



THE OSGOODE CERTIFICATE IN ONLINE DISPUTE RESOLUTION: *Practical Strategies for Managing Conflict and Improving Engagement*

As the dispute resolution and adjudicative sectors face an increasing demand to resolve conflicts outside of the traditional face-to-face environment, do you have the specialized set of skills and tech know-how to resolve disputes remotely?

This 5-day, hands-on certificate program will cut through the jargon, myths, misconceptions, and the hype of ODR, and will give participants a two-fold interactive experience: practicing new, innovative approaches in dispute resolution while using technologies and online platforms that are transforming the dispute resolution and adjudicative landscape.

This intensive program will help you modernize your dispute resolution practice and shift your skills to effectively deal with conflict using technology and online platforms. Along with ODR experts, you will:

- Understand ODR from the user's perspective
- Become familiar with the leading-edge dispute resolution technologies and online platforms
- Practice transforming traditional dispute resolution techniques to remotely and virtually resolve conflict
- Adapt your communication skills to enhance user engagement in a technology-based forum

PROGRAM CHAIR

Deborah Pressman

Legal Counsel, Office of the Chief Justice – Ontario Court of Justice; Counsel at the Ministry of the Attorney General – Tribunals Ontario (former); Mediator, Arbitrator and Appeals Officer, FSCO; Educator, OsgoodePD, George Brown College, and SOAR

REGISTRATION DETAILS

March 7, 25, 28 & April 18 & 22,
2022:

Online – Live

Register today at:

[osgoodepd.ca/
online-dr](https://osgoodepd.ca/online-dr)

The Osgoode Certificate in Online Dispute Resolution

Both private practice and the public sector practitioners have seen a substantial change in dispute resolution: today's parties are increasingly more apt to communicate using technological tools and are looking to have their disputes resolved in a timely, convenient, and cost-efficient way. The face of dispute resolution is changing and the demand to resolve disputes outside of the in-person setting is quickly growing.

As one of the first ODR certificate programs developed in Canada, this program offers:

- Expert and innovative faculty known to be pioneers in the ODR field
- Live demonstrations of leading online platforms
- Hands-on simulations of common scenarios, best practices and challenges while using ODR

But in order to effectively resolve disputes remotely and virtually, you need to develop tech-savviness with remote tools and technologies, and shift your traditional dispute resolution skills to adapt it to the unique scenarios and challenges posed by dealing with conflict remotely and virtually.

As one of the first of its kind to be developed in Canada, this program will use the latest in ODR techniques, technologies and online platforms, as well as bring foremost experts together to provide you with an interactive opportunity to develop your skills and tech know-how in this expanding area in dispute resolution.

Throughout the week, you will engage with leading ODR practitioners through discussions, simulations and workshops to tackle common scenarios, skills and challenges that come with resolving disputes using ODR – all while practicing with remote tools and leading online platforms during live demonstrations and hands-on exercises. The program culminates with a full day simulation of a complex scenario requiring the application of ODR skills and technologies used throughout the week.

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Get valuable resources, templates and checklists, along with practical tips & strategies in areas including:

- Understanding the implications of digital transformation in dispute resolution, and how to leverage it to manage conflict more efficiently
- Getting to know existing public and private ODR systems and applications
- Applying ODR strategies through simulations with technologies and online platforms.
- Identifying and explaining advantages and disadvantages of ODR from the user's perspective
- Learning how to shift traditional ADR techniques and leverage your dispute resolution skills through teleconferences, video conferencing, virtual group facilitation, text-based processes, e-mail negotiation, and e-arbitration and/or adjudication.
- Adapting your offline communication skills to enhance user engagement and trust in online and remote processes
- Practicing blended processes using mixed communication channels
- Learning about the future of information technologies in conflict avoidance and management
- Increasing awareness of evolving challenges and opportunities in ODR.

