



NEW YORK STATE BAR ASSOCIATION
DISPUTE RESOLUTION SECTION



TODAY

TOMORROW

7.0 MCLE Credits

3.5 Areas of Professional Practice, 2.5 Skills
1.0 Ethics and Professionalism

Fall Meeting

The Future of ADR: Where Are We Going and How Do We Get There?

October 25, 2019

New York Law School

185 West Broadway

(corner of West Broadway and Leonard Street)

New York, NY 10013-2921

[NYSBA.org/DRSFall19](https://www.nysba.org/DRSFall19)

Dispute Resolution Section Chair

Theodore K. Cheng, Esq.

ADR Office of Theo Cheng LLC

Program Co-Chairs

Laura A. Kaster, Esq.

Section Chair-Elect, Publications Committee Co-Chair, Laura A Kaster LLC

Marcia L. Adelson, Esq.

Membership Committee Co-Chair, Marcia L. Adelson, Esq.

M. Salman Ravala, Esq.

International Dispute Resolution Committee Co-Chair, Criscione Ravala, LLP

CLE INFORMATION

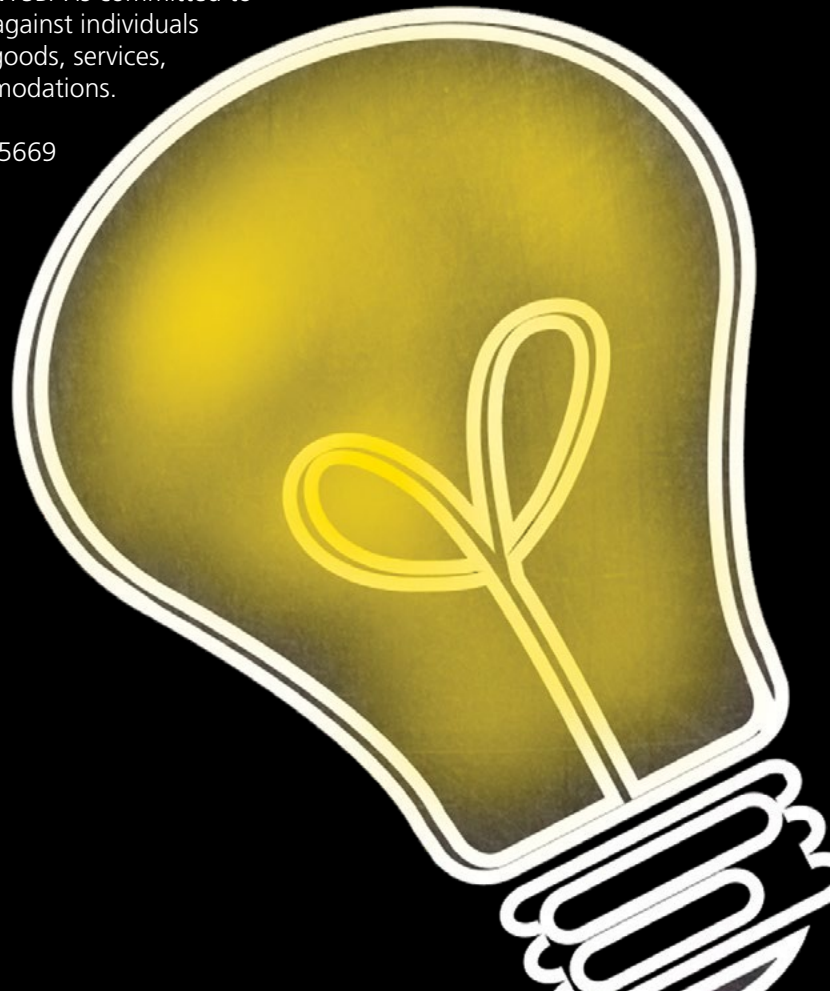
Under New York's MCLE rule, this program provides up to 7.0 MCLE credit hours (3.5 in Areas of Professional Practice, 2.5 in Skills, and 1.0 in Ethics and Professionalism, this program is transitional and does qualify for newly admitted attorneys.

