

# INADR

## PEACEMAKER BIENNIAL

1st edition 2023

Photos by INADR Media



Opening of the XXI International Law School Mediation Tournament—International Mediation Conference “Women in Mediation,” Bologna, Italy



Gala dinner and Awards Ceremony, XXI INADR International Law School Mediation Tournament, Bologna, Italy



Semi-finalists of XXI International Academy of Dispute Resolution (INADR) International Law School Mediation Tournament, Bologna, Italy, 2023

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# PEACEMAKER BIENNIAL

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## ELVIRA BACCI

# A WEEK OF MEDIATION AND CELEBRATION: THE SUCCESS OF THE INTERNATIONAL LAW SCHOOL MEDIATION TOURNAMENT 2023



Dear Readers,

We are delighted to share with you the incredible success of our recent one-week mediation tournament, held in honor of INADR's annual International Law School Mediation Tournament. This extraordinary event brought together talented individuals from around the globe to discuss and showcase the vital role of mediation in our everyday life.



Opening of the tournament. Left to right: Prof. Silvana Dalla Bontà, Dr. Elena Gabellini, Dr. Elena Koltsaki, Prof. Michele Caianiello

Photo by INADR Media

Kicking off on March 8, International Women's Day, the event began at the Aula Magna ex "Santa Lucia", University of Bologna, Italy, with a **captivating conference featuring esteemed speakers from various corners of the world**. These inspiring individuals delved into the complexities surrounding women's participation in media-

tion, shedding light on their indispensable contributions. The conference set the tone for the entire week, fostering an environment of knowledge exchange, empowerment, and unity. Speakers at the event were:

- ◆ Dr. Kenneth Frank - The Marginalization of Women Peacemakers
- ◆ Prof. Ana Khurtsidze - Women Negotiators Role in Traditional Society and Transformation
- ◆ Adv. Orit Asnin - Mediation – The Magic Wand. The Role of Women in Changing the Dispute
- ◆ Prof. Teresa Frisbie - Empowering Women in Mediation through Affect Labeling and Emotions Work
- ◆ Dr. Agnė Tvaronavičienė - The Purpose of Mediation in Contemporary Society and Empowering as a Main Tool To Reach It (see page 9-10 for a summary)
- ◆ Dr. Mary Lou Bryant Frank - Women in Mediation: Research, Reflections, and the Future of Mediation Resolution
- ◆ Dr. Laura Bologna - Women and Mediation: United Nations Experiences and Reflections
- ◆ Avv. Corrado Mora - Witnessing Women Around the Mediation Table. A Perspective

The event then evolved into an **intense training session on mediation**, thanks to:

Photos by INADR Media



Dr. Mary Lou Frank



Rachelle Gabellini



Dennis Favaro

◆ Dr. Elena Koltsaki - Do's and Don'ts of Mediation

◆ Dr. Mary Lou Frank - The Psychology of Mediation

◆ Rachelle Gabellini - Necessary Negotiation Skills in Mediation

◆ Dennis Favaro - Advocacy in Mediation

◆ Agnieszka Góra & Jacek Czaja - Mandatory Tournament Orientation

These trainings closed the cycle of meetings started before the event in Bologna, which included **four online introductory sessions** held by our INADR trainers:

◆ Case Ellis and John Lag - Styles of Mediation Case Strategy and Analysis

◆ Jean-Paul Bevilacqua - An Introduction to Mediation

◆ Agnieszka Góra & Jacek Czaja - Negotiation and Mediation Techniques

Students eagerly registered their teams, signifying the commencement of an intense and invigorating competition. The following day, participants gathered at the prestigious Bologna Law School, located within the hallowed walls of one of the world's oldest universities, founded in 1088. Here, **the first rounds of the tournament unfolded**, with teams receiving confidential cases to analyze and resolve. The judges, trained by professionals from the INADR, provided valuable feedback

and guidance, ensuring a fair and enriching experience for all participants.

Over the next two days, the excitement mounted as the rounds progressed, showcasing the teams' exceptional skills and strategic acumen. In the midst of this intense competition, a memorable moment arrived when all participants were invited to join us for a delightful evening drink. The air was filled with anticipation as we announced the teams that had advanced to the highly anticipated semifinals.

