Collaborative Practice Training

LIVE
Wednesday–Thursday
June 19–20, 2019
Renaissance Asheville Hotel
31 Woodfin Street
Asheville

REGISTER TODAY!
Save 10% if registration is received by May 29, 2019.
www.tinyurl.com/CLE887COL

TOTAL CLE CREDIT
14.0 HOURS
1.0 HOUR Ethics/Professional Responsibility
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 third parties that they wish to maintain. Besides 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.

uard WHAT PEOPLE ARE SAYING...

“This was an exceptional CLE! The entire thing was engaging and the speakers were excellent.”

“There were so many different factors I can take back to my practice.”

“I learned a whole new way of approaching a case in terms of both attitude and language.”

— Attendees, Civil Collaborative Practice Training (2019)
AGENDA

WEDNESDAY, JUNE 19, 2019 | 8:15 a.m. – 5:30 p.m.

8:15 Registration and Continental Breakfast

8:55 Welcome and Introductions
Sarratt

9:00 Collaborative Practice in a Nutshell
Sarratt
• A brief history of collaborative practice
• Collaborative practice on the ADR spectrum
• Advantages and cautions
• When and why to choose collaboration practice as a dispute resolution process
• Where we’ve been and where we’re going

9:30 The Collaborative Process
Sarratt and Springfield
• The seven defining features of the collaborative process
• The negotiation model at the heart of the process

10:15 Initial Case Assessment/Client Meeting
Sarratt and Springfield
• Evaluate the case, educate the client on various case resolution options and decide on an approach
• Educate the client and the opposing party (and often its attorney) on collaborative practice
• Demonstration of initial client meeting

11:15 The Collaborative Process (continued)
• Collaborative sessions
• The role of the collaborative lawyer
• Other members of the collaborative team: experts, case evaluators and consultants, facilitator/coach

11:45 Breakout: One-on-One Initial Client Interview

12:30 Lunch

1:00 The Paradigm Shift
Havel
• Practicing law as problem-solving rather than win-lose
• Rethinking our role as attorneys
• Increasing job satisfaction

1:45 Role-Play of First Collaborative Session
Faculty
• Review collaborative process/pledge/negotiation model
• Putting together the collaborative team
• Reviewing the necessary documents: agreement, agenda
• Initial discussion of issues: needs, interests

2:45 Debrief
Faculty

3:00 Break
3:15  **Practical Techniques for Being the Calm within the Storm**  
Byers  
- Using mindfulness as a tool for improving awareness of and connection with ourselves and our clients in order to create conditions most conducive to the facilitation of conflict resolution  
- Developing the core competencies of a highly effective collaborative problem-solver  
- Identifying and responding, in a sustainable and nonreactive way, to what the parties need most in any particular moment in order to help them reach resolution

4:00  **Interest-Based Negotiations**  
Springfield  
- Managing the emotional component of conflict in a collaborative setting  
- Joint problem-solving as the goal

4:30  **Role-Play of Second Collaborative Session**  
Faculty  
- Needs and interests  
- Use of experts

5:30  **Adjourn**

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**THURSDAY, JUNE 20, 2019 | 8:30 a.m. – 4:30 p.m.**

8:30  **Continental Breakfast**

8:55  **Welcome and Introductions**  
Sarratt

9:00  **Recap of Day One and Q&A**  
Faculty

9:15  **Collaborative Communication Techniques**  
Havel  
- Summarizing, restating, reflecting back, reframing  
- Empathetic listening and the sacred pause  
- The power of silence and the power of apology  
- Nonviolent communication

10:00  **Role-Play of Third Collaborative Session**  
Faculty  
- Brainstorming

11:00  **Break**

11:15  **Ethical Considerations in Collaborative Practice**  
Havel  
- Ethical standards and protocols in a collaborative setting  
- Applicable North Carolina State Bar Ethics Rules (RPC 1.2, 1.4, 2.1) and Opinions (2002 FEO 1)  
- Informed consent  
- Zealous advocacy and collaborative practice
12:15  Lunch

12:45  Role-Play of Fourth Collaborative Session
       Faculty
       • Resolution
       • Implementation
       • Looking forward

1:30  Debrief of All Collaborative Sessions and Q&A
       Faculty

2:00  Nonviolent Communication Exercise
       Springfield

2:30  Building a Collaborative Law Practice
       Russell and Springfield
       • Discovering what clients want to hear about collaborative practice
       • Translating the initial consult into a collaborative agreement
       • Getting all sides to commit to collaborative practice
       • Forming collaborative practice groups
       • Involving industry groups, insurers and others