Discounts and Scholarships

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who requires financial aid may apply in writing, not later than ten working days prior to the start of the program, explaining the basis of the hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Lara Nowicki at 518.487.5669 or lnowicki@nysba.org.

Accommodations for Persons with Disabilities

NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Lara Nowicki at 518.487.5669 or lnowicki@nysba.org.



SCHEDULE OF EVENTS

Friday, October 25

- 8:30 – 9:30 a.m. **Executive Committee Meeting**
- 8:45 – 9:30 a.m. **Registration and Continental Breakfast**
- 9:30 – 9:35 a.m. **Welcoming Remarks**
Theodore K. Cheng, Esq. | Dispute Resolution Section Chair
- 9:35 – 10:50 a.m. **The Coming Revolution in International Mediation - The Singapore Convention and Its Impact**
1.5 MCLE Credit | Skills
The New York Convention enhanced the use of international arbitration to facilitate growth in international trade. Will the Singapore Convention foster the same advances for mediation and result in enhanced global trade?
- Moderator: **M. Salman Ravala, Esq.** | Criscione Ravala, LLP
- Panelists: **Carolyn E. Hansen, Esq.** | Carolyn E. Hansen, Esq.
Christina G. Hioureas, Esq. | Foley Hoag, LLP
Luis M. Martinez, Esq. | International Centre for Dispute Resolution
Deborah Masucci, Esq. | Masucci Dispute Management and Resolution Services
Nancy M. Thevenin, Esq. | Thevenin Arbitration & ADR, LLC
- 10:50 – 11:00 a.m. Break
- 11:00 – 12:15 p.m. **Change is Here: ADR and the NY Courts – The New Presumptive ADR Program**
1.5 MCLE Credit | Areas of Professional Practice
By September 1, the Chief Judge has directed all Judicial Districts in the State of New York to develop plans for implementing Presumptive ADR. We will have a townhall presentation allowing all of us to speak with the two Deputy Chief Administrative Judges as well as the Senior Administrators working with them to implement the ADR initiative state-wide – all of our presenters are closely involved with this revolution that litigators and ADR professionals need to understand. They can answer your questions. We can engage in a dialogue about the Chief Judge’s groundbreaking initiative.
- Moderator: **Daniel F. Kolb, Esq.** | Davis Polk & Wardwell
- Panelists: **Hon. Vito C. Caruso** | Deputy Chief Administrative Judge for Courts Outside New York City
Hon. George J. Silver | Deputy Chief Administrative Judge for New York City Courts
Lisa Courtney, Esq. | Statewide Alternative Dispute Resolution Coordinator for the New York State Unified Court System
Lisa M. Denig, Esq. | Special Counsel for ADR Initiatives in New York City
Hon. Joel R. Kullas | Alternative Dispute Resolution Coordinator for the 3rd, 4th, 9th and 10th Judicial Districts
Bridget M. O’Connell, Esq. | Alternative Dispute Resolution Coordinator for the 5th, 6th, 7th and 8th Judicial Districts
- 12:15 – 1:15 p.m. **Fostering a Successful New York Presumptive ADR Program**
1.0 MCLE Credit | Areas of Professional Practice
The new presumptive program will hopefully bring a culture change for New York lawyers and parties. How can ADR professionals assure its success, aid the courts, and assist all stakeholders? What can our Section do? A panel of experts who are addressing the issues in New York, have already addressed similar issues in other States, and will raise issues and report on possible solutions.
- Moderator: **Laura A. Kaster, Esq.** | Laura A. Kaster LLC

