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# TMCA

## 17TH ANNUAL SYMPOSIUM

**October 23, 2021**  
**8:25 am to 5:00 pm**  
Live via Zoom

### It's All in the Timing!

While the timing isn't right for an in-person Symposium this year, we will be delighted to see everyone via Zoom! And, the timing is *definitely* right for hot, skills-enhancing topics! The day will feature a panel discussion of the importance of civility for mediators, the "supreme" wisdom of Justice Debra Lehrmann, and sessions that will help us navigate this "new normal," explore the ethical implications of the various mediator styles and platforms, and build or enhance your mediation practice. The final sessions of the day are in response to one of your foremost requests – workshops on the drafting of both family law and civil law MSAs.

**6.5 hours CLE approved,  
incl. 3 hours ethics**

*Promoting Quality Mediation  
Throughout Texas*

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TEXAS MEDIATOR  
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ASSOCIATION

211 Houston Street  
Richmond, Texas 77469



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

8:25 am – 8:30 am

#### WELCOME

John P. Palmer

8:30 am – 9:30 am

#### THE LATEST FROM "THE SUPREMES" (1 hour; .25 ethics)

Justice Debra H. Lehrmann and Hon. John Coselli

*Learn about the latest Texas cases affecting your mediation practice and the status of the impact of COVID-19 on the administration of justice from Texas Supreme Court Justice Debra Lehrmann and her devoted side-kick, Judge John Coselli.*

9:30 am – 9:45 am

#### 15-MINUTE BREAK

9:45 am – 11:00 am

#### MORE THAN GATEKEEPERS: MEDIATORS AND THE IMPORTANCE OF CIVILITY (1.25 hours; .75 ethics)

Panelists: Laurie McKendall, Hon. Josefina Rendón, and Mike Schless

Moderator: Angela Downes

*Mediators by definition are third-party neutrals. As the practice continues to evolve, how do we navigate and effectively serve parties who may be faced with a host of issues – declining civility, implicit bias, microaggressions, and rising anti-immigrant sentiments – to create a positive cross-cultural experience. This session will provide tools, insight, and best practices on how to impart and encourage civility in mediation.*

11:00 am – 11:15 am

#### 15-MINUTE BREAK

11:15 am – 12:15 pm

#### BACK TO THE FUTURE PART IV: RETURNING TO A "NEW NORMAL" (1 hour; .25 ethics)

Lis Bulmash and Sharmeen Ladhani

*Join these dynamic presenters as they discuss how mediators are navigating today's world, including the effects of COVID-19, the return to in-person mediations, and embracing (or not) hybrid mediations. The discussion will offer tips on how to manage the dialogue when confronted with hotbed topics and will conclude with a roundtable of fellow mediators exchanging ideas on how they plan to return to a "new normal" during this time of division and strife.*

12:15 pm – 1:00 pm

#### 45-MINUTE LUNCH BREAK

1:00 pm – 1:15 pm

#### PRESENTATION OF TMCA'S OUTSTANDING CREDENTIALLED MEDIATOR AWARD AND JAMES GIBSON SCHOLARSHIP

1:15 pm – 2:15 pm

#### WITH ETHICS AFORETHOUGHT (1.0 hour; 1.0 ethics)

Mike Schless and Alvin Zimmerman

*Crimes of passion are committed without prior thought. By contrast, "with malice aforethought" refers to the premeditation element required to prove certain more serious crimes. Similarly, mediators are often guilty of acting first, without giving thought to the ethical implications or consequences of our actions. Our goal should be to commit "premediation premeditation." Alvin and Mike will focus on these implications when using facilitative, evaluative, or transformative styles of mediation; "e mediations" (like Zoom); hybrid mediation platforms (in person/Zoom); and hybrid ADR formats (Med-Arb/Arb-Med).*

2:15 pm – 2:30 pm

#### 15-MINUTE BREAK

2:30 pm – 3:30 pm

#### CULTIVATING AND MARKETING YOUR MEDIATION PRACTICE ON A SHOESTRING BUDGET

(1.0 hour; .25 ethics)

Sharon Corsentino

*Learn about building a practice from the ground up within a limited budget and ways to ethically use social media and other avenues to market your practice, along with best practices for cultivating a strong referral base.*

3:30 pm – 3:45 pm

#### 15-MINUTE BREAK

3:45 pm – 5:00 pm

#### WORKSHOP BREAKOUT SESSIONS

1. Drafting Family Law MSAs Workshop (1.25 hours; .5 ethics)

Fran Brochstein, Melanie E. Grimes, Shelly Hudson

*Drafting a clear and enforceable MSA is key to a successful mediation. This "hands-on" workshop will help even the best drafters of family law MSAs hone their skills.*

2. Drafting Civil Law MSAs Workshop (1.25 hours; .5 ethics)

Melissa Back McAlpine, John P. Palmer, Walter Wright

*Drafting accurate and comprehensive MSAs in civil mediations is an essential mediator skill. You will leave this interactive workshop with the tools to master drafting MSAs either in person or online.*

