



The Florida Institute of Mediation

Volume II



YOU KNOW YOU'RE TAKING IT PERSONALLY WHEN....

**By Bill Eddy, LCSW, Esq.*

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When you are involved with a high conflict person (HCP) whether personally or professionally, you have experienced how easy it is to get "hooked" into the conflict and how difficult it is to not take it personally. You can recognize the signs of taking it personally and learn how to manage your own emotions and work on solving the problem.

You know you're taking it personally when...

- You feel you have to defend yourself.
- You feel emotionally hooked with fear or anger.
- You feel the natural "fight, flight, or freeze" responses.
- You start thinking It's All Your Fault! about the other person.
- You think there's only one way to deal with this problem and you have no choice.
- You feel you have to prove something to the other person or to other people.
- You feel the other person is knowingly taking advantage of you.
- You feel the other person is knowingly getting away with something.

With this list, I'm not saying that HCP's actions are okay and you should just ignore them. In a future article I'll discuss other methods of dealing with the HCP's misinformation and misbehavior. For purposes of this article, I'm just saying you'll become emotionally hooked and much less effective in dealing with an HCP if you get stuck thinking or feeling these things.

The goal is to solve the problem. HCP's avoid solving problems by becoming preoccupied with blame. If you take it personally and respond in a similar manner, you'll prolong the dispute, increase the frustration you experience, and possibly appear as though you're an HCP (or the only HCP) to other people who become involved in the case.

Continued

Remind yourself that it's unconscious. This high-conflict behavior isn't a conscious process for the HCP. He or she is not "knowingly" taking advantage of you. His or her actions are driven by unconscious personality patterns. This doesn't mean that everything they do is unconscious. Most HCP's I've handled have lied about something and knowingly engaged in behavior that's improper. But they're driven to do these "bad" things for unconscious reasons.

There's always been a Target of Blame. Before you and after you, the HCP will have treated somebody else the same way---because it's about the HCP's personality pattern of blame, not about you. This doesn't mean you shouldn't consider changing your own behavior, re-examining your own values, or making different decisions. You should always be considering ways to change and improve your life. It just means the cause of the emotionally intense and negative feedback from an HCP is his or her personality.

Maintain your own mental and physical health. You're much less likely to be triggered by an HCP when you're feeling good. You don't take on as much blame and it's easy to see that it's not all anyone's fault. On the other hand, when we get run down we're more likely to lash out at others and easily allow ourselves to get emotionally hooked. This part is our own responsibility---our own part of the problem. And we must be continually aware of this. Getting exercise and enough sleep are good practices.

Get support and consultation. Checking out our responses with trusted friends or a therapist is essential when responding to a High Conflict Person. We often aren't conscious of when we're being defensive. Friends and therapists can be very helpful in seeing what you can't see. They can suggest positive responses you might not be able to think of under stress.

Don't engage in a personal battle. If you're already engaged in a personal battle, then disengage now. At any time, you can let go of taking it personally. Remember, HCP's are more comfortable making it simple and personal. It doesn't mean they're happy doing this; it's just that it's familiar to them. They feel safer being engaged in a conflict that's personal. So, you'll naturally feel like responding personally.

Once you realize you're about to respond personally, tell yourself: Don't engage! If you have already started responding in a personal, defensive manner, you can still tell yourself: Disengage!

This part is up to you. Remember: Don't take it personally. You don't have to defend yourself. It's not about YOU!

* Bill Eddy is President and co-founder of High Conflict Institute. Based on his work as an attorney, mediator and therapist, he developed the "High Conflict Personality" theory and has become an international expert on high conflict personalities. He is the creator of New Ways for Families™, a cutting edge program for divorcing families. He is the author of several books written for professionals handling high conflict disputes and has provided training on this topic to thousands of professionals across the U.S., Canada, Australia and France. He specializes in training professionals to manage high conflict disputes, especially involving people with personality disorders. <http://highconflictinstitute.com/>

Books of Interest

Don't Alienate the Kids! Raising Resilient Children While Avoiding High Conflict Divorce

By Bill Eddy, LCSW, Esq.

