

Parenting Coordination and Mediation/Arbitration Process Design for Legal and Mental Health Professionals working in Family Law

In Calgary on November 27th, 2017 9am – 4pm

		
Doug Moe Q.C.	Kevin Hannah Q.C.	Brad Mustard

Mediation/Arbitration are increasingly the processes many families in Alberta turn to for various reasons including problems with access to the Courts. Professionals delivering these services owe their clients skilled and informed delivery.

There is an increasing tension between having a 'complete' or complex and expensive process that incorporates many of the aspects of the Court system including rules of evidence and procedure and making resolution available to parties in a more cost effective informal way. Parties can't get everything they want from any process. Making informed choices is critical in designing a process that fits for each family. Parenting Coordinators, Mediators and Arbitrators need a full understanding of all the options and tools available.

Every family is unique and there is no one size fits all. Process design and the considerations related to it are the new skill set needed.

Learning Objectives:

At the end of the day you will have an understanding of:

1. The process and your various roles in the process as facilitator, educator, and adjudicator;
2. The myriad of options and choices available, both in the initial design of the process and as the process unfolds;
3. The concept of proportionality in dispute resolution;
4. The critical importance of clients having informed consent throughout;
5. The contracting process, what goes into it, what are the essential clauses, getting into the process and getting out of it;
6. Ensuring the process treats the parties equally and fairly;
7. Tips and traps for arbitrators, making the process appeal proof; ensuring parties get what they need from the process, keeping the arbitrator safe from attack;
8. Introduction to rules of evidence and procedure in arbitration;
9. Some do and do not tips as part of observing a fish bowl arbitration.

Catherine Fitzgerald and Jordon Hannah from Moe Hannah LLP have been enlisted to play clients in the fish bowl arbitration. Kevin will arbitrate. Doug and Brad will be lawyers.



Please register (*limited spots*) at
www.afccalberta.org/AFCCALBERTACALENDAR.html

Members \$250 non-Members \$300

Course location

Downtown U of C Campus
906 – 8th Avenue SW, Calgary

Friday November 27th, 2017 9 am – 4 pm

For more info contact afccalberta@gmail.com or call 403-875-5565



Doug Moe Q.C.	Kevin Hannah Q.C.	Brad Mustard
<p>Doug is a senior family lawyer who has practiced family law for over 30 years. His practice is largely mediation and arbitration of family law disputes. Often Doug is acting as a mediator/arbitrator in a hybrid process that combines the benefit of both mediation and arbitration.</p> <p>In addition, Doug assists a few select clients in reaching resolution through negotiation, collaborative law, mediation, arbitration, and when necessary through litigation.</p> <p>In 2016, Doug received the Distinguished Service Award for Service to the Profession from the Law Society of Alberta and the Canadian Bar Association – Alberta Branch. He also received the AFMS John Haynes Award for outstanding contribution to Family Mediation in the Province of Alberta in recognition of his involvement in creating and continuing the Dispute Resolution Officer Program.</p> <p>Doug is a Past Chair of the Family Section for the Canadian Bar Association (CBA) in Calgary, Past Chair of the CBA National Family Law Section and Past Member of the Alberta Law Society’s Family Law Advisory Committee.</p> <p>Doug served for many years as a Family Law Instructor for the Bar Admission Course and taught aspects of family law at the University of Calgary Law School as a guest instructor. He presented on the issues of property division for common law couples at the 2012 Super Conference and on issues related to mediation/arbitration at the 2015 Super Conference.</p> <p>Doug was the CBA Representative to the Alberta’s Family Justice Services Strategy Committee, has presented papers and lectures on various family law topics for the CBA, the Legal Education Society of Alberta, the National Family Law Program and Saskatchewan Legal Education. He sat on the Federal Child Support Guidelines Advisory Committee and has provided advice to both the Federal and Provincial Departments of Justice at their request.</p>	<p>Kevin Hannah Q.C. is a senior divorce lawyer with previous criminal law and general litigation experience. He has practiced almost exclusively in the areas of separation and divorce for over 25 years.</p> <p>Kevin currently divides his work between private clients who require more experienced counsel and conducting mediations and arbitrations.</p> <p>Kevin recognizes that an important goal of many clients is to avoid an adversarial process that can create rather than solve problems and which can destroy families in the process. His many years in court have ultimately taught him that going to court should be the last resort. There are better ways to solve disputes.</p> <p>While some lawyers offer the promise of “winning” or achieving the maximum, Kevin appreciates that when both lawyers pursue this goal, the outcome is often very costly, both financially and personally and in most cases, the outcome falls far short of what was promised.</p> <p>For this reason, he has cultivated relationships with other senior family lawyers that are constructive and designed to achieve results acceptable to both parties.</p> <p>Although the goal in the majority of cases is to find a resolution to which both parties can say “yes”, he appreciates that in a small number of cases a settlement is simply not possible. Where litigation is necessary, he enjoys the challenge of contested hearings and often involves other professionals and litigation specialists in supportive roles. For a number of years he had many consecutive “wins” in the Manitoba and Alberta Courts of Appeal.</p> <p>Kevin has been recognized by his peers through Best Lawyers as one of the leading family lawyers in the city of Calgary every year since its inception in 2006. In 2014 Kevin was named “Lawyer of the Year” by Best Lawyers in family law. Since 2011, he has also been recognized each year as a Best ADR (alternative dispute resolution) Lawyer for his work in divorce mediation and arbitration.</p> <p>Kevin has taught law frequently to other lawyers, law students (guest lecturer at University of Calgary Law School) and legal professionals through lectures, papers and seminars, including presentations through the Legal Education Society of Alberta.</p>	<p>Brad practices as a family law mediator and lawyer. He understands that separation and divorce is not just a legal change, but also one that involves a personal transition that affects family, friends and children.</p> <p>Brad uses his extensive training and experience to advise clients on how to solve problems. He is well-known in the family law community in Calgary for negotiating out-of-court settlements, mediation, collaborative law, and arbitration.</p> <p>Brad teaches negotiation and mediation at the University of Calgary’s Faculty of Law and the Legal Education Society of Alberta.</p> <p>Brad received his Master of Laws (LLM), in Alternative Dispute Resolution from Osgoode Law School in June, 2016.</p> <p>Brad served on several boards and organizations including Chair of the Association of Collaborative Professionals Calgary, and Chair of the Distress Centre Calgary. Brad is currently the Member at Large with the Canadian Bar Association – Family Law South subsection.</p> <p>He is appointed to act as a Dispute Resolution officer at the Calgary Courts Center.</p> <p style="text-align: center;"><i>Doug Moe, Kevin Hannah, and Brad Mustard are family lawyers, mediators and arbitrators at Moe Hannah LLP in Calgary</i></p> <div style="text-align: center;">  </div>