5:00 pm

#### ADJOURN

## 2021 TMCA SYMPOSIUM SPEAKERS

### MELISSA BACK MCALPINE

Melissa is the President and owner of Back to Yes Mediation, LLC. She is an attorney who practices exclusively as a mediator and arbitrator. Melissa is an ADR trainer and lecturer at Manouso Mediation & Arbitration. As a professor in Global Conflict Resolution at the University of St. Thomas, she teaches future foreign service officers. Melissa earned the distinction of "Rising Star" by Super Lawyers in 2020-2021 as a top-rated ADR attorney in Texas. As Past-President of the Texas Association of Mediators and the Association for Conflict Resolution-Houston Chapter, she was the youngest president in the history of both organizations. Melissa is currently Co-Convener of the Texas Mediation Trainers Roundtable, the organization for qualified and approved ADR trainers in the state.



### FRAN BROCHSTEIN

Fran is an attorney that shifted to mediation many years ago. She moved from Houston to the Texas Hill country two years ago. Since COVID, she mediates all over Texas via Zoom. Fran writes a monthly column and participates in You Tube videos for [www.instantmediations.com](http://www.instantmediations.com). She is Membership Chair for the Texas Association of Mediators and is a TMCA Credentialed Distinguished Mediator. She is Past-President of the Association for Conflict Resolution-Houston Chapter and was one of the recipients of their 2018 Lifetime Achievement Awards. She is a volunteer mediator with Texas Volunteer Mediator Association and provides pro bono legal services for Highland Lakes Bar Association and Volunteer Legal Services of Central Texas.



### LIS BULMASH

Lis is a neutral at JAMS following nearly 20 years as a conflict resolution practitioner and a co-founder of an alternative dispute resolution (ADR) firm. She resolves civil, commercial, and probate disputes of all sizes, including complex multi-party disputes. Over the course of her career, Lis has been a mediator in Michigan, Ohio, and Texas. Lis is a graduate of the University of Michigan for her B.A. and of Boston University School of Law. Lis serves on the National Board for the Association of Attorney-Mediators, the Texas Mediator Credentialing Association Board, and the Collin County Bar Association's Board for Estate Planning and Probate. Previously, Lis served on the ADR Section Council Board for the State Bar of Texas and was past Chair of the Dallas Bar Association's ADR Section. Lis has spoken on a variety of ADR topics involving mediation, maintaining neutrality, and embracing diversity to a variety of organizations and law schools throughout the country.



### SHARON CORSENTINO

Sharon is a TMCA Credentialed Distinguished Mediator with a dedicated mediation practice in the Dallas/Fort Worth metroplex focusing primarily on family law, probate, guardianship, and small civil matters. Prior to starting her mediation practice in 2016, Sharon practiced collaborative law and also litigated complex family law, probate, and guardianship cases. Sharon is the current President of the Association of Attorney Mediators North Texas Chapter, immediate past Chair of the ADR Section of the Dallas Bar Association, and an incoming Director for the State Bar of Texas ADR Council. She holds a bachelor's degree in German from the University of Texas at Austin and a juris doctorate from Washington



University in St. Louis. When she's not busy mediating (and it's not a pandemic), Sharon and her husband of 25 years are avid travelers.

### 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 10 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 now mediates, arbitrates, and continues to sit by assignment as a State District Judge. John is a Board member and past Chair of the TMCA Board of Directors.



### ANGELA DOWNES

Angela is a professor at UNT Dallas College of Law in Dallas where she is Assistant Director of Experiential Education. Prof. Downes teaches clinical courses, the 40-hour mediation course, as well as a course on domestic violence and the law. Her scholarship focuses on diversity, cultural responsiveness, and issues of interpersonal violence including domestic violence, human trafficking, and child abuse. Prof. Downes is also an associate Municipal Judge for the City of Glynn Heights, Texas, and a TMCA Board member.



### MELANIE E. GRIMES

Melanie is a TMCA Credentialed Distinguished Mediator and serves as TAM's representative to TMCA's Board of Directors. Melanie served three years as Chair of that Board and is currently Vice-Chair, Credentialing. In 2018, she received TAM's Susanne C. Adams Award and has also been honored with the Louis Weber Award for "Outstanding Mediator of the Year" for her work as a volunteer mediator. Utilizing skills strengthened in 15 years in corporate management and an ongoing focus on personal development, Melanie offers a unique blend of compassion, keen listening, problem solving, and masterful negotiation in her private mediation practice in Dallas.



### SHELLY HUDSON

Shelly joined the TMCA Board of Directors in 1999, representing the Texas DRC Directors' Council, and currently serves as TMCA's treasurer. She is a graduate of the University of Texas at Austin and South Texas College of Law. Shelly has served as the Executive Director of the Fort Bend County Dispute Resolution Center for over 25 years and is also a private practice attorney, specializing in family and probate law. Other highlights of her mediation career include being a TMCA Credentialed Distinguished Mediator, serving as Chair of the Texas DRC Directors' Council for 10 years; participating in the Fellows Program with the University of Texas Center for Public Policy Dispute Resolution, and being awarded the *Fort Bend Sun* newspaper Reader's Choice Award for the Best Attorney-Mediator in Fort Bend County.



