

New Dates!

THE OSGOODE CERTIFICATE IN ONLINE DISPUTE RESOLUTION

October 5 – 9, 2020
9:00 a.m. – 4:30 p.m.
5 Consecutive Days
In Person or Webcast

Do you have the specialized skill set and tech know-how to resolve disputes remotely and virtually?

This intensive 5-day program will help you modernize your dispute resolution practice and shift your skills to effectively deal with conflict using technology and online platforms. Along with ODR experts, you will:

- Understand ODR from the user's perspective
- Become familiar with the leading-edge dispute resolution technologies and online platforms
- Practice transforming traditional dispute resolution techniques to remotely and virtually resolve conflict
- Adapt your communication skills to enhance user engagement in a technology-based forum

Register today at:

osgoodepd.ca/online-dr

Program Director

Deborah Pressman

Legal Counsel, Office of the Chief Justice – Ontario Court of Justice, Educator, Mediator, Arbitrator and Appeals Officer, FSCO (former)

Advisory Board

Nicole Aylwin, Member, Condominium Authority Tribunal (ON)

Colin Rule, VP Online Dispute Resolution, Tyler Technologies

Shannon Salter, Chair, Civil Resolution Tribunal, BC

Martha Simmons, Academic Co-Director, Winker Institute & Assistant Professor, Osgoode Hall Law School

Darin Thompson, Acting Legal Officer, BC Civil Resolution Tribunal

Nicolas Vermeys, Associate Director, Cyberjustice Laboratory

Location

Osgoode Professional Development

1 Dundas St. W., 26th Floor
Toronto, ON



The Osgoode Certificate in Online Dispute Resolution

Both private practice and the public sector practitioners have witnessed a trend in dispute resolution: today's parties are increasingly more apt to communicate using technological tools and are looking to have their disputes resolved in a timely, convenient, and cost-efficient way.

This unique *OsgoodePD* certificate offers:

- Expert and innovative faculty who are pioneers in the ODR field
- Live demonstrations of leading online platforms
- Hands-on simulations of common scenarios, best practices and challenges while using ODR
- Post-program follow-up and networking opportunities

The face of dispute resolution is changing and the demand to resolve disputes outside of the in-person setting is quickly growing. In order to **effectively resolve disputes remotely and virtually**, you need to develop tech-savviness with remote tools and technologies, and **shift your traditional dispute resolution skills** to adapt it to the unique scenarios and challenges posed by dealing with conflict remotely and virtually.

As one of the first of its kind to be developed in Canada, this *OsgoodePD* 5-day, hands-on certificate program will cut through the jargon, myths, misconceptions, and the hype of ODR.

You will get a two-fold interactive experience: practicing new, innovative approaches in dispute resolution while using technologies and online platforms that are transforming the dispute resolution and adjudicative landscape.

You will learn how to adapt and modernize your dispute resolution practice and approaches, along with learning the latest ODR techniques. Focusing on the practical, you will engage with leading ODR practitioners and learn from a variety of discussions, simulations and workshops to tackle common scenarios, skills and challenges that come with resolving disputes using ODR – all while practicing with remote tools and leading online platforms during live demonstrations and hands-on exercises. The program culminates with a **full day simulation** of a complex scenario requiring the application of ODR skills and technologies used throughout the week.

To ensure an interactive experience, numbers are strictly capped. Register now and don't miss your chance to experience the latest technologies and online platforms, boost your knowledge and skills and expand your network in the ODR community.

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[osgoodepd.ca/
online-dr](https://osgoodepd.ca/online-dr)



Get valuable resources, templates and checklists, along with practical tips & strategies in areas including:

- Understanding the implications of digital transformation in dispute resolution, and how to leverage it to manage conflict more efficiently
- How to work within ODR systems, including existing public and private ODR systems and applications
- Application of ODR strategies through simulations with technologies and online platforms.
- Advantages and disadvantages of ODR from the user's perspective, and tactics to ensure the ODR process is fair and transparent
- How to shift traditional ADR techniques to leverage your dispute resolution skills through teleconferences, video conferencing, virtual group facilitation, text-based processes, e-mail negotiation, and e-arbitration and/or adjudication
- Adapting your offline communication skills to enhance user engagement and trust in online and remote processes
- Practicing blended processes using mixed communication channels
- Insight into the future of information technologies in conflict avoidance and management
- How to successfully navigate the evolving challenges in ODR, and embrace the opportunities

PLUS! The program culminates with a mock online mediation/adjudication. You will be able to put what you have learned into practice, and get individualized feedback in a safe learning environment.

