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ADRA celebrates first 20 years

Robert Lopich

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The monthly newsletter on dispute resolution

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Volume 9 Number 9

Milestones in Australian ADR

ADRA celebrates first 20 years

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General Editor

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ADR Diary

Introduction

Formed by a group of dedicated and hard working mediators in August 1987 under the Presidency of Wendy Faulkes, the Australian Dispute Resolution Association (ADRA) was the first national ADR association and remains the association for ADR practitioners.

Many of the founders are prominent names in the ADR community and continue to be active in the pursuit of their vocation as ADR practitioners and advocates for the philosophy of non-adversarial dispute resolution.

What more appropriate way then to celebrate the first 20 years of ADRA than by holding a conference that reflected the professionalism and dedication to alternate dispute resolution that has made ADRA a leader in its field?

On Friday 22 June 2007 the members and board of ADRA celebrated ADRA's 20th anniversary in style by conducting a one-day conference which many of the 80-plus attendees regarded as one of the highlights of the ADR calendar.

The Conference

Entitled 'The next 20 years — the place of the mediator in an institutionalised world of dispute resolution', the program was designed to appeal to experienced practitioners of dispute resolution, those who use dispute resolution skills as part of their working repertoire, and to students as well.

ADRA's 10th anniversary, although an important milestone for its members, was a comparatively small affair with only about 16 members and guests attending dinner with Professor Laurence Boulle as the keynote speaker.

The 20th anniversary of its founding was certainly a major milestone for ADRA and was celebrated on a far grander scale. Many of those present at that 10th birthday celebration, including Professor Boulle, were also there to celebrate this occasion.

As was fitting, ADRA's 20th birthday was celebrated at the Museum of Sydney with some 80 people attending the conference. The 'Welcome to Country' was delivered by the well-known and highly-regarded Sylvia Scott, an elder of the Redfern Community and in the Wiradjuri country where she was born.

Speakers

The inimitable Allan Parker, international business consultant, negotiator, conflict manager and communicator was master of ceremonies. Allan ensured the smooth running of the conference and the seamless transition between speakers.

The list of guest speakers read like a who's who of dispute resolution.

Sir Laurence Street delivered the 'Introduction' to the day and was an active participant in discussions from the floor of the conference. Sir Laurence is recognised as an eminent mediator and as always an entertaining speaker.

Editorial Panel

Nadja Alexander
Associate Professor,
Faculty of Law,
University of Queensland

Tom Altobelli
Associate Professor,
School of Law,
University of Western Sydney

David Bryson
Conciliation Officer,
WorkCover Conciliation
Service, Victoria

Peter Condliffe
CEO,
Institute of Arbitrators
and Mediators, Melbourne

Margaret Halsmith
Consultant, Mediator,
Facilitator, Trainer, Perth

Shirli Kirschner
Resolve Advisors Pty Ltd,
Sydney

Michael Mills
Partner,
Freehills, Sydney

The keynote speaker, Dr Vera Ranki, philosopher and the founding director of the Examined Life Institute, presented her paper on *The Examined Life — a more effective Mediator* to an attentive audience.

Dr Ranki has explored and developed the theory and practice of the Examined Life, a concept which is aimed at achieving and maintaining ethical, emotional, intellectual, physical and spiritual awareness. In her presentation Dr Ranki pointed to one of Socrates' most recognised phrases; 'the unexamined life is not worth living' and then posed the questions, 'What is the examined life?' and 'How do I live it, what do I do in order to live the examined life?'

Dr Ranki discussed the application of philosophy in everyday life by engaging in the application of ethical thinking, of doing the virtuous and right thing and of self-examination in order to live the 'examined life' — a journey towards becoming a more effective mediator.

Other important insights into topical dispute resolution issues were addressed by the various prominent speakers that followed, including:

- Judge Kevin O'Connor, President of the NSW Administrative Decisions Tribunal, spoke on institutionalised dispute resolution within the court system. The judge discussed the broad jurisdiction of the Tribunal from the General Division (which includes Guardianship and Protected Estates matters) to the Retail Leases Division. The work of the Tribunal in reviewing certain administrative decisions of State Government agencies, addressing discrimination and retail lease disputes as well as its function as a regulator over a range of professional and occupational groups.
- Micheline Dewdney, founding member and former member of the first Board of ADRA, ADR practitioner and author, delivered a paper entitled *The First 20 years of Dispute Resolution in Australia*. In her paper, Micheline made the observation that in the world of ADR, 'The more things change, the more they stay the same'.