In his new book *Don't Alienate the Kids!*, Bill Eddy presents a new theory of child alienation in divorce. In his theory, there are no bad parents – just bad behaviors, many of them inadvertent by many people including family, friends, professionals and the family court adversarial process. All of these bad behaviors combine into “1000s of Little Bricks” which build a wall between a child and one of his or her parents. The goal of the book is to explain all of the little behaviors (little bricks) that parents and professionals should avoid, and all of the little behaviors (little bricks) that they should use to build this Foundation.

“A compromise is an agreement whereby both parties get what neither of them wanted.”

~Author Unknown

“A conclusion is the place where you got tired of thinking.” ~Attributed to Arthur McBride Bloch

MEAC Opinion 2010-001

The Question:

May a certified mediator designate mediation clients (parties) or attorneys who participate in mediations with the mediator as “friends” on a social networking site, and permit clients or attorneys to add the mediator as their “friend”?

Summary:

A certified mediator may designate mediation clients (parties) or attorneys who participate in mediations with the mediator as “friends” on a social networking site, and permit clients or attorneys to add the mediator as their “friend”. A mediator should keep in mind that doing so may limit the clients with whom the mediator may work in the future.

Opinion:

Yes, a certified mediator may designate mediation clients (parties) or attorneys who participate in mediations with the mediator as “friends” on a social networking site, and permit clients or attorneys to add the mediator as their “friend”. However, the mediator should keep in mind that doing so may limit the clients with whom the mediator may work in the future.

As with all potential conflicts of interest, mediators need to be mindful of their ethical obligation “not to mediate a matter that presents a clear or undisclosed conflict of interest.” Rule 10.340(a). Additionally, the mediator has the obligation to disclose any potential conflict of interest as soon as practical after the mediator becomes aware of the interest or relationship that presents the potential conflict. Rule 10.340(b). “Disclosure is required with respect to any significant past, present, or promised future relationship with any party involved in a proposed mediation.” If circumstances or relationships involving the mediator cannot be reasonably regarded as allowing the mediator to maintain impartiality, the mediator **must not mediate** the matter. A conflict of interest which clearly impairs a mediator’s impartiality is not resolved by mere disclosure to, or waiver by, the parties. Committee Note to Rule 10.340, emphasis added.

The Committee Note further advises that mediators establish personal relationships with many attorneys, mediators, representatives, and other members of professional groups. While mediators should not be secretive about such friendships or acquaintances, disclosure is not required unless a particular feature of the relationship might appear to impair the mediator’s impartiality.

In today’s internet age, social networking sites are widely available and used to communicate both professional and personal information. It is possible that some people do not keep track of all those they have “friended” or who have “befriended” them. It is also possible that an individual visiting a mediator’s social networking site (or a social networking site wherein the mediator is listed as a “friend”) is able to view the other individuals who are designated as “friends”. It is reasonable to believe that potential mediation clients and their attorneys viewing a mediator’s social networking site (or a site wherein the mediator is listed as a “friend”) would gain the impression that the “friend” is in a position to influence the mediator and therefore the mediator would lack, or be seen as lacking, mediator impartiality and neutrality. Rule 10.330 (a) requires that, “[a] mediator shall maintain impartiality throughout the mediation process. Impartiality means freedom from favoritism or bias in word, action, or appearance, and includes a commitment to assist all parties, as opposed to any one individual.”

It is incumbent upon the mediator to disclose potential conflicts of interest. After the appropriate disclosure, the mediator may serve if all parties agree. Rule 10.340(c). However, if the conflict is clear or the mediator is not impartial, the mediator must withdraw from the mediation. (See Rules 10.330 (a)-(b) and 10.340 (a)-(b) on Impartiality and Conflicts of Interest.)

Mediators are wise to err on the side of disclosure and withdrawal, when in doubt, to reflect the character, integrity and impartiality required of certified mediators.

Why Can't We (Judges) Be "Friends?"

The Short answer is the Code of Judicial Conduct ("CJC") says so. The Judicial Ethics Advisory Committee ("JEAC") of the Florida Supreme Court issued JEAC-20 on November 17, 2009. The JEAC is charged with rendering advisory opinions interpreting the application of the CJC to specific circumstances confronting or affecting a judge or judicial candidate.