Who Should Attend

- Mediators
- Adjudicators
- Professionals who are involved in resolving disputes
- Professional who are looking to transition into online dispute resolution

Register today at:

[osgoodepd.ca/
online-dr](https://osgoodepd.ca/online-dr)

Drawing on the expertise and experience of ODR pioneers and forward-thinking experts, including:

Program Director



Deborah Pressman

Legal Counsel, Office of the Chief Justice – Ontario Court of Justice, previously counsel at the Ministry of the Attorney General – Tribunals Ontario; Mediator, Arbitrator and Appeals Officer, FSCO; Educator, OsgoodePD, George Brown College, and SOAR

Deborah is a lawyer, mediator, adjudicator, and innovative legal educator. She is currently Legal Counsel with the Office of the Chief Justice at the Ontario Court of Justice. Previously, Deborah was counsel with the Ministry of the Attorney General, providing legal, policy and strategic support to the Executive Chairs, adjudicators, senior managers and staff of the Safety, Licensing Appeals and Standards Tribunals Ontario (SLASTO). She has also been the Director's Delegate in the Appeals Unit at the Financial Services Commission of Ontario (FSCO). She first joined FSCO as a mediator in 2004. In 2008 she worked as a senior policy analyst and in 2011 she became an arbitrator, adjudicating disputes arising from Ontario's no fault accident benefits scheme. Deborah completed her B.A. in political science at York University and her LL.B. at Osgoode. She was called to the Bar in 2002 and acquired her LLM degree in Alternative Dispute Resolution in 2005.

Advisory Board

Nicole Aylwin

Member, Condominium Authority Tribunal (ON); Senior Research Fellow, Canadian Forum on Civil Justice; Advisor, Special Projects and Research Initiatives, Winkler Institute for Dispute Resolution, Osgoode Hall Law School

Colin Rule

VP Online Dispute Resolution, Tyler Technologies; Director Online Dispute Resolution – eBay and PayPal (former); Lecturer, Santa Clara Law and Stanford Law School

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Winkler Professor of Dispute Resolution; Academic Co-Director, Winkler Institute & Assistant Professor, Osgoode Hall Law School

Darin Thompson

Legal Counsel, BC Ministry of Justice; Acting Legal Officer, BC Civil Resolution Tribunal

Nicolas Vermeys

Associate Director – Cyberjustice Laboratory; Professor – Faculty of Law, Université de Montréal

Program Faculty

Chris Albertyn, Arbitrator and Mediator, Albertyn Arbitration

Ian Darling, Chair, Condominium Authority Tribunal

David Goodis, Information and Privacy Commissioner of Ontario

Flora Hoffman, Mediator/Investigator, Information and Privacy Commissioner of Ontario

Rosemary Muzzi, Member, Condominium Authority Tribunal; Educator, SOAR and OsgoodePD

Elizabeth Nastasi, Legal Counsel, Safety, Licensing Appeals and Standards Tribunals Ontario

Judy Neger, Mediator, Rudolph Mediation and Arbitration Services Inc.

Deborah Pressman, Legal Counsel, Office of the Chief Justice – Ontario Court of Justice, Educator, Mediator, Arbitrator and Appeals Officer, FSCO (former)

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Shannon Salter, Chair, Civil Resolution Tribunal, BC; Adjunct Professor, UBC Allard School of Law

Maria-Fernanda Acevedo Lanas, Cyberjustice Laboratory, University of Montreal

Martha Simmons, Winkler Professor of Dispute Resolution; Academic Co-Director, Winkler Institute & Assistant Professor, Osgoode Hall Law School

Alex Voudouris, Lawyer and Senior Litigator, Pace Law Firm

Agenda

DAY 1

Monday, October 5, 2020

9:00 a.m. - 4:30 p.m.

Integrating Conflict Resolution and Technology

Dispute Resolution in Online Environments

- What is ODR?
- Myths and misconceptions about ODR
- Primary applications of ODR: legal disputes, e-commerce, insurance, workplace
- Using technology as the 4th party
- What is the future (and present state) of dispute resolution?

Becoming an E-facilitator and E-negotiator

- Mediators/adjudicators as problem solvers – a more user centric approach
- Implications of online dispute resolution processes for legal advocates
- E-mediator standards and competencies – a new framework

Know the Lingo and Become Tech Savvy

- Relevant technology-related terminology and processes
- Providing tech support to users/clients and managing tech glitches

Reality Chat/Roundtable Discussion: Building ODR Skills for Neutrals and Advocates

- What is the impact of technology on traditional conflict and negotiation theories?
- Can offline mediation processes and approaches work online?
- How to adjust and create best practices

Participate in hands-on learning, including:

- *Demonstration and discussion of an ODR platform*
- *Mini simulation on adapting traditional dispute resolution skills to remote facilitation*

DAY 2

Tuesday, October 6, 2020

9:00 a.m. - 4:30 p.m.

From ADR to ODR: Shifting Processes and Techniques and Learning New Skills

Dispute Systems Design

- Balancing the digitization of traditional processes while ensuring user centric solutions
- User feedback in ODR processes
- Effective practices in multiparty ODR
- The role of legal representatives and advocates

Building Trust and Rapport at the Virtual Mediation Table

- Creating trust at the virtual mediation table
- Using communication skills to build trust
- Helping users (assistance vs. advice)

The Virtual Facilitator – A Conflict, Content and Engagement Manager

- Become an effective conflict, content and engagement manager
- Record keeping, note taking and multi-tasking

Effectively Managing Synchronous and Asynchronous Processes

- Matching the tech to the dispute: blended approaches, party preference,

accessibility, capacity, comfort, language, cost and security

- Effective preparation steps
- How to increase engagement

Participate in hands-on learning, including:

- *Demonstration and discussion of an ODR platform*
- *Mini simulation on: communication skills and building trust; managing synchronous and asynchronous processes; conflict, content and engagement management*
- *Workshop on user-centric design and online engagement*

DAY 3

Wednesday, October 7, 2020

9:00 a.m. - 4:30 p.m.

