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# University of Idaho College of Law's Seventh Annual Northwest Institute for Dispute Resolution Scheduled for May 19-23, 2003

By Maureen E. Laflin

The University of Idaho College of Law's Seventh Annual Northwest Institute, May 19-23, promises to be one of its best. This year we will be offering mediation courses that focus on civil, family and criminal disputes. In addition we are offering a 20-hour advanced negotiation course.

The civil and the family mediation courses are designed to meet the requirements for basic mediation training set by most federal and state courts. The family mediation course is also approved by the Academy of Family Mediators. The two specialized courses: a 20-hour advanced negotiation course and a 16 hour course, "Mediating the Criminal Case," serve as continuing education training for mediators.

Professor Kimberlee Kovach from the University of Texas is returning to teach the basic civil mediation course which explores the dynamics, benefits, constraints, and skills needed in third-party intervention in settling disputes. Mediation skills will be presented and practiced to enable participants to gain competence and confidence in their capacity to serve as a mediator. The course will explore each stage of the mediation process and attendant strategies and skills. Kim uses lectures, discussions, demonstrations, exercises, and role-plays to create a dynamic and memorable learning experience. Kovach, former chair of the American Bar Association Section of Dispute Resolution, brings a wealth of experience and will share her insights and thoughts about the challenges facing the alternative dispute resolution field. The course will run Monday through Friday, 8:00-5:00.

Bob Collins received such high acclaim last year that we invited him to teach the basic family mediation course again. Bob has practiced family mediation since 1982, and is a founder of The New York Mediation Group. The recipient of the Distinguished Faculty Award from the Ackerman Institute for the Family in 2000, Bob is a popular mediation trainer of both practicing attorneys and therapists in the States and abroad.

The basic family course is designed for those who wish to practice family mediation or to become better equipped to counsel and represent people in mediation. It is structured as a comprehensive, practical, and dynamic blend of lectures, discussions, exercises and role-plays. Bob brings to the course years of experience and insights for negotiating support, tools for bringing closure to the negotiations, information on the ethical issues of the practice, and answers to the practical questions of starting as a mediator.

Denise Madigan will join the Institute this year to teach a 20 hour advanced negotiation course Monday and Tuesday, May 19 and 20, from 8:00 am-5:00 pm and Wednesday, May 21 from 8:00 am-12:00 noon. Denise has been a full-time mediator since January 1992, concentrating on commercial cases, serious tort cases, FELA cases and multi-party private and public sector

disputes. Advanced Negotiation is a highly interactive course that will focus on specific issues in negotiation that can prove difficult for even seasoned negotiators. Topics will include: preparing for negotiation, identifying and dealing with psychological barriers in negotiation, managing multiparty negotiations, and diffusing tactics and "dirty tricks." Exercises and examples used in the class will be based on real-world negotiations. Participants will also be given an opportunity to identify other topics of special interest to them that may be addressed, depending on time constraints. Madigan brings a unique perspective to this course, both as a highly regarded professional mediator who deals with "failed negotiations" as part of her work, and as a faculty member for the nationally acclaimed Strauss Institute for Dispute Resolution at Pepperdine Law School.

The two-day seminar, "Mediating the Criminal Case," is the first of its kind. Mediating criminal cases is no longer a vague concept, limited to juveniles and victim offender programs. From major murder cases to average possession cases, judges and attorneys are turning to mediation as a method of resolving their criminal cases. Criminal mediation differs from civil mediation in subtle yet significant ways. Prosecutors fear giving up control of the case, and defense attorneys worry about giving up rights. Idaho is taking the lead in introducing mediation in the criminal setting. Participants will examine various criminal mediation models including victim offender, restorative justice, and traditional mediation. This two day interactive seminar will explore the thorny questions that arise in the context of mediating the criminal case.

Participants will look at questions such as: How to suggest mediation? When in the process should mediation be considered: pre-charge, pre-trial, or post-conviction? What style of mediation is most appropriate for the case? How to select the right mediator? Who are the stakeholders at the table? What role should the victim and the offender play in the process? Should you ever seek sentencing input from the trial judge? How does confidentiality and privilege apply in the context of criminal mediation? Will the analysis change if Idaho adopts the Uniform Mediation Act?