Saturday morning arrived, brimming with anticipation and nervous energy as the semifinals took place. Participants demonstrated remarkable expertise, impressing both judges and spectators alike. In the afternoon, INADR unveiled the finalists in the enchanting Sala d'Armi, a historic room adorned with captivating frescoes. The atmosphere crackled with excitement and pride with the approach of the final showdown.

#### **The finalist teams were:**

◆ Aarhus University

◆ Brooklyn Law School

◆ Benjamin N. Cardozo School of Law

◆ Charles University

◆ Loyola University Chicago School of Law

◆ Principia College

◆ Taras Shevchenko National University of Kyiv

The finalists showcased their extraordinary mediation skills in the final round. Emotions ran high; tension filled the air as the participants exhibited their talents with poise and grace. In the evening, participants gathered at the splendid Palazzo Gnudi, an architectural gem adorned with magnificent frescoes, stuccos, and marble statues. This opulent setting served as the backdrop for our unforgettable farewell dinner, where the winners were announced, and their achievements were celebrated.

This week-long event was a testament to the power of collaboration, showcasing the importance of mediation while promoting cultural exchange and camaraderie. We are immensely grateful to all the participants,

speakers, judges, and volunteers who contributed their time, energy, and expertise to make this event a resounding success.

As we bid farewell to this extraordinary journey, we extend our deepest appreciation to everyone who played a part in making the International Law School Mediation Tournament an unforgettable experience. Together, we have created lasting memories and forged valuable connections that will undoubtedly shape the future of mediation.

