Civil Collaborative Practice Training

**SUMMARY:** Collaborative practice training is for litigators, mediators, business, construction, employment and estate lawyers, and anyone else looking for a quicker, less expensive way to resolve disputes without destroying important relationships.

The following training program options are available:

- **Half-day program** for those interested in learning about collaborative practice without undertaking a full training program
- **One-day program** designed for those who wish to be trained as collaborative attorneys but are unable to complete the full two-day training at once
- **Two-day program** providing all of the tools to enable the participants to hold themselves out as collaboratively trained attorneys
- **One day advanced program** (day two of the full basic training) for those who have been previously trained and are looking to further enhance their training

**LIVE**
Tuesday-Wednesday, November 7-8, 2017
NC Bar Center, Cary

**CLE CREDIT (all sessions): 14.0 Hours**
Includes 1.0 Hour Ethics/Professional Responsibility

**VIDEO REPLAYS, UPDATES & REGISTRATION**
[www.tinyurl.com/CLE723COL](http://www.tinyurl.com/CLE723COL)

Sponsored by the NCBA Dispute Resolution Section

The North Carolina Bar Association is accredited by the North Carolina State Bar as a provider of continuing legal education.
# Civil Collaborative Practice Training

**#723COL, #723COA, #723CO1, #723CO2 | November 7–8, 2017**

## Four Ways to Register

- **Online**: www.ncbar.org/CLE
- **Phone**: 800.228.3402
- **Fax**: 919.677.1774

*Credit cards only. **Please make checks payable to NCBA.*

## Tuition | Live | Select option and tuition rate below.

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<th>Registrant Type</th>
<th>Early Bird Tuition</th>
<th>Regular Tuition</th>
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(Important: Check **Tuesday for Basic Training or Check Wednesday for Advanced Training**)

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## Registrant Information | Please print clearly.

- **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 NCBA.**
- **Please charge my credit card.**

- **Card Number:**
- **Expiration Date:**
- **Total Amount:**
- **Signature:**
Program Agenda

Tuesday, November 7, 2017, 8:15a–5:00p

8:15a  Registration

8:55  Welcome and Introductions  |  John L. Sarratt

9:00  Collaborative Practice in a Nutshell  |  John L. Sarratt
- Brief history of collaborative practice
- Collaborative practice on the ADR Spectrum

9:30  The Collaborative Process  |  John L. Sarratt and Mark A. Springfield
- Defining features of the collaborative process
- Advantages and cautions
- When and why to choose collaborative practice as a dispute resolution process
- Evaluate case, educate client on various case resolution options and decide on approach
- Educate client and opposing party (and often its attorney) on collaborative practice
- Interest-based negotiations

10:30  Break

10:45  The Collaborative Process (continued)  |  Randolph “Tre” Morgan III and Mark A. Springfield
- Collaborative sessions
- Role of the collaborative lawyer
- Other members of the collaborative team: experts, case evaluators and consultants, facilitator/coach

11:45  The Paradigm Shift  |  Aida Doss Havel
- Practicing law as problem-solving rather than win-lose
- Rethinking our role as attorneys
- Increasing job satisfaction

12:30  Lunch

1:00  Collaborative Communication Techniques  |  Aida Doss Havel
- Summarizing, restating, reflecting back, reframing
- Empathetic listening and the sacred pause
- The power of silence and the power of apology
- Nonviolent communication

1:45  Breakout for One-on-One Initial Client Interview  |  Randolph “Tre” Morgan III, John W. Ong, John L. Sarratt and Mark A. Springfield
- Explaining all the options
- Informed consent
- Committing to the process

2:30  Break

2:45  Ethical Considerations in Collaborative Practice*  |  Aida Doss Havel
- Ethical standards and protocols in a collaborative setting
- Applicable North Carolina State Bar Ethical Rules (Rules 1.2, 1.4, 2.1) and Opinions (2002 Opinion 1)
- Informed consent
- Zealous advocacy and collaborative practice

3:45  Building a Collaborative Law Practice  |  John W. Ong, John L. Sarratt and Mark A. Springfield
- Getting all sides to commit to collaborative practice
- Legislative and other developments in North Carolina
- Collaborative practice groups
- National support groups
- Involving industry groups, insurers and others

5:00  Adjourn

* Indicates portion providing Ethics/Professional Responsibility credit
Wednesday, November 8, 2017, 8:15a–5:00p

8:15a Registration

8:55 Welcome and Introductions | John L. Sarratt

9:00 What is Impasse? | Mark A. Springfield and Stephen H. Sulmeyer
• Definitions of impasse
• Participants’ beliefs about impasse
• Participants’ beliefs about conflict

9:45 Revisioning of Conflict | Mark A. Springfield and Stephen H. Sulmeyer
• Alternative definitions of conflict
• Transforming our beliefs about conflict
• Responding to conflict with boldness

10:30 Break

10:45 Getting to the Emotional Truth of the Case | Mark A. Springfield and Stephen H. Sulmeyer
• The legal case and the emotional case
• Recognizing the "emotional terrain" by watching for “emotional outcroppings”
• Impasse often caused by conflation of emotional and legal cases
• Creating a clearing so parties cease using legal positions to correct past injustices
• Once emotional issues are addressed, parties are more able to attend to legal aspects in a rational, dispassionate and practical way

12:45p Lunch

1:45 Impasse and Vulnerability | Mark A. Springfield and Stephen H. Sulmeyer
• What is vulnerability?
• Why vulnerability matters?
• What’s required for vulnerability?
• Professionals defending against vulnerability contributes to impasse

