

PEPPERDINE | SCHOOL OF LAW

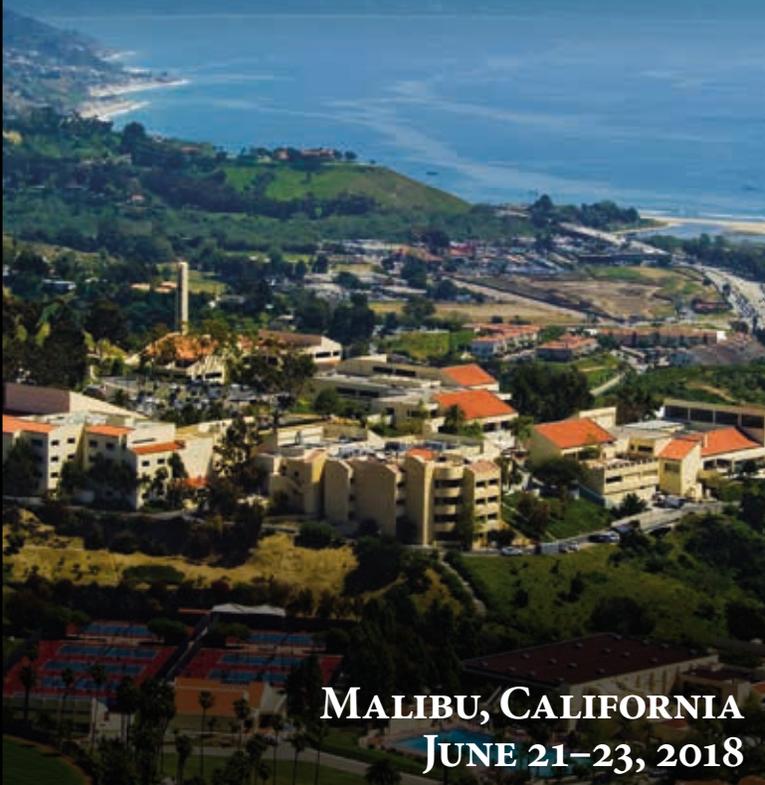
A WORLD-CLASS VIEW
OF DISPUTE RESOLUTION

PROFESSIONAL
SKILLS
PROGRAMS

- ▶ BASIC, ADVANCED AND SPECIALIZED COURSES
- ▶ OVER 350 PARTICIPANTS FROM AROUND THE WORLD
- ▶ TWO-AND-A-HALF DAYS OF INTERACTIVE DIALOGUE
- ▶ SEVENTEEN MCLE CREDITS*

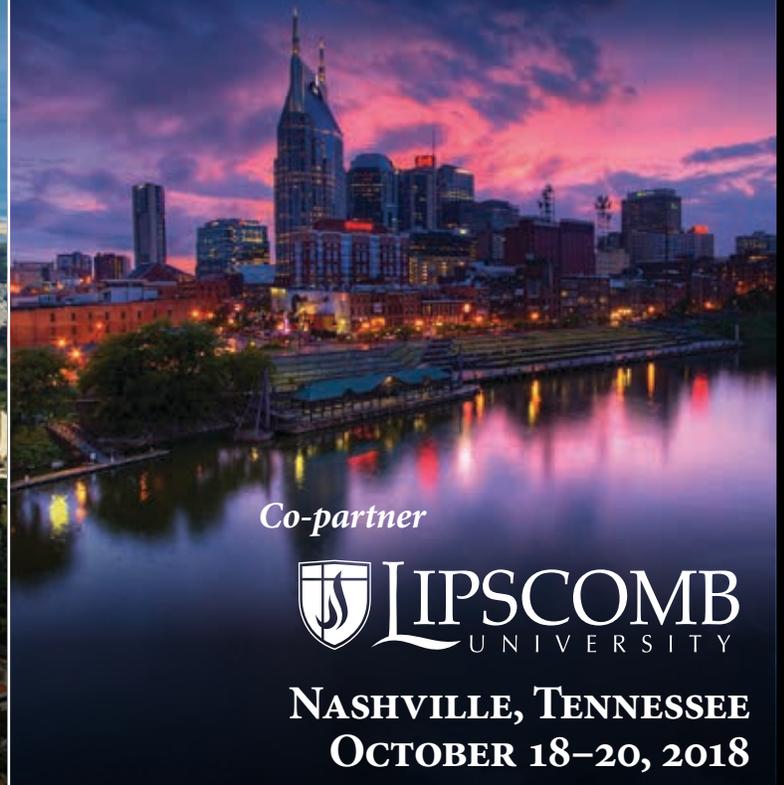
LIMITED ENROLLMENT
In cooperation with Mediate.com

31st Annual Summer Program



MALIBU, CALIFORNIA
JUNE 21-23, 2018

4th Annual Fall Program



Co-partner



NASHVILLE, TENNESSEE
OCTOBER 18-20, 2018

THE 2018

PROFESSIONAL SKILLS PROGRAMS IN DISPUTE RESOLUTION

Nationally Recognized Experts

Featuring a panel of nationally recognized experts in dispute resolution, this comprehensive program provides a forum for direct, informal contact with the entire program faculty. As participants from all courses eat meals together and attend plenary sessions, opportunities to share learning experiences with students involved in other dispute resolution courses are readily available.

Unique Educational Opportunities

Participants should select the process in which they desire expertise (one course), as all courses will be presented simultaneously in each location. To provide for personalized instruction, enrollment for each course is limited to ensure a close, working relationship among the faculty and participants. Course sessions will include lectures, small group discussions, and practice exercises. Faculty and other participants will also provide performance coaching. The synergy of ideas will provide a truly unique learning experience.

LOCATIONS

PEPPERDINE UNIVERSITY IN MALIBU, CALIFORNIA



THE STRAUS INSTITUTE IS A PART OF PEPPERDINE UNIVERSITY SCHOOL OF LAW, which is located in Malibu, California. While the magnificent vistas provide a beautiful setting for study and contemplation, Pepperdine is only 12 miles from the energy and night life of Santa Monica and 25 miles from downtown Los Angeles.

MALIBU ACCOMMODATIONS

Participants should make their own hotel arrangements. A hotel list is sent with the confirmation letter and is available online at: law.pepperdine.edu/about/visitor-information/malibu/hotels.htm

PLEASE NOTE THAT THE 2018 PROGRAM WILL TAKE PLACE AT THE DRESCHER GRADUATE CAMPUS ON THE MALIBU CAMPUS. The School of Law is undergoing major renovations.