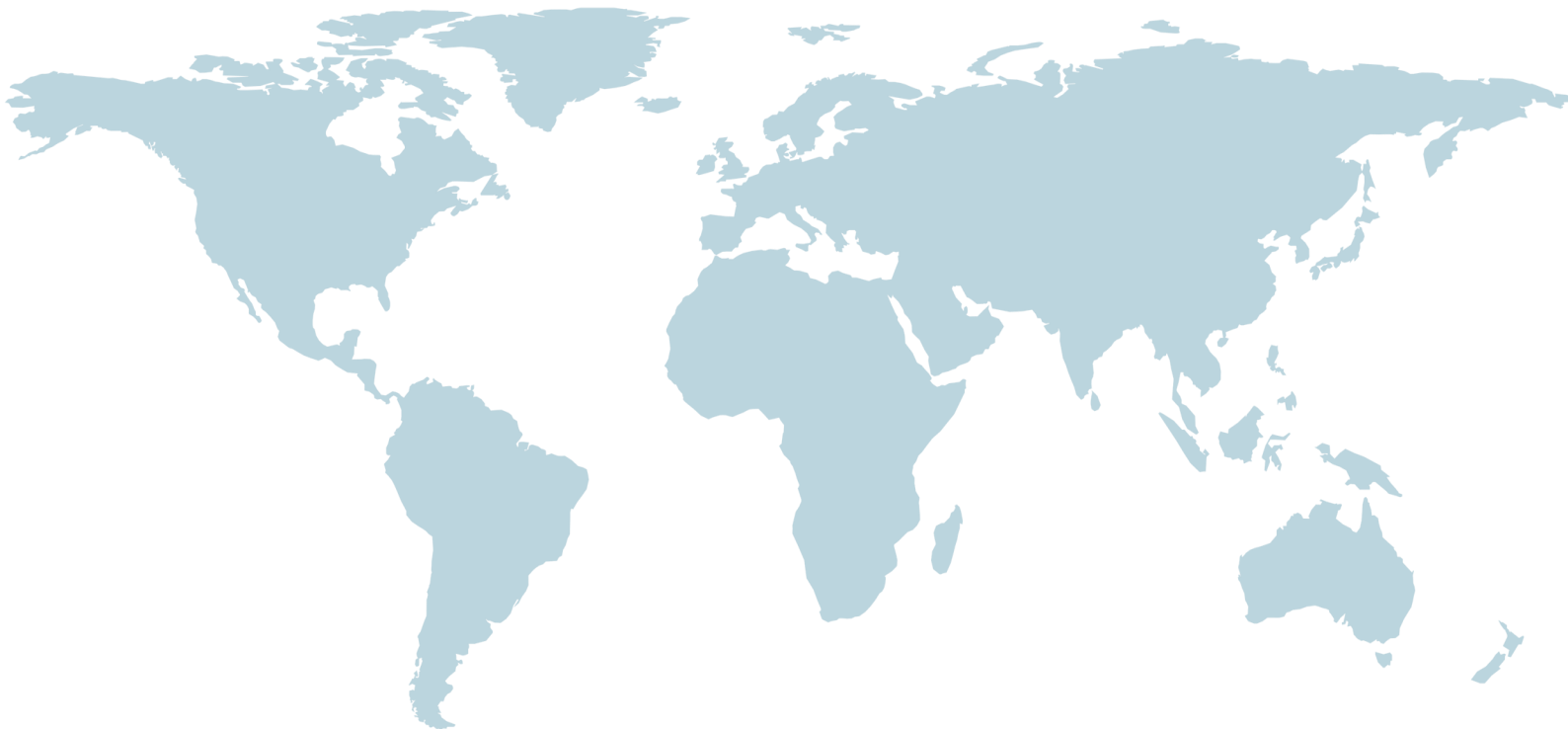
Warm regards,

*Elvira Bacci, INADR Fellow, member of the Organizing Committee*



Awards for XXI International Law School Mediation Tournament

Photo by INADR Media





## KATHIE CALKINS-KEYES

### HIGH SCHOOL MEDIATION GAINING MOMENTUM

Since January 2021, INADR has overseen six U.S. high school mediation tournaments in a pilot program to bring mediation skills to teenagers. "We have designed the first-ever mock mediation competition model for the high school level," explains John Lag, member of the INADR High School Committee. "The training and competition were modeled after the law school and undergraduate competitions, but we have made appropriate modifications to address the needs and experience level unique to secondary education students."

"For teachers who aren't familiar with the process," explains Jeremy Samoy, teacher at Tanque Verde High School in Tucson, Arizona, "I would say the biggest takeaway from participating in mediation was how students learned how to listen and engage and find meaningful common ground. Those skills are invaluable in all walks of life and are incredibly practical for students to develop."

Students in Samoy's Mock Trial class have now participated in three tournaments. "It definitely showed a different side of the law that a lot of people aren't aware of and helps more people who are interested in law realize there is an alternative to trial," commented Julia Meindl, one of his students.

These teen tournaments bring out the best in competitors as they work hard to find solutions that are fair to all parties, says Don Sterrett, director of Instructional Coaching and Teacher Training at Principia Upper School in Saint Louis, Missouri. Don coaches the mediation teams at Principia and has helped run three tournaments hosted by the school.

Mediation Club has been an exciting challenge for Principia junior Quinna McCarty, who received first place in the advocate/

client category at the national Zoom tournament. "Mediation balances being prepared and thinking on your feet. It's tricky to argue your case and be amicable," she reflects.

How did these tournaments get started? Principia's Patti Fox got interested in mediation tournaments after learning more about them from Jeff Steele, Principia College professor and member of the INADR Law School Committee. Fox was inspired to hear about the invaluable skills people gain through participating in the program. She went on to



#### Past High School Mediation Events

- ◆ November 11-13, 2022: Central Academy in Des Moines, Iowa, hosted an in-person tournament organized by Dr. Jessica Gogerty. Dick Calkins, Case Ellis, Kathleen Leedy, and Mike Thompson provided hybrid training.
- ◆ November 18-19, 2022: Principia School in St. Louis, Missouri, hosted a national Zoom tournament, organized by Principia's Patti Fox and Don Sterrett along with a dedicated national tournament committee.
- ◆ April 28, 2023: the Arizona Bar Foundation hosted a state tournament under the leadership of Jennifer Castro. INADR Board Members Dennis Favaro and John Lag flew in from Chicago to judge; Kathie Calkins-Keyes advised and volunteered at the event.

take mediation certification courses from INADR Co-founder Dick Calkins and the Conflict Resolution Center of St Louis. The fire was lit when Calkins shared his dream of seeing teens learn about mediation and experiencing INADR-style tournaments for teens.