Who Should Attend

- Mediators
- Adjudicators
- Professionals who are involved in resolving disputes
- Professionals who are looking to transition into online dispute resolution

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Drawing on the expertise and experience of ODR pioneers and forward-thinking experts, including:

Program Director



Deborah Pressman

Legal Counsel, Office of the Chief Justice – Ontario Court of Justice; Previously Counsel at the Ministry of the Attorney General – Tribunals Ontario; Mediator, Arbitrator and Appeals Officer, FSCO; Educator, OsgoodePD, George Brown College, and SOAR

Deborah is a lawyer, mediator, adjudicator, and innovative legal educator. She is currently Legal Counsel with the Office of the Chief Justice at the Ontario Court of Justice. Previously, Deborah was counsel with the Ministry of the Attorney General, providing legal, policy and strategic support to the Executive Chairs, adjudicators, senior managers and staff of the Safety, Licensing Appeals and Standards Tribunals Ontario (SLASTO). She has also been the Director's Delegate in the Appeals Unit at the Financial Services Commission of Ontario (FSCO). She first joined FSCO as a mediator in 2004. In 2008 she worked as a senior policy analyst and in 2011 she became an arbitrator, adjudicating disputes arising from Ontario's no fault accident benefits scheme. Deborah completed her B.A. in political science at York University and her LL.B. at Osgoode. She was called to the Bar in 2002 and acquired her LLM degree in Alternative Dispute Resolution in 2005.

Advisory Board

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Deborah Pressman

Legal Counsel, Office of the Chief Justice – Ontario Court of Justice; Counsel at the Ministry of the Attorney General – Tribunals Ontario (Former); Mediator, Arbitrator and Appeals Officer, FSCO; Educator, OsgoodePD, George Brown College, and SOAR

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Martha Simmons

Winkler Professor of Dispute Resolution; Academic Co-Director, Winkler Institute & Assistant Professor, Osgoode Hall Law School

Agenda

DAY 1

Monday, March 7, 2022
9:00 a.m. – 4:30 p.m.

Integrating Conflict Resolution and Technology

Dispute Resolution in Online Environments

- What is ODR?
- Myths and misconceptions about ODR
- Primary applications of ODR: legal disputes, e-commerce, insurance, workplace
- Using technology as the 4th party
- What is the future (and present state) of dispute resolution?

Becoming an E-facilitator and E-negotiator

- Mediators/adjudicators as problem solvers – a more user centric approach
- Implications of online dispute resolution processes for legal advocates
- E-mediator standards and competencies – a new framework

Know the Lingo and Become Tech-Savvy

- Relevant technology-related terminology and processes
- Providing tech support to users/clients and managing tech glitches

Text-based Facilitation – Helping Parties Negotiate over Email/Text

- Best practices for email and/or text communication, facilitation and negotiation
- Relationship and expectation management
- Content management and control

Reality Chat/Roundtable Discussion: Building ODR Skills for Neutrals and Advocates

- What is the impact of technology on traditional conflict and negotiation theories?
- Can offline mediation processes and approaches work online?
- How to adjust and create best practices

Participate in hands-on learning, including:

- *Mini simulation on adapting traditional dispute resolution skills to remote facilitation*

DAY 2

Friday, March 25, 2022
9:00 a.m. – 4:30 p.m.

From ADR to ODR: Shifting Processes and Techniques and Learning New Skills

The Virtual Facilitator – A Conflict, Content and Engagement Manager

- Become an effective conflict, content and engagement manager
- Record keeping, note taking and multi-tasking

Building Trust and Rapport at the Virtual Mediation Table

- Creating trust at the virtual mediation table
- Using communication skills to build trust
- Helping users (assistance vs. advice)

Dispute Systems Design

- Balancing the digitization of traditional processes while ensuring user centric solutions

- User feedback in ODR processes
- Effective practices in multiparty ODR
- The role of legal representatives and advocates

Participate in hands-on learning, including:

- *Mini simulation on: communication skills and building trust; managing synchronous and asynchronous processes; conflict, content and engagement management*

DAY 3

Monday, March 28, 2022
9:00 a.m. – 4:30 p.m.

