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Texas Mediator Credentialing Association
**TRAILBLAZERS
IN MEDIATION**



13TH ANNUAL SYMPOSIUM
FORT WORTH

SATURDAY, OCTOBER 28, 2017

8:30 AM TO 5:00 PM



TEXAS A&M SCHOOL OF LAW
1515 Commerce Street
Fort Worth, Texas



TEXAS MEDIATOR
CREDENTIALING
ASSOCIATION

Promoting Quality Mediation
Throughout Texas

WWW.TXMCA.ORG

Our 2017 program promises a plethora of tools and insights you can use in your next mediation, gleaned from nine “Trailblazers in Mediation” — fitting for being in “cowtown” and lucky for all of us! 6.25 hours CLE, incl. 3 hours ethics

8:00 am – 8:30 am **NETWORKING BREAKFAST**

8:30 am – 8:45 am **WELCOMING REMARKS & INTRODUCTION**
Melanie E. Grimes

8:45 am – 9:45 am **PARADOX: UNCERTAINTY'S PATH TO RESILIENCE** (1.0 hour)
Nina Rosoff, Ph.D., CEO of Global Leadership, Team and Organization Consultants and Author

Little attention has been paid to flexibility, adaptability and the concept of paradox. How are you as mediators to be successful trailblazers if your behavior is not protean?

9:45 am – 10:30 am **WHAT EVERY MEDIATOR NEEDS TO KNOW FOR SUCCESSFUL MEDIATION INVOLVING THE LGBT COMMUNITY** (.75 hours; .5 ethics)
Shelly L. Skeen, J.D., FCI Arb, Attorney, Mediator & Arbitrator

Practical tips, tools and issue-spotting for creative and successful resolution of disputes involving the LGBT community, including the state of LGBT law, retroactivity of the Marriage Equality Decision, its implementation and future legal horizons.

10:30 am – 10:45 am **BREAK**

10:45 am – 11:35 am **EMOTIONS IN MEDIATION: MEDIATOR'S FRIEND OR FOE?** (.75 hours; .25 ethics)
M. Beth Krugler, J.D. M.S.

Ever experience the parties' emotions effectively road blocking any chance of resolution? Are some clients drowning so deeply in their feelings there's no way to pull them out of it, even temporarily, to reach legal closure?

11:35 am – 12:00 pm **PRESENTATION OF TMCA'S OUTSTANDING CREDENTIALLED MEDIATOR AWARD AND JAMES GIBSON SCHOLARSHIP**

12:00 pm – 1:00 pm **LUNCH** (provided)

1:00 pm – 2:00 pm **MEDIATION FROM THE PERSPECTIVE OF THE SUPREME COURT OF TEXAS**
(1.0 hours; .5 ethics)
Justice Debra H. Lehrmann and Hon. Alvin L. Zimmerman

Learn about recent mediation developments through the lens of the Supreme Court and also hear updates on the use of med/arb in Texas.

2:00 pm – 2:45 pm **PROCEDURAL FAIRNESS AND SELF-DETERMINATION IN MEDIATION: PROMISES KEPT?**
(.75 hours; .25 ethics)

Nancy A. Welsh, Professor of Law and William Trickett Faculty Scholar, Penn State University, Dickinson School of Law; (as of September 1, 2017) Professor of Law and Director of Dispute Resolution Program, Texas A&M University School of Law
Mediation promises self-determination and procedural fairness. What is research revealing regarding mediation practices that are more (and less) likely to fulfill these promises? What is the role of ethics in protecting the fulfillment of these promises?

AGENDA CONTINUED INSIDE

2017 TMCA SYMPOSIUM SPEAKERS

2:45pm – 3:15 pm **MEDIATION ETHICS**

(.5 hours; .5 ethics)

Hon. Linda B. Thomas (Ret.)

Explore the boundaries of ethical issues, some of which may even be surprising.

3:15 pm – 3:30 pm **BREAK**

3:30 pm – 4:15 pm **PATHWAYS OF SUCCESS**

(.75 hours; .5 ethics)

*Hon. Mary Sean O'Reilly,
Retired State District Judge*

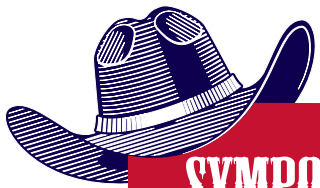
Explore the challenges of family law mediation dynamics, including parent and child mental health issues, and the overall importance of having lawyers and parties well-prepared for negotiating solutions.

4:15 pm – 5:00 pm **THE GENIUS OF MEDIATION**

(.75 hours; .5 ethics)

*Kay Elliott, Attorney-Mediator, ADR Coach,
Texas A&M School of Law*

Learn the complementary roles played by mediation advocates and mediators through a four-point prism: neutralizing, empathizing, strategizing and optimizing. These four tasks will be examined from the perspectives of law, neurobiology, and cultural diversity.



SYMPOSIUM FEE:

EARLY BIRD DISCOUNT BY 10/8/17

\$130 (current credential holders [CH])

\$150 (non-credential holders [NCH])

AFTER 10/8/17: \$150 (CH) \$170 (NCH)

Access Eventbrite registration on the
TMCA website, www.txmca.org*

* Please register by Friday, October 20. Seating is limited to 180.
Registration on-site is not guaranteed.