PROGRAM SCHEDULE

MALIBU

THURSDAY, JUNE 21

7:30 AM Registration and
continental breakfast

8:30 AM Program begins

4:30 PM Evening reception

FRIDAY, JUNE 22

7:30 AM Continental breakfast

8:30 AM Program begins

5:00 PM Adjourn

SATURDAY, JUNE 23

7:30 AM Continental breakfast

8:30 AM Program begins

1:00 PM Adjourn

NASHVILLE

THURSDAY, OCTOBER 18

7:30 AM Registration and
continental breakfast

8:30 AM Program begins

5:00 PM Evening reception

FRIDAY, OCTOBER 19

7:30 AM Continental breakfast

8:30 AM Program begins

4:30 PM Adjourn

SATURDAY, OCTOBER 20

7:30 AM Continental breakfast

8:30 AM Program begins

1:00 PM Adjourn

The Professional Skills Program in Dispute Resolution consists of two and a half day courses addressing distinct dispute resolution processes:

MALIBU JUNE 21–23, 2018

Mediation Workshops

- ▶ STAR: A Systematic Approach to Mediation Strategies ([page 2](#))
- ▶ Advanced Mediation Skill Development: Perfecting Our Craft ([page 3](#))
Revised Course!
- ▶ Family Law Mediation: When Time is Not on Your Side ([page 4](#))
- ▶ Elder Care Mediation ([page 6](#))
- ▶ Pubic Sector Mediation: Flexing Your Muscles through Skills and Drills ([page 6](#))
- ▶ It's all so Real: Real Problems for Real Mediators in Real Time ([page 7](#))
New Course!
- ▶ Conflict Resolution Consulting: Using Mediation to Improve Organizational Communications, Conflict Coaching, Team Building, Leadership, Change, and Systems Design ([page 8](#))

Other Dispute Resolution Workshops

- ▶ Practical Mindfulness: Clear and Calm in the Heat of Conflict ([page 9](#))
- ▶ Strategic Negotiation Skills ([page 10](#))
- ▶ Preventing Bad Settlement Decisions and Impasse: Using Brain Science, Game Theory, Animated Communication, and Micro-Interventions ([page 11](#))
- ▶ The Art of Facilitating Dynamic and Difficult Groups ([page 12](#))
- ▶ Cross-Cultural Dispute Resolution and Law Practice ([page 12](#))

NASHVILLE OCTOBER 18–20, 2018

CO-PARTNER WITH LIPSCOMB UNIVERSITY

See web site for additional Nashville classes!!

Mediation Workshops

- ▶ STAR: A Systematic Approach to Mediation Strategies ([page 2](#))

Other Dispute Resolution Workshops

- ▶ Strategic Negotiation Skills ([page 10](#))

To register or for more information, visit
law.pepperdine.edu/straus or call Lori Rushford at 310.506.6342.

STAR: A SYSTEMATIC APPROACH TO MEDIATION STRATEGIES

MALIBU & NASHVILLE

Mediations are dynamic and fluid. Both aspiring neutrals and sophisticated advocates should know the predictable themes and stages of mediation, as well as the variety of styles and techniques used in each stage. Competence in mediation approaches separates the serious professional practitioner from the casual volunteer. This course surveys how successful mediators use a variety of approaches in five fundamental stages of a mediation. The emphasis is on encouraging the exercise of conscious professional judgment and strategic analysis for both mediators and advocates.

What you will learn:

- ▶ Stages of a mediation
- ▶ How to convene and open a mediation
- ▶ Facilitating communication
- ▶ Encouraging problem solving
- ▶ Utilizing the predictability of distributive bargaining
- ▶ Using intangible interests to overcome impasse
- ▶ Facilitating closure
- ▶ Balancing neutrality and fairness
- ▶ Managing emotions
- ▶ Effective case presentation
- ▶ Ethical concerns of mediators and advocates
- ▶ Mediation advocacy tips



PETER ROBINSON is professor of law at Pepperdine University School of Law and former managing director of the Straus Institute for Dispute Resolution. He has presented advanced negotiation and mediation skills courses throughout the United States and in more than 10 foreign countries. He has served on the boards of the California Dispute Resolution Council, the Southern California Mediation Association (SCMA), Dispute Resolution Services of the LACBA, the Ventura Center for Dispute Settlement, and the Christian Conciliation Service of Los Angeles. The SCMA recognized him as Peacemaker of the Year in 1999. He is a Fellow of the International Academy of Mediators and was recognized as a Southern California Super Lawyer in the area of mediation in 2006 and 2008. After being appointed by the Los Angeles City Attorney, he successfully mediated all the environmental objections to building the Farmers Field football stadium in downtown Los Angeles.



JIM CRAVEN (Malibu) is a lawyer, mediator, and frequent speaker in the conflict resolution field. He has been practicing law for over 40 years and remains of counsel to the Spokane, Washington, law firm of Evans, Craven & Lackie which he co-founded in 1978. He has extensive experience in the mediation of complex disputes, having served mediation clients throughout the northwest since 1990. He serves on the construction, commercial and mediation panels of the American Arbitration Association, and is a member of the Washington Mediation Association. Craven was a trial lawyer for over 25 years before becoming a full-time neutral. His trial practice emphasized complex construction, environmental, commercial, and professional negligence litigation. He received his law degree from Gonzaga University and the LLM in dispute resolution from Pepperdine University. In addition to his dispute resolution practice, Craven consults with business and government on a wide range of issues.



PETER ROBINSON

ADVANCED MEDIATION SKILL DEVELOPMENT: PERFECTING OUR CRAFT

MALIBU

A highly interactive, skill enhancement course facilitated by experienced trainers with a combined 8,000 mediations and over sixty years of mediation and training experience. This course invites you to work closely with other experienced mediators sharing expertise and skills. Fish bowl role-plays will provide real time reflection, instant feedback, and discussion of techniques. You will have the opportunity to engage in thought provoking conversations about cutting edge topics, reflecting the latest learning and trends effecting our profession. To provide the optimal learning environment, this course will be limited enrollment and available only through an application process evidencing a minimum of 40 hours of training and over 40 or more solo mediations. Course completion will include two units of CLE credit for Bias and two units in the area of Ethics.

