

THE WEST VIRGINIA STATE BAR

Eliminating Obstacles in Mediation with Effective Communication – An Advanced Mediation Training

Bridgeport, West Virginia – July 29, 2021

- 8:45-9:00 *Welcome/Introduction*
Debra Scudiere, Esq.,
Morgantown, WV
- 9:00 – 9:50 *Preparation For a Successful Mediation – Panel Presentation*
- Facilitator: Thomas G. Steele, Esq.
Steele McMunn, PLLC
Clarksburg, WV
- Panelists: Elliot Hicks, Esq.
Hicks Resolutions
Charleston, WV
- Heather Heiskell Jones, Esq.
Spilman Thomas & Battle, PLLC
Charleston, WV
- Sean Sawyer, Esq.
Higinbotham & Higinbotham, PLLC
Fairmont, WV

In this session, four experienced West Virginia attorney/mediators will explore strategies to address issues that sometimes impair the ability to reach a resolution in mediation through activities that may be undertaken before the mediation.

- 9:50-10:45 *Moving Through Mediation: Addressing Obstacles to Resolution DURING the Mediation (Finding Confidence in Conflict: How to Negotiate Anything and Live Your Best Life)*
- Kwame Christian, M.A., Esq.
American Negotiation Institute, LLC
Columbus, Ohio

In this session, attorney/mediator Kwame Christian will introduce participants to strategies that often can break barriers that make a resolution difficult. Mediators and advocates will learn how to use questions to build rapport, convey conversation, change tempo, detoxify a difficult environment and deal with high emotions. They will also learn how to shift power and reality during mediation to help break down barriers.

- 10:45 -11:00 Break
- 11:00-12:00 *Moving Through Mediation continues*
- 12:00-1:30 Lunch (on your own)
- 1:30-3:30 *Moving Through Mediation continues*

3:45-4:35 *The Home Stretch: Evaluation of Damages, Non-Financial Relief and Other Resolutions in Mediation.*

Co-presenters: Chelsea Prince, Esq.
Bowles Rice, LLP
Morgantown, WV

Gee Lofstead, Esq.
Spilman Thomas & Battle, PLLC
Wheeling, WV

In the final session, we will explore the components the mediator and the advocate should consider in their settlement evaluation, including monetary damages, non-pecuniary losses and resolution beyond money.

4:35-4:45 *Wrap-Up*
Debra Scudiere, Esq. and Thomas G. Steele, Esq.