

# MEDIATOR TOOLS OR MANIPULATION: WHEN DO MEDIATORS CROSS THE LINE?

>> *Co-sponsored by the Alternative Dispute Resolution Section*

## Cost

**\$90 Half-Day** seminar and lunch

## Location

**South Pacific Ballroom 1 & 2**

## Time

**12:00 p.m. to 5:15 p.m.**

## Credits

**3 Credits**

## Course Description

In response to the growing concern regarding diverse mediator styles and approaches, panel members will share their insights and expertise as to what behaviors/strategies might cross the line of ethical responsibility.

From mediation “horror” stories to successes, the panel members will share their perspectives on differing strategies and style.

How hard should a mediator push and when? Is an evaluative process preferred? How far does confidentiality extend? When should a mediator stop the process?

These questions and more will be addressed with case studies, war stories, and an interactive discussion among the panelists and audience.

## Moderator

**Elizabeth Kent**

*Hawaii State Judiciary*

*Director of the Judiciary’s Center for ADR*

## Coordinator

**Tracey S. Wiltgen**

*The Mediation Center of the Pacific*

## Panelists

**The Honorable James E. Duffy**

*Supreme Court of Hawaii*

**Keith Hunter**

*President/CEO, Dispute Prevention & Resolution*

**Susan Ichinose**

*Attorney at Law*

**Ken Kawamoto**

*Federal Mediator*

**The Honorable Sabrina S. McKenna**

*Circuit Court of the First Circuit*

## Mediator Tools Program Schedule

12:00 p.m.	<b>Lunch</b> <b>Coral Ballroom 4 &amp; 5</b> <i>Annual Meeting and Keynote Address</i>
2:00 p.m.	<b>Welcome &amp; Introduction</b>
2:10 p.m.	<b>Mediation “Horror” Stories—Did the Mediator Cross the Line?</b>
2:45 p.m.	<b>Model or Mediator: Is There a Formula for Success?</b>
3:30 p.m.	<b>Break</b>
3:40 p.m.	<b>Confidentiality: Why, When &amp; How Much Is Too Much</b>
4:00 p.m.	<b>Who Participates: Capacity, Advocacy &amp; Making the Process Work</b>
4:30 p.m.	<b>Buyer Beware or Increase Mediation Regulation?</b> <i>Panel/Audience Discussion</i>
5:15 p.m.	<b>Program End</b>

# 2009 BAR CONVENTION REGISTRATION

SEPTEMBER 18, 2009 • HILTON HAWAIIAN VILLAGE BEACH RESORT & SPA • CORAL BALLROOM



>> Please Print

Full Name \_\_\_\_\_ Firm \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

If you are a Hawaii attorney, you must provide your J.D. Number \_\_\_\_\_ Email \_\_\_\_\_

Signature of Registrant \_\_\_\_\_

## SEMINARS TO ATTEND

Seminar	Cost	Vegetarian Lunch?	Credits
<b>The Settlement Conference</b> 9:00 a.m. to 2:00 p.m.	<input type="checkbox"/> \$225 Half-Day seminar and lunch	<input type="checkbox"/>	2.75 hours
<b>Paying for Health Care at the End-of-Life, including Medicaid Long-Term Care</b> 9:00 a.m. to 2:00 p.m.	<input type="checkbox"/> \$225 Half-Day seminar, lunch and Chapter 17	<input type="checkbox"/>	2.75 hours
<b>Casemaker® Update</b> 10:30 a.m. to 11:30 a.m. OR 3:15 p.m. to 4:15 p.m.	<input type="checkbox"/> Free morning seminar <input type="checkbox"/> Free afternoon seminar		No Credit
<b>Franchise Law</b> 12:00 p.m. to 5:00 p.m.	<input type="checkbox"/> \$225 Half-Day seminar and lunch	<input type="checkbox"/>	2.5 hours
<b>Mediator Tools or Manipulation: When Do Mediators Cross the Line?</b> 12:00 p.m. to 5:15 p.m.	<input type="checkbox"/> \$90 Half-Day seminar and lunch	<input type="checkbox"/>	3 Credits
<b>Securing Intellectual Property Rights: What All Lawyers Need to Know</b> 12:00 p.m. to 5:30 p.m.	<input type="checkbox"/> \$225 Half-Day seminar and lunch <i>A special discount price of \$180 is available for Intellectual Property Section members.</i>	<input type="checkbox"/>	3.25 hours
<b>2009 Family Law Update</b> Full Day 9:00 a.m. to 5:30 p.m.	<input type="checkbox"/> \$350 Full Day seminar, lunch and supplement <input type="checkbox"/> \$275 Full Day seminar and lunch <input type="checkbox"/> \$225 Half-Day morning or afternoon seminar and lunch <input type="checkbox"/> \$300 Half-Day morning or afternoon seminar, lunch, and the 2009 <i>Hawaii Divorce Manual Supplement</i> <i>Family Law Section members receive a \$50 discount for the full day programs and a \$25 discount for the half-day programs.</i>	<input type="checkbox"/>	6 hours
<b>Real Estate Law Manual, Volume Two</b> Full Day 9:00 a.m. to 3:30 p.m.	<input type="checkbox"/> \$350 Full Day seminar, lunch and manual	<input type="checkbox"/>	4.25 hours
<b>Keynote Speaker and Annual Meeting</b>	<input type="checkbox"/> \$40 Lunch Only: Keynote Speaker and Annual Meeting <input type="checkbox"/> YES, my seminar includes lunch, and I will be attending.	<input type="checkbox"/> NO, I will not be attending.	