What you will learn:

- Techniques that are customized to the different stages of mediation (early, mid-stage, and late-stage negotiations)
- Strategies in working with highly competitive parties and attorneys – including highly experienced parties/attorneys who seek to control the process, “game” or “tactic” the mediator
- Diagnosis of sources of resistance and specific strategies for different sources of impasse
- Skills for working with high emotion
- Knowledge of communication issues across cultures and understanding the concept of implicit bias
- Use of questions to build rapport, change tempo, detoxify, summarize, shift power, reality test, transition, provide options
- Approaches to expanding your practice beyond “cases” - brainstorming how to use our skills beyond the traditional litigated case and expanding our market
- Creativity beyond the “deal” – sharing results that experienced mediators seek beyond just a settlement, including the art and science of the apology
- Pre-mediation and post-mediation strategies that are appreciated in the market and will make your practice stand out from the other providers
- Ethical issues that mediators face due to the changing nature of the field



NINA MEIERDING a former civil attorney, has been a national leader in the field of conflict resolution, training thousands of individuals in businesses, courts, school districts, governmental agencies, medical centers, corporations, and universities throughout the United States and abroad for almost 30 years. She has been an adjunct professor at Pepperdine University School of Law for over 20 years and Southern Methodist University for over 15 years and has taught at many other universities, as well as the National Judicial College and the California Judicial College. She is a former president of the Academy of Family Mediators and served on the board of directors of the Association for Conflict Resolution and many other organizations. She was the director and senior mediator at the Mediation Center in Ventura, California, from 1985 to 2007 where she mediated over 4,000 disputes and is currently the mediation partner and consultant for the Wisconsin Special Education Mediation System (WSEMS).



BRUCE EDWARDS was an industry pioneer in the field of alternative dispute resolution. Since 1986 he has mediated over 6,000 disputes throughout the United States involving complex multiparty lawsuits and specializing in matters of high emotion. Since 1993 Edwards has served as an adjunct professor at the Straus Institute for Dispute Resolution at Pepperdine University School of Law where he teaches courses in advanced mediation. In addition to his teaching in the United States, Edwards has personally taught mediation skills to hundreds of attorneys, judges, business leaders and aspiring mediators throughout Europe, Africa, India and Asia. Most recently, he has cofounded the Edwards Mediation Academy, an online education platform for teaching practical mediation skills to a global audience.



FAMILY LAW MEDIATION: WHEN TIME IS NOT ON YOUR SIDE

MALIBU

*Approved for 17 hours of specialized credits for Certified Family Law Specialists (California)

*Approved for 8 hours of Children's Counsel Credits per CRC 5.242(d) (California)

This highly interactive, interdisciplinary training (taught by a judge and a psychologist) is designed for judicial officers, private counsel, staff attorneys in courts, custody evaluators, and others who wish to learn and improve their skills in mediating family law conflicts. Special emphasis is placed on resolving disputes when there is limited time and when there are limited resources available. After exploring an overview of core models and principles of mediation and successful techniques, participants will learn a range of specific dispute resolution strategies available through mediating. Interspersed within discussion and role-plays are presentations of critical child-development research, essential perspectives on the psychology and dynamics of divorce, the ways in which high levels of conflict and emotions in family law cases present special problems, and hidden opportunities for dispute resolution, as well as other practical information.

What you will learn:

- An overview of core mediation principles
- Mediating as an attorney, therapist, judicial officer, facilitator, or judge pro tem
- Managing implicit power imbalances
- The psychology and dynamics of high-conflict divorce
- Specific mediation models appropriate to your jurisdiction
- The anatomy of custody disputes
- Gate-keeping, attachment, and alienation
- Mediating personal property, custody, and visitation issues
- Getting past the obstacles to stipulations
- Mediating cases involving domestic violence
- Special problems: self-represented litigants, the present economy, and parents who hardly know one another
- Canons, ethics, obligations, and red flags



THE HONORABLE IRWIN JOSEPH (retired) provides private mediation, arbitration, and private judging services in Northern California. Before retirement, he served as a Superior Court commissioner in Santa Clara County and in Santa Cruz County for almost 15 years. His bench experience included family, civil, and criminal assignments. During his eight years in the family law division, he heard dissolution, custody, support, paternity, and domestic violence matters. He created the Judicially Supervised Settlement Conference (Mediation) program and the Early Neutral Evaluation Program for Family Court. He co-taught mediation skills to judges in Singapore at a 2015 Straus training. He has mediated thousands of conflicts since 1995. He was a faculty member of the Center for Judicial Education and Research (CJER) and the National Council of Juvenile and Family Court Judges (NCJFCJ), and a member of the Elkins Family Law Task Force. He is a graduate of the University of La Verne College of Law and UCLA. He co-created this class in 2009 for those who wish to improve mediation skills in this difficult and contentious area of the law.



DONALD T. SAPOSNEK, PhD, is a practicing clinical-child psychologist and child custody mediator, and a family therapist for over 40 years, and a national and international trainer of mediation and child development. He also is author of the classic book, *Mediating Child Custody Disputes: A Strategic Approach*, and coauthor of *Splitting America: How Politicians, Super PACS, and the News Media Mirror High-Conflict Divorce*. He has mediated over 5,000 custody disputes since 1977, managed the Santa Cruz County Family Court Services for 17 years, and has published extensively in the professional literature on mediation, child custody, and child psychology. He has been teaching on the psychology faculty at the University of California, Santa Cruz since 1977, is editor of the *Academy of Professional Family Mediators' The Professional Family Mediator*, and serves on the editorial boards of numerous publishers and several international journals on conflict resolution.





PEPPERDINE UNIVERSITY

The Straus Institute Recognized as a National Leader Ranked #1 Dispute Resolution Program for 13 of the Last 14 Years!

When Pepperdine University School of Law first began to establish an internationally recognized institute for dispute resolution in 1986, no one could have foreseen the indelible mark it would make in its relatively short 31-year life. The combination of vision, leadership, and tireless energy has made the Straus Institute more successful than anyone imagined as it has grown to nine full-time faculty and 16 staff members, serving more than 4,000 people a year.

The efforts were recognized when *U.S. News & World Report* began ranking dispute resolution programs at law schools 21 years ago. For 16 years it awarded Pepperdine the Number One ranking in the country, and for all other years, placed it in the Top Three.

SPECIAL FREE SYMPOSIUM: Restoring Civility in an Overheated Society

with Tracy Allen and Eric Galton
Wednesday, June 20, 2018 – 1 to 4:30
Malibu, California

(This takes place the day before the 31st Annual Professional Skills Program)

- ▶ How and why have we become such an overheated, polarized society? How has this new reality impacted our family, friends, relationships, and workplace? What topics have now become off limits in social conversations?
- ▶ How can we be better participants in a disagreeable conversation without being disagreeable? How do we design, manage, and process difficult conversations?
- ▶ What do social media and technology do to our ability to build trust, relate to others, and listen?
- ▶ What skills can we refine and take back to our families, communities, churches, and workplaces to improve

Join us for stimulating discussion and dialogue! Attendance is free. Go to law.pepperdine.edu/straus/psp/summer for more information or to register.

