



MASSACHUSETTS
Collaborative Law Council

MCLC NETWORKING & EDUCATIONAL FORUM

CULTIVATING COLLABORATION: THE CHANGING
FACES OF COLLABORATIVE LAW

MAY 12
2017

8:30AM-4:30PM



JOIN US AT THE 2017 MCLC FORUM

MCLC NETWORKING & EDUCATIONAL FORUM

CULTIVATING COLLABORATION: THE CHANGING FACES OF COLLABORATIVE LAW

TIME	SESSION	PRESENTER	TITLE / DESCRIPTION
9:00 - 10:00	Morning Plenary	Kim Fauss	<p>THE UNCONSCIOUS IMPACT OF OUR SURROUNDINGS: MAKING SPACE FOR COLLABORATION</p> <p>Collaboration offers a new experience of safety for clients. By offering supportive guidance, Collaborative professionals help couples find the courage to attempt different behavior: cooperation instead of conflict. Evidence-based research demonstrates the role that thoughtful design can play to heal within spaces that foster safety and reflection. Although not traditionally considered in the Collaborative toolbox, design is complimentary to what we do every day - making thoughtful plans for human interaction – whether planning a Collaborative process, team or environment. This presentation hones the Collaborative professional’s awareness of environment so that design elements can be considered to support emotional calm and engage creativity for both clients and professionals. The conscious consideration of place has the potential to enhance our Collaborative work as individuals and teams.</p>

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TIME	SESSION	PRESENTER	TITLE / DESCRIPTION
10:15 - 11:45	Workshop A	Kim Fauss	<p>YOUR OFFICE CHANGES YOUR CLIENT CONVERSATIONS – AND WHAT YOU CAN DO ABOUT IT!</p> <p>This experiential workshop builds on the Plenary Session overview by offering tools for practitioners so that existing office spaces surround clients and professionals with an environment supportive of collaborative connections. This workshop explores questions and exercises for Collaborative professionals to:</p> <ul style="list-style-type: none"> · Consider simple changes in environment that can facilitate the clients’ engagement at each stage in the Collaborative Process. · Create visual cues to clients to calm, focus and unlock their narrative and emotional experience. · Reflect on your professional identity as conveyed through surroundings that trigger habitual, unconscious patterns of interaction.
10:15 - 11:45	Workshop B	William F. Coyne, Jr. Linda Cohan	<p>RESOLVING TRUST AND PROBATE DISPUTES USING A COLLABORATIVE TEAM APPROACH</p> <p>Trusts, probate and estate planning are ideal areas for expansion of collaborative law, since they typically involve ongoing family relationships. The workshop will describe the basics of trusts, and will consider typical probate/trust disputes and how they are resolved 1) in probate, 2) with trusts, and 3) using collaborative law.</p>
10:15 - 11:45	Workshop C	Douglas C. Reynolds	<p>IMPLICIT BIAS IN COLLABORATIVE WORK: FROM BRAIN SCIENCE TO SELF-AWARENESS</p> <p>Implicit bias has come to the fore, and events expose its relevance daily. Diversity and bias have significant impact on dispute resolution. This workshop will explore the brain science of implicit bias, the self-awareness necessary to good relations across difference, and skills for effectively including everyone through recognition, understanding and appreciation.</p>
10:15 - 11:45	Workshop D	Karen Van Kooy Belle Soloway Lisa Vendetti	<p>COLLABORATIVE LAW FOR MODEST MEANS FAMILIES: A NEW MCLC INITIATIVE</p> <p>The Access to Collaborative Committee will present the Collaborative Law Initiative for Modest Means Families. A multi-disciplinary panel will describe intake and assessment processes, professional team development, administration, fee structure and more. This will be an interactive workshop aimed at soliciting attendees’ ideas, questions, and support for this exciting initiative.</p>