### SHARMEEN LADHANI

Sharmeen is a Mediator for the Aga Khan Conciliation & Arbitration Board, the ADR body of the Ismaili Muslim community, and mediates cases related to matrimonial, commercial, and civil disputes. She frequently presents to attorney-mediator organizations on topics such as maintaining neutrality in times of cultural strife and embracing diversity in ADR. As an Adjunct Professor at Texas A&M University School of Law, she teaches a course on dispute resolution skills. Sharmeen also serves as Vice Chair of the Dallas Bar Association's ADR



Section and Council Member for the State Bar of Texas ADR Section. Also, as a Senior Attorney at the IRS Office of Chief Counsel, Sharmeen represents the IRS in U.S. Tax Court and advises the IRS on high stakes collection matters, civil fraud cases, offshore compliance issues, preparer and promoter investigations, and abusive tax avoidance schemes. Sharmeen obtained her law degree from Vanderbilt Law School, where she received the Phillip G. Davidson Award for exemplary leadership in service to the community, having graduated with highest honors from the University of Texas at Austin with a Bachelor of Science in Comm. Studies.

### 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 State Bar of Texas, the Board of Disciplinary Appeals, the State Bar Judicial Section's Judicial Ethics Committee, the Texas Association for Court Administration, the State Bar Family Law Section, the Family Law Council, the Texas Mediator Credentialing Association, and the Texas Attorney-Mediator Coalition. Prior to her appointment to the Court, she served as a trial judge in Fort Worth for 23 years.



### LAURIE MCKENDALL

Laurie's mediation practice focuses on employment, contract, family, and business disputes. Since 2010, she has mediated nearly a thousand tough legal disputes. Laurie has a B.S. in Sociology from the University of North Texas, an M.S. in Alternative Dispute Resolution from Abilene Christian University, serves as an instructor with the University of Texas Arlington, and is a licensed insurance financial professional. In addition to mediation, she offers many other services, including arbitration, negotiation, facilitation, risk management, insurance planning, estate planning, and financial wellness workshops. Laurie is a native of Dallas and very involved in the community. She is a former President of Rowlett Rotary Club, a current Rotary assistant governor, and has four children.



### JOHN P. PALMER

John is a TMCA Credentialed Distinguished Mediator and serves as the consumer Board member and Chair of TMCA. He is a past Chair/President of the ADR Section (State Bar of Texas) and the Texas Association of Mediators. John is one of the founders of the McLennan County DRC and continues to volunteer there. John mediates and practices law with Naman, Howell, Smith & Lee, PLLC. He serves as a mediator in a variety of matters including probate, family, general civil litigation, personal injury, and workplace disputes. John is a strident proponent of quality mediations and currently co-authors the *Texas Practice Guide, Alternative Dispute Resolution* (Thomson Reuters).



### HON. JOSEFINA RENDÓN

Hon. Rendón is a mediator, arbitrator, and former State District Judge. She is a former editor of *The Texas Mediator*, has authored over 150 articles/book reviews and has given many talks, nationally and internationally, on ADR, diversity, and law. Josefina is Past-President of the Texas Association of Mediators and the Association for Conflict Resolution-Houston. She has served on the boards of Harris County DRC, Texas Center for the Judiciary, and the ADR sections of both the Texas Bar and Houston Bar Associations. Josefina been awarded the Justice Frank Evans Award (Texas Bar-ADR section) and TAM's Susanne Adams Award and has been recognized as a Pioneer in Houston Law (*Houston Lawyer*) and Houston Top Lawyer in Arbitration/Mediation (*Houstonia Magazine*).



### 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 were 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.



### 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 alternative dispute resolution (ADR). An attorney and mediator, 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. He is former president of the Texas Association of Mediators and the Association of Attorney-Mediators. Since 1993, he has enjoyed teaching ADR courses throughout the United States and Latin America. He has published over 120 book chapters and articles in the U.S., Spain, and Latin America, and is a TMCA Credentialed Mediator.



### HON. ALVIN L. ZIMMERMAN

Hon. Zimmerman served as State District Judge of the 309<sup>th</sup> Family District Court and 269<sup>th</sup> Civil District Court and as Chair of the ADR Sections of the SBOT and the Family Law Section of the 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. Alvin holds a B.S., Psychology, University of Houston, and a J.D. from University of Houston Law Center. He is currently Of Counsel at Spencer Fane LLP, Board-certified in Family Law by the Texas Board of Legal Specialization, and a Fellow in AAML, CIARB, CCA, and IAM.



## SYMPOSIUM FEES:

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

EARLY BIRD DISCOUNT BY 10/3/21

\$75 (current Credential holders [CH])

\$100 (non-Credential holders [NCH])

AFTER 10/3/21: \$100 (CH) \$125 (NCH)

\*Please register by Friday, October 15<sup>th</sup>

## Receive a 10% discount

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