



VICTORIAN BAR

LAWYERS' MEDIATION CERTIFICATE 2023

PRESENTED BY

Dr Peter Condliffe, Eleanor Coates, Glen Pauline,
Tony Neal KC, Tasman Fleming, Peter Fary S.C.
& Karen Le Faucheur

**ATTENDANCE
EARNS 8 CPD POINTS**
Discount on early bird until
17 February 2023 and special
readers' rates
**Limited places
available**

MAY 2023

IN PERSON: 19, 20, 21 & 27 MAY

ONLINE: 26 & 28 MAY

(6-day course)

Contact the Education Team

T: 9225 7985, 9225 7924

E: education@vicbar.com.au

W: www.vicbar.com.au/mediation

Previous participants include: BARRISTERS | SOLICITORS | ACADEMIC LAWYERS | RETIRED JUDGES

VICTORIAN BAR Register online at  www.vicbar.com.au/mediation

LAWYERS' MEDIATION CERTIFICATE 2023

WHY ATTEND?

Mediation is an essential part of the justice system, with a great many litigated matters being referred for mediation. Yet mediation skills are quite different to those required by lawyers and advocates representing clients.

Accredited mediators are in demand and the Victorian Bar is one of Australia's largest of the Recognised Mediator Accreditation Bodies for lawyers in Australia. Amongst our members are some of the most experienced lawyer mediation practitioners in the country.

Successfully completing this six-day Lawyers Mediation Certificate course means you can be recognised as an Accredited Mediator under the National Mediator Accreditation System (NMAS).

WHO SHOULD ATTEND?

- Lawyers who practise as third party neutrals in alternative dispute resolution procedures
- Lawyers whose practice includes advocacy for parties in alternative dispute resolution procedures
- Judicial and non-judicial officers working in courts and tribunals
- Legal academics and others with an interest in conflict management in justice systems

WHAT THE COURSE OFFERS

- Tailored simulations and role-plays
- Negotiation styles and strategies
- Intake and pre-mediation strategies
- Documenting agreements
- Ethical issues including confidentiality
- Essential communication skills to explore issues and reality test
- Strategies to generate options and break impasses
- Approaches to engaging legal advisers, experts and support people constructively
- Practical methods for responding to power and emotional dynamics
- Appropriate responses to cross-cultural issues in dispute resolution
- Personalised feedback from highly skilled mediation practitioners
- Comprehensive theoretical frameworks in which to embed process and skills
- Five days of training to meet the requirements of the NMAS and a sixth accreditation assessment day.
- Post Course support sessions

REGISTER NOW – PLACES ARE LIMITED

Limited to twenty four participants. Registration closes 5 May 2023. Delivered as a hybrid of in-person learning in an interactive format with access to course materials using the Bar's online Learning Management System (LMS) and online over a Zoom platform.

VicBarMembers	\$3630 (inc GST), Early-bird \$3330.
Non-Members	\$4175 (inc GST) Early-bird \$3875.
Readers	\$3267* (inc GST) -exclusive to participants of the 2022 Readers' Courses. *No further discounts apply

Cancellation fee of \$600 applies for cancellations within 14 days of commencement.

COURSE LEADERS

Learn with experienced lawyer mediators who are experts in the field.

DR PETER CONDLIFFE

Peter is one of Australia's most experienced conflict management teachers and practitioners. He presently teaches in several Universities and other organisations. He has written a leading text titled "Conflict Management: A Practical Guide" (Lexis Nexis, 2019, 6th Ed.) as well as over 50 articles and monographs. He has been involved in over 1500 mediations, arbitrations, conferences and facilitations including commercial, industrial, workplace, contractual, building, aged care and family disputes. He is a member of the ADR Committee of the Victorian Bar and Director of the Mediator Standards Board, the body responsible for the National Mediation Accreditation System.

