

Seminar 390

10:45 am - 12:00 pm

**Resolving Ethical and Cultural
Dilemmas in Mediation**

(Ethics Credit)



BROWARD COUNTY BAR ASSOCIATION
2015 Bench & Bar Convention
Friday, October 23, 2015

Live Presentation of

“Ethics and Cultural Diversity: Resolving Ethical Dilemmas in Mediation”

10:45 am - 12:00 pm Convention Room 390

By Meah Tell, Esq. and Leonore M. Greller, Esq.

1.25 CME Culture and Diversity

Experienced mediators know that every mediation brings its own challenges, pitfalls and rewards. This seminar encourages mediators to confront four ethical and culturally challenging situations and create viable or diplomatic resolutions in accordance with the Florida Supreme Court Rules for Certified and Court-Appointed Mediators, Chapter 44, Florida Statutes, applicable rules of procedure, and using MEAC Opinions as a guide.

TOPICS DISCUSSED:

Overview

- Florida Rules for Certified and Court-Appointed Mediators, Chapter 44, applicable rules of procedure
- Culture and Identity
- Defining Culture - Race, ethnicity, age, geographic region, gender, religion, socioeconomic class, sexual orientation, disabilities (such as hearing impaired cultural identity); political; occupation.
- Diversity Awareness and the Ying-Yang Balance
- Cross Cultural and Multi-Cultural Mediating - It's not the same
- Empowerment and Mutual Recognition - Active and Passive Listening
- Relevant MEAC Opinions
- Successful outcomes

For the Scenarios:

- Is there a dilemma? -What is the dilemma? -How do you identify it?
- What is the mediator's role in addressing the conflict?
- What are the ethical considerations for the mediator, the lawyers, the clients and the mediation environment?
- What are the different ways the mediator can approach the parties?
- How does the mediator remain impartial and committed to the mediation process?
- How does the mediator ultimately handle the situation?

Attorney Leonore Greller is a Florida Supreme Court Certified Circuit Civil and Family Mediator, Qualified Arbitrator and Parenting Coordinator (11th and 17th Circuits). She has over thirty years experience as a civil litigator and negotiator in commercial, contract, insurance and family law. She serves as a neutral Arbitrator and Mediator on pre-litigation and litigation of foreclosure (and GAL), insurance, lemon law, commercial and breach of contract cases. She has taught negotiation skills and communication and cultural diversity at the university level in New York City and to lawyers and university students internationally. With her Masters in Media, Culture and Communication, her candidacy for her second doctorate in Sociological Communication and her Juris Doctor, Attorney Greller has litigated, arbitrated, facilitated and negotiated more than one thousand simple and complex cases. She shares her strategic skills, knowledge and experience with young lawyers and law students, contributing as a mentor and judging both Lower and Upper Moot Court and AAJ SAC Competitions. She is a guest speaker at mediation and trial advocacy classes at local law schools. A member of the BCBA, former officer of NBBA, Member of the ADR, Bench and Bar (& Planning), Professionalism and Pro Bono Committees, Leonore uses her education and experience to focus, to listen to and to understand the positions and interests of the parties, without which no resolution in law or fact is possible.

Meah Rothman Tell is a member of the Florida Supreme Court Mediator Ethics Advisory Committee, and is the Former President of the Florida Academy of Professional Mediators. Meah served on the Florida Supreme Court ADR Rules and Policy Committee and on the Florida Supreme Court Mediator Training Review Board. Meah is the Chair-Elect of the ADR Section of the Florida Bar and served as the Chairperson of the ADR Section of the Broward County Bar Association. Meah is a Florida Supreme Court certified family, circuit civil, county and appellate mediator who has mediated for over twenty-years and her passion is bilingual (Spanish) ADR. Meah is an approved trainer for the Florida Supreme Court Approved Qualified Arbitration Training Program, and has trained hundreds of arbitrators all over the State of Florida.