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BOND LAW

DISPUTE RESOLUTION NEWS



UPCOMING COURSES

REGISTER NOW FOR

19-22 MARCH 4-DAY BASIC MEDIATION COURSE

& GLOBAL NEGOTIATION COURSE,

27 APRIL-2 MAY, 2009 IN LYON FRANCE!

2009 Draft Program

Dates	Location	Course
13 - 14 February	Bond University	Assessment Course
19 - 22 March	Gold Coast	Basic Mediation Course*
27 April - 2 May	Lyon, France (Universit�e de Catholique)	Global Negotiation**
14 May	Bond University	Conflict in Schools
12 - 13 June	Bond University	Assessment Course*
30 July - 2 August	Gold Coast	Basic Mediation Course*
27 - 30 August	Marriot, Gold Coast	Advanced Mediation Course*
14 - 18 September	Gold Coast	Family Dispute Resolution and Mediation Course
15 - 18 October	Melbourne	Basic Mediation Course, in conjunction with Leo Cussen Institute. Phone (03) 9602 3111 email: lpd@leocussen.vic.edu.au
6 - 7 November	Melbourne	Assessment Course, in conjunction with Leo Cussen Institute. Phone (03) 9602 3111 email: lpd@leocussen.vic.edu.au
26 - 29 November	Marriott, Gold Coast	Basic Mediation Course*

THIS ISSUE

[Article by John Potter](#)

[Forthcoming Publications by DRC Staff](#)

[Feedback from November Basic Mediation Course](#)

[Expand all articles](#)

VISITORS

CLAIRE RODGER

Chairperson of Board, Ridley College, Melbourne visited the DRC on 13 November.

FRANCO CAROLEO

Italian student visited the centre during November-December.

FAZLUL HUQ

The four-day Bond Basic Mediation course coupled with the two-day Mediation Assessment course meets BOTH (a) National Mediator Accreditation Scheme introduced in 2008; AND (b) the current requirements under the *Family Law Act* for accreditation as a mediator (or Family Dispute Resolution Practitioner).

* This course also has a Foundation Family Mediation stream, run in conjunction with AIFLAM (Australian Institute of Family Law Arbitrators and Mediators).

** Students can elect to take this course as an assessed Bond University postgraduate course. For further course information on these and other postgraduate courses <http://www.bond.edu.au/study/subjectoffer/>

IMPLEMENTATION OF DISPUTE RESOLUTION IN REFRACTIVE SURGERY

Article by John Potter

John Potter OD, is Vice President for Patient Services with TLC Vision Corporation, and graduate student in Dispute Resolution and Conflict Management at Southern Methodist University (Dallas, Texas, USA). This article discusses implementation of TLC Vision Corporation's patient advocacy program for patients that suffered negative effects from refractive surgery. Click here to view full article. [Click to download file.](#)



FORTHCOMING PUBLICATIONS

Forthcoming Publications by DRC Staff

The second New Zealand edition of *Mediation: Principles, Process, Practice* (Lexis Nexis, Wellington, 2009) will be launched in Palmerston North on 21 January. The co-authors are Laurence Boule of the DRC, Virginia Goldblatt of Massey University and Philip Green of the Wellington Bar.

Skills, Ethics and Values for Legal Practice by Bobette Wolski

(forthcoming Thomson Reuters, February 2009), second edition, assists readers to develop the skills required to interview and advise clients proficiently, conduct legal research, analyse and solve legal problems, write effective and succinct legal letters and documents, negotiate and mediate disputes and litigate a range of matters before a court of law. It approaches skills teaching on the basis that relevant ethics and values should be involved in the learning of each skill.

The text provides in depth analysis of the ethical and professional responsibilities of a practitioner when dealing with clients, the court, opponents and other affected third parties.

