



AAM-a-gram

ASSOCIATION OF ATTORNEY-MEDIATORS

President's Message

April 2019

"...to support and promote professional and qualified attorney-mediators who are committed to the proposition that the existing dispute resolution system can fulfill its intended purpose through the use of mediation."

2018–2019
AAM

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Message from Paul Clote . . .

"Truce or Consequences" is a marvelous theme for AAM's Spring 2019 program in Charleston, SC. Not only a play on words, but a meaningful aphorism. As skilled mediators, the currency we use is information. The more accurate, reliable and truthful the information, the more participants are likely to adjust their positions and compromise where appropriate. Our job is to help litigants understand, objectively and accurately, the consequences of failing to reach a truce. In the process of doing so, however, we remain inherently neutral.

Words do matter. Once spoken or published, they can never be taken back. Sometimes, statements are "walked back," "put into context," "explained" or "softened." As independent facilitators, however, we have the luxury of choosing our words carefully, thoughtfully. We can calibrate the effect of our statements. We work to expose truth, so that the parties can achieve a truce, and avoid the adverse consequences of continued litigation.

If you have not looked at the Agenda for Charleston's program on April 26-27, 2019, please do so. It is not too late to register! The Agenda features some of the country's best and brightest. The topics include understanding how stress and neuroscience affect litigants; recognizing and dealing with personality traits of the participants; top tips, tools and techniques to avoid impasse; promoting settlement through remediation;

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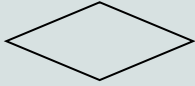
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President's Message—Continued

ethical dilemmas; and even a "deep dive" by some scuba pros into partnership, probate and family mediation issues.

Mediation of cantankerous, obstinate, unmoving and unmoved litigants has made me a better person – at least I hope so. It has given me an opportunity to appreciate that life really is about the journey. Living in the moment is one takeaway from mediation training that I love trying to apply to daily living.

It has, and continues to be a joy to work with an amazing Board of Directors at AAM, our fabulous Executive Director, and enthusiastic, highly talented and skilled speakers and members of AAM. See you in Charleston!

Paul

Paul Clote, AAM National President

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The Fall CLE in Houston Hit It Out of the Park

Although Friday, September 14, 2018, was a soggy day in Houston, 83 members and non-members braved the weather for a grand slam of a day. We were honored to have **Hon. Josefina Rendón** share her wisdom on cultural matters. The team of **Kay Elliott** (Texas A&M University School of Law) and **Professor Angela Downes** (UNT Dallas College of Law) brought us a multi-faceted topic on knowing your implicit and explicit biases. As mediators, we strive to identify and reduce our biases, improving our emotional intelligence. We were coached by a gifted storyteller, **Joe Bontke** (Deputy District Director, EEOC Houston office), about the generational differences that make a difference in participants' reactions.

Don Philbin, whose amazing data analytics have improved the performance skills of countless mediators and lawyer advocates, gave us tips on reducing the potential for impasse. **Charlie Hanor**, an intellectual property specialist (and adjunct professor at St. Mary's University Law School), presented insights for unique challenges with trademark, patent infringement and other IP mediations. **Chris Nolland**, a perennial favorite lecturer, shared his knowledge on dealing with ethical conundrums. **Jimmy Lawson** (author of *Tales from Uberville*) gave advice on mediating multi-party insurance coverage cases. **Gloria Portela** and **David López** reported on a timely topic dealing with the "Me Too" movement and adapting classic mediation methods for current times.

It was a home run day. Important, timely information was available for all participants to adopt in their own practices. Another AAM program that taught us how to load the bases and avoid errors!





