



MEDIATION IN THE EU: LANGUAGE, LAW & PRACTICE

- Language training for judges, lawyers and mediators
- Focus on civil and commercial mediation

Trier, 5-8 November 2018

**UP
GRADE**
YOUR LEGAL
EXPERTISE



Speakers

Thelma Butts

Business Mediator, ADR Consultant, Corporate Trainer, Butts Associates Conflict Management & Dispute Resolution, Madrid

Professor Renate Dendorfer-Ditges

Attorney-at-Law, Arbitrator and Commercial Mediator, Bonn

Professor Brian Hutchinson

Arbitrator, Mediator, Barrister, GBH Dispute Resolution Consultancy; University College Dublin

Nella Popović

Head of International Cooperation and Projects Department, Judicial Academy, Zagreb

Professor Eva Samaniego Fernández

Department of Foreign Languages, National Distance Education University (UNED), Madrid

Key topics

- Legal framework of cross-border civil and commercial mediation
- Interaction between mediation and civil proceedings
- Key features and different phases of the mediation process
- Online dispute resolution schemes
- Enforcement of settlement agreements
- English legal terminology in mediation

Language
English

Event number
118DT103

Organiser
ERA (Anastasia Patta)



Mediation in the EU: Language, Law & Practice

Monday, 5 November 2018

- 14:30 Arrival of participants
- 15:00 **Opening session: introduction to the programme and project**
Anastasia Patta
- 15:10 **Key legal terminology in EU civil law**
Eva Samaniego Fernández
- 16:30 Coffee break
- 16:45 **The mediation landscape in the EU**
- Legal framework of cross-border mediation in civil and commercial cases
 - Mediation Directive
 - Concepts and practice of mediation
- Brian Hutchinson*
- 18:00 End of the first day

Tuesday, 6 November 2018

- 09:00 **GROUP A: Starting the mediation process – the key to mediation success**
- Settling the agreement to mediate and practical preparation
 - Opening of the procedure and building trust
 - Methods for handling deadlocks
 - Confidentiality clauses
- Brian Hutchinson*
- 09:00 **GROUP B: Legal language training (Part I)**
Oral and written exercises
Eva Samaniego Fernández
- 10:30 Coffee break
- 11:00 **GROUP A: Legal language training (Part I)**
Oral and written exercises
Eva Samaniego Fernández
- 11:00 **GROUP B: Starting the mediation process – the key to mediation success**
- Settling the agreement to mediate and practical preparation
 - Opening of the procedure and building trust
 - Methods for handling deadlocks
 - Confidentiality clauses
- Brian Hutchinson*
- 12:30 Lunch break
- 13:30 **WORKSHOP:**
Preparing a mediation procedure in an international sales and distribution contract dispute
Renate Dendorfer-Ditges & Eva Samaniego Fernández
- 15:15 Coffee break
- 15:30 **WORKSHOP (cont'd):**
Opening a mediation procedure in an international sales and distribution contract dispute
- 17:00 End of the second day
- 19:00 Dinner

Objective

The purpose of this interactive seminar is twofold: first, to introduce participants to the law and practice of cross-border civil and commercial mediation and, secondly, to improve their English language skills.

Participants will be encouraged to make use of mediation techniques and procedures, while they will also receive the tools and develop the ability to communicate effectively in English in cross-border situations.

Who should attend?

Judges (nominated by the project partners), mediators and lawyers in private practice from EU Member States.