SPECIAL INVITATION for Professional Skills Program Participants!

On the evening of June 20, 2018, Pepperdine/Straus American Inn of Court for Dispute Resolution will be hosting a dinner reception at the Jonathan Club in Santa Monica. Registrants of the Professional Skills Program are invited to attend for a fee of \$100. This will be a wonderful opportunity to network with Inn members as well as fellow PSP participants. More information will be sent at a later date to those who are registered for the Professional Skills Program. Registrations for the reception is limited.

ELDER CARE MEDIATION

This training focuses on adult guardianship and family caregiver mediation. Learn the differences between other types of mediation and elder mediation. In this training, we will focus on the mediator's responsibility toward inclusion of the older person's voice in the mediation and techniques for working in multiparty family mediations. At the conclusion of the training, you will be prepared to organize and perform elder mediations. This training is meant as an advanced training for those who have already taken basic mediation training, and an introduction to elder mediation for those who have not.

What you will learn:

- ▶ Differences between elder mediation and other types of mediation
- ▶ Guardianship/conservatorship law and practice
- ▶ Capacity and disability issues
- ▶ Red flags for elder abuse
- ▶ Multiparty mediation and family dynamics
- ▶ Working with attorneys, court representatives, GALs, and institutional representatives
- ▶ Ethical standards for elder mediators
- ▶ Mental and physical effects of aging, disabilities, and accommodation in mediation
- ▶ Pre-mediation interviews and screening for appropriateness of mediation
- ▶ Marketing an elder mediation practice



ZENA ZUMETA is internationally known as both a mediator and trainer of mediators. She is president of the Mediation Training & Consultation Institute, Zena Zumeta Mediation Services, and The Collaborative Workplace in Ann Arbor, Michigan. She received her juris doctor from the University of Michigan Law School. Zumeta is a former board member and president of the Academy of Family Mediators (now merged into the Association for Conflict Resolution), past president of the Michigan Council for Family and Divorce Mediation, and past regional vice president of the Society of Professionals in Dispute Resolution. Zumeta is the recipient of the National Education Association/Saturn Corporation Award for Union-Management Collaboration; the John Haynes Distinguished Mediator Award from ACR; the Family Mediation Council-Michigan Lifetime Achievement in Mediation Award; and the Kumba Award from the National Conference on Minorities in ADR.



SUSAN BUTTERWICK provides training in adult guardianship/probate and caregiver mediation nationally for community centers, court programs, and other organizations. She served as directing attorney for a national demonstration project on adult guardianship and caregiver mediation and coauthored an evaluation of adult guardianship mediation in four states. Susan is a coauthor of the Association for Conflict Resolution's (ACR) elder mediation training objectives. She is a Michigan State Court Administrative Office-approved trainer for civil court mediation and provides advanced trainings in child welfare mediation and family mediation. She is adjunct professor of law at the Wayne State University Law School, Wayne State's Master of Arts in Dispute Resolution program, and the University of Detroit Mercy Law School, where she teaches civil mediation.

PUBLIC SECTOR MEDIATION: FLEXING YOUR MEDIATOR MUSCLES THROUGH SKILLS AND DRILLS

Mediator Skills and Drills is a highly interactive skills-based course designed to enhance the tool kit of the public or private sector mediator. The trainers, who are clinicians and public sector mediators, have trained thousands of mediators and believe in the educational value of improvisation, drills and repetition to hone skills. The trainers bring a lens of nuance and sophistication to examine the decisions we make as mediators in our interventions and their impact on the participants and process. This course focuses on skills to address high-conflict personalities and intense emotions, self-represented parties unaccustomed to distributive negotiations, and outside interests of representatives including unions and enforcement agencies. The workshop also addresses issues of authority and agency, as well as the impasses of inertia (the wait for a new administration or policy, budget cycle, or collective bargaining agreement), common in conflicts involving public entities. The trainers bring their extensive public sector experiences to integrate common ethical challenges and maximize outcomes in mediations.

What you will learn:

- ▶ Closing the deal with inexperienced negotiators
- ▶ Reality testing (with an emphasis on the narrow and more directive and facilitative broad) to round out the mediator's tool kit
- ▶ Strategic questioning methods such as t-funneling and directional questions
- ▶ Identifying "ghosts" in the room or uncovering an advocate's unarticulated institutional interests
- ▶ Techniques to use with high-conflict individuals
- ▶ Addressing issues of impasse and authority
- ▶ Managing strong emotions
- ▶ Recent research on mediator interventions



TOBY TREEM GUERIN is the managing director for the Center for Dispute Resolution at the University of Maryland Carey School of Law and clinical instructor. Guerin has over 15 years experience mediating and facilitating in various venues including government agencies, nonprofit organizations, schools, and court systems. She served as the first chairperson of the Mediator Excellence Council, a mediator quality-assistance initiative in Maryland and formerly directed the agricultural mediation program at the Maryland Department of Agriculture. Guerin has trained hundreds of mediators on topics from beginning to advanced mediation, elicitive feedback, mentoring, and effective communication.



STEPHANIE BLONDELL is an assistant professor of law and associate director of the Straus Institute. She supervises the Mediation Clinic and teaches Mediation Theory and Practice, Psychology of Conflict, and Criminal Law. Prior to joining Pepperdine, she served as the manager of the King County Alternative Dispute Resolution Program and Interlocal Conflict Resolution Group, a tri-county labormanagement and public policy mediation program in the area around Seattle, Washington. Prior to this she was the alternative dispute resolution coordinator for the City of Seattle where she designed and implemented a labor and employment mediation program for city government.

IT'S ALL SO REAL: REAL PROBLEMS FOR REAL MEDIATORS IN REAL TIME

MALIBU

NOTE: Participants must be neutrals who have completed at least 50 commercial cases in the mediator's chair and/or completed at least 20 hours of advanced mediator training.

Eric Galton and Tracy Allen return to the Professional Skills Program with their fifth course in mediation skills for the experienced commercial mediator. Selecting from their own experiences, and those of the Distinguished Fellows of the International Academy of Mediators, the course examines how the agile mediator identifies, diagnoses, manages, and solves the predictable and unexpected events as they unfold before, during, and after mediation.