Josefina Rendón



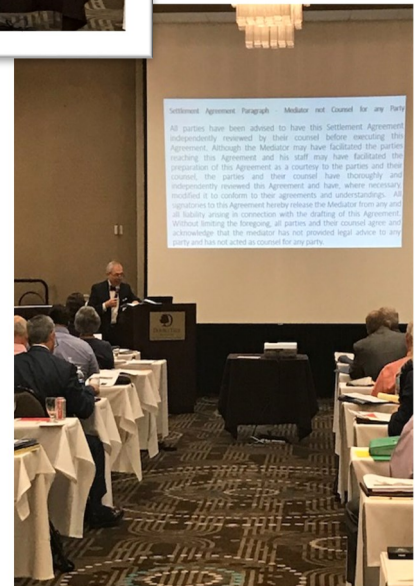
Joe Bontke



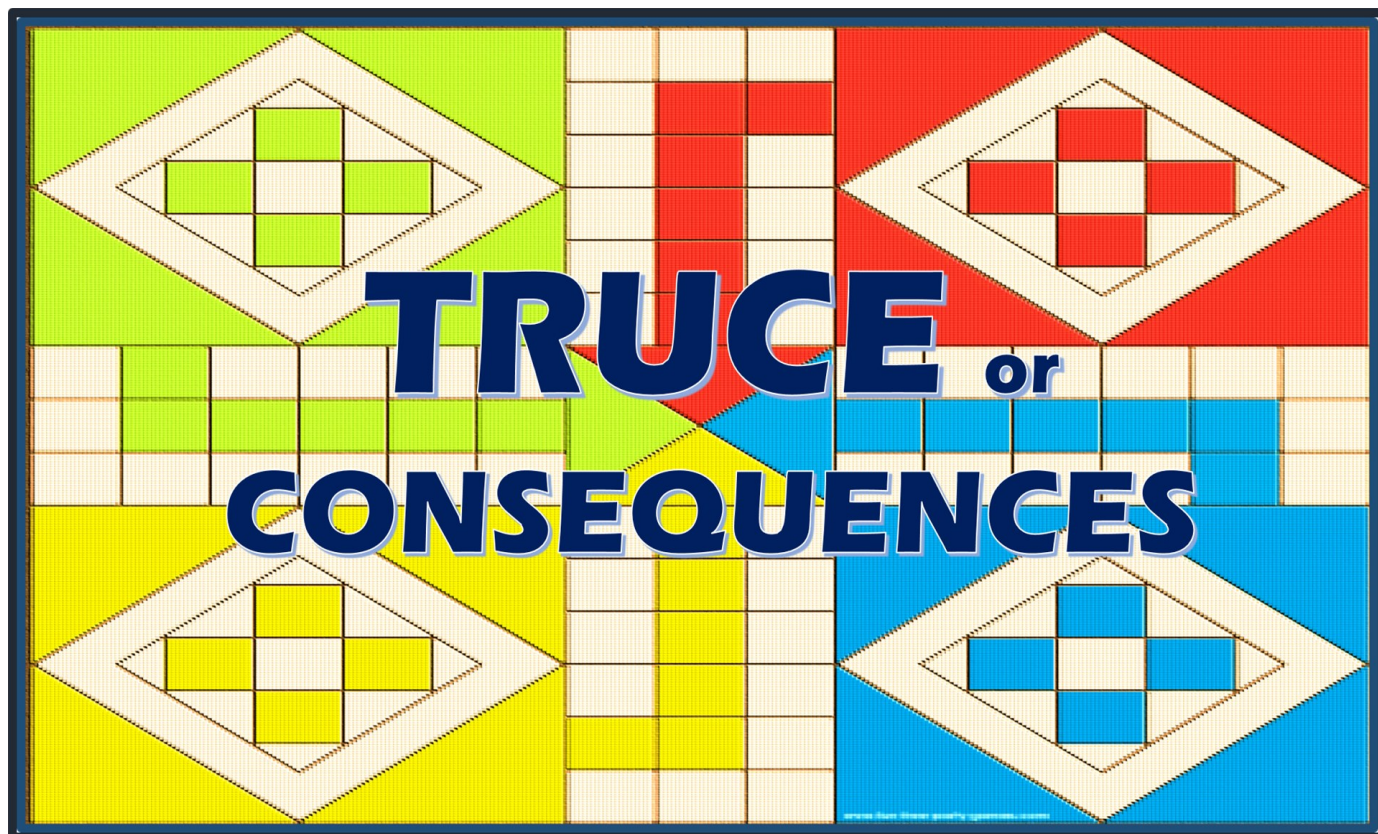
Kay Elliott and Angela Downes



David López and Gloria Portela



Chris Nolland



Advanced Attorney-Mediator Training

Annual Meeting and CLE Seminar

Friday and Saturday, April 26 & 27, 2019

Francis Marion Hotel

387 King Street

Charleston, South Carolina

With an awesome line-up of trainers and topics, you will walk away with more than you thought possible! This outstanding training begins on Friday, April 26 at noon and continues for the day, ending with a networking cocktail reception featuring your favorite beverage and some special Charleston appetizers. The reception is complimentary with paid registration, and spouses/guests are invited to join us. In this lively interactive day of training, you will learn new techniques, communication skills, overcoming obstacles in your mediation, ethical practices for everyday, bias, cultural awareness, generational awareness, and more!

The venue will be the Francis Marion Hotel, an historic icon in Charleston. We hope you will join us and add to your mediation playbook. This visit to Charleston is sure to place the check-mark on your bucket list! April is the most popular month to spend in Charleston! We hope you can join us there!

