



# ADR Atlantic Institute



## The ADR Atlantic Institute

is proud to announce the delivery of the *ADR Institute of Canada's* NEW

# National Introductory Arbitration Course!

**TBA in Halifax, NS**

**DEC 5 to 9, 2016**

*A comprehensive 40 hour program which aims to prepare learners to effectively act as an impartial decision maker to resolve disputes.*

### LEARNERS WILL

- ❖ Become familiar with Arbitration as a process
- ❖ Be able to distinguish the difference between Arbitration, Mediation, Negotiation and Litigation
- ❖ Become aware of the various applications for Arbitration
- ❖ Become fluent in the applicable Arbitration Act in your province
- ❖ Know the key objectives of Arbitration
- ❖ Be introduced to the Stages of an Arbitration File and Process
- ❖ Understand the role and responsibilities of the Arbitrator
- ❖ Gain practice in dealing with Ethical Dilemmas
- ❖ Fully understand Evidence in all its various forms
- ❖ Understand the Role of Contract Law in Arbitration
- ❖ Gain practice in Decision Making as the Arbitrator
- ❖ Gain practice in Writing Awards

### OUR INSTRUCTOR

*The ADR Institute of Canada National Introductory Training Programs are delivered exclusively through highly qualified Trainers who have been accredited to deliver the programs by ADR Canada.*



### **Kelly van Buskirk, QC, C.Arb**

Is a Chartered Arbitrator who has practiced law for 25 years, and been an active arbitrator for over 9 years.



## WHO SHOULD ATTEND

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• Anyone interested in learning arbitration skills either to enhance their conflict resolution skills, or to pursue a career in arbitration, including: Lawyers, Human Resource Professionals, Accountants, Educators, Project Managers, Team Leaders and anyone involved in situations where conflict may arise.

• No prior arbitration training or qualifications required.

• This Course satisfies the Full Member criteria for an ADR Institute-approved 40 hour course in arbitration, thereby providing graduates with access to membership in the ADR Institute of Canada. It also provides the basic training component for the ADR Canada Qualified Arbitrator (Q.Arb) designation.

### PROFESSIONAL DEVELOPMENT CREDITS

Pending approval for 40.0 CPD hrs by the Law Society of NB

Earn 50 CEE points from ADR Institute of Canada for Q.Meds and C.Meds.



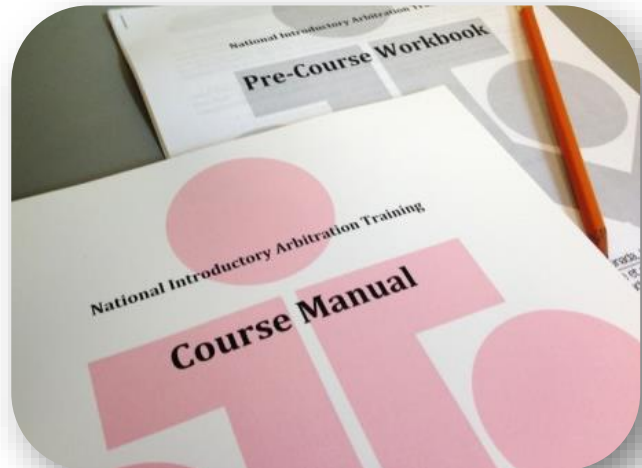
## WHAT YOU'LL RECEIVE

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Included in your registration fee:

- ✓ The National Introductory Arbitration **Pre-Course Workbook**
- ✓ The National Introductory Arbitration **Course Manual**
- ✓ The National Introductory Arbitration Course Activities Manual

**Note:** Participants will be required to complete the Pre-Course Workbook prior to the start of the Course. The materials will be provided to registrants in advance.