What you will learn:

- What's old and what's stale in the mediation business? What does the market say about you? How predictable are you
- Where does mediation confidentiality fit in this day of "#MeToo?" Learn how a panel of Distinguished Fellows of the IAM are balancing the moral, ethical, and legal implications of confidentiality
- How has the frequency of mediation as a tool on the litigation trail impacted the process design and timing, advocacy, expectations of the neutral, tools deployed to "break impasse" and the outcomes? What can you do about it
- Why does a caucus strategy matter from room to room and round to round
- Is mediating recklessly an ethical dilemma, a tool, or a disaster
- Does "mediator burn out" exist? What can be done about it?
- What can we do in the middle of negotiations? Is there something new, something old, and something borrowed
- Why didn't that case settle and are there next steps to deploy to achieve success in a stalled negotiation



TRACY L. ALLEN is a full-time mediator, arbitrator and ADR trainer. She teaches and practices internationally, providing conflict management, prevention, and training services worldwide. A former tax and business attorney, Allen mediates and arbitrates complex and highly emotional commercial, business, probate, securities, and employment cases. She is a Distinguished Fellow and a past president of the International Academy of Mediators. She has written numerous articles and is a contributing author in several books on ADR, with emphasis on mediation and negotiation strategies. She received the State Bar of Michigan ADR Section Distinguished Service Award in 2008 and currently serves on several specialty ADR provider panels nationally and internationally. Allen is an adjunct professor for the Institute for Conflict Management at Lipscomb University and a frequent lecturer for the Institute of Continuing Legal Education at the University of Michigan. Allen is the owner of her Detroit-based resolution firm, Global Resolutions, PLLC.



ERIC R. GALTON is a full-time mediator, arbitrator, and lecturer. Galton's book, *Mediation: A Texas Practice Guide*, received the Center for Public Resources Annual Book Award. He has since authored four more books with his most recent work, *Ripples from Peace Lake*. Galton is a Distinguished Fellow of the International Academy of Mediators and the Texas Academy of Attorney-Mediators. He is a member of the Texas State Bar ADR Section and has served on the American Bar Association Dispute Resolution Section, and the board of directors for the Texas Association of Mediators. He has practiced law for 30 years, and is currently a partner in the mediation firm Lakeside Mediation and the law firm of Galton, Cunningham & Bourgeois, a purely dispute resolution and mediation firm in Austin, Texas.



ERIC GALTON AND TRACY ALLEN



CONFLICT RESOLUTION CONSULTING

Every workplace generates chronic conflicts, yet few organizations have rethought the way they work, or used conflict resolution skills and ideas to prevent and transform the sources of chronic conflict, or examined their organizational communications and “conflict cultures” to discover how their conflicts are generated and reduce their reoccurrence.

Fewer still have integrated conflict resolution and coaching, trained leaders as mediators, used conflict resolution principles to inform their change processes, conducted “conflict audits” to reveal where these streams of conflict originate, or designed complex, multilayered, self-correcting systems to improve their capacity for conflict prevention, resolution, and transformation.

This workshop will provide a framework for mediators who would like to enter the emerging field of conflict resolution consulting, and learn how to integrate mediation with organizational communication, coaching, team building, leadership development, change management, and conflict resolution systems design. These skills can help organizations rethink the way they work and use systems design principles to construct more collaborative, democratic, self-managing organizations and institutions.

The workshop will identify new skills in organizational dialogue, leadership, teamwork, and collaborative processes. It will identify theories and techniques that will help participants shape an organizational context of ethics, values, and integrity; form living, evolving webs of association; develop ubiquitous, linking leadership; build innovative, self-managing teams; implement streamlined, open, collaborative processes; create complex self-correcting systems; integrate strategically, and change the way we change.

Participants will also explore the social, economic, and political sources of chronic conflict; obstacles to individual, interpersonal, and organizational change; diverse methods for overcoming resistance to change, and ways of redesigning workplace cultures, systems, structures, processes, and relationships to encourage conflict resolution.

What you will learn:

- ▶ Analyze the chronic, systemic sources of workplace and organizational conflicts
- ▶ Identify complex workplace and organizational dynamics
- ▶ Understand the roles and skills of conflict consultants
- ▶ Recognize the structures, systems, relationships, processes, and “conflict cultures” that contribute to organizational conflicts
- ▶ Discover how to conduct “conflict audits”
- ▶ Design multilayered, complex, self-correcting organizational systems that improve the capacity for conflict prevention, management, and resolution
- ▶ Understand and develop competencies as “conflict leaders”
- ▶ Improve their ability to mediate workplace and organizational conflict in public- and private-sector organizations, work teams, and family businesses
- ▶ Learn to redesign workplaces and organizations and identify transformational opportunities in conflict
- ▶ Discover how to use conflicts as opportunities for personal growth, organization learning, strategic change, emotional healing, forgiveness, and transformation



KENNETH CLOKE is director of the Center for Dispute Resolution in Santa Monica, California, and a mediator, arbitrator, coach, consultant, and trainer and has mediated hundreds of workplace and organizational disputes. He is the author of *Mediating Dangerously: The Frontiers of Conflict Resolution*; *The Crossroads of Conflict: A Journey into the Heart of Conflict*; and *Conflict Revolution: Designing Preventative Systems for Chronic Social, Economic, and Political Conflicts* (2nd ed.). He is also coauthor with Joan Goldsmith of *Thank God It's Monday! 14 Values We Need to Humanize the Way We Work*; *Resolving Personal and Organizational Conflict: Stories of Transformation and Forgiveness*; *The End of Management and the Rise of Organizational Democracy*; *The Art of Waking People Up*; *Resolving Conflicts At Work: Ten Strategies For Everyone On The Job* (3rd ed.); and *The Dance of Opposites*.



JOAN GOLDSMITH has been a coach, mediator, and organizational consultant with public- and corporate-sector organizations specializing in leadership development, organizational change, team building, strategic planning, and conflict resolution for the past 40 years. She was a faculty member at Harvard University, founder of Cambridge College, and is currently an adjunct professor in conflict resolution at Southern Methodist University in Dallas, Texas. She coauthored a best-selling book on leadership, *Learning to Lead: A Workbook on Becoming a Leader* (4th ed.) with Warren Bennis, and is coauthor with Kenneth Cloke of *Thank God It's Monday! 14 Values We Need to Humanize the Way We Work*; *Resolving Personal and Organizational Conflict: Stories of Transformation and Forgiveness*; *The End of Management and the Rise of Organizational Democracy*; *The Art of Waking People Up: Cultivating Awareness and Authenticity at Work*; and *Resolving Conflicts at Work* (3rd ed.).

