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# TMCA

## 14TH ANNUAL SYMPOSIUM

Saturday, November 10, 2018

8:30 am to 4:45 pm

University of Texas

Joe C. Thompson Conference Center

2405 Robert Dedman Drive

Austin, Texas

This will be our most  
interactive Symposium yet!

For our three dynamic and informative panels and the ethics session, we will use Mentimeter technology and run mics throughout the audience to invite your questions and responses. Texas Supreme Court Justice Lehrmann is back to ensure we are up to date on ADR-related rulings and the adroit and affable Ross Stoddard is an afternoon highlight.

6.25 hours CLE approved, including 3 hours ethics

Promoting Quality Mediation  
Throughout Texas

WWW.TXMCA.ORG

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 **“TO DRAFT, OR NOT TO DRAFT, THAT IS THE QUESTION”** (1 hour; .25 ethics)  
*Panelists: Jeff Jury, Stacey H. Langenbahn, Rick Morris, Darcy Thompson; Moderator: Walter Wright*  
Four experienced mediators will discuss the impact of the SBOT’s recent Professional Ethics Committee Opinion No. 675, explain their personal policies on drafting mediated settlement agreements, and welcome questions and comments from the audience.

9:45 am – 10:45 am **THE IMPACT OF MEDIATION ON THE ADMINISTRATION OF JUSTICE AND MEDIATION FROM THE PERSPECTIVE OF THE SUPREME COURT OF TEXAS** (1 hour; .5 ethics)  
*Justice Debra H. Lehrmann and Hon. John Coselli*  
Learn about the impact of mediation on the administration of justice as well as recent mediation-related developments – both through the lens of the Supreme Court.

10:45 am – 11:00 am **BREAK**

11:00 am – 12:00 pm **“I CAN’T GET NO SATISFACTION...OR CAN I?”** (1.0 hour; .25 ethics)  
*Panelists: Paul Clote, Kris Donley, Beth Krugler, John Palmer; Moderator: Pattie Porter*  
You and the panelists will explore the critical components of what participants in mediation define as experiencing satisfaction throughout the mediation process. How does a participant’s level of satisfaction impact the mediation process, outcome, and sustainability of settlement agreements? We will identify practical strategies and explore ethical implications to improve participants’ mediation experience.

12:00 pm – 12:15 pm **PRESENTATION OF TMCA’S OUTSTANDING CREDENTIALLED MEDIATOR AWARD AND JAMES GIBSON SCHOLARSHIP**

12:15 pm – 1:15 pm **LUNCH** (provided)

1:15 pm – 2:30 pm **ETHICS: DO WE KNOW SQUAT?** (1.25 ethics)  
*Mike Schless*  
Most of us are fortunate to have an ADR mentor whose wisdom we can tap when ethical issues arise. We will use Mentimeter technology to find out who knows quite a lot about ethics and who knows squat about it.

2:30 pm – 3:30 pm **WHAT DO YOU SAY WHEN...** (1 hour; .25 ethics)  
*Ross Stoddard, III*  
You’ve been there before: one of the participants in your mediation asks you a specific question, or suggests that a certain action be taken, and you have to decide what, if anything, you should SAY in response. Join in our interactive session while we focus on what to SAY in the “tough” situations, when the integrity of the mediation process is at risk – the hallmark of a master mediator.

3:30 pm – 3:45 pm **BREAK**

3:45 pm – 4:45 pm **WHAT DO YOU DO WHEN...** (1 hour; .25 ethics)  
*Panelists: Erich Birch, Melanie Grimes, Kara Hawthorn, Josefina Rendón; Moderator: Vicki Read*  
Mediation is full of challenging situations. Get tips and strategies for what to DO when addressing these situations from both experienced panelists and fellow attendees.

**REGISTER NOW**  
at [www.TXMCA.org](http://www.TXMCA.org)

TEXAS MEDIATOR  
CREDENTIALING  
ASSOCIATION

211 Houston Street  
Richmond, Texas 77469



## 2018 TMCA SYMPOSIUM SPEAKERS

### ERICH BIRCH

Erich is an attorney, mediator, and arbitrator with the law firm of Birch, Becker & Moorman in Austin, Texas. He practices environmental law and assists clients with permitting, enforcement, environmental audits, contested hearings, and other matters. Erich provides ADR services to the U.S. EPA, is an arbitrator with the American Arbitration Association, and is a former Board member for the Texas Association of Mediators. He currently serves on the State Bar of Texas Board of Directors and is a past Chair of the Bar's ADR Section. Erich has a B.E. in Mechanical Engineering from Vanderbilt University and a law degree from the University of Houston Law Center.