Fox then spearheaded a committee of St. Louis educators and mediators to organize the first high school mediation tournament over two weekends in January and February 2021. "We are so grateful INADR has supported piloting these tournaments at the high school level and for their support in providing these tournaments," she says. Mediation tournaments are "a wonderful way to help students learn how to be critical thinkers, think creatively, be problem solvers, express empathy, be better collaborators and learn how to work together to reach an outcome that benefits both sides of a conflict, which helps bring reconciliation and healing," she adds. "These mediation tournaments provide a perfect vehicle for students to hone these important skills that help them be better leaders equipped to make meaningful contributions to our world today. In our world today, I can't think of more important skills needed."

Last year, students took a 20-hour teen training program to help develop age-appropriate techniques and prepare them for mediation competitions. Mediators Dick Calkins, Kathleen Leedy, and Orlando Blake led the training with guest trainers Ken Frank, John Lag, and Rosie Ezgur. Kathie CalkinsKeyes coordinated the program.

Tournament judges say they are impressed by the students' budding abilities. "I loved being a judge," says Gigi Gutierrez, a mediator and co-founder of The Association for Conflict Resolution Florida Chapter (ACRF), who judged an online tournament. "My heart felt so warm after the tournament. I immediately went for a walk with a smile from ear to ear because I was so proud of the students." Gutierrez hopes to get students from the Bronx involved in future tournaments as part of an existing summer peer mediation training program.

A special thanks goes out to the many mediators across the country who judged the high school tournaments as well as members

of INADR, who judged and/or trained judges, including Ken Frank, Jeff Steele, Dick Calkins, John Lag, and Dennis Favaro. Special thanks also go out to the members and interns who helped with scoring and Zoom hosting, including Migne Zukauskaitė-Tatore, Missy Greathouse, Federica Simonelli and Agnieszka Majka-Góra.

*Kathie CalkinsKeyes of Tucson, Arizona, is a member of the INADR Board of Directors and Co-chair of the INADR High School Committee.*

### **INADR High School Mediation Tournament Program Spotlights**

INADR's pilot high school mediation tournament program was spotlighted in the November issue of the Arizona Attorney Magazine. The article "High School Mock Mediation Comes to Arizona" featured an interview with INADR Founder and Past President Dick Calkins and INADR Board Member Kathie CalkinsKeyes. The prominently displayed six-page article was written by Phoenix Attorney Denny Esford, who is a mediator and volunteers his time as an INADR tournament judge.

Also interviewed in the article was University of Arizona student Rosie Ezgur, who served as one of the judges for INADR's first Arizona High School Mediation Tournament. Rosie has since started the first college mediation club in the state with the support of INADR members.

You can see the article here at: <https://www.azattorneymag-digital.com/azattorneymag/library/page/202211/36/>



## THE MULTI-FACETED PURPOSE OF MEDIATION IN CONTEMPORARY SOCIETY

used technique suitable for even the most complex interpersonal relationships that profit from an intermediary.

People worldwide are constantly searching for better human rights protections as well as more cost-effective methods for dispute resolution. Can mediation provide solutions to such long-standing legal challenges found in court systems?

In many countries, mediation is increasingly being used and promoted to solve the heavy workload of courts while also reducing the court cost that parties incur. This more widespread application of mediation, without large financial investments, is solving many long-standing legal issues and is changing public thought toward conflict resolution.

The core purpose of mediation is to enable disputing parties to resolve conflict via collaboration. The role of the mediator is to guide the parties and hold them responsible for making and enforcing a decision while they acquire conflict management skills.

Mediation has three goals:

- 1) The resolution of a dispute.
- 2) The restoration of relations.
- 3) The personal growth of participants.

These goals are even more relevant in countries where mediation is mandatory. In the European Union, 20 of the 27 Member States already enjoy one or even several of the many types of mediation, according to authors Korsakovienė, Radanova and Tvaronavičienė<sup>1</sup>.

