



Oklahoma Bar Association

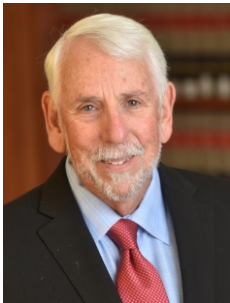
Alternative Dispute Resolution Section

The Lawyer's Ethical Duty to Provide Client Informed Consent in Mediation and Collaborative Law

November 9, 2020 2 Hours Ethics CLE 9:30am – 11:30am

CALLING ALL MEDIATORS & ADVOCATES

CLE applies toward your yearly continuing education requirements and assists you in complying with stringent ethical requirements in Oklahoma mediations.



Forrest "Woody" Mosten

Mosten Mediation

Forrest "Woody" Mosten is a Collaborative Attorney (Certified Family Law Specialist) and mediator. After practicing law in Los Angeles since 1972, Woody now also serves clients in San Diego and Orange Counties. Woody focuses on matters involving substantial assets and high conflict, generally in an interdisciplinary team. He is a full-time peacemaker and never goes to court on any case. His practice is now 100% Online.

Woody is the author of six books: Collaborative Divorce Handbook (2009), Building a Successful Collaborative Practice (with Adam Cordover, 2018), Complete Guide to Mediation, 2nd Edition (with Elizabeth Potter Scully, 2015), Mediation Career Guide (2001), Unbundling Legal Services (2000), and Unbundled Legal Service: A Guide for Family Lawyers (with Elizabeth Potter Scully, 2017). In addition, he has authored numerous articles <http://www.mostenmediation.com/publications.html>.

In addition to his full-time practice, Woody is recognized worldwide as a Master Trainer of Collaborative Professionals and Mediators, teaches an IACP course to train Collaborative Trainers, and teaches the following courses at UCLA School of Law (Family Law: A Non-Litigation Approach; Lawyer as Peacemaker; Mediation; and the Lawyer-Client Relationship). Woody is passionate about teaching and mentoring peacemakers worldwide and facilitates several ongoing Consultation and Study Groups and shall be launching an online Collaborative Study Group with Ron Ousky starting in February 2021.

Woody has received numerous awards including Peacemaker of the Year and President's Award (Southern California Mediation Association), Conflict Prevention Award (Los Angeles County Bar), Lifetime Service Award (New York State Council of Divorce Mediation).

Presentation Topic

The Lawyer's Ethical Duty to Provide Client Informed Consent in Mediation & Collaborative Law

- Mediation and Consent Rhetoric
- What is Informed Consent
- Values Informed Consent Serves in Mediation
- The Inadequacy of Informed Consent in Mediation: Current Landscape
- Toward a Theory of Informed Consent for Mediation
- Integrating Informed Consent Theory and Practice

The OBA - ADR Section welcomes Attorney and non-Attorney associate members.

Mediators / Advocates welcome. No OBA Membership required.

Non-OBA members contact Debra Jenkins at debraj@okbar.org or 405-416-7042



Oklahoma Bar Association

Alternative Dispute Resolution Section

Digital Frontiers in Legal Conflict Management: Revolutionizing Practice by Incentivizing Lawyers

November 9, 2020

2 Hours CLE

1pm - 2:30pm

CALLING ALL MEDIATORS & ADVOCATES

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Dr. Christopher W. Smithmyer

Vice President of International Affairs
Brāv Online Conflict Management

Dr. Smithmyer has dedicated his adult life to the study of law, business and conflict management and holds nine (9) degrees including a Ph.D. in Conflict Analysis and Resolution from Nova Southeastern University in Ft. Lauderdale, dual LL.M. degrees from the University of Queensland, J.D. (FCSL), an MBA in International Business (FMU), a master's in industrial and Labor Relations (IUP) and his BS degree in Criminal Justice from Penn State. Additionally, Dr. Smithmyer has two Graduate Research Certificates in Qualitative Research Methodologies (NOVA) and Online Teaching Methodologies (Penn State Shryer).

Dr. Smithmyer has been a mediator since 2002, when he was the youngest mediator ever trained by the American Academy of Alternative Dispute Resolution Attorneys. Starting his training with Dean Richard Culkins of Drake University, Dr. Smithmyer has studied and trained under some of the top mediators in the world, such as Gregg Firestone, Dr. Patricia Loveless, Dr. John Linn, Elenore Robinson and Christopher Shulman. He also was trained as an Arbitrator by the Florida DRC and as a professional facilitator by Dr. Neil Katz of Syracuse.

Dr. Smithmyer currently holds the honor of being the Vice President of International Affairs for Brāv Online Conflict Management and previously was the CFO of the Africa Peace and Conflict Network, an adjunct professor at Florida Metropolitan University, Everest University, Penn State University, The University of South Florida and Doane University and has taught in a variety of programs such as Sociology, Criminal Justice, Business, Law, International Affairs, Writing and Research.

Presentation Topic

Digital Frontiers in Legal Conflict Management: Revolutionizing Practice by Incentivizing Lawyers

- Stimulus, Nature, and the Modern Reality: How Covid has affected our field
- Digitization of the field by mandate rather than procedural evolution
- What is OCM/ODR and Common Myths About OCM/ADR/ODR
- Generational Cohesive Politicking (Gen Y and the Zoomers)
- Incentives, Profits and Bottom Lines
- Enhancing Your Practice and Your Lifestyle through Modern Methods

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debraj@okbar.org or 405-416-7042.**



Oklahoma Bar Association

Alternative Dispute Resolution Section

Facilitation: How to Get More Out of Your Meetings

November 9, 2020

2 Hours CLE

3pm - 4:30pm

CALLING ALL MEDIATORS & ADVOCATES

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Kristen M. Blankley

Professor of Law at the
University of Nebraska College of Law

Mrs. Blankley teaches on a wide variety of alternative dispute resolution topics, including negotiation, mediation, and arbitration. Professor Blankley also an active scholar in the field of Alternative Dispute Resolution, publishing on arbitration, mediation, collaborative law, and ethics in alternative dispute resolution issues. She has written on topics including class action arbitrations, judicial review of arbitration awards, mediation ethics, and mediation confidentiality. She is an author of two books, Understanding Alternative Dispute Resolution and Arbitration: Law, Policy, and Practice. In addition,

Mrs. Blankley is also known for her writing on many legal and ADR topics with 18 scholarly papers having over 2,200 downloads and 2 SSRN citations. Here is a short list of her titles:

- 10 Things I Wish the Mediator Asked Me...None of Which are 'What is Your Bottom Line?'
- Keeping a Secret from Yourself? Confidentiality When the Same Neutral Serves Both as Mediator & as Arbitrator - Same Case
- Advancements in Arbitral Immunity and Judicial Review of Arbitral Awards Create Ethical Loopholes in Arbitration
- A Uniform Theory of Federal Court Jurisdiction Under the Federal Arbitration Act
- Online Resources and Family Cases: Access to Justice in Implementation of a Plan
- Taming the Wild West of Arbitration Ethics
- How Limited Scope Agreements for Dispute Resolution Representation Can Increase Access to Attorney Services

These and more can be found at: https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=1537930

Presentation Topic

Facilitation: How to Get More Out of Your Meetings

- Facilitation Vs Other Types of Meetings
- Understanding Seven Types of Goals for Meetings
- Building Better Agendas
- Determining Participation Types for Each Agenda Items
- Picking the Right Decision-Making Model

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