



# Civil Collaborative Practice Training

### LIVE

Wednesday–Thursday,  
April 6–7, 2016  
NC Bar Center, Cary

### CLE CREDIT: 14.0 Hours

Includes 1.0 Hour Ethics/Professional  
Responsibility



**Planned by the NCBA Dispute Resolution Section**  
**Co-Sponsored by the NCBA Construction Law Section**

**SUMMARY** Collaborative Practice is an alternative to any form of dispute resolution that leaves the relationship between the parties broken and the parties themselves frustrated by a loss of control over the way personal and business problems are being handled. In Collaborative Practice, all parties—each represented by counsel—work in a cost and time effective manner to achieve a settlement that reflects the needs and interests of all, including an agreement that the collaborative lawyers will not take the matter to court themselves if the effort fails. This concept works best when the disputing parties have an ongoing relationship with each other or with common vendors and customers that they wish to maintain. Beside prompt and efficient resolution, other benefits include complete privacy of the proceeding with no public record, as well as allowing the parties to maintain control of the outcome—with no judge, jury or arbitrator dictating the result.

The North Carolina Bar Association Foundation is accredited by the North Carolina State Bar as a provider of continuing legal education.

**NORTH CAROLINA**  
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# Civil Collaborative Practice Training

#541COL | April 6-7, 2016

## FOUR WAYS TO REGISTER

ONLINE\* [www.ncbar.org/CLE](http://www.ncbar.org/CLE) • PHONE\* 800.228.3402 • FAX\* 919.677.1774

MAIL\*\* Attn: Accounting, NCBA Foundation, P.O. Box 3688, Cary, NC 27519-3688

\*Credit cards only. \*\*Please make checks payable to the NCBA Foundation.

TUITION | LIVE | Select format and tuition rate below.

| REGISTRANT TYPE   | EARLY BIRD TUITION<br>Received one week prior to program date.                   | REGULAR TUITION<br>Received less than one week prior to program date.                |
|---|--|--|
| NCBA Dispute Resolution Section Member  | <b>\$425</b><br><input type="checkbox"/> Live                                    | <b>\$500</b><br><input type="checkbox"/> Live  |
| NCBA Construction Law Section Member  | <b>\$425</b><br><input type="checkbox"/> Live                                    | <b>\$500</b><br><input type="checkbox"/> Live  |
| NCBA Member   | <b>\$445</b><br><input type="checkbox"/> Live                                    | <b>\$520</b><br><input type="checkbox"/> Live  |
| NCBA Paralegal Division Member  | <b>\$270</b><br><input type="checkbox"/> Live                                    | <b>\$345</b><br><input type="checkbox"/> Live  |
| Non-member  | <b>\$520</b><br><input type="checkbox"/> Live                                    | <b>\$595</b><br><input type="checkbox"/> Live  |
| Full-time LANC Attorney (NCBA Member)   | These categories do not qualify for Early Bird tuition.                          | <b>\$270</b><br><input type="checkbox"/> Live  |
| CLE Passport Holder   |  | <b>14 Tokens</b><br><input type="checkbox"/> Live                                    |
| <b>SELECT ONE</b><br><input type="checkbox"/> Judge (NCBA Member)<br><input type="checkbox"/> Clerk of Court (NCBA Member)<br><input type="checkbox"/> Law Professor (NCBA Member)<br><input type="checkbox"/> Law Student Division Member<br><input type="checkbox"/> Paralegal Student Member | These categories do not qualify for Early Bird tuition or include any MCLE fees. | <b>\$25</b><br><input type="checkbox"/> Live <input type="checkbox"/> VR (see below) |

## REGISTRANT INFORMATION | Please print clearly.

541COL-B

Print Full Name: \_\_\_\_\_

Firm/Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and ZIP: \_\_\_\_\_

Daytime Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

NC State Bar No. (Required for MCLE Credit): \_\_\_\_\_

## PAYMENT | Registration is processed only after payment is received. Please print clearly.

Enclosed is a check, payable to the NCBA Foundation.  Please charge my credit card.

Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Total Amount: \_\_\_\_\_ Signature: \_\_\_\_\_



**Wednesday, April 6, 2016, 8:15a–5:00p**

8:15a **Registration**

8:55 **Welcome and Introductions**

9:00 **Collaborative Practice in a Nutshell**

**John Sarratt**

- Training Goals

9:30 **The Paradigm Shift**

**Aida Doss Havel**

- Problem-solving cooperatively instead of adversarially
- Advising and educating clients on possible win-win outcomes
- Maintaining trust while addressing needs and interests

10:15 **The Collaborative Process—Part 1**

**John Ong and Mark Springfield**

- Defining features of the collaborative process
- Using the collaborative process in a construction law setting

11:00 **Break**

11:15 **Preparing for Collaborative Meetings**

**Richard Conner and Mark Springfield**

11:45 **Demonstration of First Collaborative Meeting**

**Richard Conner, Adrian Davis, Aida Doss Havel, John Ong and Mark Springfield**

- Review collaborative process/pledge/negotiation model
- Putting together the collaborative team
- Reviewing the needed documents
- Initial discussion of issues (needs and interests)

