

**Cook County Mandatory Arbitration and Mediation Series  
Law Division, Judge Goldberg's "Brown Bag" Program  
The Association for Conflict Resolution – Chicago Chapter Presents:**

***What Happens Before The Mediation:  
Use of Pre-Work to Improve  
The Chances of Success - Settlement***

**Thursday, September 11, 2008 Daily Center Room 1905 12:00 Noon to 1:30 PM**

**Program Outline**

**Panelists:** Michael Cohen, Lynn Gaffigan, Kent Lawrence, and Lorna Steuer[bios on reverse side]

**Introduction by Kent Lawrence, Panel Leader:**

- ◇ Program focus: Pre mediation session - what does, or can, happen and how does that impact the session?
- ◇ Is what is being mediated, and the objectives of the parties, critical? What is being disputed? The relationship of the parties? Or what?
- ◇ What do the parties expect of the mediator?

**Some Questions:**

- ◇ WRITTEN MATERIALS: Does the mediator want briefs or statements in advance of the mediation? What exactly does the mediator ask the attorneys to provide in advance of the mediation? Are these documents shared with both parties? How are these documents used by the mediator before or during the mediation?
- ◇ PHONE CONFERENCES: Does the mediator have phone conferences with the attorneys, individually or together? Are there any ethical issues regarding talking with one party apart from the other party? Does the mediator ever talk directly to the parties with or without their attorneys?
- ◇ USE OF PRE-MEDIATION INFORMATION: What exactly does the mediator want to know in advance? How does the mediator use this information? What other objectives might the mediator have from these pre work contacts?

**Q & A Free for all from attendees**

### **Bios:**

**Michael Cohen** is a consultant and trainer in areas related to leadership practices, conflict management, organization diagnosis, change management, team development and organization development. Prior to his consulting career, he was Vice President, Human Resource Development at the Quaker Oats Company and also worked at the Gillette Corporation. Mike is currently on the Executive Education faculty at Loyola University Chicago and Northwestern University and has taught at DePaul University. He is a mediator and past board member at the Center for Conflict Resolution and currently serves on the board at the Chicago Chapter of the Association for Conflict Resolution. Mike is also a former board member of the Midwest Human Resource Planning Society. He has completed the Advanced Organization Development Program at Columbia University (NY) as well as the Organization Development Program sponsored by National Training Labs (NTL). Mike is a graduate of the University of Illinois where he received both his undergraduate and graduate degrees

**Lynn A. Gaffigan** is a mediator in private practice, focusing on family and workplace conflict. Her clients include families, businesses, associations and government agencies. She teaches mediation and conflict management courses at DePaul University's Continuing and Professional Education, where she trains attorneys, business managers, mental health professionals and financial advisors, and she taught at DePaul University School of Law. Lynn is an Advanced Practitioner member of the Association for Conflict Resolution and a past president of its Chicago-Area Chapter. She is also a former co-chair, with Kent Lawrence, of the Chicago Bar Association Alternative Dispute Resolution Committee and served as an officer and director of the Mediation Council of Illinois. Lynn is the author of *Child Custody Mediation*, Child Custody Litigation, ch. 5, Illinois Institute of Continuing Legal Education, 2004, supp. 2006; and co-author, with Lynn P. Cohn, of *Mediating Employment Disputes*, Alternative Dispute Resolution, ch. 14, Illinois Institute of Continuing Legal Education, 2000.

**Kent Lawrence** is a Chicago attorney and partner in the law firm of Lawrence, Kamin, Saunders & Uhlenhop LLC. He has been in practice for nearly 40 years, specializing in a range of commercial matters, with particular emphasis on construction and securities. He has also been active in the Dispute Resolution field for over 35 years. He serves on the arbitration rosters of the American Arbitration Association [AAA](since 1974), National Association of Securities Dealers, Dispute Resolution [now FINRA] (1977-2005), National Futures Association (since 1986), and Chicago Board Options Exchange (since 1975) and on the mediation rosters of AAA, the Circuit Court of Cook County Law Division, and the 18th Judicial Circuit of Illinois Court Ordered mediation programs. He works primarily in areas involving securities and commodities, construction and general commercial subject matter. He has taught "Commercial Arbitration" at Northwestern Law School. He currently serves on the Board of Directors for ACR-Chicago. See LKSU.com.

**Lorna Steuer** is a mediator for the Equal Employment Opportunity Commission (EEOC), specializing in employment matters. In 2006 she was recognized as one of the top mediators in the EEOC nationwide. She has conducted over 600 mediations as well as numerous arbitrations and undergone and given over 400 hours of training and coaching in mediation techniques, dispute resolution design and arbitration. She has been a speaker on mediation at EEOC Training and Technical Assistance Programs, a panelist on a TV program entitled "Resolving Workplace Disputes," and a guest lecturer, trainer, and coach in mediation techniques and advocacy for numerous undergraduate and graduate institutions in Chicago. She is a past President of ACR-Chicago and a former Co-Chair of the Chicago Bar Association's ADR Committee.