

NORTH CAROLINA
BAR ASSOCIATION
seeking liberty + justice

Civil Collaborative Practice Training



LIVE

Wednesday–Thursday
February 6–7, 2019
Grandover Resort &
Conference Center
1000 Club Road
Greensboro

REGISTER TODAY!

Save 10% if registration is
received by January 16, 2019.
www.tinyurl.com/CLE830COL

14.0
HOURS

TOTAL CLE CREDIT

1.0
HOUR

Ethics/Professional
Responsibility

REGISTER TODAY!

Online: www.tinyurl.com/CLE830COL | **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: _____

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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: \$960 / \$865 *Early*

NCBA Member: \$800 / \$720 *Early*

Dispute Resolution Section Member: \$745 / \$670 *Early*

STEP 3: Select your learning format.

Live (830COL)

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: _____

AVAILABLE FORMAT



PROGRAM 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 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.

WHAT PEOPLE ARE SAYING...



Excellent program. Full role play was absolutely essential and very helpful.



Great overall material and a very exciting direction for the law.



I thought the program was very informative and practical.

—Attendees, *Collaborative Practice Training (2018)*

AGENDA

WEDNESDAY, FEBRUARY 6, 2019 | 8:15 a.m. – 5:00 p.m.

- 8:15 **Registration and Continental Breakfast**
- 8:55 **Welcome and Introductions** | Sarratt
- 9:00 **Collaborative Practice in a Nutshell** | Sarratt
- Brief history of collaborative practice
 - Collaborative practice on the ADR spectrum
 - Where we've been and where we're going
- 9:30 **The Collaborative Process—Part 1** | Sarratt and Springfield
- Defining features of the collaborative process
 - Advantages and cautions
 - When and why to choose collaborative practice as a dispute resolution process
- 10:15 **Initial Case Assessment/Client Meeting** | Sarratt and Springfield
- Evaluate case, educate client on various case resolution options and decide on approach
 - Educate client and opposing party (and often their attorney) on collaborative practice
 - Demonstration of initial client meeting
- 11:00 **Break**
- 11:15 **The Collaborative Process—Part 2** | Sarratt and Springfield
- Collaborative sessions
 - 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 Meeting**
- 12:30 **Lunch**
- 1:00 **Collaborative Communication Techniques** | Havel
- Summarizing, restating, reflecting back, reframing
 - Empathetic listening and the sacred pause
 - The power of silence and the power of apology
 - Non-violent communication
- 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
 - Use of expert
 - Initial discussion of issues – needs and interests
- 2:30 **Debrief** | Faculty
- 2:45 **Break**
- 3:00 **Interest-based Negotiations** | Springfield
- 3:30 **Role Play of Second Collaborative Session** | Faculty
- Needs and interests
- 4:30 **Demonstration of Post-Session Attorney Meeting** | Havel and Springfield
- 4:45 **Debrief** | Faculty
- 5:00 **Adjourn**

AGENDA

THURSDAY, FEBRUARY 7, 2019 | 8:30 a.m. – 5:00 p.m.

- 8:30 **Continental Breakfast**
- 8:55 **Welcome and Introductions** | Sarratt
- 9:00 **Recap of Day One and Q&A** | Faculty
- 9:30 **The Paradigm Shift** | Havel
- Practicing law as problem-solving rather than win-lose
 - Rethinking our role as attorneys
 - Increasing job satisfaction
- 10:30 **Non-violent Communication Exercise** | Faculty
- 11:00 **Break**
- 11:15 **Role Play of Third Collaborative Session** | Faculty
- Brainstorming
- 12:00 **Lunch**
- 12:30 **Role Play of Fourth Collaborative Session** | Faculty
- Resolution
 - Implementation
 - Looking forward
- 1:15 **Debrief All Collaborative Sessions and Q&A** | Faculty
- 1:30 **Ethical Considerations in Collaborative Practice*** | 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
- 2:30 **Break**
- 2:45 **Collaborative Law Practice Today** | Faculty
- Expanding the collaborative process beyond family law—construction, employment, business, medical error, etc.—and challenges and opportunities
 - National collaborative organizations
 - Collaborative law practice challenges
 - Other resources
- 3:45 **Building a Collaborative Law Practice** | Sarratt and Springfield
- Marketing a collaborative law practice
 - Collaborative practice groups
 - Involving industry groups, insurers and others
 - Getting all sides to commit to collaborative practice
- 4:45 **What Did You Learn?** | Faculty
- Q&A
 - What happens next?
- 5:00 **Adjourn**

* Indicates portion providing Ethics/Professional Responsibility credit

PROGRAM DETAILS

SPEAKERS

- **Aida Doss Havel**, Separating Together, Raleigh
- **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.

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

HOTEL INFORMATION

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

Grandover Resort & Conference Center 1000 Club Road, Greensboro

- **Nightly Rate:** \$176 single/double
- **Reservations:** 336.294.1800
- **Cut-off Date:** January 10, 2019

PLANNING COMMITTEE

- **Aida Doss Havel**, Separating Together, Raleigh
- **Mark A. Springfield**, Springfield Collaborative Divorce, Raleigh

PLANNER

- **John L. Sarratt**, Harris Sarratt & Hodges LLP, Raleigh

PLANNING COMMITTEE

- **Aida Doss Havel**, Separating Together, Raleigh
- **Mark A. Springfield**, Springfield Collaborative Divorce, Raleigh

SPONSOR

This program is sponsored by the NCBA Dispute Resolution Section.

SAVE THE DATE!

2019 Dispute Resolution Section Annual Meeting and CLE

Friday, March 22, 2019

Charlotte

Contact the CLE Department at 800.662.7407 for updates and details.

NCBA

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Cary, NC 27513

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Civil Collaborative Practice Training

NCBA is an accredited CLE sponsor under the MCLE regulations promulgated by the North Carolina State Bar Board of Continuing Legal Education.

INTRODUCING...

premier pass

The 2018-2019 CLE Premier Pass is
an exclusive NCBA member benefit
providing unlimited CLE
including access to hundreds of
On Demand programs.

www.tinyurl.com/PremierPass

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 the 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 by 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 cancelled, 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.