Board Revises Insurance Language

AAM's Board has clarified with revised language that, "**whenever reasonably possible,**" members are required to "acknowledge in writing by counsel for the respective parties" that the mediator is a neutral intermediary and not an advocate for either party. (This can be done easily as part of the sign-in sheet signed by all parties and attorneys before the mediation commences). *This wording will be included on the updated insurance summary which arrives with your membership renewal confirmation email for 2019. It may also be found in the Members Area on the AAM website.* <https://www.attorney-mediators.org/resources/Documents/Insurance%20Summary%202019.pdf>



Interested in Joining or Starting A Chapter?

All AAM members in good standing at the national level are eligible to join an AAM Chapter in their locale. Chapters offer outstanding opportunities for networking, continuing education and input into AAM's direction. AAM national frequently seeks new leadership from the leaders of AAM's local chapters.

AAM's by-laws provide that a new chapter of AAM may be authorized by the board of directors upon the request of ten (10) members in good standing. AAM Chapters receive a 10% rebate of member dues annually to support Chapter initiatives. If you are interested in building the influence of attorney-mediators in your locale, consider forming a local chapter. Find out more about joining or forming a chapter by contacting Brenda Rachuig at toll-free 1-800-280-1368 or aam@attorney-mediators.org.

AAM Board Elections at the Annual Meeting

April 27, 2019

Please Return Your Proxy

Our Annual Meeting is fast approaching, and we will be electing two new Board members at that time. **Click the link to be taken to the proxy** for the upcoming election on April 27, 2019. *(This Microsoft form will be automatically submitted to the AAM office.)*

https://forms.office.com/Pages/ResponsePage.aspx?id=DQSIkWdsW0yxEjajBLZtrQAAAAAAAAAAAAAO_a-axVBUNTdQTTIFN1dLTFpCUVhRUVk1V1BHNTe0TC4u



Below are biographical sketches of the nominees selected by the Nominating Committee:

MEET THE CANDIDATES

Robert (Bob) Berliner practices in Chicago, IL and has been an AAM member since 2009. Bob has been nominated to renew his term. For more information about Bob, please visit his website at www.berlingroup.com.



Jean Lawler practices in Los Angeles, CA and has been an AAM member since 2017. For more information about Jean, please visit her website at <https://www.lawleradr.com/>.



Welcome AAM Members

We welcome our new AAM members (*since the last newsletter printing*).

Thomas Andrews	Redding, CA
William Baten	Indianapolis, IN
Lauren Bianchini	Austin, TX
John Brookman	Fort Worth, TX
Tanya Chaney	Houston, TX
Sharon Corsentino	Allen, TX
David Crawford	St. Louis, MO
Jennifer Dressler	Evanston, IL
Brian Gold	Burr Ridge, IL
Joseph "Tad" Halbach, Jr.	Houston, TX
Sarah Heffley	Little Rock, AR
Jeremy Howe	Newport, RI
James Jordan	Dallas, TX
Michael Kern	Highland Park, IL
Elena Kritzer	Houston, TX
Michael Landrum	Houston, TX
Sylvia Mayer	Houston, TX
Heather McFarlane	Houston, TX
Patrick McHale	Chicago, IL
David Rush	Paris, AR
Lisa Sandlow	Glencoe, IL
Katherine Smith Dedrick	Chicago, IL
Jill Sopha	Pewaukee, WI
Shannon Stewart	Newport Beach, CA
Andrew Tolchin	Houston, TX
John Van Winkle	Indianapolis, IN
Lulu Witcoff	Glencoe, IL

WELCOME!

Keep AAM Membership Strong

Take time to encourage at least three (3) colleagues of yours who are not AAM members to consider joining AAM. We want to continue Past President, Sid McCollum's mantra of **"Each One – Get One"**.

Benefits include the group liability insurance policy through Complete Equity Markets covering mediation (and arbitration) in the amount of \$500,000 - \$2,000,000 aggregate with a \$500 deductible. Ask anyone that has had the misfortune to need this coverage – it is a great addition!

Completing Your AAM Membership Renewal

Whew – you've paid your dues for 2019. Great. Did you let the insurance company know that you have no pending possible claims?

They need to verify that from each member, each year.

It's a simple process.

https://forms.office.com/Pages/ResponsePage.aspx?id=DQSIkWdsW0yxEjajBLZtrQAAAAAAAAAAAAAO_a-axVBUQIdHWEpUMUZVWjYNUdERFhRN0wxUkpQRC4u

This form is archived for our insurance carrier. If you received an email with **"OOPS"** in the subject line, or if you have not received a membership renewal confirmation with your 2019 insurance coverage letter embedded, please click on the Microsoft form link above and fill out the **Membership Qualifications 2019, with the very important insurance question at the bottom**. Submit and you will be finished! Thank you.

Whew – all done!