**LUNCH
12:00-1:00**

TIME	SESSION	PRESENTER	TITLE / DESCRIPTION
1:15 - 2:45	Afternoon Plenary	Blair Trippe	<p>DECONSTRUCTING CONFLICT™ : HOW TO UNDERSTAND AND MANAGE FAMILY CONFLICT OVER BUSINESS, WEALTH AND POWER.</p> <p>Why are conflicts in family business so common, and often so extreme and intractable? Why do conventional dispute resolution approaches often fail and sometimes increase conflict? Family business conflict is distinct from civil dispute and can be described as identity-based, systemic conflict, with the additional complication that continuing relationships matter and must be considered throughout the conflict management process. Therefore, it is essential that advisors to families who own and manage assets together acquire insight and methodologies that address this core competency. This presentation will explore the distinguishing elements of conflict in family enterprise and will provide conflict management approaches that go beyond those developed for resolving simple civil and family disputes. It will explore how power is both held and used, when Collaborative Practice and other traditional approaches to conflict management can be useful or ineffective, how to measure the impact of the family bond on conflict, and how to grow individuals and their enterprise out of conflict.</p>
3:00 - 4:30	Workshop E	Patrice Brymner, Margaret M. Moore	<p>DIGNITY IN ACTION</p> <p>As collaborative practitioners we talk about the importance of dignity in our work, but do we really know what dignity is? Using the "Dignity Model," developed by Dr. Donna Hicks in her book <i>Dignity: Its Essential Role in Conflict Resolution</i>, this workshop explores the vital role dignity plays in the Collaborative Process.</p>

TIME	SESSION	PRESENTER	TITLE / DESCRIPTION
3:00 - 4:30	Workshop F	Justin Kelsey (moderator) Blair Trippe David Consigli R. Paul Faxon	<p>GROWING THE PIE: INTRODUCING EXPERTS WHO CREATE VALUE FOR CLIENTS</p> <p>Divorce cases that include family business ownership in the couple's portfolio (or "closely-held" companies where owners-principals want to restructure ownership) can benefit from adding family business consultants and valuation experts to the CL inter-disciplinary team. This multi-disciplinary panel of professionals will discuss how they create value for scores of clients and their CL attorneys who are struggling to resolve conflict and, if appropriate, develop a property division settlement that enlarges rather than shrinks the pie for those involved.</p>
3:00 - 4:30	Workshop G	Vicki L. Shemin, Jonathan Fields	<p>MAKING THE CL SHOE FIT THE CLIENTS: CREATIVE OPTIONS FOR A BETTER FITTING PRACTICE MODEL</p> <p>We are very interested in the 30,000 foot view of the current and changing face of Collaborative Law. The title is a reference to the realization that the traditional model of CL – a coach, 2 lawyers, a financial neutral – is not necessarily the best fit for all clients seeking a collaborative settlement. We pose the question as to whether we are, at times, hampering or fostering the CL movement in the way we present the options during the Intake process and we offer concrete alternatives in the form of case examples and applicable theories based on empirical evidence.</p>

PRESENTER BIOS

PATRICE BRYMNER, J.D.

Patrice is a collaborative divorce attorney and mediator in Acton, MA. She is a graduate of the University of California, Hastings College of the Law, where her commitment to client-centered lawyering began. At Hastings, Patrice trained in the school's awarding-winning Civil Justice Clinic, with a focus on holistic and a client-centered civil litigation and group representation. She has taught legal writing and research at U.C. Hastings. She has also taught classes on drugs and crime at Fitchburg State University, and has presented on drugs and alcohol in collaborative divorce cases. Patrice serves on MCLC's Continuing Education Committee and on MCLC's Strategic Planning Committee.

LINDA COHAN, MSW, CPC

Linda Cohan is an Executive Coach and a Neutral Coach Facilitator. She is currently on the Board of Directors of the Massachusetts Collaborative Law Council, and was part of the faculty team that led an entry-level business and family training in Madrid Spain in 2013, in Bilbao, Spain in 2015 in October 2016 in Turin, Italy. She has been a speaker at the Massachusetts Bar Association and has presented at the International Association of Collaborative Professionals Forum in Washington, DC. Linda has her Masters in Social Work from Boston University and did basic mediation training through the Worcester Community Action Council.

DAVID CONSIGLI, CPA

Director of Business Valuations at AAFCPA's, David has been engaged as an independent valuation expert, assisting the collaborative process by helping clients understand the valuation process and the conclusions of value, where the only agenda is to help clients come to an agreement in their disputes.