12:30p **Lunch**

1:00 **Debrief of First Collaborative Meeting Demonstration and Q&A**

**Richard Conner, Adrian Davis, Aida Doss Havel, John Ong and Mark Springfield**

1:30 **Interest-based Negotiations and Managing Conflict in a Collaborative Setting**

**Mark Springfield**

2:00 **Ethical Considerations in Collaborative Practice\***

**Aida Doss Havel**

- Ethical standards and protocols in a collaborative setting
- Applicable NC State Bar Ethical Rules (Rules 1.2, 1.4, 2.1) and Opinions (2002 Opinion 1)
- Informed consent
- Zealous advocacy and collaborative practice

3:00 **Break**

3:15 **The Collaborative Process—Part 2**

**Mark Springfield**

- Role of the collaborative lawyer
- Other members of the collaborative team
  - Experts and consultants
  - Facilitator
- Subsequent collaborative meetings

4:00 **Demonstration of Second Collaborative Meeting—Part 1**

**Richard Conner, Adrian Davis, Aida Doss Havel, John Ong, John Sarratt and Mark Springfield**

- Making proposals

4:30 **Advantages and Cautions of Choosing Collaborative Practice Over Other Means of Dispute Resolution**

**John Sarratt**

5:00 **Adjourn**

## Thursday, April 7, 2016, 9:00a–5:00p

- 9:00 **Q&A from Day One**
- 9:30 **Collaborative Communication Techniques**  
**Aida Doss Havel**
- Summarizing, restating, reflecting back
  - Empathetic listening
  - The power of silence
  - Non-adversarial communication
- 10:15 **Demonstration of Second Collaborative Meeting—Part 2**  
**Richard Conner, Adrian Davis, Aida Doss Havel, John Ong, John Sarratt and Mark Springfield**
- Overcoming obstacles
  - Brainstorming solutions
- 10:45 **Break**
- 11:00 **Demonstration of Third Collaborative Meeting**  
**Richard Conner, Adrian Davis, Aida Doss Havel, John Ong, John Sarratt and Mark Springfield**
- Resolution
  - Implementation
  - Looking forward
  - Debrief all collaborative meetings
  - Q&A
- 11:30 **Collaborative Practice: Looking Back and Looking Ahead**  
**John Sarratt and Mark Springfield**
- Brief history of collaborative practice
  - Expanding the collaborative process beyond family law—challenges and opportunities
- 12:30p **Lunch**
- 1:00 **Case Screening and Intake**  
**Adrian Davis and Mark Springfield**
- Initial client interview
  - Demonstration
- 1:45 **Break-Out for One-on-One Initial Client Interview**
- Explaining all the options
  - Informed consent
  - Committing to the process
- 2:30 **Break**
- 2:45 **National Collaborative Organizations and Other Resources**  
**Aida Doss Havel**
- 3:15 **Building a Collaborative Law Practice**  
**Richard Conner and Mark Springfield**
- Collaborative practice groups
  - Involving industry groups, insurers, bonding companies and others
  - Getting all sides to commit to collaborative practice
- 4:15 **Wrap-Up and Final Remarks**
- What did you learn?
  - Q&A
  - What happens next?
- 5:00 **Adjourn**

\*Indicates portion providing Ethics/Professional Responsibility credit

# Program Information



## Planning Committee

- Richard Conner, Conner Gwyn Schenck, Greensboro
- Adrian Davis, Law Office of Adrian Davis, Raleigh
- Aida Doss Havel, Separating Together, Raleigh
- Jason James, Bell Davis & Pitt, Charlotte
- John Ong, Cranfill Sumner & Hartzog, Charlotte
- John Sarratt, Harris Sarratt & Hodges, Raleigh
- Mark Springfield, Springfield Collaborative Divorce, Raleigh

## Speakers

- Richard Conner, Conner Gwyn Schenck, Greensboro
- Adrian Davis, Law Office of Adrian Davis, Raleigh
- Aida Doss Havel, Separating Together, Raleigh
- John Ong, Cranfill Sumner & Hartzog, Charlotte
- John Sarratt, Harris Sarratt & Hodges, Raleigh
- Mark Springfield, Springfield Collaborative Divorce, Raleigh

## Hotel Information

Contact hotel(s) directly for reservations at the special NCBA room rate. Rates are based on availability and may sell out.

- **Embassy Suites, 201 Harrison Oaks Boulevard, Cary**  
**Rate:** \$169 Single/Double. Rate includes a full cooked-to-order breakfast and the manager's evening reception.  
**Reservations:** 919.677.1840 | **Reference Corporate ID:** NCB or NC Bar Rate
- **TownePlace Suites by Marriott, 120 Sage Commons Way, Cary**  
**Rate:** \$106 studio queen with sleeper sofa (Sunday–Thursday). Rate includes a complimentary hot breakfast. All rooms come with a fully equipped kitchen.  
**Reservations:** 919.678.0005 | **Ask for the NC Bar Association corporate rate.**



Program materials are  
**100% DIGITAL**

## Step-By-Step Download Instructions

1. Go to [www.ncbar.org/CLE](http://www.ncbar.org/CLE).
2. Click on "Your Course Materials."  
(on right-side navigation)
3. Log in. (For assistance, call 800.228.3402.)
4. Click on the CLE program title.
5. Download and save.

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