Tactics and Tools for Online (and Offline-Online) Facilitation, Negotiation and Adjudication

Effectively Managing Synchronous and Asynchronous Processes

- Matching the tech to the dispute: blended approaches, party preference, accessibility, capacity, comfort, language, cost and security
- Effective preparation steps
- How to increase engagement

Navigating ODR with Cultural Competence and Inclusiveness

- Netiquettes to keep in mind
- Hidden biases of good people (and digital users)
- Accommodation and accessibility in virtual environments
- Positive online support for challenging behaviour

Telephone Facilitation – Helping Parties Negotiate over the Phone

- Presence (audio, timing, process, feedback loop)
- Opening scripts – important points to include
- Dealing with impasse in a digital platform
- Best practices for phone communication, facilitation and negotiation

Video Conferencing and On-screen Presence – Helping Parties Negotiate and Resolve Disputes using Screen Time

- Planning and preparation: agendas, rules of engagement and follow-up
- Facilitation: promoting facilitation, sharing information and documentation, recording progress
- On-screen presence: presenting a professional and engaging image

Dealing with Complaints and High Conflict

- Working with existing complaints systems your organization
- Using synchronous and asynchronous appropriately to resolve high conflict situations

Participate in hands-on learning, including:

- *Online networking and ODR platform demonstrations*
- *Workshop on user-centric design and online engagement*

DAY 4

Monday, April 18, 2022
9:00 a.m. – 4:30 p.m.

Evolving Challenges and Opportunities in ODR

E-arbitration and Online Adjudication

- ODR platforms for arbitration and adjudication
- Shifting traditional adjudication to online adjudication (written processes, active adjudication and future opportunities)
- ODR and Administrative law
- Case management in ODR

Assessing Evidence and Credibility in ODR

- The myths and reality of assessing evidence in ODR processes
- Credibility issues

The Future of ODR: Artificial Intelligence and Beyond

- Where is ODR headed?
- Information technologies in conflict avoidance and management
- Automation, algorithms and machine learning

Reality chat/Roundtable discussion: Dealing with Privacy Issues, Transparency, Ethics and Other Challenges in ODR

- Party autonomy and the pressure to settle
- Confidentiality and honesty
- Privacy and access issues

Participate in hands-on learning, including:

- *Mini-simulations on assessing evidence and credibility in ODR*
- *Discussion and demonstration on an ODR platform*

DAY 5

Friday, April 22, 2022
9:00 a.m. – 4:30 p.m.

Simulations and Wrap-Up

Full-Day Simulation

The program will come together in a cumulative e-mediation and e-arbitration simulation that will provide you with an opportunity to apply the new skills, technologies and online platforms covered throughout the week.

The group will end the day debriefing and reflecting on their ODR simulation experience. Participants will come away with concluding best practice tips and scripts, and advice on staying engaged in the ODR community.

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Registration Details

Fee per Delegate: \$3,295 plus TAX

Newly Licensed*: \$1,647.50 plus TAX

**This fee applies to newly licensed professionals within the past 2 years.*

Fees include attendance, electronic materials, and technical support. Visit www.osgoodepd.ca/financial-assistance for details about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days' notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information, Please Contact:

Gail Geronimo, Program Lawyer at ggeronimo@osgoode.yorku.ca

Certificate of Program Completion

You will receive a certificate upon completion of **The Certificate in Online Dispute Resolution (ODR)**. Participants must attend all program modules and you must attend all days of the program, and participate in classroom discussions, simulations, and activities to receive a certificate.

4 Convenient Ways to Register



Mail



Online



Fax



Call

Register today at:

osgoodepd.ca/online-dr



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 35h CPD (27h 45m Substantive; 7h 15m Professionalism)

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

This Program is approved for LawPRO Risk Management Credit.



What participants said about our Certificate in ODR 2020 program:

“This was an amazing program. It is a monumental task to be able to keep a 5-day program engaging in an online format but it was definitely successful.”

Jocelyn Bullock
Human Resources Manager, Keewatin
Patricia District School Board

“The faculty were the best in their fields!”

Dan van der Burg
ODR Coordinator, Patey Mediations

“The simulations were informative and enjoyable! Great learning experience.”

Riyaz J. Hussein, PhD