Tactics and Tools for Online (and Offline-Online) Facilitation, Negotiation and Adjudication

Navigating ODR with Cultural Competence and Inclusiveness

- Netiquettes to keep in mind
- Hidden biases of good people (and digital users)
- Accommodation and accessibility in virtual environments
- Positive online support for challenging behaviour

Telephone Facilitation – Helping Parties Negotiate over the Phone

- Presence (audio, timing, process, feedback loop)
- Opening scripts – important points to include

- Dealing with impasse in a digital platform
- Best practices for phone communication, facilitation and negotiation

Text Based Facilitation – Helping Parties Negotiate over Email/Text

- Best practices for email and/or text communication, facilitation and negotiation
- Relationship and expectation management
- Content management and control

Video Conferencing and On-Screen Presence – Helping Parties Negotiate and Resolve Disputes Using Screen Time

- Planning and preparation: agendas, rules of engagement and follow-up
- Facilitation: promoting facilitation, sharing information and documentation, recording progress
- On-screen presence: presenting a professional and engaging image

Reality Chat and Roundtable Discussion: Engagement in ODR

- Onboarding users: first impressions, buy-in, and gradual exposure
- Effective messaging and contact
- Shared spaces to generate ideas and solutions
- Measuring, polling, prioritizing, and ranking
- Support and feedback loops in ODR

Participate in hands-on learning, including:

- *Demonstration and discussion of an ODR platform*

DAY 4

**Thursday, October 8, 2020
9:00 a.m. - 4:30 p.m.**

Evolving Challenges and Opportunities in ODR

E-Arbitration and Online Adjudication

- ODR platforms for arbitration and adjudication
- Shifting traditional adjudication to online adjudication (written processes, active adjudication and future opportunities)
- ODR and Administrative law
- Case management in ODR

Assessing Evidence and Credibility in ODR

- The myths and reality of assessing evidence in ODR processes
- Credibility issues

The Future of ODR: Artificial Intelligence and Beyond

- Information technologies in conflict avoidance and management
- Automation, algorithms and machine learning
- ODR platform demo/discussion

Dealing with Privacy Issues, Transparency, Ethics and Other Challenges in ODR (Reality Chat/ Roundtable Discussion)

- Party autonomy and the pressure to settle
- Confidentiality and honesty
- Privacy and access issues

Participate in hands-on learning, including:

- *Mini-simulations on assessing evidence and credibility in ODR*

DAY 5

**Friday, October 9, 2020
9:00 a.m. - 4:30 p.m.**

Simulations and Wrap-Up

Full-Day Simulation

The program will come together in a cumulative e-mediation and/or e-arbitration simulation that will provide you with an opportunity to apply the new skills, technologies and online platforms covered throughout the week.

The group will end the day debriefing and reflecting on their ODR simulation experience. Participants will come away with concluding best practice tips and scripts, and advice on staying engaged in the ODR community.

Plus! Optional Post-Program Follow-Up

Reinforce your ODR skills and tech-savviness, and stay engaged with your faculty and the ODR community by taking advantage of the post-program follow-up which includes: follow-up emails, check-in exercises, and announcements of new tools and technologies in ODR.

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[osgoodepd.ca/
online-dr](https://osgoodepd.ca/online-dr)

Registration Details

Fee per Delegate

\$2,995 plus HST

Newly licensed (2017 – present): \$1,497.50 plus HST

Fees include attendance, program materials, lunch and break refreshments. Visit www.osgoodepd.ca/financial-assistance for details about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information, Please Contact:

Gail Geronimo, Program Lawyer at 647.999.1085
or email ggeronimo@osgoode.yorku.ca

Certificate of Program Completion

You will receive a certificate upon completion of **The Certificate in Online Dispute Resolution (ODR)**. Participants must complete all program modules and you must complete all days of the program, and participate in classroom discussions, simulations, and activities to receive a certificate.

4 Convenient Ways to Register



Mail



Online



Fax



Call

Register today at:

osgoodepd.ca/online-dr



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.



Eligible CPD Hours - LSO (ON): 35h (27h 45m Substantive; 7h 15m Professionalism).

This program is eligible for LAWPRO Risk Management Credit.



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

What past participants said about our dispute resolution programs:

“This program was without doubt the most informative, interesting and effective course that I have ever taken in any area of endeavour.”

“This program is one of the best things I’ve done professionally since my Call to the Bar in 1976.”

“I really enjoyed the program. By far, the best I have attended.”