4:00  What Next?
       Faculty
       • Expansion of the collaborative process beyond family law – construction, employment, business, medical error, etc. – and challenges and opportunities
       • Collaborative organizations
       • Other resources

4:30  Adjourn

* Indicates portion providing Ethics/Professional Responsibility credit
SPEAKERS
• **Colleen L. Byers**, Bell Davis & Pitt PA, Winston-Salem
• **Aida Doss Havel**, Law Offices of Aida Doss Havel, Rodanthe
• **Ashley-Nicole Russell**, Law Offices of Ashley-Nicole Russell PA, Greenville
• **John L. Sarratt**, Harris Sarratt & Hodges LLP, Raleigh
• **Mark A. Springfield**, Springfield Collaborative Divorce, Raleigh

SPECIAL ACCOMMODATIONS
NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

CLE AND PUBLICATION SCHOLARSHIPS
Full and partial scholarships are available for attorneys experiencing a financial hardship of any kind.
Apply at [www.ncbar.org/cle/scholarship](http://www.ncbar.org/cle/scholarship).

HOTEL INFORMATION
Contact hotel directly for reservations at the special NCBA room rate. This rate is based on availability and rooms may sell out.

**Renaissance Asheville Hotel**
31 Woodfin Street, Asheville
• **Nightly rate**: $169 single/double
• **Reservations**: 828.252.8211
• **Cut off date**: Monday, May 20, 2019

PLANNERS
• **Aida Doss Havel**, Law Offices of Aida Doss Havel, Rodanthe
• **John L. Sarratt**, Harris Sarratt & Hodges LLP, Raleigh

PLANNING COMMITTEE
• **Colleen L. Byers**, Bell Davis & Pitt PA, Winston-Salem
• **Mark A. Springfield**, Springfield Collaborative Divorce, Raleigh

SPONSORS
North Carolina Civil Collaborative Law Association
WNC Collaborative Law Group Inc.

We extend our sincere gratitude to the North Carolina Civil Collaborative Law Association, NCBA Dispute Resolution and Family Law Sections as well as the planners, planning committee and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the highest quality.

YOGA FOR LAWYERS
**Wednesday, June 19**
5:30 – 6:00 p.m.
Join us for a session about mindful movement offered to cultivate a sense of well-being, unity, service and love. This session is not for CLE credit.

NCBA ANNUAL MEETING
WELCOME RECEPTION
**Amherst Conference Center**
**Biltmore Estate, Asheville**
**Thursday, June 20**
5:30 – 7:00 p.m.
All collaborative law training attendees are invited to attend this reception at no additional charge.
Register today!

Online: www.tinyurl.com/CLE887COL | By phone: 800.228.3402
By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

Step 1: Tell us who you are. (Please print clearly.)

Print Full Name: _______________________________________________
Address: ______________________________________________________
City, State and ZIP: _____________________________________________
Daytime Phone Number: _________________________________________
Email Address: _________________________________________________
NC State Bar No. (Required for MCLE Credit): ______________________

Step 2: Select your tuition rate. (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)

Standard Rate: ☐ $990 / ☐ $890 Early
NCBA Member: ☐ $825 / ☐ $745 Early
Dispute Resolution Section Member: ☐ $765 / ☐ $690 Early
Family Law Section Member: ☐ $765 / ☐ $690 Early

Step 3: Select your learning format.

☐ Live (887COL)

Step 4: Complete your payment information.

(Registration is complete only after payment is processed. Please print clearly.)

I am registering for this program at the tuition rate checked above.

☐ Enclosed is a check, payable to NCBA. ☐ Please charge my credit card.
Card Number: _______________________________________ Exp. Date: ________
Total Amount: _________ Signature: ________________________________
REGISTRATION: All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated early discount rate percentage is approximate. Registrations may be capped based on venue size and may include an overflow room with additional seating. CHANGES TO EXISTING REGISTRATIONS: Should an attendee need to cancel his or her registration to a Live, Webcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a $75 administrative fee. An attendee may choose to transfer his or her registration at a program to Live, Webcast or Video Replay format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to a Live or Video Replay program only. Substitution means sending another person to attend the Live or Video Replay program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing via email at askcle@ncbar.org or by calling 800.228.3402. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations, including On Demand registrations, cannot be canceled, substituted or transferred once purchased. NO-SHOWS: Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a $75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. MISCELLANEOUS: The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. Notifications regarding program changes will be sent to the email address on file. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the attendee’s image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change.