JEAC opinions are advisory to the inquiring party, to the Judicial Qualifications Commission ("JQC") and the judiciary at large. Conduct consistent with a JEAC opinion may be evidence of good faith on the part of the judge, but the JQC is not bound by the interpretive opinions by the JEAC. JEAC-20 concludes that a judge may post comments and other material on the judge's page on a social networking site, if the publication of such material does not otherwise violate the CJC. However, a judge may not add lawyers who may appear before the judge as "friends" on a social networking site, nor may the Judge permit such lawyers to add the judge as their "friend." The Committee explained:

in order to fall within the prohibition of Canon 2B, the Committee believes that three elements must be present. First, the judge must establish the social networking page. Second, the site must afford the judge the right to accept or reject contacts or "friends" on the judge's page, or denominate the judge as a "friend" on another member's page. Third, the identity of the "friends" or contacts selected by the judge, and the judge's having denominated himself or herself as a "friend" on another's page, must then be communicated to others

The JEAC also noted this restriction applies only to websites where the judge is involved in the selection of the individuals whose names appear within the group on the site, or such sites where the judge has the right to approve or reject the lawyer being listed on the site. JEAC-20 also addresses the conduct of "a committee of responsible persons" that is conducting an election campaign on behalf of a judge's candidacy, concluding such a committee may post material on the committee's social networking page as long as that material does not otherwise violate the CJC. Such a committee may allow people the option to "list themselves as fans or supporters" of the judge's candidacy as long as the Judge or committee does not control who is permitted to list himself or herself as a supporter.

Ed. Note. For an interesting perspective on social networking sites, see, Investigating Social Networking Web, John P. Ratnaswamy, The Benchers September/October 2009.

The Institute Mediation Program 2010 will be August 18, 2010 at the Marriott World Center, Orlando



The 2010 Program offers a variety of ethics, diversity, and domestic violence credit.

Featuring:

Ross Stoddard, III

Irving (Las Colinas), Texas

Up to 19 Hours of CLE Credit Available

7 Hours of Dedicated CME Credit

Ethics, Domestic Violence and Diversity Included

Lunch Included: August 18, 2010

All for \$225.00

Medicare Issues Impact Injury Cases

By: Jon L. Gelman

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The Centers for Medicare and Medicaid Services (CMS) have filed a reply brief in *U.S. v. Strickler*, et al, now pending in the US District Court in Alabama, alleging that the government's recovery action was valid and filed within the six years Statute of Limitations. "The answer is clear: the United States' claim, which seeks reimbursement based on a statutory right to recover monies conditionally paid by Medicare, is contractual and implied in law. Therefore, the six-year limitations period applies."

The government states that the question for the question is whether the recovery action falls within a contract express or implied in law or fact, which subjects the United States to the six-year limitations period in § 2415(a), or in tort where a 3 year statute would apply.

Alternatively the government advances the proposition that if the could determines that none of the above categories apply then no statute of limitations would apply. "As noted in the United States' Omnibus Response (at 20 n.10), if the Court were to decide that this claim falls into none of these categories, then no limitations period applies. See, e.g., *United States v. Palm Beach Gardens*, 635 F.2d 337, 341 (5th Cir. 1981) (holding that cause of action under the Hill-Burton Act was neither tort nor contract, and therefore the United States could pursue its cause of action at any time)."

Should the six year statute apply, this it would accrue when, "...MSP claims accrue when the United States can "demonstrate" that a primary plan, or an entity that received money from a primary plan, was "required or responsible" to make payments under a primary plan. 42 U.S.C. § 1395y(b)(2)(B)(ii) and (iii); see also *Glover v. Liggett Group, Inc.*, 459 F.3d 1304, 1309 (11th Cir. 2006) (noting that defendants have no obligation to reimburse Medicare until the defendants' responsibility to pay a beneficiary's expenses has been demonstrated)."

Jon L. Gelman is nationally recognized as an author, lecturer and skilled trial attorney in the field of workers' compensation law and occupational/ environmental disease litigation. Over a career spanning more than three decades he has been involved in complex litigation involving thousands of clients challenging the mega-industries of: asbestos, tobacco and lead paint. Gelman is the author NJ Workers' Compensation Law (West-Thompson) and co-author of the national treatise, Modern Workers' Compensation Law (West-Thompson). He is the former Vice-President of The Workers Injury Law & Advocacy Group (WILG), and a charter member of The College of Workers' Compensation Lawyers.