SCHEDULE OF EVENTS

- Panelists: **Robert E. Margulies Esq.** | Schumann Hanlon Margulies, LLC
Rebecca Price, Esq. | Director, ADR Program United States District Court, Southern District of NY
Jonathan Rosenthal, Esq. | Director of the Maryland Judiciary's Mediation & Conflict Resolution Office (MACRO)
Hon. Jeffery S. Sunshine | Justice Supreme Court Kings County NY
- 1:15 PM – 2:00 p.m. Lunch
- 2:00 PM – 3:00 p.m. **Expert Insights on Drafting Awards That Will Stick**
1.0 MCLE Credit | Skills
An extraordinary panel of arbitrators will focus on protecting the award and provide actual drafting techniques.
- Moderator: **Marcia L. Adelson, Esq.** (Introduction: Laura Kaster)
- Panelists: **Hon. William Bassler** (ret. U.S. Dist. Ct. for DNJ) | AAA, ICDR, ICC and CPR Arbitrator
Sasha Carbone, Esq. | American Arbitration Association
Hon. Timothy Lewis (ret. U.S. Court of Appeals 3rd Cir.) | Schnader Harrison Segal & Lewis, LLP
Edna Sussman, Esq. | Sussman ADR LLC
- 3:00 PM – 3:10 p.m. Break
- 3:10 PM – 4:10 p.m. **Artificial Intelligence and its Impact on the Future of ADR**
1.0 MCLE Credit | Areas of Professional Practice
What can AI do for dispute resolution? Can AI improve risk assessment? What are Lexis/Nexis and Westlaw planning for our future?
- Moderator: **Ross J. Kartez, Esq.** | Ruskin Moscou Faltischek, P.C.
- Panelists: **Lucas Bento, Esq.** | Quinn Emanuel Urguhart & Sullivan, LLP
Alyson Carrel | Pritzker School of Law, Northwestern University
Diana Colon, Esq. | New York State Unified Court System
Vikki Rogers, Esq. | Institute of International Commercial Law
Colin Rule | Tyler Technologies
- 4:10 PM – 5:10 p.m. **Threats, Realities, and Modalities**
1.0 MCLE Credit | Ethics and Professionalism
This panel will begin with a debate on whether the ethics rule that bars threat of criminal prosecution to gain advantage in a civil matter should be altered. It will end with a participatory group reflection on dealing with coercion and manipulation in negotiation and mediation.
- Moderator: **Simeon H. Baum, Esq.** | Resolve Mediation Services, Inc.
- Panelists: **Lawrence S. Goldman, Esq.** | Law Offices of Lawrence S. Goldman
James B. Kobak, Jr., Esq. | Hughes Hubbard & Reed, LLP and COSAC
Kathleen M. Scanlon, Esq. | Chief Circuit Mediator at United States Court of Appeals for the Second Circuit
- 5:15 PM – 6:30 p.m. **Networking Reception**

PROGRAM CO-CHAIRS' BIOGRAPHIES

Laura A. Kaster.

Laura is Chair-Elect of the NYSBA Dispute Resolution Section; from 2015-2017, Laura was the President of the Justice Marie L. Garibaldi ADR Inn of Court, the first ADR Inn in the country. She is also a past Chair of the NYSBA Dispute Resolution Section and a Co-Editor in Chief of the NYSBA Journal *Dispute Resolution Lawyer*. She is the 2018 recipient of the Garibaldi Inn's Richard K. Jeydel Award for ADR Excellence and Civility and the 2014 recipient of the NJSBA's Boskey Award for the ADR practitioner of the year.

She is a co-editor and chapter author of the "CCA Guide to Best Practices" in *Commercial Arbitration* (4th Ed 2017); author of a chapter on "Confidentiality" in Singer, *Arbitrating Commercial Disputes in the US* (PLI 2018); co-author "Arbitrating Technology Cases: Considerations for Businesspeople and Advocates," in Samaras (Ed) *ADR Advocacy, Strategies, and Practices for Intellectual Property and Technology Cases*.

She was a founding member of the executive committee of the NJ Academy of Arbitrators and Mediators and on the Roster of the National Academy of Distinguished Neutrals. She is on the Tech List of the Silicon Valley Arbitration and Mediation Center, an arbitrator and mediator for the American Arbitration Association, and for the International Institute for Conflict Prevention and Resolution (CPR), and an arbitrator for FINRA. She is a member of the Global Panel for the Center on Dispute Resolution (CEDR), and a mediator for the Global Mediation Exchange Center and ICDR. She is CEDR accredited and an IMI Certified mediator. She is a master mediator for the American Arbitration Association. She is a fellow of the College of Commercial Arbitrators and a member of the Pepperdine, CCA and IMI Task Force on Mixed Modes.

