

Registration Form / Tax Invoice

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Alternative Dispute Resolution

Thursday, 24 September 2009

8.45am – 1.00pm

Grace Hotel, 77 York Street, Sydney

Course cost includes tuition, materials and refreshments **\$352**I cannot attend but please provide the papers **\$165**Total Price includes GST **Total \$** **Payment Options**

I enclose a cheque payable to "CLE, UNSW",

or Payment by credit card Mastercard Visa

Card number: _____ / _____ / _____ / _____

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**Please return this registration form
with your payment to:****CLE,
Faculty of Law,
UNSW, Sydney
NSW 2052.**

Tel: (02) 9385 2267 or (02) 9385 2195

Fax: (02) 9385 1155 or (02) 9385 1778

Email: cle@unsw.edu.au

Website: www.cle.unsw.edu.au

Programme Variation: The Director of CLE retains the right to vary the programme to deal with unforeseen circumstances. This includes cancelling or re-scheduling a programme and changing speakers or content if occasion obliges us to do so.**Cancellation Policy:** Cancellations will be accepted up to two weeks prior to the commencement of the course. Withdrawal after this time and before the commencement of the course will result in a cancellation charge of \$100. Cancellations after the commencement of the course will not be eligible for a refund.**Privacy note:** The information you have provided on this form will only be used by UNSW to distribute information about University courses and activities to you.**Office Use Only:**

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THE UNIVERSITY OF
NEW SOUTH WALESFACULTY OF LAW
CONTINUING LEGAL EDUCATION**Alternative
Dispute
Resolution**

Thursday, 24 September 2009

8.45am – 1.00pm

Grace Hotel,
77 York Street, Sydney**www.cle.unsw.edu.au**

Audience

- Solicitors in General Practice
- Corporate Law specialists
- In-house counsel
- Wills and Estates Lawyers
- Litigation Specialists

Object

The practice of law, by its nature involves various forms of negotiations from business negotiations to international negotiations to resolving litigation and developing effective working relationships with clients. Many more disputes are being resolved by negotiation and ADR processes and the lawyers involvement is important in ensuring that the process proceeds in the most desirable way for their client. This program takes a practical approach to examining negotiation and ADR processes and related issues. The topics covered assist you to gain an understanding of the main principles, strategies and processes of these invaluable approaches to communication and dispute resolution.

CLE/CPD Points: Four (4) This seminar satisfies the mandatory component of 'professional skills' required to be completed every year.

About CLE/CPD

The CLE/CPD programme is an important link between the Law School at UNSW and the professional community. The programme consists of a series of quality short courses assisting lawyers, accountants, financial planners, executives and other professionals whose work demands up-to-date knowledge of, and skills in, the relevant areas.

Alternative Dispute Resolution

Thursday, 24 September 2009

8.45am Introduction and Welcome

Chair: **Damian STURZAKER**, Partner
Marque Lawyers

8.55am

Topic 1: **A Review of Current ADR Processes including Enforceability of Outcomes**

Speaker: **Georgia QUICK**, Partner, Blake Dawson

- Overview of current ADR processes and legislation
- Managing client expectations
- Obligations on parties to participate in an ADR process
- Enforceability of outcomes
- Drafting Dispute Resolution clauses

9.50am

Topic 2: **Effective ADR Practical Tools and Techniques: Are Lawyers Doing It Right?**

Speaker: **Derek MINUS**, Barrister-at-Law
Mediation & Arbitration Chambers

- Lawyers and ADR
- ADR, more than just mediation
- Mediation styles, is the mediator right for your dispute?
- Timing, when to introduce ADR
- Judicial mediation. Is it?
- Hybrid processes, best of both worlds
- Making Med-Arb work

10.45am Morning Tea

11.05am

Topic 3: **The Ethics and Good Faith of Negotiation and Mediation**

Speaker: **Stephen LANCKEN**, Australian Principal
TheTrillium Group

- Is full disclosure needed?
- Do I have to make an offer to participate in good faith – does that mean I have to accept less than the full claim?
- What do I do if my client wants me to refrain from telling the full truth?
- Can I put preconditions on my participation or even refuse to go to mediation?
- Other dilemmas and how to deal with them

12.00noon

Topic 4: **Negotiation of Out of Court Settlements including the new Mediation Procedure in Family Provision matters**

Speaker: **Gregory BURTON SC**, Barrister-at-Law,
Fifth Floor Wentworth

- Preparation for effective negotiation
- Timing of negotiation
- Family Provision: new opportunities for negotiation; how to use them advantageously

12.55pm Q &A and Close 1.00pm

For more information visit our website: www.cle.unsw.edu.au