Mediation with a qualified, neutral mediator gives parties the opportunity to communicate and restore interactions as well as find solutions without intervention. It's a widely

### Empowerment as the Primary Tool in the Mediator's Toolbox

Empowerment is "The act or action of empowering someone or something; the granting of the power, right, or authority to perform various acts or duties," according to the Merriam-Webster Dictionary.

Empowerment in mediation is not focused on granting power to the parties to a dispute. They come to the mediation table already having this power. Instead, it focuses on helping them discover this power, encouraging and fostering them to practice it in ways that are beneficial for both parties.

Empowerment in mediation means giving a fishing rod and teaching parties to fish for their whole lives rather than feeding them a fish for one day. It equips parties with tools, helping them cope with opposing views to see the positive in every interaction and gain the ability to overcome differences.

I strongly believe that mediators should orient their energies, plan strategies, and select suitable techniques to support parties' self-determination and self-confidence to foster cooperation. Mediation should lead to the restoration of the relationship and personal growth of the parties, rather than limiting the relationship to just dispute resolution without addressing the essence of the conflict.



The process is historical and has its roots in practices worldwide. Yet despite its ancient roots, mediation found a purpose in the 20th Century. The development of industry, world wars, and the formation of effective legal systems for the protection of human rights led to an

increase in the scale of litigation in courts, which required huge financial resources to ensure the smooth operation of the judicial system. This increase in litigation is often associated with changing lifestyles. Increased human mobility and urbanization in the last century led to a decline in conflict resolution. People resorted to other means of resolving conflict through formal judicial processes.

However, formal judicial processes are increasingly costly, and the workload in the courts continues to grow. Therefore, mediation has found a renewed purpose: A positive side effect of mediation is that it saves money and reduces the workload of the courts.

Resolution without conflict transformation is a huge problem. Such agreements are less likely to be implemented and/or sustainable. If a problem is fixed, but grievances, anger, and mistrust remain between the disputing parties, peace will not last. The parties will either stop their communication or new problems will constantly arise, leading to new disputes. Such settlements are not sustainable because the emotional needs of the parties are not considered.

A settlement is more likely to be sustainable if mediation processes focus on the restoration of the parties' relationship. Conflicts are normally complex and multi-layered. Their roots always hide in the interests, needs, and values of people rather than their legal positions. We can discuss the legal issues of a settlement, but we cannot restore the interpersonal interactions of parties without focusing on the emotional side of a conflict.

Worth noting is that people generally lack conflict management skills. Participating in mediation is an opportunity for personal development. This is the broadest concept of the purpose of mediation.

**Formal judicial processes are increasingly costly, and the workload in the courts continues to grow. Therefore, mediation has found a renewed purpose: A positive side effect of mediation is that it saves money and reduces the workload of the courts.**

By setting such a goal, mediation restores the interaction between the parties, resolves the disputed issue, and additionally provides new communication and conflict resolution skills. It enriches the parties

spiritually and provides the opportunity to understand what lessons the conflict can teach.

Mediation always requires another step – implementation of the process. The strong personal conviction of the mediator is needed for the parties to find a solution. Mediators need to curb their egos, remain impartial and neutral, and be patient and supportive. Also, the mediator should create an atmosphere that allows personal growth and supports parties to believe in their abilities to settle.

Mediation is multi-faceted, and it's important to understand that the purpose is far more than coming to a settlement. Mediation is a way to change the social interaction of parties to a dispute, improve their relationship, and lead them to personal growth in the field of conflict management. This means that the mediator is also a teacher instructing the parties to constructively deal with conflicts and perceive them as challenges that can be overcome by collaboration and dialog.