Since the last edition, developments in a number of areas have necessitated the creation of two new chapters:

- a new chapter on ethics and professional responsibility which



Fazlul Huq visited the Dispute Resolution Centre of 5 November. Mr Huq is the Founder and CEO of Madaripur Legal Aid Association (MLAA), a frontline NGO in Bangladesh that has played a pioneering role in reforming traditional dispute resolution mechanisms in Bangladesh and popularising ADR in the communities.

MLAA was founded in 1978 and has over 250 permanent employees over 10 offices around Bangladesh. They settle 7000 disputes every year, mostly family, commercial and minor criminal disputes with only approximately 500 proceedings to litigation each year. In their 30 years of operation, MLAA has trained more than 50,000 mediators for the villages of Bangladesh.

examines the law of lawyering, underlying social and applied approaches to ethical reasoning as well as approaches to the regulation of ethics and professional responsibilities; and

- a new chapter on mediation and collaborative law.

Other enhancements to the completely revised text include:

- comprehensive references to new legal professional legislation and rules promulgated in most Australian jurisdictions;
- more in depth coverage of 'atypical' client interviews and the moral and ethical dimensions of interviewing;
- new material on the psychological barriers to communication and settlement drawing on disciplines of discourse analysis, conversation analysis, linguistics, sociology and philosophy;
- incorporation of new developments in mediation and collaborative law including: the Law Council of Australia's "Guidelines for Lawyers in Mediations"; the amendment to pre-filing procedures in the *Family Law Act 1975* (Cth) and the establishment of its Family Dispute Resolution Services Register effective from 1 July 2007; and the National Mediator Accreditation Scheme which commenced on 1 January 2008;
- new simulations and exercises for skills development and reflection on the ethical and moral dilemmas involved in legal practice.

This is a comprehensive and stimulating account of the skills, ethics and values necessary for a legal practitioner and the theory behind them.



COURSE EVALUATIONS

Feedback from November Basic Mediation Course

Read the evaluations from the November Basic Mediation course. [Click to download file.](#)



RECENT ACTIVITES OF DRC STAFF

JOHN WADE

20-21 November	Family Law Council Meeting
27-30 November	Basic Mediation Course with Laurence Boulle, Libby Taylor, Patrick Cavanagh and coaches
28 November	Presenter at anniversary conference for ADR Journal, Brisbane, "Representing Clients Effectively at Mediation"
2-3 December	2 day training program in Negotiation at Freehills, Melbourne
January 2009	Negotiation training at Blake Dawson, Canberra and Melbourne
	Forthcoming article in 2009, <i>Harvard Negotiation Journal</i> on 'Defining Success in Negotiation and Other Dispute Resolution Training'

LAURENCE BOULLE

16 October	Presentation to Institute of Arbitrators and Mediators of Australia, Melbourne
November	Presentation on 'International Arbitration and Mediation', Annual Conference on International Arbitration, Commercial Arbitration Centre and National Taiwan University, Taipei
27-30 November	Basic Mediation Course with John Wade, Libby Taylor, Patrick Cavanagh and coaches
	Review of Peter Condliffe, <i>Conflict Management</i> (3 ed, 2008, Lexis Nexis), in vol 10 (2008) <i>ADR Bulletin</i>
21-26 January	Instructor in Mediation Masters class, Massey University, New Zealand
24 January	Public presentation to dispute resolution practitioners on Internationalising Dispute Resolution Practice - Including Across the Ditch, Palmerston North, New Zealand

PATRICK CAVANAGH

28 October	Negotiation Seminar, Urban Development Institute, Brisbane
8 November	Commercial Negotiation Strategies, Leo Cussen, Melbourne
29 November	Basic Mediation Course, Gold Coast
11 December	Native Title Mediation Obstacles Seminar, Brisbane
11 December	Toxic Negotiation Seminar, Brisbane

LIBBY TAYLOR AND ROBYN HOOWORTH

October-November	Undertaken Workplace Training and Assessment Course Certificate IV with Relationships Australia so Libby and Robyn can train family dispute resolution practitioners so they can meet the Federal Accreditation Standards.
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