OVERCOMING THE MEDIATION PARADOX: IDEAS, CHALLENGES, GOOD PRACTICE

International Scientific Conference

21 NOV, 2023



Organizer & Host

MRU

PROGRAM

21st of November, 2023 | Mykolas Romeris University
C-I-201, Ateities str. 20, Vilnius, Lithuania
| in-person participation |

WELCOME GREETINGS

Prof. Dr. Lyra Jakulevičienė, dean of the Mykolas Romeris University Law School

Jurga Greičienė, vice-minister of the Ministry of Justice of the Republic of Lithuania

Dr. Elena Koltsaki, INADR president

8.30 - 9.00 Registration

9.00 - 9.20 Opening remarks

I. THE MEDIATION PARADOX: STAY CALM OR ACT FAST? | C-I-201

Moderated by MRU Professor Dr. Agnė Tvaronavičienė and MRU Professor Dr. Natalija Kaminskienė

09.20 - 09.40 **Mediating Mediation Itself and Solving the Mediation Paradox**
Prof. Dr. Giuseppe De Palo (Italy, USA), president of the Dialogue Through Conflict Foundation.

09.40 - 10.00 **Through the Looking Glass: Why the Mediation Ecosystem Matters**
Prof. Dr. Nadja Alexander (Singapore), director of the Singapore International Dispute Resolution Academy at Singapore Management University.

10.00 - 10.15 **The CEPEJ's Insights Towards the Promotion of Mediation within the EU**
Dr. Rimantas Simaitis (Lithuania), associate professor at Vilnius University, mediation and e-justice expert of the European Commission for the Efficiency of Justice (CEPEJ).

10.15 - 10.30 **How Technology Can Make Mediation More Accessible and, Through the Lesser-Discussed Form of AI ("Augmented" Not "Artificial" Intelligence), Can Both Help the Process To Be Faster and the Mediator More Productive**
Graham Ross (United Kingdom), board mmber of the International Council for Online Dispute Resolution, member of the National Centre for Technology and Dispute Resolution at UMass (Amhurst), ODR expert, official observer to the European Cyberjustice Network of the Council of Europe.

10.30 - 11.00 Coffee break

II. CONTEMPORARY EUROPEAN TRENDS IN PROMOTING MEDIATION | C-I-201

Moderated by MRU Professor Dr. Agnė Tvaronavičienė and MRU Professor Dr. Natalija Kaminskienė

11.00 - 11.15 **Mandatory Mediation in Family Disputes: An Emerging Trend in the European Union?**
Indrė Korsakovienė (Lithuania), council member of the Lithuanian Chamber of Mediators, member of the Mediation and Sustainable Dispute Resolution Laboratory at MRU, lecturer and PhD candidate at MRU.

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11.15 - 11.30 **The Greek Odyssey of Mediation: After 10 Adventurous Years, Are We Any Closer to Ithaca?**

Dr. Elena Koltsaki (Greece), President of INADR, Lawyer, Mediator, Trainer, Academic Director of the MSc in Business for Lawyers, Affiliate Professor of Mediation and Negotiations Management.

11.30 - 11.45 **Emerging Mandatory Mediation Models in the EU: What Direction Has Bulgaria Chosen for Transitioning to Mandatory Mediation?**

Prof. Dr. Dobrinka Chankova (Bulgaria), professor of criminal procedure law at South-West University, founder and president of the Institute for Conflict Resolution (ICR), co-founder and member of the National Association of Mediators and European Forum of Restorative Justice.

11.45 - 12.00 **Torn Between Voluntariness and Compulsion: The Convoluted Paths in Austrian Mediation Legislation in Civil Law**

Prof. Dr. Sascha Ferz (Austria), University of Graz, Faculty of Law. Professor for Alternative Dispute Resolution at the Institute of Legal Foundations, Head of the interdepartmental Centre for Social Competence.

