolve large scale group conflicts when married with group facilitation processes. This session will explore how to employ group facilitation techniques to help the mediator move a group towards a sustainable resolution. We will explore examples from around the world where large group conflicts have been resolved in a positive and sustainable way, as well as conflicts in the workplace and community. Participants will then discuss the challenges and opportunities for mediating large group conflicts using a combination of mediation and facilitation techniques.]

8:00 p.m.

Panel and Group Discussion

Thomas A. Cromwell

Mediator; Barrister and Solicitor;
Ret'd Justice of the Supreme Court of Canada

John S. Curtis

Sandra L. Howgate

DAY TWO

8:30 a.m.

REGISTRATION FOR ONE-DAY REGISTRANTS

8:45 a.m.

Conflict Dynamics in the Workplace

Neil Donnelly, Mediation Associates of Eastern Ontario

Joan McLeod, M.A. (Peace Studies & Conflict Resolution, Royal Roads University)

conflictnavigator.com

[Conflict in the workplace may involve substantive concerns, procedural challenges and complex relationships. These can affect trust, performance and the health of both individuals and teams. In this session, two practitioners with extensive workplace experiences discuss their best practices and how to avoid often consistent, expected barriers to making progress.]

10:00 a.m. **BREAK**

10:15 a.m.

Indigenous Justice Paradigms: The Correctional Service of Canada and the Case of the Flying Fish

Robin Quantick, PhD, Chanie Wenjack School for Indigenous Studies, Trent University

Robin will be presenting findings from a recent research study that was focused on Elders who provided healing circles to Parolees at Correctional Service of Canada Community Correctional Centres in Ontario Region. The research examines the role, place and function of Elders who work in Community Correctional Centres and those who work in other institutional settings and their decolonizing impact on fuelling successful community reintegration. Mostly the presentation is a

discussion about what is necessary to challenge the disproportionate representation of Indigenous people held under federal Warrant.

11:00 a.m.

Indigenous Dialogues

Lindsay Brant, M. Ed., Queen's Centre for Teaching and Learning

Kevan Flood, Senior Government of Canada Negotiator (retired)

Robin Quantick, Ph.D. (Indigenous Studies, Trent University)
Conflict Resolution in an Indigenous Context. Walking Together:
Indigenous ADR in Land and Resource Disputes

Session Overview: Group Discussion of Donald Couturier's Canadian Bar Association award winning Student Paper.

[Material will be distributed in advance in preparation for an interactive and engaging Group Discussion]

We will be relying in particular on the extensive experience in Australia. See The National Alternative Dispute Resolution Advisory Council (NADRAC), "***Indigenous Dispute Resolution and Conflict Management***" (2006). Parallels will be drawn also to the ***Transformative Model of Conflict Resolution*** in ADR Studies which ideally incorporates Cultural Analysis, with principles first of empowerment and recognition, and then resolution in that order. Reference also the singular **New Zealand/Maori Experience**].

The session will address also aspects of the **DUTY TO CONSULT** (Kevan Flood),

Noon **LUNCH**

1:00 p.m.

Med-Arb: An Integrated Process and the ADR Institute of Canada Rules

Colm Brannigan, C. Med., FClarb.; C. Med-Arb; Mediator and Arbitrator, Brampton.

[First person to receive the new Chartered Med-Arb designation through the ADR Institute of Ontario].

Med-Arb occupies an uneasy place in the world of ADR processes. Although widely used in family law and labour it has not gained mainstream acceptance in other types of disputes. That may be changing. There are significant opportunities, along with some challenges, in choosing Med-Arb. It provides the flexibility of mediation together with the certainty of an outcome through arbitration if mediation is not successful. To provide guidance to those considering this unique process, the ADR Institute of Canada introduced Med-Arb Rules in June 2020 to help developing a consistent approach to in the design and use of Med-Arb.

2:00 p.m. **BREAK**

2:15 p.m.
Mediation in a Municipal Planning Context

David Gordon, Ph. D., Fellow of Canadian Institute of Planners, formerly Director of the School of Urban and Regional Planning, Queen's University

[At this session, Dr. Gordon will lead and de-brief an Exercise from the Harvard Program on Negotiation (PON) that has for years been utilized in the MCSO Course in the Queen's University Planning Program on "Negotiation, Mediation and Facilitation in Public Disputes" and in other professional contexts. Its effective use for learning purposes is not restricted to Planning professionals. Participants in **Professional Dialogues** will assume active roles in the Exercise. Role assignments will be distributed in advance. Role Play assistance will be provided by experienced Mediators who will form part of the process.]

References: On 'Activist Mediation' -- Forester, "Planning in the Face of Conflict: The Surprising Possibilities of Facilitative Leadership", in American Planning Association, **Planning Press Book** (2014); ADR Institute of Ontario, **Code of Ethics** and **Practical Ethics for Working Mediators**, ADRIO web site.

[This Exercise typically takes 90 – 120 minutes to complete.]

4:15 p.m. **Formal Wrap Up**

Mackintosh-Corry Hall D216



[Additional Photos \(PDF, 1.5MB\)](#)

Room Details

Room Number	D216
Number of Seats	52