Your contact persons



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Course Director
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Wednesday, 7 November 2018

- 09:00 **GROUP A: Key features of mediation**
- Different phases of the mediation process
 - Scope and borders of confidentiality
 - Mediators' skills and negotiation techniques
- Renate Dendorfer-Ditges*
- 09:00 **GROUP B: Legal language training (Part II)**
Written comprehension & exercises
Nella Popović
- 10:30 Coffee break
- 11:00 **GROUP A: Legal language training (Part II)**
Written comprehension & exercises
Nella Popović
- 11:00 **GROUP B: Key features of mediation**
- Different phases of the mediation process
 - Scope and borders of confidentiality
 - Mediators' skills and negotiation techniques
- Renate Dendorfer-Ditges*
- 12:30 Lunch break
- 13:30 **WORKSHOP** (Coffee & tea will be served during the workshop):
Solving an employment dispute out of court
- The role of the lawyer, the mediator and the parties
 - Negotiation techniques and efficiency by caucus
 - Drafting a settlement agreement
- Thelma Butts & Nella Popović*
- 17:00 End of the third day

Thursday, 8 November 2018

- 09:00 **GROUP A: Interaction between mediation and civil proceedings**
- Effects of mediation on limitation and prescription periods
 - Enforcement of settlement agreements
 - **Workshop – Online dispute resolution schemes in a cross-border consumer dispute**
- Thelma Butts*
- 09:00 **GROUP B: Legal language training (Part III)**
Preparation of short oral presentations & exercises
Nella Popović
- 10:30 Coffee break
- 11:00 **GROUP A: Legal language training (Part III)**
Preparation of short oral presentations & exercises
Nella Popović
- 11:00 **GROUP B: Interaction between mediation and civil proceedings**
- Effects of mediation on limitation and prescription periods
 - Enforcement of settlement agreements
 - **Workshop – Online dispute resolution schemes in a cross-border consumer dispute**
- Thelma Butts*
- 12:30 **Judicial, court-annexed or extra-judicial mediation? Experiences in the Member States** *Short oral presentations by the participants*
- 13:15 End of training

Calendar of events

Civil and commercial mediation

Trier, 5-8 November 2018
Event no.: 118DT103

Barcelona, 4-7 February 2019
Event no.: 119DT01

Lisbon, 6-9 May 2019
Event no.: 119DT03

Family mediation

Kraków, 10-13 December 2018
Event no.: 118DT104

Trier, 11-14 March 2019
Event no.: 119DT02

Project partners

- European Judges Group for Mediation (GEMME)
- European Judicial Training Network (EJTN)
- Bulgaria – National Institute of Justice
- Lithuania – National Courts Administration
- Poland – National School of Judiciary and Public Prosecution
- Portugal – Centre of Judicial Studies
- Spain – General Council for the Judiciary



For programme updates: www.era.int
Programme may be subject to amendment.

Registration

MEDIATION IN THE EU: LANGUAGE, LAW & PRACTICE



Registration procedure

This seminar series is co-funded by the Justice Programme of the European Union 2014-2020. The following terms and conditions of participation apply:

For lawyers & mediators

Registrations for

Mediation in the EU: Language, Law & Practice on 5-8 November 2018, Trier



can be made online at: www.era.int/?127682&en

Location ERA Conference Centre Metzer Allee 4 54295 Trier Germany	Participation Please note that the number of places available is limited . Registrations will be accepted on a first come, first served basis. Participants should have a working knowledge of English.
Language English	Registration fee 300 EUR (including documentation).
Contact Person Christiane Schmitz Assistant cschmitz@era.int +49 (0) 651 93737-122	Travel expenses Travel costs are not reimbursed by ERA and participants are asked to book their own travel.
	Accommodation The participation fee includes hotel accommodation: maximum 3 nights at the hotel booked by ERA will be covered directly by ERA. Coffee breaks and lunches are included. ERA will invite all participants for a joint dinner.

For judges

Interested judges from the partnering Member States (Bulgaria, Lithuania, Poland, Portugal and Spain) may register via their national judicial training institutions. Interested members of the Association of European Judges for Mediation (GEMME) may register via GEMME. Participation is on selection.



Project description

Within the framework of the Justice Programme the European Union is co-financing a series of seven language training activities on cross-border mediation.

Each seminar will have a duration of 3 days and will be organised in the partnering Member States. The number of participants (judges, lawyers and mediators) will be limited to 30 per event.

The training activities will combine interactive language training and legal training with a focus on cross-border mediation.

More information about the project on:

www.era.int/language_mediation

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