

# JAMS CLE Program Offerings for In-House Counsel

**JAMS neutrals and executives are available to conduct complimentary Continuing Legal Education (CLE) programs.** As an accredited CLE provider, JAMS frequently offers these programs on-site or in our Resolution Centers around the country. Each program can be tailored to address specific issues. If you are interested in CLE credits for a topic that is not listed on this menu (such as Ethics, Elimination of Bias, etc.), please contact **Renee Spertzel** at [rspertzel@jamsadr.com](mailto:rspertzel@jamsadr.com) for details on a customized program that meets your needs.

## Domestic and Cross-Border Business Contracts: ADR Clause Drafting

### ***Preparing for Disagreements Before They Exist: Why spending time to craft an appropriate dispute resolution clause could help save money in the long run***

Parties entering a cross-border or domestic business deal are typically happy about starting a new relationship or furthering an existing one, and it's hard to fathom a future disagreement or legal dispute. But in the business world, contracts are breached, partnerships fail and deals go sour. Crafting an appropriate dispute resolution provision during the contract negotiation phase could save parties hundreds of thousands of dollars if a dispute arises. This program explores key items to consider in order to provide a predictable, yet flexible, dispute resolution framework to meet each company's business model in both domestic and international settings.

## Beyond Mediation and Arbitration

### **Advanced ADR Tools for Complex Litigation**

Mediation and arbitration are familiar to today's in-house counsel as useful, effective dispute resolution techniques. Have you also considered Neutral Evaluation? What about a Mock Trial? Discover these advanced ADR tools and processes that can streamline the resolution of commercial disputes:

- **Expedited Arbitration**
- **Neutral Evaluations**
- **Mock Trials/Mock Hearings**
- **Special Masters and Discovery Referees**
- **Private Trials/Judicial Reference Trials**

### **Using Neutral Analysis as an Evaluative Tool**

An advocate's role is to zealously promote the client's position, but how does that position appear to an unbiased third party? Where are the strengths and weaknesses of your case, how will experts and witnesses be perceived, and how will legal precedents be applied? Neutral analysis provides a thorough, confidential, unbiased case evaluation by an experienced legal expert, allowing you to fine-tune arguments, reassess settlement options, manage client expectations—and ultimately proceed with heightened confidence and a winning strategy.

### **ADR Processes to Manage Intra-Organizational Disputes**

Even when everyone has the best of intentions, people don't always agree on the ideal course of action. Disagreements about how to meet goals and needs can give rise to disputes between members of the same organization. This program explores using alternative dispute resolution tools and methods that assist people in working together productively for the good of the whole.

## Domestic and International Commercial Arbitration

### ***Getting A Handle On It: Commercial Arbitration Process Management for In-House Counsel***

In-house counsel participation in all aspects of managing domestic and international arbitrations is crucial, from agreeing to arbitration as the preferred method for dispute resolution to overseeing hearings to negotiating and approving settlement. With that responsibility comes accountability to the company, management, board of directors and other stakeholders for the successful conduct of the arbitration. This program guides in-house counsel through the arbitration process from beginning to end, discussing decisions that must be made before and during each stage. Speakers will address:

- risk analysis and selection of arbitration as a dispute resolution mechanism
- internal organization and preparation
- outside counsel selection
- arbitrator selection
- pre-hearing discovery agreements
- arbitration strategy and process

### ***Arbitration 101: The Basics and What to Expect***

This program offers tips on drafting contract clauses in domestic and cross-border business contracts, and how to manage both time and expenses during the arbitration process. Discover how litigators can work with the neutral to bring down costs and how JAMS ensures an efficient process, from pre-arbitration calls and hearings to effective discovery management and case administration. We will also discuss the JAMS Optional Appeal Procedure, which provides a method for meaningful review.

## Mediation and Negotiation Skills

### ***Understanding the Craft of Negotiation and How to Manage Bias***

Negotiation skills and techniques are essential for any in-house attorney. Whether examining and creating vendor contracts or settling lawsuits, an intricate understanding of the craft of negotiation is key. This interactive program explores how our intentions in negotiations can be undermined and objectives can be disrupted by our subconscious, cognitive and psychological biases. We will identify those biases and provide suggestions on how to manage their effects.

### ***Getting the Most Out of Mediation***

Learn what to expect in a mediation and the role that in-house attorneys can play in the process. Time-intensive lawyering that involves trials, extensive brief writing and court arguments is not always the practical way to go. While resolving the dispute on specific terms may be the goal, mediation often provides learning opportunities and achieves interim objectives like developing rapport with the other side. Discover how participating in this dynamic process can lead to creative options for resolution.