WILLIAM F. COYNE, JR. J.D.

William F. Coyne, Jr. is an attorney with Boston Legacy Planning LLC in Needham. His practice includes estate planning, trust settlement, and avoiding and resolving family estate and business disputes. Bill received basic mediator training in 1997, advanced mediator training in 1998, and became certified in collaborative law in 1999.

KIM P. FAUSS, J.D.

Kim practices collaborative law and mediation in Richmond for her firm, New Growth Ventures. She attended Oberlin College, University of Virginia Law School, and more recently, seminary to study theology. She trained in the mediation, collaborative law and restorative justice processes. Kimberly is a long-time student of

neuropsychology and has written and trained throughout the U.S. and internationally on the connections between these disciplines. Kimberly is a charter member of the boards of the statewide Virginia Collaborative Professionals (VaCP) and her local Richmond practice group, and she is currently Treasurer of the Board of the International Academy of Collaborative Professionals (IACP) and active on its committees. Kimberly is also on the faculty of the Collaborative Practice Training Institute (CPTI) which provides basic and advanced collaborative trainings. She has been selected by her peers for inclusion in Best Lawyers 2011 through 2016 for collaborative law as well as mediation. You may find her articles on this topic and other on her website: www.newgrowthventures.com.

R. PAUL FAXON, J.D.

Paul practices in the areas of closely-held and family business law, commercial real estate transactions, and legal conflict assessment and resolution (including CL). He is a past President of the Massachusetts Collaborative Law Council and has presented at conferences sponsored by the International Association of Collaborative Professionals, various European Collaborative Law Associations, the Family Firm Institute, and Attorneys for Family Held Enterprises.

JONATHAN FIELDS, J.D.

Jonathan E. Fields is a founding partner of Fields Dennis & Cooper LLP where he practices exclusively in family law as an attorney, mediator and collaborative practitioner. Jonathan has been practicing law for more than 25 years. His firm has been ranked as one of Boston's Top Tier Family Law Firms in the US News & World Report's Best Lawyers Best Law Firms 2016 Edition. Jon was recently appointed as a member of the Child Support Guidelines Task Force. He is a Fellow in the American Academy of Matrimonial Lawyers.

JUSTIN KELSEY, J.D.

Justin is a collaborative attorney, mediator and principal of Skylark Law & Mediation, P.C. in Framingham, MA. He serves on numerous bar association boards and committees including MCLC where he is the in-coming president. He concentrates primarily on Family & Probate Mediation, Collaborative Law, and Estate Planning.

MARGARET M. MOORE, MSW, LICSW

Margaret is a Collaborative Coach, Child Specialist, and individual and family therapist in Westford, MA. Margaret is a graduate of the Salem State University School of Social Work, where she has also taught graduate level Assessment of Psychosocial Pathology. As a manager for the Department of Children and Families and the Department of Mental Health, Margaret focused on training

towards a strength-based approach to child welfare for families dealing with mental health and/or substance abuse. While working at the Massachusetts Child Welfare Institute, she conducted workshops and advocated for the continued training of child welfare workers. Margaret currently serves on MCLC's Continuing Education Committee.

DOUGLAS C. REYNOLDS, J.D.

Douglas C. Reynolds of The New Law Center, LLC in Cambridge (www.thenewlawcenter.com) began practice in 1973. He has consulted for many public and private organizations in diversity and inclusion since 1990. Doug is a founding member of MCLC, and he graduated from Dartmouth College and Boston University School of Law.

VICKI L. SHEMIN, J.D., LICSW, ACSW

Vicki L. Shemin, who is of counsel to Boston Law Collaborative, brings more than 35 years of family law/therapy experience to offer clients ADR options including collaborative law (since 1995), mediation, family law consultation/coaching, parenting coordination, GAL evaluations, pre-marital/post-nuptial agreements – and mediation to stay married. For more than 15 years, she has been distinguished as having an AV Preeminent Peer Review Rating from Martindale-Hubbell. Since 2011, she's been continuously recognized for selection in the Bar Register of Preeminent Women Lawyers as one of the Top Women Lawyers in the Northeast and she's earned a perfect 10.0 AVVO "Excellent Divorce Attorney" rating.