Helpful Links:

Social Security Administration web page: www.ssa.gov

US government web page for people with Medicare: www.medicare.gov

Department of Health and Human Services web page: www.hhs.gov

Centers for Medicare and Medicaid Services web page: www.cms.hhs.gov

CMS workers' compensation agency services web page: www.cms.hhs.gov/workerscompagency/services

Link to the CMS mandatory insurer reporting web page: www.cms.hhs.gov/mandatoryinsrep

FWCI 2010 includes:

Dan Marino,
Keynote
Speaker



Dan Marino is one of the most celebrated athletes in the world. As quarterback of the Miami Dolphins for 17 consecutive seasons, he held 25 National Football League records at the time of his retirement, including “Most Passes Completed, Career” an astonishing 4,967; “Most Seasons, 3000 or More Yards Passing;” and “Most Touchdown Passes, Career” with 420. Considered the most prolific passer in NFL history, Dan is guaranteed a permanent place in American sports history. In 2005, Dan joined an elite group as he was enshrined into the Pro Football Hall of Fame. Since retiring in 2000, he has leveraged his sports expertise into a new arena as an in-studio host of CBS’s The NFL Today, as well as, previously co-hosting HBO’s Emmy Award winning football show, Inside the NFL. In 2006, Dan and his wife founded the Marino Autism Research Institute bringing leading universities together to accelerate the discovery of new strategies for understanding, treating, and preventing autism. In March, 2008, he was appointed co-chair to the Task Force on Autism Spectrum Disorders by Florida Governor Charlie Crist.

For the four-day FWCI 2010 schedule, visit:

www.fwciweb.org

August 15-18, 2010

New Life Tables Published

The Centers for Disease Control (CDC) has recently published its 2006 United States Life Tables. Effective July 19, 2010, the Centers for Medicare & Medicaid Services (CMS) will begin referencing the CDC's Table 1: Life table for the total population: United States, 2006, for WCMSA life expectancy calculations. This means that for any newly submitted WCMSA proposal received by CMS' Coordination of Benefits Contractor (COBC), or where any WCMSA case is reopened on or after July 19, 2010, CMS will apply the CDC's 2006 Table 1 for life expectancy calculations. You may access the CDC's United States Life Tables at www.cdc.gov/nchs/products/life_tables.htm

Mediation Works!

“Your good lawyers realize that a good settlement is worth more than a good (jury) judgment. They don't appeal the settlement, and you get it quicker. If you can get just as much in six months with mediation as you're going to get in two years with a two- or three-week trial, you'd be foolish not to mediate the case.” ~ Tom Conway

Studies have Demonstrated that Mediation Resolves:

Tort Problems 85% of the time.

Workers Compensation: 87%

Contract Disputes: 87%

Debt/Sworn Accounts: 87%

Motor Vehicle Claims: 85%

Other Personal Injury Claims: 77%

The Florida Institute of Mediation newsletter is Published by the Florida Workers' Compensation Institute, P.O. Box 200, Tallahassee, FL 32302; 850.425.8156; fax 850.521.0222; www.fwciweb.org

Website [settlenow.org](http://www.settlenow.org) (http://www.settlenow.org/Mediator_Qualities.html) posted the following responses to their survey “**What other qualities should a mediator possess?**”

