Today’s world of mediation faces an array of complex issues. From legal malpractice limits to diversity concerns, seasoned practitioners will discuss how you can address these issues in your litigation, transactional, or mediation practice. Gain an understanding of the legal malpractice limits under \textit{Alfieri v. Solomon}, and discover tips for whether to include mediation clauses in contracts and how to draft them. Explore whether there’s too much or not enough mediation in general, and take a look at diversity aspects in mediation, including mediator cultural competency.

Alternative Dispute Resolution Section members save $10 off registration rates.

\textbf{Friday, March 13, 2020}  
8:30 a.m.–12:30 p.m.  

\textbf{Oregon State Bar Center}  
16037 SW Upper Boones Ferry Rd., Tigard  

CLE credits: 1.75 General, 1 Ethics (Oregon Specific), 1 Access to Justice

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8:00 Registration
8:30 Legal Malpractice Limits Under Alfieri v. Solomon
   • Limitations on client ability to maintain legal malpractice cases arising in mediation proceedings under Alfieri v. Solomon
   • Is there a duty to warn clients about these limitations?
   • Is an attorney obligated to discuss different case process options (mediation, litigation, arbitration, collaborative law) with a client?
Joseph Arellano, Foster Garvey PC, Portland
Kirc Emerson, Richardson Wright LLP, Portland
Kim Gordon, MA, JD, Portland

9:30 Diversity Aspects in Mediation
   • When considering a mediator for appointment, can lawyers consider the mediator's race, gender, ethnicity, or other aspects of diversity based upon the needs of the parties and the nature of the case? Should they?
   • Mediator cultural competency
   • Access to mediation
Lisa Amato, Amato Mediation, Portland
Rubén Rivera, Law Office of Rubén Rivera, Portland
Ernest Warren, Jr., Warren & Sugarman, Portland

10:30 Break
10:45 Fantasies and Nightmares: Mediation Clauses in Contracts
   • Mandatory vs. optional mediation clauses
   • Drafting to avoid unintended consequences
   • Options for mediator selection and process
Caroline Harris Crowne, Tonkon Torp LLP, Portland

11:30 Mediation—Too Much or Not Enough?
   • Why are there so few civil jury trials?
   • Negotiation rather than mediation
   • How to let opposing counsel know that you are ready, willing, and able to try your case (if necessary)
Moderator: Richard Spier, Mediator, Portland
Jason L. Kafoury, Kafoury & McDougal, Portland
Angela Laidlaw, Laidlaw and Laidlaw PC, Oregon City
Elizabeth E. Lampson, Davis Rothwell Earle & Xochihua PC, Portland
Richard J. Vangelisti, Vangelisti Mediation, Portland

12:30 Adjourn

Planning Committee
Myah Kehoe, Kehoe Law LLC, Portland
Richard Spier, Mediator, Portland

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