The Northwest Institute for Dispute Resolution is fortunate to have leaders in the field team teach this seminar: Judge Monte Carlson, Professor Mary Ellen Reimund and Professor Maureen E. Laflin. Monte B. Carlson, a District Judge in Idaho's Fifth Judicial District, is one of the leading experts on mediating criminal cases in the Northwest. Since his appointment to the bench in 1998, Judge Carlson has mediated the spectrum of criminal cases from murder to malicious destruction of property. Prior to taking the bench, he had an active civil and criminal mediation practice, including successfully mediating the first homicide case in the state of Idaho. His twenty-five years in private practice doing both civil and criminal cases combined with his reputation for fairness and

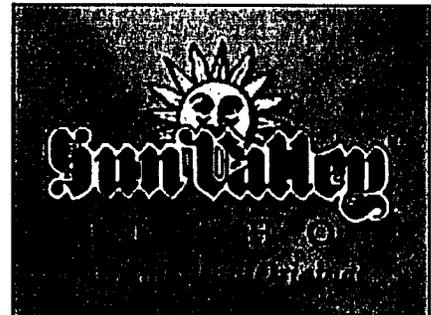
neutrality has made him the logical choice as mediator for most of the significant criminal cases in the state.

Mary Ellen Reimund is Director of the Law and Justice Center at Central Washington University SeaTac Center. She received her LL.M. in Dispute Resolution at the University of Missouri, Columbia Law School and her J.D. and M.A. from Drake University. Professor Reimund has more than 20 years of experience in criminal justice as a former prosecutor, law enforcement public information officer, mediator, and journalist. She is currently one of the leading trainers and researchers in the Northwest in the area of restorative justice, victim offender mediation, and has recently done work in confidentiality and constitutional issues surrounding restorative justice.

Maureen Laflin, Director of the Northwest Institute for Dispute Resolution, has been an advocate in Idaho

for ADR issues since 1991. She has been instrumental in working with the state and federal courts and the Bar to promote ADR both in the civil and criminal arena. Professor Laflin served on Idaho's Criminal Mediation Committee. She is currently a member of Idaho's Evidence Rules Advisory Subcommittee on Mediation Privilege and the Uniform Mediation Act. She teaches ADR courses both at the University of Idaho College of Law and at the Strauss Institute for Dispute Resolution at Pepperdine Law School.

All the courses are offered at the University of Idaho College of Law during the week of May 19-23, 2003. Enrollment is limited. For more information, contact Maureen Laflin at the University of Idaho College of Law (208) 885-6541 or toll free at (877) 200-4455 or visit the website at <http://www.law.uidaho.edu/nwinst>



Hold these dates  
on your calendar

**July 23-25, 2003**

For the  
**Idaho State Bar  
Annual Meeting**  
Sun Valley Resort

## Memorial Ceremony

The Idaho Supreme Court will hold its annual Memorial Ceremony March 20, 2003, at 10:00 a.m. in the Supreme Court courtroom. The ceremony will remember Idaho judges and attorneys who passed away during 2002. Those being remembered this year are:

### JUDGE

Orrin B. Cox  
Gus Carr Anderson  
Albert H. Parisot, Jr.  
Warren H. Gilmore  
William Greenwood Carlson

### RESIDENCE

Nampa  
Pocatello  
Coeur d'Alene  
Boise  
Arco

### DECEASED

April 1, 2002  
April 1, 2002  
September 7, 2002  
October 20, 2002  
December 17, 2002

### ATTORNEYS

Carl W. Harder  
Mary Jensen Smith Oldham  
Thomas C. Whyte  
R. Max Whittier  
E. Chilton Phoenix  
Nicholas S. Chenoweth  
Jay Francis Bates  
Bruce W. Bowler  
Ray E. Smith  
James William Atwood  
Brian R. Saltus  
Warren Joseph Anderson  
Alan R. Markizon  
Howard N. Jewell  
Douglas O'Coyle, Sr.

### RESIDENCE CITY

Boise  
Rexburg  
Idaho Falls  
Pocatello  
Pocatello  
Orofino  
Idaho Falls  
Boise  
Boise  
Athol  
Boise  
Idaho Falls  
Coeur d'Alene  
Ketchum  
Spokane, Washington

### DECEASED

January 14, 2002  
January 26, 2002  
January 31, 2002  
March 25, 2002  
April 3, 2002  
April 23, 2002  
April 26, 2002  
May 2, 2002  
May 8, 2002  
May 25, 2002  
July 8, 2002  
July 29, 2002  
September 22, 2002  
September 29, 2002  
December 9, 2002