



TEXAS MEDIATOR
CREDENTIALING
ASSOCIATION
211 Houston Street
Richmond, Texas 77469
www.txmca.org

TMCA's 8th Annual Symposium

Lessons Earned:

from Old School to HIGH TECH

Spotlighting perhaps the best roster of speakers ever, we will dazzle and inform you as we learn together.

Saturday, October 27, 2012

State Bar Law Center
1414 Colorado Street • Austin, Texas



TEXAS MEDIATOR
CREDENTIALING
ASSOCIATION

*Promoting Quality Mediation
Throughout Texas*

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TEXAS MEDIATOR
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6.25 hours CLE (3.0 hours ethics) approved

By popular demand, we will expand on the neuroscientific insights gained last year and learn how to incorporate them into your next mediation. We will learn from mistakes made by some of our most experienced mediators. We will present a new and improved version of the always popular ethical puzzler interactive. We will explore high-tech developments in mediation practice and training. If you have never missed a TMCA Symposium, you will not want this to be the first. And, if you have never joined us, now is the time to see what you have been missing.

8:00 am – 8:30 am Networking Breakfast

8:30 am – 8:45 am Welcoming Remarks & Introductions

8:45 am – 10:45 am

How Behavioral Science Can Teach Us to Be Better Mediators

Mike Mauk, Bob Moats, Pattie Porter and Moderator Mike Schless

We often hear, “there is something magical about the way mediation works.” Yet an essential element in successful negotiating and mediation is knowledge of human behavior, both rational and emotional. This panel discussion helps us understand that mediation is rooted in more science than magic. Learning this science can make us all more effective mediators.

10:45 am – 11:00 am Break

11:00 am – 12:15 pm

High-Tech Developments in Mediation Practice and Training

Joey Cope, Melanie Grimes, Judge Bruce Wettman and Moderator Cecilia Morgan

From online conflict resolution training to smart phone apps to conducting entire mediations online, this panel discussion will educate us about ways in which developments in the high-tech world can be harnessed by even the “lowest-tech” mediators.

12:15 pm – 12:30 pm

Presentation of the James W. Gibson Symposium Scholarship

12:30 pm – 1:30 pm Networking Lunch

1:30 pm – 3:00 pm

Mistakes I Have Made and How I Learned from Them

Jeff Jury, Sam Graham, Suzanne Mann Duvall

These three gifted and experienced mediators have made mistakes just like the rest of us. From those mistakes, and their ethical implications, we can all learn how to avoid them, or at least how to deal with them within the TMCA Code of Ethics once they have been made.

3:00 pm – 3:15 pm Break

3:15 pm – 4:45 pm

Ethical Puzzler Interactive

Trey Bergman

Audience participation is strongly encouraged as we learn ways to work through the ethical dilemmas that we all face. There is no one right way to deal with an ethical problem in every case but there are many wrong ways. Please feel free to send us your ethical questions in advance so that they might be addressed for the benefit of all.

4:45 pm Closing Comments

Your Presenters/Moderators

TREY BERGMAN is a TMCA credentialed distinguished mediator with an active and highly successful ADR practice in Houston. He is a past President of the Association of Attorney Mediators and a past Chair of the Houston Bar ADR Section and Litigation Section. Trey is also an ADR trainer and teaches mediation and negotiation at South Texas College of Law and at Pepperdine University Law School. He has been named a Texas Super Lawyer annually by Reuters in *Texas Monthly* since 2003.

JOEY COPE is the executive director of the Duncum Center for Conflict Resolution at Abilene Christian University. Cope is an associate professor at ACU and an adjunct professor at the Straus Institute for Dispute Resolution at Pepperdine University School of Law in Malibu, California, and the William H. Bowen School of Law in Little Rock, Arkansas. Cope is the immediate past chair of the ADR Section of the State Bar of Texas, a member of the Texas Mediation Trainers Roundtable, the American Bar Association Section on Dispute Resolution, the Association for Conflict Resolution and the Texas Association of Mediators, and a TMCA Credentialed Mediator.