This course will provide new practical tools for remaining focused, calm and present, even in the heat of conflict. You will learn the basics of mindfulness meditation and “Taking STOCK,” a practical technique that enables conflict resolution professionals and others to continually integrate mindfulness into their work and lives. We all aspire to provide high-quality service and to derive satisfaction in the process, but often face barriers to fulfilling such aspirations. Stress, our fast-paced lives, conflicting demands, anxiety, burn-out and other challenges distract us from bringing our whole selves to bear upon our work and our lives, even when we are trying to do so. Mindfulness, a systematic method of paying attention, deliberately, in the moment, without judgment, can help us gain awareness of our mental and emotional processes, our habitual reactions, and their manifestations in our mind, body, and breath. Such self-awareness opens the door to developing ourselves in ways that will enable us to be more skillful and to get greater satisfaction from our work and our lives.

What you will learn:

- ▶ The basics of mindfulness meditation, a systematic method of moment-to-moment non-judgmental awareness, which develops both calmness of mind and body and deep insight into the workings of our minds and hearts

- ▶ To better understand and deal with your own reactions to conflict
- ▶ To deepen self-awareness and be kinder to yourself and others
- ▶ The Taking STOCK technique, which you will practice to integrate and maintain mindfulness in various negotiation and dispute resolution roles



LEONARD L. RISKIN is the Chesterfield Smith Professor of Law at the University of Florida Levin College of Law and visiting professor, Northwestern University School of Law. He previously served at the University of Missouri as director of the Center for the Study of Dispute Resolution. A practicing mediator, he has taught both dispute resolution and mindfulness around the world. Riskin has a JD from NYU and an LLM from Yale. He has published several books and numerous articles on dispute resolution (some dealing with “grids” of mediator orientations—facilitative-evaluative/broad-narrow), and several articles on the potential contributions of mindfulness to law and mediation practice.



RACHEL WOHL JD, is a mediator and attorney who teaches conflict resolution and mindfulness meditation classes, nationally and internationally. She is the president of Conflict Specialists International, LLC. Wohl was previously the director of the Maryland Mediation and Conflict Resolution Office and is adjunct faculty at the University of Maryland Law School. She received the Association for Conflict Resolution’s Mary Parker Follett Award for Innovation. She co-chaired the ABA Dispute Resolution Section’s Task Force on Improving Mediation Quality and was a founding board member of Mediators Beyond Borders (MBB). She is currently working on MBB capacity-building projects in the Czech Republic and Cambodia. Wohl has been meditating for over 20 years and recently coauthored “Mindfulness in the Heat of Conflict: Taking Stock,” published in the *Harvard Negotiation Law Review*, vol. 20.

LOCATIONS

LIPSCOMB UNIVERSITY IN NASHVILLE, TENNESSEE



LIPSCOMB UNIVERSITY INSTITUTE FOR CONFLICT MANAGEMENT AND STRAUS INSTITUTE are pleased to present the 4th Annual Fall Professional Skills Program in Nashville, Tennessee. Gather around the microphone where Elvis became a legend. Dig into the roots of American music at the Country Music Hall of Fame. From Symphony Hall to Capitol Hill, Nashville offers a host of one-of-a-kind experiences you’ll find genuinely rewarding. Your weekend with the nation’s masters in mediation and negotiation in Music City will also provide you opportunities to enjoy good food, interesting neighborhoods, and more live music than anywhere else. Named 2011 Best Music Scene by *Rolling Stone* magazine, the city boasts the largest songwriter community in the world and is home to the longest continually running live radio show in history—*The Grand Ole Opry*.

Nashville International Airport is 15 minutes from the Lipscomb University Campus.

STRATEGIC NEGOTIATION SKILLS

MALIBU & NASHVILLE

Lawyers, managers, and other professionals can learn the latest negotiation theories and techniques in this interactive, practical, and entertaining course. Strategic negotiation skills evolved from extensive work with more than 40,000 lawyers and managers in 40 states. Building on the empirical data from the fields of business, communication, and psychology, the course utilizes sophisticated simulations and case studies to create a conceptual road map for negotiation strategy.

What you will learn:

- ▶ Characteristics of distributive and integrative bargaining
- ▶ Three styles of negotiations
- ▶ Recognition and management of mixed-motive exchange
- ▶ Techniques of competitive and collaborative negotiation
- ▶ Interplay between style and strategy
- ▶ The strength of alternatives in negotiation
- ▶ Negotiation tactics and how to counter them
- ▶ Sources and uses of power
- ▶ Avoiding conflict aftermath
- ▶ Evaluation of negotiation success



L. RANDOLPH LOWRY (Malibu and Nashville) is president of Lipscomb University in Nashville, Tennessee. In 1986 he founded the Straus Institute for Dispute Resolution and was a professor of law at Pepperdine University School of Law until assuming his current position in 2005. He also works as a conflict-management consultant to one of the nation's largest hospital companies and for five years has served as board chair for two nonprofit health care organizations. A lawyer, active mediator, consultant, and internationally recognized educator, he is on the faculty at Baltimore Law School and City University in Hong Kong.



JOHN LOWRY (Malibu) is a recognized authority on negotiation through his experience as a lawyer, business consultant, negotiation coach, entrepreneur, researcher, and university administrator. His results-focused systematic approach to negotiation has been successfully implemented by thousands of professionals across the United States. Lowry serves as vice president of external affairs at Lipscomb University in Nashville, Tennessee. He is also the founder and executive director of Spark, Lipscomb's Idea Center located in Franklin, Tennessee, a state-of-the-art corporate learning and innovation center. Lowry is an assistant professor of management and also serves as president of The Lowry Group, LLC (TLG). At TLG, he provides negotiation, mediation, and conflict management training and facilitation for law firms, multinational companies, governmental entities, major insurance companies, health care organizations, and other businesses. Throughout Lowry's career, he has trained thousands of professionals around the country. Prior to moving to Nashville, Lowry practiced law with Strasburger & Price, LLP in Dallas, Texas.



Lipscomb University Institute for Conflict Management assembles the best thinkers from a wide range of fields—law, business, sociology—to examine why conflicts arise. The institute takes its place not just as an organization which provides master's level academic training in conflict management, but also to provide conflict resolution skills to community organizations, governmental entities, churches, corporations, and individuals.



PREVENTING BAD SETTLEMENT DECISIONS AND IMPASSE:

USING BRAIN SCIENCE, GAME THEORY, ANIMATED COMMUNICATION, AND MICRO-INTERVENTIONS



MALIBU



The fact patterns of this course will be familiar to the experienced mediator and trial advocate in negotiation: difficult people, heightened emotions, overly confident case assessments, deeply held beliefs, and barriers to rational deals.

We will explore the neuropsychology behind these defining characteristics and the mediator micro-interventions that can turn them from impasse ingredients to the seeds of a successful deal. We will explore modern brain science—not only as a way to explain what is going on at the table, but in developing tools that mediators can use to meet participants where they are and communicate with them effectively. We'll tie communications theory in as we animate game theory as an interactive way to continually reassess and communicate developing outcome scenarios.