  She traced the development of the western concept of mediation through the 1960s to the 'adolescent stage' of the 1970s and 1980s and the 'early adulthood' stage of the 1990s. Micheline also looked at the leading role of the United States in the early development of a mediation and the development of broad general acceptance of mediation in Australia.
- Debra Maher, is a senior Legal Aid solicitor who works with Judge Roger Dive in the Drug Court. Debra provided a fascinating insight into the workings of the Drug Court and the progressive and innovative processes employed in this difficult jurisdiction. Debra discussed the comparatively high

adracadadra!

New and Expanding Networks

We are delighted with the initial success of our recent collaboration with **LEADR** and **ADRA** to broaden the readership for **ADRB** by bringing it to the attention of their members and offering first time subscribers an attractive discount.

We have recently concluded arrangements with **VADRA members** to make subscriptions available online to their members.

If you would like to explore developing similar relationships for your organisation please contact **Matthew Langman** our marketing guru at **langman7@bigpond.com**

levels of success achieved by the Drug Court which operates with a significant degree of informality.

- President of the NSW Bar Association, Michael Slattery QC and Robert Angyal SC, chair of the Bar Association's Mediation Committee, spoke on the legal framework for dispute resolution and the interest shown in Asia in the western model of mediation.
- Dr Tom Altobelli, Federal Court Magistrate, spoke on the recent changes in family law and the advent of the family dispute centres, including the use of mediation to assist couples to resolve their family law issues.

  In particular, Dr Altobelli spoke on the pre-action procedures which have been adopted by the Family Court. He pointed out that the Court was likely to refer parties coming before it to a family dispute resolution practitioner (FDRP) if the Court took the view that the needs and interests of the parties could be better served by that course of action than by adjudication by the Court.

Panel discussion

During the afternoon session, a vigorous panel discussion was facilitated by Julie McCrossin, whose entertaining and dynamic style kept the audience engaged and on their toes.

The members of the panel represented a broad cross-section of ADR and comprised historian, mediator and trainer, Alysoun Boyle (IAMA), Fiona Hollier CEO of LEADR, Geraldine Daley, lawyer mediator and chair of the Dispute Resolution Committee of the Law Society of NSW, Greg Hansen, solicitor (NADRAC), collaborative lawyer, Jane Houston (Collaborative Professionals (NSW) Inc), Pam Lewis, Director, Client Services, Family Relationships Services and Robert Angyal SC.

The panel discussion looked at the issue of what the next 20 years holds for the dispute resolution practitioner. The discussion was both entertaining and informative with members of the audience joining in questions for the panel.

The day was capped off with a dinner at the Museum of Sydney overlooking the lights of the city and the harbour. Guests were entertained with the reminiscences of past presidents of ADRA who related interesting and often amusing anecdotes from their times in office.

ADRA looks forward to engaging and stimulating ADR practitioners with relevant, topical and thought-provoking discussions, seminars and conferences. It sees its role as a vehicle to provide intellectual stimulation to all its members and to the ADR community generally.

The next 20 years

The Board of ADRA is focused on the future. In doing so, ADRA is intent on remaining at the forefront of ADR in Australia. It will achieve this by being progressive and innovative, by being representative of ADR generally and by moving with change.

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Australia is recognised as a world leader in the field of mediation. The arrival of Collaborative Law in Australia in late 2005 is recognised and embraced by ADRA as part of the innovative changes that will ensure that Australia remains prominent in all forms of ADR.

ADRA remains dedicated to being the association that ADR practitioners and students alike will join for the exchange of views and progressive goals that are hallmarks of ADRA. ●

Robert Lopich is a collaborative lawyer and mediator and can be contacted at <robert@lopichlawyers.com.au>.

contributions

Contributions to the **ADR bulletin** for **2007** are welcome.
Submissions should be presented as a Word file, attached to an email.
Please submit articles or notes for publication to:

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