12.00 - 12.15 **Mediation in the Slovak Republic: When Is Simply Having the Law Not Enough?**

Dr. Beata Swanová (Slovakia), previous vice-president of the Slovak Association of Mediators and member of the Slovak Association of Family Mediators, mediation lecturer in training and seminars organised by the Ministry of Justice of the Slovak Republic, lecteur in Mediation Clinic at the Faculty of Law of Comenius University in Bratislava.

12.15 - 12.30 **Mediation in Ukraine: Main Achievements & Further Steps in a Time of Crisis**

Prof. Dr. Tetiana Tsuvina (Ukraine), head of the Department of Civil Procedure, Arbitration and International Private Law at the Yaroslav Mudryi National Law University.

12.30 - 14.00 Lunch break

III. PANEL DISCUSSIONS

GROUP A. IS A NEW, HARMONIZED APPROACH TO EU POLICY ON SOLVING FAMILY CONFLICTS NEEDED? | C-I-201

Moderated by Dr. Yulia Branimirova-Radanova, MRU post-doc scholar

14.00 - 14.15 **Best Practices in Cross-Border Family Mediation**

Christian von Baumbach (Germany), mediator (BM, BAFM, SIMI), Cross-Border Family Mediator (MiKK), Lecturer for Mediation and Intercultural Communication (MiKK, Euro-FH, HAW Hamburg, Osaka University).

14.15 - 14.30 **Axiology of the child's well-being and the praxeology of public authorities' actions in cross-border family mediation**

Prof. Dr. hab. Magdalena Tabernacka (Poland), head of the Department of Comparative Administration at the Institute of Administrative Sciences at the University of Wroclaw.

14.30 - 15.30 **Discussion**

The discussion will seek to gather the pros and cons for adopting a new policy for solving family disputes through mediation and will try to highlight some of the most common challenges experienced today across the different EU Member States and the mediation models they deploy. The audience will have the opportunity to follow the discussion and ask questions.

GROUP B. IF NOT MANDATORY MEDIATION, THEN WHAT? | C-I-414

Moderated by Indrė Korsakovienė, MRU PhD candidate

14.00 - 14.15 **Five Topical Tools for Boosting Mediation in Latvia**

Dr. Dana Rone (Latvia), sworn attorney-at-law, certified mediator, associate professor at Turiba University.

14.15 - 14.30 **The Promotion of Mediation in the English Civil Justice System: More Stick than Carrot**

Prof. Dr. Bryan Clark (UK), professor of law and civil justice at Newcastle University.

14.30 - 15.30 **Discussion**

The discussion will seek to identify the most effective measures to promote mediation and propose new, unexploited means, including procedural sanctions and incentives. It will also provide recommendations to EU Policy makers and Member States for increasing the use of mediation. The audience will have the opportunity to follow the discussion and ask questions.

15.30 - 16.00 Coffee break

IV. THE FUTURE OF MEDIATION AND CONFLICT RESOLUTION: WHAT WILL TOMORROW BRING US? | C-I-201

Moderated by MRU Professor Dr. Agnė Tvaronavičienė and MRU Professor Dr. Natalija Kaminskienė

16.00 - 16.20 **Psychology and Research-Informed Practice in an Ever-Changing World**

Dr. Mary Lou Bryant Frank (USA), PhD, MS, MEd, psychologist, court-approved mediator, mediation trainer and consultant.

16.20 - 16.40 **Ethical Challenges for Mediators in Adopting New Technologies**

Dr. Omer Shapira (Israel), mediator, associate professor of Law at Ono Academic College. Served on the Advisory Committee to Israel Minister of Justice on mediation (2018–2023). Chairs the Mediator Ethics Forum (Israel) and the International Mediation Institute (IMI) Ethics Committee.

16.40 - 17.00 **How Much Technology Can Mediation Afford? Presenting an App for Resolving Disputes**

Petros Zourdoumis (Greece), BA in Economics, LL.B, LL.M, practicing mediator and negotiator on commercial, banking and private debt disputes, founder of ADR point and ODR Europe.

17.00 Closing remarks

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