1. Neither be naive nor cynical.
2. Will re-focus us on what is important.
3. Skills to enhance communication between and with the parties and their counsels.
4. Intelligence, knowledge of the law and the court system, experience in the area in dispute and experience as a mediator in that area.
5. Will not intimidate the parties. Will NOT NOT NOT NOT talk to one party before the other party arrives if the mediation is to be conducted with both parties present.
6. The understanding that the "truth" or whether someone is lying is unknowable in some or many instances.
7. Ability to listen.
8. Patience, integrity, teachable, open-minded.
9. Patience; ability to manage the process.
10. Resilience. Accessibility.
11. Will listen for what isn't said and will be a good coach.
12. Trustworthy.
13. A mediator must be able to sell their services to both parties.
14. Patience. Intelligence. A calm manner which encourages an appropriate hearing atmosphere.
15. Will make sure both parties understand the cost (time, money and other) of not settling.
16. Sense of humor; perspective; sense of the bigger picture in the workplace/business in /about which the dispute occurred; the ability to tease out any unspoken back- story between the parties and any goals additional to the outcome of the mediation for the parties; the ability not to impart a sense that he/she is rushing for a plane; to communicate that he/she is totally engaged even after the mediation ends, if called for.
17. Flexibility.
18. Empathy, great facilitator, fair, fair and fair, sense of appropriate humor, act professional not personal move along the process, and keep control of the process, ability to deal with difficult personalities.
19. Is able to facilitate the discussion and feed back what he/she is hearing from both parties.
20. Expert communicator able to 'translate' what each party says so that parties fully hear and understand each other.
21. Be prepared; understand the applicable law; be patient with all participants.
22. Calmness
23. Patience, control of ego, selflessness.
24. To me there is a clear distinction between a negotiator and a mediation, therefore many qualities on this list would not apply to a mediator. I'd search out a negotiator.
25. Maintains confidentiality.
26. Extensive liberal arts education.
27. Able to engage with both parties, comfortable with others' strong emotions, supportive of self-determination.
28. Low blood pressure, a sense of humor and a strong bladder.
29. Will be calm; will enforce the rules that have been spelled out in the opening address; will be unemotional; will have studied all of the preliminary documents prior to the mediation.
30. Genuine desire for both parties to walk away happy.
31. Ability to be aware of and balance (or suspend mediation if necessary) power imbalances or other processes that could lead to harm to a party --- getting an agreement is not necessarily the goal.
32. Sometimes empathy. Compassion is helpful, especially in family cases. Positive attitude.
33. A good mediator will know the substantive law, know the specific legal issues in the case, and have taken the time to read the parties' submissions and know the "facts" that the parties have presented in the case.
34. Knowledge of mediation and communication tools. Understanding of multicultural and multi-power dynamics.

The Institute of Mediation

August 18, 2010 Mediation Program:

8:45 - 10:00 **SESSION ONE, SELECT FROM THE FOLLOWING:**

“20 COMMANDMENTS TO WHAT TO DO AND WHAT NOT TO DO.”

Richard Wack, *Attorney and Circuit Civil Mediator*
Winter Park, Florida

This entertaining perspective is brought to you from Richard’s experiences over 35 plus years of practicing law and mediating over 2,300 cases throughout Florida. There is very little out there that he has not run across at least once. Some tips may be reminders, but some will be new tools that you can file away to use in your daily mediation practice. This breakout is “general” credit. Recommended for: All mediators.

“PROFESSIONALISM AND THE CHALLENGES OF OUR DIGITAL AGE.”

Carl Zahner, *Attorney and Director Florida Bar Center for Professionalism*
Tallahassee, Florida

Carl is a long time champion of professional practice and ethical interaction. This program will provide insight into the intrusions of the digital age into litigation, through Facebook, Twitter, and beyond. Carl will focus you on the threats posed ethically and professionally and equip you to deal with lawyers and parties that rely on evidence or inference from these sources. Carl will also address restrictions on mediator marketing. This breakout is “ethics” credit. Recommended for: All mediators.

“NAVIGATING THE ISSUES OF GENDER AND CULTURAL DIVERSITY”

Moderator:

Stuart F. Suskin, *Attorney and Circuit Civil Mediator*
Gainesville, Florida

Panel:

Christine L. Harter, *Attorney and Circuit Civil Mediator, Ocala, Florida*

Sheldon (Shelley) B. Forte, *Attorney and Circuit Civil Mediator, Jacksonville, Florida*

Edward Almeyda, *Attorney and Circuit Civil Mediator, Miami, Florida*

David Dreszer, *Attorney and Circuit Civil Mediator, N. Miami Beach, Florida*

Anthony (Skip) Beisler, III *Attorney, and Circuit Civil Mediator, Ft. Lauderdale, Florida*

This program will focus on first-hand knowledge of perception issues regarding how gender, cultural, and ethnic differences can undermine mediation success. Our diverse multilingual panel will discuss issues that can become impediments to a resolution and will suggest approaches to overcome bias and prejudice. This breakout is one credit hour of “diversity” and one-half hour “ethics” credit. Recommended for: All mediators.