She has spoken and trained widely for the AAA/ICDR conferences, CCA, PLI, ABA Dispute Resolution Section annual meetings, NJSBA, NJAPM, NYSBA, NJICLE. She is listed as one of three New Jersey mediators in *Who's Who Legal, Mediation* (2016-2017).

Marcia Adelson

Marcia Adelson's practice is limited to alternate dispute resolution. She is an active mediator and has mediated more than 50 cases, primarily employment and commercial disputes.

She is on the Southern District of New York, New York City Supreme – Commercial Division, Westchester County Supreme – Commercial and Civil divisions and FINRA mediation panels. As a member of the Eastern District of New York's Mediation Advocacy Program, she serves as counsel for pro se plaintiffs for the limited purpose of mediation. She recently completed a two-year term as a member on the Southern District of New York Mediation Advisory Council where she is working to improve the structure and outcomes in the use of mediation by the court.

She is also on the American Arbitration Association Commercial and Consumer Arbitration Panels, is a non-public arbitrator for FINRA and is on the NFA Panel of Arbitrators. Prior to focusing on alternate dispute resolution, Ms. Adelson was a commercial litigator for more than ten years. She represented customers and employees of financial services organizations.

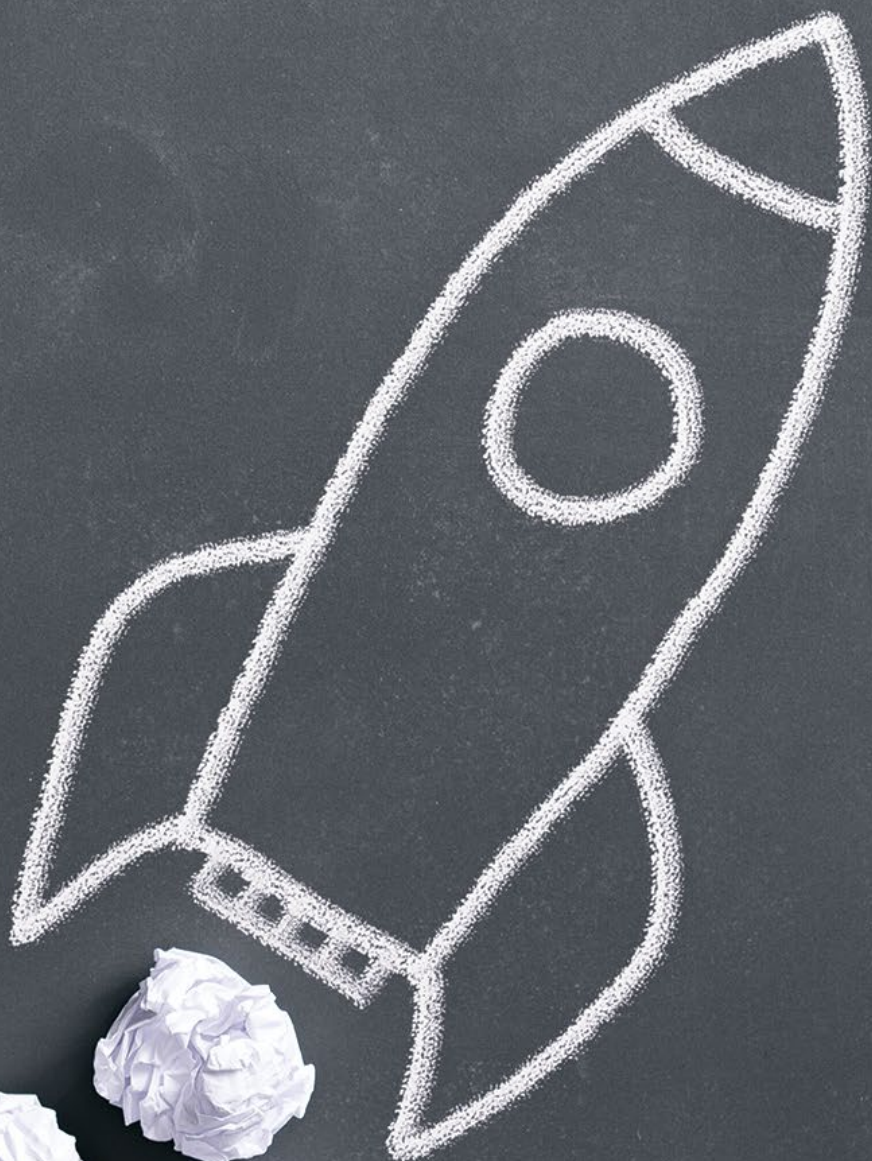
She also ran a successful financial planning business in which she achieved a 95 percent client satisfaction rating, among the highest ranking of the more than 10,000 financial planners in the organization. She is admitted to the New York State bar and is a graduate of Swarthmore College, Columbia University, Graduate School of Business, and Pace University, School of Law. Her contact information is marcia@marciadelsonlaw.com and website is www.marciadelsonlaw.com.

