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# Current developments

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## The world of ADR

# Current developments

### NADRAC information releases

NADRAC has recently released a brochure 'What is ADR?' — see <[www.nadrac.gov.au/aghome/advisory/nadrac/definitions.htm](http://www.nadrac.gov.au/aghome/advisory/nadrac/definitions.htm)>. The brochure is designed for organisations and service providers who require a short, plain English pamphlet addressing some frequently asked questions on dispute resolution without delving into the technical complexities. Multiple copies of the brochure can be ordered from the Council's secretariat. Also from NADRAC is its 'Technology and ADR' paper, which has been recently revised and has been launched on the website <[www.nadrac.gov.au/aghome/advisory/nadrac/Technology\\_ADR2.htm](http://www.nadrac.gov.au/aghome/advisory/nadrac/Technology_ADR2.htm)>. ●

### US report on e-commerce and ADR

The American Bar Association Task Force on E-commerce and ADR has released a draft of its final report and recommendations, along with proposed guidelines for best practices for ADR Service Providers. This

document takes into account many of the comments and input received on its preliminary concept paper from May 2001.

These documents are posted online at the Task Force website: <[www.law.washington.edu/aba-eadr](http://www.law.washington.edu/aba-eadr)>. For further information contact: ABA Task Force on E-commerce and ADR c/o Shidler Center for Law, Commerce and Technology University of Washington School of Law 1100 NE Campus Parkway Seattle, WA 98105. ●

### ADR on the Gold Coast

The Institute of Arbitrators and Mediators is holding its annual symposium on the Gold Coast on 25 and 26 May. It will be a practice-focused symposium with two streams running simultaneously — one on arbitration and the other on mediation. The official opening and key note speech will be by Chief Justice John Phillips of the Victorian Supreme Court, Queensland Attorney General Rod Welford will also speak and George Golvan will be the

after dinner speaker. For further details contact IAMA at (03) 9607 6908 or [national@iama.org.au](mailto:national@iama.org.au). ●

### Public forum on ADR

A consultative public forum on ADR is to be held in WA. It will be held at the Exchange Plaza Conference Suite, Level 8, No 2, The Esplanade, Perth. It is being convened by NADRAC to coincide with its two day Council meeting in the city. The objects of the forum are to provide information on the Council's work and to consult participants in relation to NADRAC's priority areas, including effective use of ADR by courts and tribunals, enhancing quality and consistency in ADR and improving ADR research and evaluation. The forum will be opened by the Commonwealth Attorney General Daryl Williams and the address will be given by Chief Justice David Malcolm of the WA Supreme Court. Members of NADRAC will then facilitate discussions in small groups and in plenary session. For further information contact NADRAC Director David Syme at 02 6250 6897 or [www.nadrac.gov.au](http://www.nadrac.gov.au). ●

### Recent US publications

ADR practitioners who are attempting to grow their businesses will be interested in two recent publications from the US. The first is by a well known visitor to Australian shores, Forrest (Woody) Mosten, mediation practitioner and president of Mosten Mediation Centers. His book *Mediation Career Guide* is, like many other American texts on dispute resolution, published by Jossey-Bass, San Francisco (2001). Based very much on Woody's experiences, it analyses all the current hot issues confronting mediation practice: education and training; defining the target market; expanding

## contributions

Contributions to **ADR Bulletin** are welcome for 2002.

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mediation services; strategic planning and investment; and managing a mediation practice. It includes a full range of resources, including sample documentation, literature and budgeting forms.

The second is by an author known here from his previous works, for example *How To Mediate Your Dispute* (1996). He is Peter Lovenheim, with another impressive title — president of Empire Mediation and Arbitration, a private

perseverance and a strategic investment is necessary to build a mediation career. However, you do know that these authors have been down the path before you and they have some good insights to share from their experiences. ●

### Attracting ADR to Queensland

Sign of the times: Brisbane's *Courier Mail* (16 April 2002) reports that the Queensland Supreme Court is to

'... this is designed to get more legal firms to bring their commercial cases to Queensland and counteract recent slippage to other States.'

dispute resolution firm. His book, *Becoming a Mediator, An Insider's Guide to Exploring Careers in Mediation*, is also published by Jossey-Bass (2002). This text has two sections, one on 'becoming a mediator' and the other a very extensive — but also very American — resources section. Always of interest to mediators is the discussion on the personality traits of successful mediators. There is also a career aptitude checklist, an interesting device given the number of people who 'train' as mediators but never develop any experience.

No guarantees in these two texts, and we do not need to be told that

'compete for more business'. The court is offering a scheme to fast track big commercial cases with intensive 'judicial management'. According to the Queensland Bar Association this is designed to get more legal firms to bring their commercial cases to Queensland and counteract recent slippage to other States. The report suggests that the scheme could keep money in the local economy that might otherwise disappear to other jurisdictions, and could also lure trade practice matters from the Federal Court to the Supreme Court. The scheme will begin on 1 May. No reference was made to sponsorship. ●

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