**Note:** When registering, please indicate any special needs, including any dietary restrictions.

## SCHEDULE

Timelines	Day 1	Day 2	Day 3	Day 4	Day 5
8:30 - 10:30 AM	<b>1.0 – 2.2</b> Pre-Course Arbitration in Context Introduction to Arbitration	Role-play Exercise (Dynamic Drywall)	<b>5.0 – 5.3</b> Law of Contract	<b>6.0 – 6.2</b> The Award	<b>6.8 – 6.10</b> The Award cont. Group Exercise
10:30 AM - 12:30 PM	<b>3.0 – 3.1</b> Arbitration Overview Arbitration Act Exercise	<b>4.0 – 4.3</b> Evidence	<b>5.3 – 5.7</b> Law of Contract cont. Case review	<b>6.3</b> Debrief Landlord Tenant case The Award cont.	<b>7.0 – 7.4</b> Ethics
12:30 - 1:30 PM Lunch					
1:30 - 3:30 PM	<b>3.2 – 3.6</b> Arbitration Overview cont.	<b>4.4 – 4.6</b> Evidence cont. Evidence Exercises	<b>5.8 – 5.11</b> Law of Contract cont. Contract Exercises	<b>6.4 – 6.7</b> The Award cont. Review of cases	Group review Wrap up
3:30 - 5:30 PM	<b>3.7</b> Arbitration Overview cont. (The Process)	Evidence Exercises Video	Landlord Tenant Exercise Video	<b>6.0 – 6.2</b> The Award cont. Exam Preparation	Exam video
HOMEWORK	Read <b>Sec. 4</b> Evidence	Read <b>Sec. 5</b> Contract Law	Landlord Tenant – Practice Award Read <b>Sec. 6</b> The Award	Read <b>Sec. 7</b> Ethics Read Exam Material & Prepare	Final Award Submission

## COURSE OUTCOMES

### Day 1

- ❖ Gain familiarity with terms used during Arbitration
- ❖ Arrive at a shared definition of Arbitration
- ❖ Understand where Arbitration fits on an ADR Continuum
- ❖ Compare Arbitration to Negotiation, Mediation, and Litigation
- ❖ Become fluent in the Arbitration Act of their Province
- ❖ Be introduced to Roles and Responsibilities as well as the Arbitration Process.

### Day 2

- ❖ Be able to define Evidence and its use in Arbitration
- ❖ Become familiar with the various kinds of Evidence
- ❖ Understand what evidence is admissible
- ❖ Arbitrator's duties related to evidence
- ❖ Gain an awareness of Burden and Standard of Proof
- ❖ Become familiar with basic objections related to evidence

### Day 3

- ❖ Understand the role of contract law in Arbitration
- ❖ Be able to define what a contract is
- ❖ Understand what an offer and a counter-offer is
- ❖ Gain the ability to determine if a contract has lapsed
- ❖ Understand how to determine if a contract has been accepted
- ❖ Understand what it means to impeach a contract
- ❖ Become familiar with the framework for awarding damages
- ❖ Know what an Arbitrator needs to decide related to contracts

### Days 4 & 5

- ❖ Understand the Decision Making Process
- ❖ Gain knowledge and practice in determining Evidence and Fact
- ❖ Learn how to make Findings of Fact
- ❖ Know the Essential Characteristics of an Award
- ❖ Gain knowledge and practice in Writing an Award
- ❖ Gain some insight on how Awards may be Challenged
- ❖ Be introduced to Procedure Requirements for Setting Aside an Award
- ❖ Exam
- ❖ Evaluation
- ❖ Wrap Up

## MORE ABOUT YOUR INSTRUCTOR

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Kelly Van Buskirk, QC holds a Ph.D. and LL.M. in Law. He has maintained an active arbitration practice in the private sector, and an adjudication practice in the public sector, for approximately 10 years. He has appeared before and acted as a neutral in cases with NB Labour & Employment Board, Workers Compensation Act Tribunal, Employment Insurance Appeals, Canadian Labour Code Adjudications. Mr. Van Buskirk is a Chartered Arbitrator (C.Arb), and a member in good standing with the ADR Atlantic Institute and the ADR Institute of Canada, Inc.

## COURSE REGISTRATION FEES

Registration	Fee
Member of ADR Atlantic Institute or ADR Institute of Canada	\$2070 (HST is included)
Non-Member	\$2300 (HST is included)

## PAYMENT METHODS

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Visit <http://www.adratlantic.camp8.org/event-2371340> to register and pay online.

(NOTE If the link fails, please visit [www.adratlantic.ca](http://www.adratlantic.ca) and look for the course advertised in the events section in the bottom half of the homepage.)

**REGISTRATION DEADLINE: Friday November 23, 2016**

**REGISTER EARLY! Space is limited to 15 participants and spots will be filled on the basis of PAID Registration Fees.**

**Cancellation Policy:** Request for cancellation must be received in writing. Requests received on or prior to Nov 15 2016 receive a full refund less a 5% administration fee. We regret there are no refunds on or after November 23.