KAY ELLIOTT

Ms. Elliott has mediated more than 2100 cases to resolution, in addition to 26 years as ADR Coordinator first at Texas Wesleyan University School of Law and then Texas A&M University School of Law. Currently, she coaches six ADR competitions for Texas A&M University School of Law and has coached teams to seven national ADR competitions. Author, editor and columnist, Kay received an AA cum laude from Stephens College, her J.D. from University of Oklahoma, an L.L.M. in International Law from SMU and an M.A. in International Management from the University of Texas at Dallas.



JUSTICE DEBRA H. LEHRMANN

Justice Lehrmann has served on the Supreme Court of Texas since her gubernatorial appointment in June 2010. She serves as the Court's liaison to the Texas Mediator Credentialing Association, the Texas Attorney-Mediator Coalition, the Board of Disciplinary Appeals, the Commission for Lawyer Discipline, the Texas Association for Court Administration, the State Bar Family Law Section, and the Family Law Council. Prior to her appointment to the Court, she served as a trial judge in Fort Worth for 23 years.



M. BETH KRUGLER

Before Beth Krugler became a lawyer 33 years ago, she earned a master's in Counseling Psychology and was a Licensed Professional Counselor, a credential she's maintained throughout her 25-year career as a full-time mediator. Having worked in a large law firm as well as for a Fortune 500 company, Beth brings a broad base of experience to the mediation table. Having mediated more than 5000 cases, she will tell you unequivocally that being a mediator continues to be both an honor and a joy.



HON. MARY SEAN O'REILLY

Hon. O'Reilly served for 33 years as a family law district judge of Tarrant County, Texas, and also sat in Dallas and Harris Counties. She is now a full-time mediator and arbitrator of family law cases in Houston, Texas. She received her undergraduate degree from the University of Dallas cum laude and her J.D. from the University of Houston Law Center.



NINA ROSOFF, PH.D.

"My femaleness means I feel deeply and passionately to listen and to serve. Twice faculty at MIT's Sloan school of management, faculty at other top business schools, I founded my global consulting firm, am a researcher and author. My clients are worldwide nonprofit and profit organizations such as BP, Chase and P&G. I am a certified pilot and certified scuba diver, have a black belt in karate, have run marathons, work out daily, and enjoy gardening, cooking, friends and my daughter." Ms. Rossoff is author of *The Power of Paradox: The Protean Leader and Leading in Uncertain Times* and *The One Factor: Leading Matters*.



SHELLY L. SKEEN

Ms. Skeen practices commercial litigation, appeals, arbitration and estate planning & probate. Shelly is a mediator, earned a Diploma in International Arbitration and is a "Fellow" of Chartered Institute of Arbitrators in London. Shelly appears before the U.S. Supreme Court, the 5th through 7th Circuit Courts of Appeals and federal courts in Texas, Michigan and Illinois. Former Chair of the LGBT Law Section for the SBOT, Shelly also served as President of the LGBT Bar Association and board member of the Coalition of Ageing, LGBT. In 2016, she won SBOT's Franklin Jones Award for the Best CLE Article.



HON. LINDA B. THOMAS (RET.)

Chief Justice Thomas served 31 years as a trial and appellate judge. During her judicial career, she participated in resolving disputes in virtually every area of law. Since becoming a neutral, Chief Justice Thomas has devoted her time, energy, and resources to training, studying, and developing skills and best practices in mediation and arbitration. She is the recipient of many awards, including the Lifetime Achievement Award, Judicial Section of State Bar of Texas, and the Judge-of-the-Year Award, ABOTA, and served as former chair of the Texas Council of Chief Justices. Justice Thomas received a B.A. from University of Texas at Arlington and her J.D. from SMU.



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NANCY A. WELSH

Nancy Welsh is the William Trickett Faculty Scholar and a professor of law at Penn State University, Dickinson School of Law. As of September 1, 2017, she will become a professor of law and director of the dispute resolution program of Texas A&M University School of Law. Her research and writing examine negotiation, court-connected and agency-connected mediation, judicial settlement conferences and arbitration. Her work has appeared in numerous law reviews, books and bar journals. She is also co-author of a leading legal textbook, *Dispute Resolution and Lawyers*, 5th ed., and is Chair of the ABA Dispute Resolution Section (2016-2017).



HON. ALVIN L. ZIMMERMAN

Hon. Zimmerman has served as state district judge of the 309th Family District Court and 269th Civil District Court, Harris County, and as Chair of the ADR Sections of the State Bar of Texas and Houston Bar Association. He was a recipient of the Frank G. Evans Outstanding Mediator Award given by the SBOT ADR Section and the Frank Evans Outstanding Mediator Award from South Texas College of Law Center of Dispute Resolution. He is a Credentialed Distinguished Mediator and serves as a TMCA board member. Alvin holds a B.S., Psychology, University of Houston, and a J.D. from University of Houston Law Center. He is currently in private practice at the law firm of Zimmerman, Axelrad, Meyer, Stern & Wise, P.C., and is Board certified in Family Law by the Texas Board of Legal Specialization.