### PAUL CLOTE

Lawyer. Mediator. Arbitrator. Teacher. As a mediator, Paul relies upon his 40+ years of trial and appellate experience to help litigants understand their risks, costs, and alternatives to a negotiated settlement. Trying lawsuits to jury verdicts and arguing appellate cases in state and federal courts has given him a unique background to assist the parties at mediation. Emphasis: complex commercial cases. Recognized by Texas Super Lawyers (Business Litigation and ADR) 2007 - 2018.



### HON. JOHN COSELLI

John has been a State District Judge for over 15 years. He served as the presiding Judge of the 125<sup>th</sup> Civil District Court of the State of Texas for ten years, and continues to serve as an assigned State District and County Court Judge. Prior to taking the Bench, he was in private practice with the law firm of Carl, Lee, & Coselli from 1977 until appointed to the Court by the Governor in 1999. John Coselli now mediates, arbitrates, and continues to sit by assignment as a State District Judge. John is a Board member and past President of TMCA.



### KRIS DONLEY

Kris has served as the Executive Director of the Dispute Resolution Center in Travis County for 25 years. Hailing from the non-profit and corporate healthcare industry, she has over 45 years of managerial and program/service development experience. A desire to work in the mediation field and hone a collaborative problem-solving work culture brought her to the DRC in 1993. With the help of a dedicated tenured staff, a skillful mediator pool, and a strong community reputation, she is most proud of the fact that a workplace can and does practice its own philosophy.



### MELANIE E. GRIMES

Melanie is blessed with a private mediation practice in Dallas which encompasses primarily family law matters. She was honored with the Louis Weber Award as "Outstanding Mediator of the Year" and, in early 2018, with the Susanne C. Adams Award by the Texas Association of Mediators. Melanie currently serves as TAM's representative to TMCA and as Chair of TMCA's Board of Directors. Prior to becoming a mediator, she spent 15 years in senior- and executive-level corporate management. Melanie is a TMCA Credentialed Distinguished Mediator.



### KARA HAWTHORN

Kara is the Executive Director of the Dispute Resolution Center of Jefferson County and mediates civil, family, juvenile victim-offender,



and Child Protective Services cases. She serves as an Independent Individualized Education Program Facilitator and also served as a certified Ombudsman through the Texas Department of Aging and Disability Services as an Advocate for Long-Term Care Residents. Kara is a mediation trainer focusing on Basic, Family, and Juvenile Victim-Offender education. She is Chair of the Texas DRC Directors Council, a member of the Texas Association of Mediators, the Secretary of the Texas Mediation Trainers Roundtable, and is a TMCA Credentialed Distinguished Mediator.

### JEFF JURY

Jeff Jury, a founding partner of Burns Anderson Jury & Brenner, LLP in Austin, is a lawyer, mediator, arbitrator, and teacher. He is the Immediate Past-President of the International Academy of Mediators, one of the premier organizations of commercial mediators in the world. Jeff is an avid baseball fan who once hit a 700-foot home run to straightaway center field on his kids' Wii. In 2016, the National Baseball Hall of Fame in Cooperstown, New York, accepted an item from his collection of baseballs into its permanent collection.



### 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.



### STACEY H. LANGENBAHN

Stacey is immediate past president of the Academy of Professional Family Mediators, the only international organization dedicated solely to family mediators. She was a civil trial lawyer for 17 years and is a pioneer in civil collaborative law. For the last decade, Stacey has successfully practiced her own multidisciplinary family mediation creation—collaborative "team" mediation—which is a hybrid of collaborative law and mediation. Stacey is passionate about saving families and children and her clients are almost exclusively *pro se*.



### 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.



### HON. RICK MORRIS

Rick served for 24 years as State District Judge of the 146<sup>th</sup> District Court, Bell County, and presided over civil and family law cases. He is a TMCA Credentialed Distinguished Mediator, a director of the Texas Attorney-Mediator Coalition, member of the Texas Association of Mediators (Director, 2016-2018), member of the Texas Association of Attorney-Mediators, and an Arbitrator with Judicial Workplace Arbitrations. Rick continues to sit as a visiting judge by assignment. He received his BBA from the University of Texas and his JD from Baylor Law School, and is Of Counsel to the law firm of Baird, Crews, Schiller & Whitaker, PC, in Temple, TX.



### JOHN P. PALMER

John is a TMCA Credentialed Distinguished Mediator, serves as the consumer board member of TMCA, and is a strident proponent of quality mediation. He has served as past president or chair of the ADR Section (State Bar of Texas), TAM, and TMCA. John is one of the founders of the McLennan County DRC and continues to volunteer his services. John mediates and practices law with Naman, Howell, Smith & Lee, PLLC. John serves as a mediator in a variety of disputes including probate, family, general civil litigation, personal injury, and workplace disputes.