SUZANNE MANN DUVALL holds TMCA credential Number 1 and has been the leader of every statewide mediation organization in Texas. She is also the recipient of every honor that Texas ADR organizations bestow. An engaging personality and highly effective mediator, Suzanne is able to perform at peak efficiency, especially when the task calls for a total command of the finer intricacies of the Internet. There is little that she knows about the world of high tech that she is unwilling to share with anyone who can spare a second – especially since that is all the time it will take.

SAM GRAHAM was an Assistant Attorney General, and then a Special Assistant Attorney General from 1979 to 1983, before entering private practice in such diverse areas as eminent domain, med mal and probate law. For 10 years, Sam was a faculty member of the South Texas School of Law's College of Trial Advocacy. Sam added mediation to his practice in 1991 and has conducted more than 2000 mediations. He also serves as an arbitrator and acted as sole arbitrator in a \$500 million case which took two and half years and 97 evidentiary hearings to conclude. Sam has taught ADR at the Law Faculty, University of Tartu, Estonia, the University of Latvia in Riga and at St. Petersburg State University Faculty of Law. Sam was named a 2012-13 Fulbright Scholar and will teach ADR and give a series of lectures on American Law at the Academy of Law, Odesa, Ukraine, Spring semester 2013.

MELANIE E. GRIMES has practiced as a private mediator in Dallas for more than 10 years, specializing in family law mediation—particularly, high-conflict cases. She is a TMCA Credentialed Distinguished Mediator, serves as the Texas Association of Mediators' representative on the TMCA Board of Directors and was honored with the Louis Weber Award as "Outstanding Mediator of the Year." Prior to starting her mediation practice, Melanie worked for 15 years in senior- and executive-level positions in business management, marketing and communications.

JEFF JURY is a founding partner of Burns Anderson Jury & Brenner, L.L.P. in Austin. He teaches Advanced Dispute Resolution at Baylor Law School and an ADR class at UT Austin School of Law. Jeff was honored with the Professionalism Award by the Austin Bar Association and the Texas Center for Legal Ethics and Professionalism in 2009. He confesses to being a baseball nut, and once hit a 750-foot home run to straightaway center field on his kids' Wii.

MICHAEL D. MAUK, Ph.D., is a Professor in the Center for Learning and Memory and the Section of Neurobiology at UT Austin. He attended the University of New Orleans on a baseball scholarship and received a BS in psychology in 1979. He received his Ph.D. in 1985 from Stanford University based on work identifying brain pathways involved in learning. After postdoctoral training at Stanford Medical School, he joined the faculty of the UT Houston Medical School in 1988. At UT Houston, Dr. Mauk was promoted to associate professor in 1996, to full professor in 2001 and in 2004 was named the William M. Wheless III Professor of Biomedical Sciences. He came to UT Austin in 2007. Dr. Mauk is internationally known for his work on the brain mechanisms of learning, particularly for pioneering use of computer simulations to study the brain.

ROBERT MOATS, Ph.D., J.D., has been in private practice as a psychologist for 30 years in Austin. He has applied the pattern recognition acquired from conducting more than 40,000 counseling sessions to the mediation process, particularly as it relates to psychological resistance to resolution. In addition to his counseling practice, he has served as a mediator, consulting expert to mediators and mediator/negotiator coach. His training in psychology includes a doctorate from Northwestern University, a clinical internship at Michael Reese Medical Center and a postdoctoral fellowship at UT Austin. He is also a graduate of UT Austin School of Law.