*Dr. Agnė Tvaronavičienė is Professor of Law at Mykolas Romeris University, Lithuania. This article is based on her presentation at the "Women in Mediation" INADR conference on March 7, 2023, and also draws from several of her published articles.*

<sup>1</sup> Korsakoviene, I., Branimirova Radanova, J., & Tvaronavičienė, A. (2023). Mandatory Mediation in Family Disputes – An Emerging Trend in the European Union?. *Review of European and Comparative Law*, 53(2), 67–99. <https://doi.org/10.31743/recl.15707>

## JOHN J. LAG

### INADR – NLIU 11TH ANNUAL INTERNATIONAL LAW SCHOOL MEDIATION TOURNAMENT

The International Academy of Dispute Resolution along with our partner Law School, National Law Institute University (NLIU), Bhopal, India, presented our 11th Annual International Law School Mediation Tournament on site in Bhopal, India, in November 2022. This is the oldest Mediation Tournament in India and Asia, and even during Covid-19, we continued our tradition with remote tournaments in 2020 and 2021. More than 25 universities participated with 90-plus students and 40 professionals and judges in attendance.

INADR immediate Past President Dennis Favaro and Board Member John Lag were on-site in Bhopal to provide guidance and present well-received training sessions, including “The Art of Purposeful Mediation,” “The Role of the Mediator,” and “Advocacy During Mediation.”

The student-run organization, Alternative Dispute Resolution Cell, provided the on-site preparation and logistics to ensure another successful event.

Co-convenors Tejas Hinder and Vipul Shukla provided contagious leadership and energy with the other Cell members and participants.

After two years of remote education and tournaments, all were rewarded for their resilience with an opportunity to showcase their school and



abilities, and they enjoyed the great in-person event during their last year at NLIU.

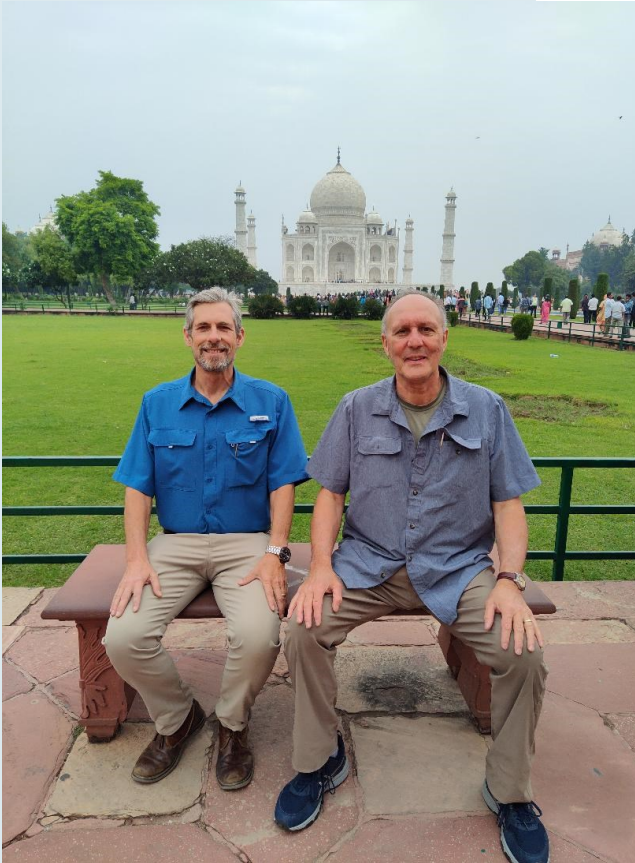
The tournament format at NLIU followed our traditional format: one day of student participant training by professionals from around the globe followed by two days of mediation sessions, including three preliminary rounds and two semi-final and final rounds. All the cases were written by INADR and provided for lively and intelligent discussion during the sessions.

The Inaugural Ceremony was attended by the students and professionals, commencing with an address from NLIU Vice-Chancellor, Prof. (Dr.) V. Vijayakumar. INADR President, Elena Koltsaki, also provided a remote welcome address. Prof. (Dr.) Uday Pratap Singh, NLIU Registrar, and Prof. Neha Sharma, the

Faculty In-Charge, also addressed participants. Other professionals who provided invaluable assistance included Ethelwald O. Mendes, IIAM, Kavita Bhatia, and Assistant Professor of Law Krusch Anthony.



Photo by INADR Media



Left to right: Dennis Favaro and John Lag

Photo by INADR Media

After three mediation rounds on day two, the semi-finalists were announced at the Social Night outdoor dinner and celebration at the resort housing the students. The teams were NUJS, GLC, Mumbai, SLS Hyderabad, Nirma University, JGLS, NALSAR, NUJS and NLUJ.