Most mediators operate on instinct, intuition, and experience. This session will elevate your practice. You'll learn enough of the theoretical underpinnings of neuropsychology to gain clarity, understanding, and a driving purpose to kick your game up a notch. And you'll get to immediately practice effective tools that will help you implement that theory in the working laboratory that is this advanced course.

You'll walk out not only with a new appreciation for how the mind processes negotiations, but how participants can intervene in the moment to increase the odds of a successful round—on the Monday after the course.

What you will learn:

- Basics of neuropsychology and brain science
- Dealing with difficult people
- You can't separate the people from the problem—we're emotional beings—even in commercial cases
- How to deal with deeply held beliefs—matters of principle (not principal)
- Introduction to game theory
- A look at decision-tree analysis
- Communication theory—the “power of pictures” since the Kennedy-Nixon Debate and the video game culture
- How to deal with issues at a micro level so they do not risk impasse



DON PHILBIN, JD, MBA, LL.M., is president of Picture it Settled, Moneyball for Negotiation, curator of ADRtoolbox.com, and an adjunct professor of law. He was named Lawyer of the Year in San Antonio by Best Lawyers (2014, 2016), was recognized as the 2011 Outstanding Lawyer in Mediation by the *San Antonio Business Journal*, is one of eight Texas lawyers listed in *The International Who's*

Who of Commercial Mediation, and is listed in *Texas Super Lawyers*. He is an elected Fellow of the International Academy of Mediators, the American Academy of Civil Trial Mediators, the Texas Academy of Distinguished Neutrals, and is past chair of the State Bar of Texas ADR Section.



DOUGLAS E. NOLL, AV-rated, is listed in *The Best Lawyers in America* and is a Northern California Super Lawyer. Noll holds an MA in peacemaking and conflict studies from Fresno Pacific University and is an adjunct law professor at San Joaquin College of Law. He is a Distinguished Fellow of International Academy of Mediators and American College of Civil Trial Mediators and is certified by the International Mediation Institute. His books include *Elusive Peace: How Modern Diplomatic Strategies Could Better Resolve World Conflicts*; *Sex, Politics, and Religion at the Office: The New Competitive Advantage*; and *Peacemaking: Practicing at the Intersection of Law and Human Conflict*.

THE ART OF FACILITATING DYNAMIC AND DIFFICULT GROUPS

Increasingly, managers and conflict resolution professionals are being asked to serve as the “facilitator” of larger groups which are discussing difficult issues—often with difficult people. The success of this work, for the entire group, depends on the skills of the facilitator. Often, we take on this challenge without thinking through the complexities and nuances that could move our groups from dysfunctional to dynamic, one capable of making effective decisions in a timely manner. This course targets those professionals who work with—or hope to work with—groups charged with discussing and making decisions about difficult issues.

This course will be highly interactive, with specific examples from the instructors’ experience, simulated role-plays augmented by expert feedback, and consideration of the latest practices that support successful group processes.

What you will learn:

- ▶ How to assess the needs of your group
- ▶ Tools to help build a successful team
- ▶ Roles and responsibilities of a skilled facilitator
- ▶ How to understand and facilitate successful negotiations
- ▶ How to deal effectively with difficult group members
- ▶ Strategies that support effective communication
- ▶ Techniques that build and maintain cohesive group dynamics
- ▶ Classic pitfalls to avoid



DONNA SILVERBERG, the president of DS Consulting, has been in the field of mediation and facilitating consensus-building efforts involving nonprofits; businesses; local, state, federal, and tribal governments; and the public for more than 25 years. Her work has included a wide range of issues and groups addressing complex topics such as health care policy, endangered species, water quality, human resources, nonprofit board planning and management, land use management, multicultural interactions, and organizational development. She is an adjunct professor at Lipscomb University’s Institute for Conflict Management and a visiting instructor at the University of Idaho.



CHARLES WIGGINS is professor of law (retired) at the University of San Diego. He is also guest professor at the University of Amsterdam in the Netherlands. He received his JD from the University of California, Hastings, where he was editor-in-chief of the law review, and his LLM from Yale. He is past chair of the Dispute Resolution Section of the Association of American Law Schools. Wiggins maintains a private consulting practice, providing negotiation and conflict management training, and facilitation and mediation services, to businesses, governments, and nonprofit institutions throughout the world. Wiggins is a three-time Fulbright Scholar, and the coauthor of *Negotiation and Settlement Advocacy* (2nd ed.).

CROSS-CULTURAL DISPUTE RESOLUTION AND LAW PRACTICE

This training examines how obvious and not-so-obvious cultural differences impact resolution of interpersonal and interstate (international) disputes. Specifically, this training will bring a global perspective to understanding the impact of culture on legal negotiation, mediation, arbitration, and law practices. This training will provide practical tools to attorneys and mediators on how to work effectively in cross-cultural situations. It will cover common cross-cultural mistakes, how to build trust and effective communication across cultural boundaries, and how to develop rapport with cross-cultural clients?

What you will learn:

- ▶ Worldview: implicit and explicit bias
- ▶ Cultural dimensions: research and practical tools
- ▶ Cultures, emotions, and apology: what does one needs to know?
- ▶ Memory, analysis, and culture: studies and results
- ▶ Decision making across cultures: tips, traits and stories
- ▶ Power and culture: working effectively with authority
- ▶ Cross-cultural mediations: an effective cross-cultural model
- ▶ Faith-based mediations: expanding your cross-cultural practice?
- ▶ Culture and gender: approaching cultural holistically



SUKHSIMRANJIT SINGH practices, teaches and trains in dispute resolution. He is the managing director of the Straus Institute for Dispute Resolution and assistant professor of law and practice at Pepperdine Law. He specializes in cross-cultural dispute resolution and has published numerous articles in that field, and in 2015 he delivered TED Talk on Cross-Cultural Communications in Salem, Oregon. He has mediated inter-cultural and commercial cases in the United States, India and Canada. An Honorary Fellow with the International Academy of Mediators, he is also a Council Member of the Section of Dispute Resolution of the American Bar Association. He has trained lawyers and law students in more than twenty states and twelve countries. He is an honorary professor of law at National Law University, Delhi. Singh obtained his Masters in Laws in Dispute Resolution from University of Missouri Columbia and was a Fellow at the Dispute Resolution Institute at Hamline University School of Law and has clerked with Chief Justice of India. An avid reader and an amateur photographer, he loves to travel with his family.



