

# NADR NEWS



**BULLETIN AUGUST 2004**

**For current developments in Arbitration, Adjudication, Dispute Review Boards and Mediation**

**NMA Mediation Training Course at the Law School, University of Glamorgan**

**De-mob Happy - End of Course Celebrations : Sunday 20<sup>th</sup> July 2004**



Back Row, Left to Right :

Rudi Heinrich of Lloyd Williams Solicitors, Robert Shawyer of Always Associates, Terrence Fitzgibbon of Construction Elite International, Derek Griffiths of Derek Griffiths & Associates.

Front Row : Left to Right :

Glyn Maddox of Gabb & Co, Dr Jeff Jones & Annie McCartney of the University of Glamorgan School of Technology, William Jeremy of Anthony Jeremy & Co, Judge Richard Faulkner of NADR Inc USA, and Hillary Formosa.

Photo by C.H.Spurin

The NMA has just concluded its second commercial mediation training course in Wales. The course was conducted over two long weekends from the 2<sup>nd</sup> – 4<sup>th</sup> and the 18<sup>th</sup> –20<sup>th</sup> July.

The first weekend was led by Corbett Spurin, Scheme Leader of the LLM in Dispute Resolution at the University of Glamorgan. The second weekend was led by Judge Richard Faulkner of NMA Inc, US. from Dallas, Texas. Assistant trainers comprised Dr Mair Coombes-Davies of Barrister's Chambers, 30 Park Place, Cardiff, Professor Geoffrey M Beresford Hartwell of ADR Chambers, 1 Chancery Lane, London, Gareth Rowland Thomas and Nick Turner of J.R.Knowles.

The course, which is a mixture of lectures and hands on practical experience, was a great success, and further courses at Glamorgan are planned, together with courses in London and Blackburn, Lancashire, before years end. Expressions of interest to take part in any of these courses are welcomed. The 40 hour course leads to mediation membership with NADR and to US court listing as a mediator and party neutral, both in Texas and under Federal Legislation for the whole of the US. Recruitment for the January 2005 start for the LLM in Dispute Resolution at the University of Glamorgan is underway. The mediation course forms an integral part of the LLM program, which also includes courses in arbitration practice and adjudication.

## **NADR WEB SITE DEVELOPMENT**

Visitors to the NADR web site will find that the range of publications has been greatly expanded, with new items added in many categories. We are gradually posting up all the archived ADR News past editions – the electronic versions of many having been lost by a hard disk failure some time ago. Progress is being made at scanning hard copy so that they can be made available to readers once more. In the links section, new categories have been added and entries have been rationalised to make searches more effective. The case lists both in the bulletins and in the links section are continually updated with many new adjudication and mediation cases being added on a weekly basis. Whilst it has been a long time coming, the list of NADR Welsh Practitioners is now on line and lists of UK wide, US, Greek, Middle East and Malaysian members will follow shortly.

**ASSOCIATION OF WELSH MEDIATORS LOGO**

The A.W.M. has adopted a tastefully designed logo which graphically reflects its constituency in Wales, both English and Welsh speakers. The innovative use of a smiling dragon epitomises the objectives of the mediation movement of building friendly bridges between warring parties to disputes.



**RECENT ASSOCIATION EVENTS**

**MEDIATION SEMINAR : CARDIFF LAW SCHOOL : 6<sup>th</sup> July**

*“Experiences of a Mediator”* presented by Judge Richard Faulkner



Centre : Judge Richard Faulkner (presenting)

Far side, Left to Right :

Gareth R Thomas, Robert Shawyer of Always-Associates, Glyn Maddox of Gabb & Co and Richard Francis

Near Side : Left to Right :

Howard Johnson and Helen Hourihan of Cardiff Law School, Dr Mair Coombes Davies of 30 Park Place and Derek Griffiths of D.G.Associates.

Photo by C.H.Spurin

The Senior Common Room at the Law School, Cathays, Cardiff provided an excellent venue for an entertaining and informative presentation on mediation practice in Texas. Thanks are due to Howard Johnson for welcoming A.W.M. to the Law School for the first of what is hoped will be many events. The statistical analysis of the impact of mediation on court waiting lists provided by Judge Faulkner was most telling and the judge regaled his audience with stories of mediation practice, telling it “as it is” without any frills.

**COURT MEDIATION PRACTICE : MORGAN COLE, CARDIFF : 27<sup>th</sup> July**

**Time Management in Court Mediation Schemes**

By Ruth Holyoak of CEDR and Phillip Howell-Richardson of Morgan Cole

Ruth (1<sup>st</sup> on left) and Phillip (2<sup>nd</sup> from right) led an entertaining, informative, hands on training session on techniques to keep things moving within the tight time constraints of the three hour court mediation process.

Teams of delegates acting as claimant, respondent and mediator undertook a well crafted mediation scenario in progressive stages commencing with pre-mediation information gathering, handling the opening session, exploring the issues and steering towards and crafting a settlement. To make things even more interesting and challenging the delegates changed role at the commencement of each session.

Photo by CHS



A debriefing at the conclusion of each session examined each teams experiences and identified factors which helped to keep the process on track and factors which could potentially derail the process. Congratulations are due to Ruth and Phillip for bringing this valuable and timely short course to the Principality.

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Tel : 0044 (0)1443 486122 : Fax : 0044 (0)1443 404171 : e-mail : The [Editor@nadr.co.uk](mailto:Editor@nadr.co.uk). Web-site : [www.nadr.co.uk](http://www.nadr.co.uk)