The Valedictory Ceremony was held at the conclusion of the third day rounds where the tournament winners were announced: Negotiating Team, National University of Juridical Sciences, West Bengal; Mediator Team, Institute of Law, Nirma University. Additionally, the H. Case Ellis Spirit of Mediation Award was presented to the team from the National Academy of Legal Studies and Research, Hyderabad. Additional recognition was presented to the Top 10 participants in the preliminary rounds for Best Client/Counsel and Mediators.

INADR is now planning our **12th Annual Tournament**, to be held in early 2024 in Bhopal. Look for announcements on our website soon. We hope to see you there for an unforgettable experience!

*In addition to practicing law, John Lag is an Adjunct Professor of Law at University of Illinois at Chicago John Marshall Law School, teaching Negotiation Theory and Practice. He also serves as an Arbitrator for the Cook County Courts and is Director of INADR.*



CHECK OUR WEBSITE FOR UPDATES.

# Join us in one of our next tournaments



INADR

## Undergraduate Tournaments

### On Site, North America

October  
27th - 28th  
2023

Peacemaker Invitational Tournament, Maharishi International University, Fairfield Iowa, On Site  
**Registration will open August 15 2023**

### On Site, North America

November  
9th -11th  
2023

24th Annual International Intercollegiate Mediation Tournament, (IIMT) Brenau University, Gainesville, Georgia, On Site.  
**Registration will open May 20 2023**

### On Site, North America

February  
9th-10th  
2024

3rd Annual Conciliator Invitational Tournament, University of Central Florida, Orlando, Florida, On Site.  
**Registration will open September 15 2023**

### On Site, North America

April  
11th-13th  
2024

Knauss School of Business/ INADR Mediation Competition, University of San Diego, San Diego, CA USA, On Site.  
**Registration will open January 2024**

CHECK OUR WEBSITE FOR UPDATES.

# Join us in one of our next tournaments

INADR

## Law School Tournaments

### On Site, Europe

November  
21st - 25th  
2023

MRU, Vilnius, Lithuania, Invitational Mediation  
Tournament,  
On Site Tournament  
**Registration will open in September 2023**

### On Site, North America

March  
6th - 9th  
2024

ILSMT, Loyola University, Chicago, US,  
On Site Tournament.  
**Registration will open in September 2023**

### On Site, Asia

March  
23rd - 25th  
2024

NLIU, Bhopal, India, 12th Annual International Law  
School Mediation Tournament,  
On Site Tournament  
**Registration will open in September 2023**

### Online, Africa

2024

2023 ODR Africa Invitational Mediation Tournament,  
Virtual Tournament  
**Exact tournament and registration dates to be  
announced**



[www.inadr.org](http://www.inadr.org) [inadrconnect@gmail.com](mailto:inadrconnect@gmail.com)

### REDESIGN OF THE NEWSLETTER

Hello readers,

The INADR Peacemaker newsletter has undergone a redesign and will now appear twice a year. Please consider submitting an article, your thoughts, or a letter to the Editor of the Peacemaker Biannual, Cynthia Hanson, at **Cynthia.Hanson0888@gmail.com**.

We look forward to hearing from you and receiving your contributions!

All the best,  
*Cynthia Hanson*

### CALL FOR DONATIONS

We're reaching out to our wonderful mediation community to **rally financial support for our upcoming mediation tournaments** (see p. 12-13 for more details). As we gear up for the tournaments, we invite you to be a vital part of this initiative.

Your generous donations will enable us to create an impactful event that promotes dialogue and conflict resolution. Join us in fostering a culture of peaceful coexistence by contributing to INADR mediation tournaments.

If you are interested or know anyone who may be, please contact us at **INADRconnect@gmail.com**.

Warm regards,  
*INADR Team*



**Want to see more?**

Visit **[www.inadr.org/peacemaker-quarterly/](http://www.inadr.org/peacemaker-quarterly/)** and stay up to date on our past and upcoming Peacemaker Quarterly editions.



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