ELEANOR COATES

Eleanor signed the Bar Roll in October 2012 after 13 years heading up the Wills and Probate department of Kenna Teasdale Lawyers. Eleanor frequently participates in mediation both as mediator and counsel. She became a nationally accredited mediator on 1 July 2011 and was described by assessors as "a natural mediator". Eleanor is a member of the panel of mediators for referral of County Court Family Property (Testator Family Maintenance) matters and the Magistrates' Court of Victoria List of External Mediators ("LEM") and Eleanor generally practises in Testator's Family Maintenance and Probate matters but also appears in Coronial Inquests and undertakes criminal practice, holding an Indictable Crime Certificate. Eleanor is also a member of the international Society of Trust and Estate Practitioners ("STEP"). Eleanor has a Bachelor of Science (Pharmacology) and Bachelor of Laws (Hons). Eleanor has been named on the Doyle's Guide Leading Wills & Estates Litigation Barristers annually since 2015.

GLEN PAULINE

Glen first signed the Bar Roll in 2001, and practices in commercial and workplace relations disputes, and mediation, including employment law, industrial relations, franchising disputes, commercial contract disputes, and property disputes. Glen has been a Nationally Accredited Mediator since 2010, a Victorian Bar Advanced Mediator since 2020, Co-instructor of the Lawyers' Mediation Certificate since 2020, and Chair of the ADR Committee of the Victorian Bar in 2022 and 2023. Glen has been a panel mediator for the Victorian Civil and Administrative Tribunal (VCAT) since 2020, Victorian Small Business Commissioner (VSBC) since 2019, Australian Small Business and Family Enterprise Ombudsman (ASBFEO) since 2017 and the Office of the Franchising Mediation Adviser (OFMA) since 2014. Glen is a former Adjunct Lecturer of The College of Law (Victoria) where he has taught advocacy.

IN-HOUSE TRAINING

The training is available for in-house, law firm and government department legal teams and Australian Bar Associations.

To learn more, contact VicBar Education.

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Victorian Bar Office, Level 5, Owen Dixon Chambers East, 205 William Street, Melbourne 3000

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COURSE LEADERS (*continued*)

PETER FARY S.C.

Peter Fary practises in commercial and insolvency litigation and alternative dispute resolution. He appears regularly in interlocutory hearings, trials and appeals in the Federal, Supreme, Federal Circuit and Family Court of Australia (Divs 1 and 2) and County courts. Prior to signing the Bar Roll, Peter was a Deputy District Registrar of the Federal Court of Australia and a Registrar of the Federal Magistrates Court of Australia. Peter has worked as a mediator for over 20 years. Peter was a coach/assessor for the Lawyers Mediation Certificate (LMC) 2020, 2021 and 2022. Peter is a member of the LMC subcommittee to the ADR committee.

TONY NEAL KC

Tony Neal KC has been a member of the Victorian Bar for more than 40 years and took silk in 2003. He has a wide-ranging civil practice with a special interest in native title. His practice has involved him in mediations of remarkable diversity and unusual duration. Tony is a nationally accredited mediator, former Chair of the Victorian Bar Alternative Dispute Resolution Committee, occasional lecturer in negotiation and dispute resolution and a member of the Federal Court's mediation panel in native title matters.

KAREN LE FAUCHEUR

Karen joined the Victorian Bar in 2011. Karen has a broad practice with expertise in infrastructure construction disputes, equity and trusts, torts, trade practices and deceased estates. Prior to that, she practiced in commercial disputes during her 7 years as a solicitor at Russell Kennedy and Mallesons. She has been a Nationally Accredited Mediator since July 2021. She is a member of the ADR Committee and the VCAS Committee of the Victorian Bar. Karen is a member of the panel of mediators for referral of matters in the County Court Commercial Division and the Family Property List (Testator Family Maintenance) and the Magistrates' Court of Victoria List of External Mediators.

TASMAN FLEMING

Tasman is an accredited mediator (NMAS) and barrister at the Victorian Bar, appearing and advising on merits and course of action on litigation matters including TFM, property, debt recovery and commercial litigation. Tasman has been a coach/assessor in the LMC, taught Negotiation and Dispute Resolution workshops at the College of Law Victoria where he has been an adjunct lecturer since 2017, and has tutored in Litigation and Dispute Resolution at Monash University where he is a Teaching associate. In November 2021 Tasman Completed the Oxford Program on Negotiation at the Said Business School, University of Oxford.

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