“DEALING WITH THE INTIMIDATION, VIOLENCE AND THEIR CONSEQUENCES.”

Tania R. Schmidt-Alpers, *Attorney and Circuit Civil and Family Mediator, St. Augustine, Florida*

Tania is a divorce attorney and mediator with extensive multi-state legal experience. This program will focus on the ways domestic violence interfere with lives and with resolution of disputes, both within family law cases and more generally. She will direct you to hints and signs of such activity, as well as counsel you on when and how you confront the subject in the course of working towards resolution and conclusion. This breakout is “domestic violence” credit. Recommended for: All mediators.

10:15-11:30 SESSION TWO, SELECT FROM THE FOLLOWING:

“GOOD FAITH IN MEDIATION.”

A. Michelle Jernigan, *Attorney and Circuit Court Mediator and Family Mediator, Maitland, Florida*

Michelle is an attorney, and has been a Circuit Civil Mediator since 1988, with a broad practice ranging from employment, ERISA, personal injury, commercial, construction and some divorce and family business mediation experience. This program will take a hands-on approach to what “good faith” means in the mediation process. This will involve discussion of what constitutes “bad faith,” and what may be in the gray area in between. The program will include examples from statutory authority, court orders, and important ethics opinions. This breakout is “general” credit. Recommended for: All mediators.

“DEALING WITH THE INTIMIDATION, VIOLENCE AND THEIR INFLUENCE.”

Tania R. Schmidt-Alpers, *Attorney and Circuit Civil and Family Mediator, St. Augustine, Florida*

Repeat of 8:45 program, see above.

“PROFESSIONALISM AND THE CHALLENGES OF OUR DIGITAL AGE.”

CARL ZAHNER, *Attorney and Director Florida Bar Center for Professionalism Tallahassee, Florida*

Repeat of 8:45 program, see above.

“20 COMMANDMENTS TO WHAT TO DO AND WHAT NOT TO DO.”

Richard Wack, *Attorney and Circuit Civil Mediator Winter Park, Florida*

Repeat of 8:45 program, see above.

“NAVIGATING THE ISSUES OF GENDER AND CULTURAL DIVERSITY”

Moderator:

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Panel:

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David Dreszer, *Attorney and Circuit Civil Mediator, N. Miami Beach, Florida*
Anthony J. Beisler III *Attorney, and Circuit Civil Mediator, Ft. Lauderdale, Florida*

Repeat of 8:45 program, see above.

11:30 - 1:00 GENERAL SESSION AND LUNCH

“THE USE OF HUMOR IN MEDIATION – IT’S SERIOUS BUSINESS”

Ross W. Stoddard, III, *Attorney-Mediator (civil & probate)*
Irving (Las Colinas), Texas

Is laughter really the best medicine? Every experienced mediator has encountered spots during mediations where the use of humor has either worked very well – or NOT. Ross will enlighten us on some of the nuances of the use of humor during mediation, and offer some tips and suggestions of how -- and when -- to use it. This one-hour “general” credit program is presented by one of the founding directors of the Association of Attorney-Mediators and one of the most in-demand speakers in the country on the topic of mediation.

1:15 – 2:30 SESSION THREE, SELECT FROM THE FOLLOWING:

“Breaking Impasse & the Martial Arts: Advancing as a Kick-#% Mediator!”

John W. Salmons, *Attorney and Circuit Civil, Family and Federal Mediator*
Ft. Lauderdale, Florida

This highly interactive session trains mediators in conflict resolution from the perspective of an experienced mediator and martial artist. Learn how to defend yourself from declaring the dreaded “impasse.” John is a Shodan in the Cuong Nhu Oriental Martial Arts Association and Past President of the Florida Academy of Professional Mediators. This session is “general” credit. Recommended for: All mediators.