Mr. Salman Ravala

Attorney M. Salman Ravala, Esq. is a New York City litigator and Harvard Law School trained mediator. An Adjunct Professor of Law at New York Law School, he practices in the areas of domestic and international business law and commercial litigation; and represents both Plaintiffs and Defendants in New York state, federal, and appellate courts, as well as in mediation and arbitration forums across the United States and globally.

In 2018, he served as a delegate on behalf of the International Mediation Institute to the United Nations Commission on International Trade Law (UNCITRAL) Working Group on Dispute Settlement, which formulated the legal framework and model law surrounding the Singapore Convention.

Mr. Ravala also serves as a neutral on various ADR rosters including FINRA, NYS Part 137 Fee Dispute Panel, NYS Commercial Division, CPR Panel of Distinguished Neutrals, and U.S. District Court for the Southern District of New York. Mr. Ravala is a 2016 American Arbitration Association Judge Higginbotham Fellow and a graduate of Syracuse Law School.



NEW YORK STATE BAR ASSOCIATION

Dispute Resolution Section Fall Meeting – Registration Form

October 25, 2019 | New York Law School | 185 West Broadway | New York, NY

Name: _____ Email: _____ Phone: _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

FEES

	BEFORE 10/04/19	AFTER 10/04/19
<input type="checkbox"/> DISPUTE RESOLUTION SECTION MEMBER FEE:	\$150.00	\$200.00
<input type="checkbox"/> COMMERCIAL AND FEDERAL SECTION MEMBER FEE:	\$150.00	\$200.00
<input type="checkbox"/> NYSBA MEMBER FEE:	\$200.00	\$250.00
<input type="checkbox"/> NON-NYSBA MEMBER FEE:	\$250.00	\$300.00
<input type="checkbox"/> NEWLY ADMITTED FEE:	\$75.00	\$75.00
<input type="checkbox"/> LAW STUDENT FEE:	\$50.00	\$50.00
<input type="checkbox"/> NON-MEMBER FIRST TIME ATTENDEE FEE:	\$250.00	\$250.00

Registration fee includes:

Continental breakfast, lunch, reception, and all meeting programming costs and coffee breaks

(option to RSVP for Reception – no extra charge)

Cancellation Notice:

Notice of cancellation must be received by October 18, 2019 in order to obtain a refund of registration fees. Please contact Lara Nowicki at lnowicki@nysba.org or 518-487-5669 to cancel your registration.

Not a member of the Dispute Resolution Section?

Join now for only \$35 and register at the early-bird member price of \$150 – a savings of \$50-100! That more than pays for membership in the Section and you can continue to save on future meetings.

NYSBA.org/DRSFall19

PAYMENT INFORMATION

☐ Check or money order enclosed in the amount of \$ _____
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or

☐ Charge \$ _____ to ☐ American Express ☐ Discover

☐ MasterCard ☐ Visa Expiration Date _____

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Fax or mail this form with registration fee(s) to:

Lara Nowicki, Section Liaison
New York State Bar Association
One Elk Street
Albany, New York 12207
Phone: 518.487.5669
Fax: 518.463.5993
Email: lnowicki@nysba.org

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DISPUTE RESOLUTION SECTION
One Elk Street, Albany, NY 12207

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