CECILIA MORGAN is adept at reconciling the irreconcilable and a highly sought after neutral. Her cases are often hotly contested, multi-party matters pending in multiple courts. Known for her follow-up, one client describes her as a "tireless worker who intuitively knows when and how to apply pressure to obtain the

deal." She has conducted more than 2000 mediations and arbitrated more than 900 cases throughout Texas and 25 other states. Ms. Morgan was named one of Texas' Best ADR Lawyers by The Best Lawyers in America in 2008 through 2012. Ms. Morgan also has more than 35 years of experience as an attorney and ADR professional and is a respected member of the JAMS employment, healthcare and financial services practice groups.

PATTIE PORTER, LCSW, is the President of Conflict Connections®, Inc., in San Antonio. Pattie has worked extensively in the dispute resolution field for more than 18 years providing mediation, facilitation, negotiation training and conflict management coaching services to individuals, businesses, government agencies and higher education institutions. She has worked with the Departments of Homeland Security, Interior, Defense, the EPA, U.S. Postal Service, Veteran's Administration, NASA and the Texas Department of Criminal Justice. She holds the Advanced Practitioner Workplace Mediator designation from the Association for Conflict Resolution, is a TMCA Credentialed Distinguished Mediator and a CINERGY®-certified advanced conflict coach and coach-mentor as recognized by the International Coach Federation. Pattie hosts her own blog talk radio show, The Texas Conflict Coach®, educating the public and consumers regarding how to manage conflict constructively and negotiate effectively. To listen in, go to <http://www.texasconflictcoach.com>

MIKE SCHLESS is a TMCA Credentialed Distinguished Mediator and the current TMCA Board Chair. He is a past Chair of the State Bar ADR Section, and past President of both the Texas Association of Mediators and the Association of Attorney Mediators. Mike served on the Texas Supreme Court Advisory Committee on Court Annexed Mediation. He is a Fellow of the Center for Public Policy Dispute Resolution and a member of the National Academy of Distinguished Neutrals. Named a Texas Super Lawyer by Reuters in *Texas Monthly* for six years, Mike teaches Negotiation at UT Austin School of Law.

JUDGE BRUCE WETTMAN has more than 39 years' experience as a judge, lawyer and ADR neutral. He was first elected Judge of the 247th District Court in 1978, and still serves as a Senior District Judge. He is an Adjunct Professor and serves as Director of the Mediation Clinic at South Texas College of Law, where he received the 2010, 2011 and 2012 Faculty Excellence Award for Outstanding Adjunct Professor. Judge Wettman has published numerous papers and articles on evidence, use of experts, ADR case law/legislation, mediation ethics, mediation skills and online dispute resolution. He has conducted training programs and seminars in Texas, New York, Georgia, Washington, DC, Washington State, Mexico and Jamaica. He received his J.D. degree from the University of Houston Law Center (Order of Barristers 1973) and his B.S. degree in Economics from the University of Illinois (1970).

TMCA Symposium Registration Form

SEE: \$100 (current credential holders)
\$135 (non-credential holders)

Checks should be made payable to:
Texas Mediator Credentialing Association
(fee includes registration, online access to materials, breakfast, lunch and snacks.)

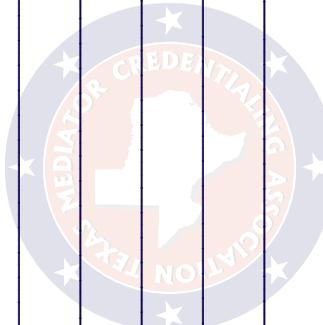
**Mail payment and form no later than
October 12, 2012 to:**

TMCA Board Treasurer, c/o Shelly Hudson
211 Houston St., Richmond, TX 77469
P: (281) 342-5000 F: (281) 292-6443
fortbendrc@aol.com

Please note that you are not fully registered until we have received your registration payment.

Hotel rooms may be available at hotels shown on the map referenced here: <http://tiny.cc/DwnTownHotels2>

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TMCA Credential Status: Credentialed Distinguished Credentialed Advanced
 Credentialed Candidate Non-TMCA Credential Holder

Seating Is Limited to 115. Registration On-site Is Not Guaranteed.