BALDEEP “DEEP” BASRAON is a lead consultant for businesses in the United States and Canada on cross-cultural decision making and on statistical analysis of business growth. She merges the two fields of dispute resolution and mathematics with her master’s degree in dispute resolution from the University of Oregon School of Law and her bachelor of science in statistics and applied mathematics from California State University. Among other clients, Basraon has successfully helped Choice Hotels, Wyndham Group, Food Chains, Farm Owners, and Private Dispute Resolution Practices in managing revenue increases while creating budget cuts.

REGISTRATION 2018 COURSES IN DISPUTE RESOLUTION

All registrations are accepted on a first-come, first-served basis. Registrations will be accepted as long as space permits.

Name _____

First name as you would like it to appear on name tag

Organization _____

Position _____

Mailing address _____

City _____ State _____ Zip _____

E-mail _____

Business phone () _____ Mobile () _____

I WOULD LIKE TO ATTEND THE FOLLOWING COURSE:
(Please choose only one course - per location)

MALIBU
NASHVILLE

Check website for additional
Nashville classes!

- STAR: A Systematic Approach to Mediation Strategies
- Advanced Mediation: Skills and Techniques
- It's all so Real: Real Problems for Real Mediators in Real Time
- Family Law Mediation: When Time Is Not on Your Side
- Elder Care Mediation
- Conflict Resolution Consulting
- Cross-Cultural Dispute Resolution and Law Practice
- Practical Mindfulness: Clear and Calm in the Heat of Conflict
- Public Sector Mediation: Flexing Your Mediator Muscles through Skills and Drills
- Strategic Negotiation Skills
- Preventing Bad Settlement Decisions and Impasse Using Brain Science
- The Art of Facilitating Difficult and Dynamic Groups

For Malibu, California and Nashville, Tennessee: include a \$1,595 or \$1,495 early registration fee with this form (\$1,095 for governmental and nonprofit).

Chicken lunches are served. Check here for vegetarian lunches.

Special dietary needs: _____

Checks should be payable to: PEPPERDINE UNIVERSITY (Please note: if a check refund is needed, participants must submit a W-9 form to the University.)

Enclosed is my check in the amount of \$ _____

Credit cards are the preferred method of payment.

Please charge \$ _____ to my VISA MasterCard

(Website also takes Discover and American Express)

Card # _____ Exp. _____ CSC _____

Name on card _____

Signature _____ Date _____

FEES

Malibu The fee, including meals and materials, is \$1,595. Registration received by Friday, May 11, 2018, will be given a \$100 discount. Early registration discount does NOT include governmental or nonprofit organizations. A reduced rate of \$1,095 is available for employees of governmental and nonprofit organizations.

Nashville The fee, including meals and materials, is \$1,495. Registration received by Friday, September 7, 2018 will be given a \$100 discount. Early registration discount does NOT include governmental or nonprofit organizations. A reduced rate of \$1,095 is available for employees of governmental and nonprofit organizations. The first 50 regular, governmental, nonprofit, or alumni registrations will receive a free ticket to the Grand Ole Opry for Friday night, October 19, 2018! You will be asked to confirm your ticket on the registration page.

Should a paid participant be unable to attend, tuition, less a nonrefundable fee of \$300 for Malibu and Nashville will be refunded or a substitute may attend the program.

*MCLE

These activities approved for 17 hours of MCLE credit by the State Bar of California. Pepperdine University certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing MCLE. Straus programs have been accepted for MCLE credit across the nation.

TAX DEDUCTION OF FEES

Education expenses (enrollment fees, course materials, and travel costs) may be deductible if they improve or maintain professional skills. Treas. Reg. Sec. 1.162-5.

GUARANTEE

All programs of the Straus Institute for Dispute Resolution are offered with a complete guarantee of satisfaction. If a participant completes the entire program and is dissatisfied with the course content or performance of the faculty, the tuition fee will be refunded.

UPCOMING INSTITUTE PROGRAMS

For information on future dispute resolution skills programs call **Lori Rushford** at 310.506.6342 or e-mail lori.rushford@pepperdine.edu.

TO REGISTER AND PAY ONLINE 
straus.pepperdine.edu
Click on the tab "Training and Conferences"



Submit to:
Straus Institute for Dispute Resolution
Pepperdine University School of Law
24255 Pacific Coast Highway
Malibu, California 90263
310.506.4655 | FAX 310.506.4437

PEPPERDINE
SCHOOL OF LAW

Straus Institute for Dispute Resolution
24255 Pacific Coast Highway
Malibu, California 90263

PEPPERDINE | SCHOOL OF LAW

STRAUS INSTITUTE FOR DISPUTE RESOLUTION

Translating Theory into Practice

INSPIRED BY OUR TRAINING PROGRAMS?
APPLY FOR AN ACADEMIC DEGREE IN DISPUTE
RESOLUTION.

With over 52 different dispute resolution courses, students have access to topics not covered in our professional training programs, and Pepperdine offers the following academic programs:

- ▶ LLM in Dispute Resolution
- ▶ LLM in International Commercial Arbitration (ICA)
- ▶ LLM in International Commercial Law and Arbitration (ICLA)
- ▶ LLM in International Commercial Law and Dispute Resolution (ICLDR)
- ▶ LLM in US Law and Dispute Resolution
- ▶ Masters in Dispute Resolution
- ▶ Certificate in Dispute Resolution

For additional information on academic program content, faculty, or application, contact Pashtana Abedi at 310.506.7454 or e-mail pashtana.abedi@pepperdine.edu.

straus.pepperdine.edu

UPCOMING
STRAUS EVENTS

MEDIATING THE LITIGATED CASE
MALIBU, CALIFORNIA
JULY 16-21, 2018 AND
JULY 23-28, 2018

TWO DAY TRAINING PROGRAMS
WASHINGTON, DC

STAR MEDIATION
AUGUST 23-24, 2018

MINDFULNESS
SEPTEMBER 17-18, 2018

CROSS-CULTURAL DISPUTE RESOLUTION
SEPTEMBER 27-28, 2018

PROFESSIONAL SKILLS PROGRAM
NASHVILLE, TENNESSEE
OCTOBER 18-20, 2018

LEADERSHIP FOR ATTORNEYS IN BUSINESS
MALIBU, CALIFORNIA
DECEMBER 3-6, 2018

WOMEN'S NEGOTIATION ACADEMY
WEST LOS ANGELES, CALIFORNIA
DECEMBER 6-7, 2018

MEDIATING THE LITIGATED CASE
IRVINE, CALIFORNIA
FEBRUARY 7-9, & 21-23, 2019

32nd ANNUAL PROFESSIONAL SKILLS PROGRAM
MALIBU, CALIFORNIA
JUNE 20-22, 2019