2:00 Break

2:30 Mastery of an Undefended Approach | Mark A. Springfield and Stephen H. Sulmeyer
• Tolerating discomfort and not-knowing, letting go of attachment
• The art of listening
• Options out of nowhere

5:00 Adjourn

FINE PRINT • REGISTRATION Registrations are limited by space, and may include a live video broadcast overflow room. TRANSFERS Registrants may transfer from a Live program, Video Replay, Webcast, Webinar or Phone/Audio Streaming Program without penalty within three business days after the program date. CANCELLATIONS Cancellations must be received by 9:00 a.m. the third business day prior to the program to qualify for a refund (less $75 administrative fee). Those not attending will receive the digital program materials in full consideration of tuition paid. MCLE CREDIT The North Carolina Bar Association is an accredited CLE sponsor under the MCLE Regulations promulgated by the North Carolina State Bar Board of Continuing Legal Education. This program is approved (but not sponsored) by the Board for the designated number of CLE hours. Each attorney must maintain a record of his/her attendance for the NC State Bar annual report. MCLE credit is reported by NCBA only if a NC State Bar number is provided. Your CLE tuition includes mandatory State Bar fees used to support the State Bar’s Mandatory Continuing Legal Education program, the Chief Justice’s Commission on Professionalism and the Chief Justice’s Equal Access to Justice Commission. Your tuition also includes digital access to all program materials. DIGITAL PROGRAM MATERIALS You will receive a notification email when digital materials are available to download. To retrieve digital materials, log in and select “Your Course Materials” on the CLE website. All of the materials for this program will be available for download in advance of the program. VIDEO REPLAYS To qualify for the Early Bird tuition, registration must be received one week prior to program date. NC State Bar rules require a minimum number of preregistered active State Bar members. NCBA reserves the right to cancel any video program prior to the program date if registrations do not meet the NC State Bar requirement. Some sites require additional registration or evaluation forms. Visit www.tinyurl.com/CLE723COL to confirm video replay registration and program start times. CLE credit hours at Video Replays are subject to change. Video replay program attendees may purchase the printed manuscript at cost. Due to printing and shipping lead times we are unable to accommodate requests for print materials made fewer than seven (7) days prior to any video replay program. PERSONS WITH DISABILITIES We make every effort to ensure that our programs are held in facilities which are fully accessible to persons with disabilities. If you plan to attend our program and need special facilities or assistance relating to a disability, please contact the CLE Department at least one week prior to the date of the program. INCLEMENT WEATHER We make every effort to notify registrants when a program is canceled or delayed due to weather. If inclement weather is forecast, please check your local news listings or contact event venue. NCBA programs will follow the work schedule of the hosting institutions, to include delayed openings. CLE SCHOLARSHIPS A limited number of scholarships are available to members in financial need. Contact Membership Services at 1.800.662.7407 or email schol@ncbar.org. EVENT SPONSOR AND EXHIBITOR OPPORTUNITIES Interested in meeting the attendees of this program? Become an exhibitor or sponsor! Contact Jennifer Shapiro at CLESponsorship@ncbar.org for detailed information about these opportunities and their benefits. FOR MORE INFORMATION, VISIT WWW.NCBAR.ORG/CLE.
Program Information

Planners
- John L. Sarratt, Harris Sarratt & Hodges LLP, Raleigh
- Mark A. Springfield, Springfield Collaborative Divorce, Raleigh

Planning Committee
- Jeffrey A. Batts, Batts Batts & Bell LLP, Rocky Mount
- Auley M. “Lee” Crouch III, Block Crouch Keeter Behm & Sayed LLP, Wilmington
- Randolph “Tre” Morgan III, Law Office of Randolph Morgan III PA, Raleigh
- John W. Ong, Cranfill Sumner & Hartzog, Charlotte
- Danae C. Woodward, Woodward & Woodward PLLC, Charlotte

Speakers
- Aida Doss Havel, Separating Together, Raleigh
- Randolph “Tre” Morgan III, Law Office of Randolph Morgan III PA, Raleigh
- John W. Ong, Cranfill Sumner & Hartzog, Charlotte
- John L. Sarratt, Harris Sarratt & Hodges LLP, Raleigh
- Mark A. Springfield, Springfield Collaborative Divorce, Raleigh
- Stephen H. Sulmeyer, J.D., Ph.D., Corte Madera, CA

We extend our sincere gratitude to the NCBA Dispute Resolution Section and the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the very highest quality.

Sponsors (at time of printing)
- SPEAKER SPONSOR: Dr. Sulmeyer is sponsored by Springfield Collaborative Divorce, Raleigh
- PROGRAM SUPPORTER: Lawyers Mutual Liability Insurance Company of North Carolina

Hotel Information
Contact hotels 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
  Nightly Rate: $169 single/double. Includes evening manager’s reception and full, cooked-to-order breakfast
  Reservations: 919.677.1840 or www.tinyurl.com/NCBA-Embassy
  NCBA Corporate Account Special Rate Code: 2691626
  Please note: The rates may vary according to guest room availability.

- TownePlace Suites by Marriott, 120 Sage Commons Way, Cary
  Nightly Rate: $114 studio queen with sleeper sofa (Sunday–Thursday). Includes complimentary hot breakfast. All rooms have a fully equipped kitchen.
  Reservations: 919.678.0005 | Ask for the NC Bar Association corporate rate.
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