### PATRICIA M. (PATTIE) PORTER

Pattie is the President of Conflict Connections<sup>®</sup>, Inc., in San Antonio and a 25-year dispute resolution practitioner having worked extensively as a workplace mediator, facilitator, and conflict coach supporting leaders and their teams to address tough issues through sticky conversations. Pattie trains and facilitates extensively for federal agencies throughout the U.S. on topics related to conflict management and resolution. She primarily leads and mentors training teams in organizational change and conflict resolution programs. She is also a professional mentor for conflict coaches, Navy mediators, and government facilitators. Pattie teaches in the SMU graduate dispute resolution program in Dallas.



### VICKI READ

Vicki Read is the program administrator for the Center for Public Policy Dispute Resolution, which assists governmental entities in engaging stakeholders in dialogue and collaborative decision-making processes, provides customized ADR training programs for organizations, and general ADR training for the public at large. She is a Licensed Professional Counselor, TMCA Secretary and former Secretary for the Texas Mediation Trainers Roundtable. She received her B.A. in Mass Communications and Public Relations from Louisiana State University in Shreveport and her M.A. in Counseling from St. Edward's University in Austin.



### HON. JOSEFINA RENDÓN

TMCA Credentialed Distinguished Mediator. Mediated over 1,400 disputes. Published over 150 articles/book reviews. Former editor/editorial member: *Texas Mediator*, *Texas Bar Journal*, *Houston Lawyer*. Past President: Texas Association of Mediators, Association for Conflict Resolution-Houston. Board member: Harris County Dispute Resolution Center, Texas Center for Judiciary, ADR sections of State Bar & Houston Bar. Listed in: "Texas' Who's-Who in ADR" (State Bar ADR Section's *Alternative Resolutions*, 2007); "Houston's Top Lawyers" (*Houstonia Magazine*, 2017); "Pioneers in Houston Law" (*The Houston Lawyer*, 2018). Frank Evans Award (State Bar ADR Section); Susanne Adams Award (Texas Assn. of Mediators). Associate Municipal Judge, Visiting Justice of Peace, Former State District Judge.



### MIKE SCHLESS

The Texas ADR statute in 1987 required the judges in the state to devise a plan to implement ADR in their jurisdictions. Mike figured if he was going to be ordering people to mediate, he ought to know what mediation is. So he took his first course in ADR and immediately became hooked. A mediator and arbitrator since he left the bench in 1992, Mike has been actively involved in the ADR community. In addition to his full-time ADR practice, since 2012 Mike has been teaching Negotiation and Mediation to the brilliant young minds at the UT School of Law.



### ROSS W. STODDARD, III

Ross is a full-time mediator in Las Colinas (Irving), Texas, who has conducted 5,000+ mediations involving \$30+ billion in aggregate claims during the past 29 years. He served as faculty for the *Effective Negotiations and Global Business Environments* courses in the SMU Executive MBA Program, as well as mediation training/CE programs through various bar/ADR associations. Ross authored the chapter on the use of ADR in tort disputes in *The Litigator's Handbook*, published by the ABA Section of Litigation. He practiced law for 15 years prior to becoming a mediator. Ross is married, with two sons, a daughter-in-law, and six grandkids.



### DARCY THOMPSON

Darcy, a native New Yorker now living in Texas, began her career in mediation in 2012 after retiring as an educational diagnostician in the highly litigious arena of special education. Much of her conflict resolution experience is from the many challenging meetings she facilitated in the public schools and the volunteer mediations she completed for the Harris County Dispute Resolution Center. She credits two critical assets in her peacebuilding successes—patience and the ability to maintain a calm, peaceful environment conducive to communication and dispute resolution problem-solving. She specializes in the areas of civil, educational, and home owner association (HOA) disputes along with peer mediation training.



### WALTER A. WRIGHT

Walter is an associate professor in the Legal Studies Program of the Department of Political Science at Texas State University, where he teaches courses in law and ADR. He received B.A. and J.D. degrees from the University of Houston and an LL.M. in International Legal Studies from New York University. A mediator for the U.S. Equal Employment Opportunity Commission and the U.S. Department of Justice, he is also a TMCA Credentialed Advanced Mediator who teaches mediation courses at The University of Texas School of Law, the Austin Dispute Resolution Center, and several universities in Latin America.



## SYMPOSIUM FEE:

Register NOW at [www.TXMCA.org](http://www.TXMCA.org)\*

**EARLY BIRD DISCOUNT BY 10/21/18**

\$130 (current credential holders [CH])

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

**AFTER 10/21/18: \$150 (CH) \$170 (NCH)**

\* Please register by Friday, November 2.

Seating is limited to 210.

Registration on-site not guaranteed.

\*\*when you get credentialed or renewed at the Symposium

Receive a  
10% discount  
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