## PAYMENT INFORMATION

Payment Type:  Check  Visa  Mastercard Credit Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Card Holder's Name \_\_\_\_\_ Card Holder's Signature \_\_\_\_\_

Non-Oahu HSBA members, nonprofit employees, and government employees may deduct 15% from the cost. Cost \_\_\_\_\_ minus 15% \_\_\_\_\_ = \_\_\_\_\_

TOTAL PAYMENT ENCLOSED \$ \_\_\_\_\_



## ADDITIONAL REGISTRATION INFORMATION

### Registration

Lunch, course materials, and manuals are not guaranteed for walk-in or late (after September 1, 2009) registration. If your seminar includes lunch, please check below to indicate whether you will be attending; however, there is no deduction in cost if you decide not to attend. Meals will be ordered only for those who have indicated that they will be attending.

### Parking

With proper validation, the valet parking is \$13 and self-park is \$8.

### Cancellation

A refund will be made only if we receive written notice of cancellation on or before September 1, 2009.

### Insufficient Funds

A \$20 fee will be charged for insufficient funds.

### Course Materials

Course materials, for most of the seminars, will be available at the seminars only for those who register on or before September 1, 2009.

### *The Real Estate Law Manual, Volume Two*

This manual will not be printed in time for this seminar. The HSBA will notify registrants when the manuals are available for pick up. Registrants must pick up their printed manuals at the HSBA or pay postage for the mailing of the manuals.

### Questions / Special Accommodations

Contact Lisa Tsukayama or another CLE Program Department staff at (808) 537-1868 or email [ltsukayama@hsba.org](mailto:ltsukayama@hsba.org).

### Mail or Fax Registration

Fax to (808) 521-7936 or mail to the Hawaii State Bar Association, 1132 Bishop Street, Suite 906, Honolulu, Hawaii 96813. Attention: Lisa Tsukayama

### Late Registration Fee

An additional \$30 will be charged for all registrations **AFTER September 11, 2009.**

### Changes

The form, content, and other aspects of the seminars are subject to change. The HSBA reserves the right to cancel seminars without liability, and the HSBA shall, in such a situation, return the amounts paid to the registrant. Please note that the location and/or times of the seminars are subject to change. Please check for possible changes at the registration area on the day of the Bar Convention.

### Videotaping / Photography

The seminar may be videotaped and/or photographed and your registration constitutes your voluntary consent to such videotaping and/or photography without monetary compensation. The seminars may be available for purchase as a DVD plus course materials approximately three weeks after the convention; the order form will be available on the HSBA website at [www.hsba.org](http://www.hsba.org) under "Publication List."

### Disclaimer

The representations made at this Bar Convention and content/materials are those of the presenters and do not represent the position of the HSBA. Legal opinions, analyses, and materials provided by the presenters are not reviewed by the HSBA.

### Special Discounts

A 15% discount may be deducted for all non-Oahu HSBA members, nonprofit employees, and government employees.