“Mediator Ethics regarding the Castaways: Human Interactions, Their Perils, and Mediation”

Michael Orfinger, *Attorney and Circuit Civil Mediator*
Daytona Beach, Florida

Sit right back and you’ll hear a tale, a tale of a fateful trip. Imagine the conflicts among seven stranded castaways on a deserted isle for an extended time. Michael brings a wealth of experience and insight to the ethical considerations of human interaction, person to person and in groups. This amusing approach to examining human interaction dynamics will give you tools to manage those interactions through the mediation process. This breakout is “ethics” credit. Recommended for: All mediators.

WHAT DO I DO WHEN

Ross W. Stoddard, III, *Attorney-Mediator (civil & probate)*
Irving (Las Colinas), Texas

Mediators often experience ethical dilemmas and difficult situations during mediations, putting them between the proverbial “rock and a hard place.” This *highly interactive* session will cover some of the challenging issues which confront mediators during mediations – from the beginning of the day to the final caucus. The objective is to provide each participant with some useful and usable tips which will be available to them in their next mediations. This session is one-hour of ethics credit and one-half hour of general credit.

DOMESTIC VIOLENCE AWARENESS FOR MEDIATORS

Haley Cutler, *Manager of Professional and Community Education,*
Women In Distress of Broward County, Inc., Ft. Lauderdale, Florida

The presence or history of domestic violence may compromise the integrity of the mediation process. This workshop will build the capacity of mediators to understand the dynamics of domestic violence, recognize the indicators that a party may be experiencing domestic violence and understand the appropriate interventions. Additionally, mediators will leave this training with tools for domestic violence screenings, safety planning and referrals for use when appropriate. Recommended for: All mediators.

2:45 – 4:00

SESSION FOUR, SELECT FROM THE FOLLOWING:

“Mediator Ethics regarding the Castaways: Human Interactions, Their Perils, and Mediation”

Michael Orfinger, *Attorney and Circuit Civil Mediator*
Orlando, Florida

Repeat of 1:15 program, see above.

WHAT DO I DO WHEN

Ross W. Stoddard, III, *Attorney-Mediator (civil & probate)*

Repeat of 1:15 program, see above.

“Breaking Impasse & the Martial Arts: Advancing as a Kick-#% Mediator!”

John W. Salmons, *Attorney and Circuit Civil, Family and Federal Mediator*
Ft. Lauderdale, Florida

Repeat of 1:15 program, see above.

DOMESTIC VIOLENCE AWARENESS FOR MEDIATORS

Haley Cutler, *Manager of Professional and Community Education,*
Women In Distress of Broward County, Inc., Ft. Lauderdale, Florida

Repeat of 1:15 program, see above.

To Attend the Mediation Program, You Must Complete this Form, and only this Registration Form. Attendance at the entire FWCI program is included in your Mediation Program Registration.

If you have already registered for the FWCI program, for administrative purposes, you must still complete the top portion of this form, and return to FWCI with this box checked.

Name First Name for Badge

Business Mailing Address

City State ZIP

Telephone Number Fax Number Email Address

Hotel Accommodations:

For your convenience a block of sleeping rooms has been reserved at the Orlando World Center Marriott for this event. Please complete the following information and a reservation will be processed for you. The sleeping room rate is \$164. Cut-off August 1, 2010.

Number of Rooms _____ Smoking Non-smoking

Arrival Date 08/____/2010 Departure Date 08/____/2010

Check here if you have special needs that require attention.

Registration Fee: \$225.00

Method of Payment: Check Mastercard VISA American Express Discover

Credit Card Account Number Expiration Date CVV Signature

Make Checks Payable To: Florida Workers' Compensation Institute; FEIN # 26-4598530

Online Registration Is Available on June 15, 2010 at www.fwciweb.org (Click on "conference").

Registration: To register, mail the completed registration form, along with credit card information (VISA/MC/AmX/Discover) or a check made payable to: Florida Workers' Compensation Institute, P.O. Box 200, Tallahassee, Florida 32302-0200; fax form to (850)521-0222; or register online at www.fwciweb.org. Registration for the Mediation Program will include conference handout materials, access to the exhibit area, Monday night reception, and participation in all educational opportunities of the Annual Workers' Compensation Educational Conference. For more information, contact the Florida Workers' Compensation Institute at (850) 425-8156 or 425-8155.