BELLE F. SOLOWAY, J.D.

Belle is a family law attorney and mediator in Norwood, MA. For the past thirty – one years, Belle has had a solo private practice specializing in divorce, custody and parenting plans. Belle also works in the Juvenile and Probate Courts as appointed counsel for parents and children involved with the Department of Children and Families. Belle is working on her first formal Collaborative Law case. She has handled numerous cooperative cases using her Collaborative and Mediation skills to help her clients resolve matters amicably as an alternative to litigation. Belle is a member of the Massachusetts Collaborative Law Council and the Collaborative Law Council's Access to Justice Committee.

BLAIR TRIPPE, MBA

Managing Partner at Continuity Family Business Consulting, Blair Trippe is an experienced negotiator, mediator, and family business consultant. Having co-developed the specialized field of elder mediation as a Founding Partner of Elder Decisions, she transformed the practice of helping adult siblings manage the issues confronting aging family members including the sharing of assets. Her grasp of family enterprise systems has garnered the

trust of a wide range of family business executives, board members, and other stakeholders. She is co-author of Deconstructing Conflict: Understanding Family Business, Shared Wealth and Power and also of Mom Always Liked You Best; A Guide for Resolving Family Feuds, Inheritance Battles and Eldercare Crises. She earned an MBA at Northwestern's Kellogg School, a BA in psychology at Connecticut College, and certificates in negotiation and mediation through the Program on Negotiation at Harvard University.

KAREN VAN KOOY, J.D.

Karen is a family law attorney in Brookline, MA. Karen is Co-Chair of the MCLC's Access to Collaborative Law committee, is on the Board of Directors of The Divorce Center, oversees the Divorce Center's Parents Apart program, and is involved in many other professional organizations, her favorite being the Women's Bar Foundation's Family Law Project for Battered Women. Collaborative Practice Work Experience: Karen has worked on three Collaborative Cases with a full participation agreement, and numerous cooperative cases. Karen is also a mediator.

LISA VENDETTI, LICSW

Lisa is trained as a Collaborative Divorce Coach/Facilitator, Child Specialist, Family Mediator, Psychotherapist and owns a private practice in Hopkinton, MA. Lisa enjoys working with children and families and has been in the mental health field for over 15 years. Lisa has also served as a volunteer mediator with MWI and MWMS. Collaborative Law Experience: Lisa was trained in CL in October 2015. She is a member of IACP and MCLC and enjoys being an active participant in the Worcester Practice Group. Lisa was appointed to and served on the IACP Access to Collaboration Task Force in 2016 and is currently serving on MCLC's Access to Collaborative Law Committee

REGISTER TODAY

DATE: MAY 12, 2017

LOCATION:

**CLARK UNIVERSITY
GRADUATE SCHOOL OF
MANAGEMENT, METROWEST
CAMPUS**

333 Turnpike Road (Route 9)
Southborough, MA

**TIME: 8:30 A.M. — 4:00 P.M.
(BREAKFAST AND LUNCH INCLUDED)**

**REGISTER ONLINE AT
MASSCLC.ORG**

MCLC Early Bird Member registration through March 31, 2017, \$159.00; starting April 1, 2017, \$195.00 Non-MCLC Members Early Bird registration through March 31, 2017, \$195.00; starting April 1, 2017 \$220.00

Cancellation Policy: Registration fees will be refunded less \$40.00 for cancellations through April 24, 2017. After April 24, 2017 there will be no refunds.

Please note: Current MCLC members only are eligible for the member discount. Prospective members must apply to MCLC and be accepted before they will be eligible to register at the member rate. Program attendance counts toward the additional training requirement of the MCLC Membership Standards for Collaborative Practitioners. Continuing education credits are pending for Psychologists (APA) and Social Workers (ASWB).

ATTENDEES WILL RECEIVE A COPY OF THE BOOK "DECONSTRUCTING CONFLICT: UNDERSTANDING FAMILY BUSINESS, SHARED WEALTH AND POWER" AUTHORED BY AFTERNOON PLENARY SPEAKER, BLAIR TRIPPE, AND DOUG BAUMOEL!