

**Invitation to**  
**'Moving**  
**Mediation'**

**From mediation to a  
customized approach**

**Thursday 19 November 2009**

**The Kurhaus, The Hague**



**We are pleased to invite you to the MOVING MEDIATION Conference on Thursday 19 November 2009.**

## Why this conference?

Moving Mediation marks the 10th anniversary of the introduction of court-connected mediation in the Netherlands. Special attention will be paid to customized dispute resolution, i.e. the choice litigants must make between settlement, mediation and waiting for a court judgment. The aim of the conference is also to promote the mutual exchange of knowledge and experience, what can we learn from one another and how can we achieve the best of both worlds? There will also be consideration of the dilemmas posed by court-connected mediation.

The conference is being organized by the Council for the Judiciary, the Ministry of Justice and the Netherlands court-connected mediation agency.

## For whom is the conference intended?

This conference is intended specifically for judges (including members of Gemme, the European Association of Judges for Mediation), lawyers, mediators, academics and policy makers from all over the world.

# Programme

**09.00-09.30 Reception**

**09.30-09.45 Opening by Geert Corstens**

President of the Dutch Supreme Court

**09.45-10.45 10 years' experience of court-connected mediation**

Lecture given by Machteld Pel, director of the Netherlands court-connected mediation agency

**11.00-12.30 First round of workshops**

**12.30-13.30 Lunch with theme discussion**

**14.00-15.30 Second round of workshops**

**15.45-17.15 Plenary conclusion**

Chaired by Hazel Genn, Dean of the Faculty of Laws,  
University College London

**18.00-20.00 Reception hosted by the Mayor of The Hague**

# Workshops

The following workshops will be held on this conference day:

## Workshops Thursday 19 november 2009

### 1. Analysing the dispute, designing the process

Dispute diagnosis, customized dispute resolution and management, e.g. through research and experience of pilot projects.

Moderators:

- Martin C. Euwema, Full Professor of Organizational Psychology, Katholieke Universiteit Leuven, Belgium
- Jacques A.Th.M. de Waart, certified mediator (NMI, ACB, IMI), trainer, attorney at law. 'De Waart Mediation', Amersfoort, the Netherlands
- Suzan Verberk, researcher at the Dutch court-connected mediation agency and PhD candidate

### 2. Mediation's role in a public justice system

Moderators:

- Donna Stienstra, senior researcher, Federal Judicial Center, USA
- Nancy Welsh, Professor of Law, Penn State University, USA

### 3. Mediators, can users rely on their competence?

Moderators:

- Michael Leathes, chairman of the International Mediation Institute
- Daan de Snoo, director of the Dutch Mediation Institute (NMI)

### 4. Conflict culture, escalation and dealing with conflicts

How do conflict management and mediation fit in with the dynamics of escalation? Glasl's contingency approach to mediation explored.

Moderators:

- Friedrich Glasl, Trigon Entwicklungsberatung, Austria

### **5. Court-connected mediation: where are we and how did we get there?**

Court-connected mediation was introduced in the Netherlands in 1999. Now all courts provide a customized service which helps parties to find their way to a mediator. This 'referral to mediation' system has proved a very useful and frequently applied method of resolving legal disputes. The subjects of this workshop are: the introduction of and background to court-connected mediation in the Netherlands, the organization of this form of mediation and best practices so far.

Moderators:

- Thoma Sleswijk Visser-de Boer, judge at the District Court of The Hague and former manager of The Hague mediation team
- Nicolien Verkleij, vice-president at the District Court of The Hague and mediator

### **6. Mediation in criminal cases: an unbeaten track for the courts?**

The Dutch courts do not yet have the possibility of referring criminal cases to a mediator. In this interactive workshop we propose to discuss with the participants how mediation in criminal cases is organized, formally and in practice, in other countries.

Moderators:

- John Blad is Associate Professor in Criminal Law Studies at the Erasmus University Rotterdam and editor of the journal Tijdschrift voor Herstelrecht
- Robin Linthorst, mediator
- Nicolien Verkleij, vice-president at the District Court of The Hague and mediator

### **7. Towards global standards - fertilizing the soil: UNCITRAL conciliation rules, Uniform Mediation Act, EU mediation directive**

The value and use of the European directive and other (international) rules and legislation on mediation.

Moderators:

- J.M.Bosnak, attorney at law, NMI-certified mediator, CMS Derks Star Busmann

### **8. Crossborder mediation in child abduction cases**

Moderators:

- Sir Mathew Thorpe, head of international family justice for England and Wales
- Robine de Lange-Tegelaar, vice-president of the District Court of The Hague, president of the youth and family law department, liaison judge for international child protection.

## What are the costs?

- Registration fee: € 200
- During the conference you will be served lunch, coffee, tea etc.

You must arrange transport and accommodation yourself. After registration we will send you information about hotels etc.

## Registration

You can register at [english.justitie.nl/movingmediationINT](http://english.justitie.nl/movingmediationINT)

When doing so, please specify which 3 workshops you would like to take part in. You will then be assigned to 2 workshops. We would recommend that you register as quickly as possible, as you will then have a greater chance of attending the workshops of your choice.

The closing date for registration is 15 September 2009. Before this date you should also transfer the registration fee of € 200 to the following account:

Account holder:	Rechtbank Arnhem
Address of the account holder:	Postbus 9030, NL 6800 EM ARNHEM
Bank:	Rabobank International
Address:	Postbus 17100, NL 3500 HG UTRECHT
Bank account number:	0192300717
BIC (Swift code):	RABONL2U
IBAN number:	NL59 RABO 0192 3007 17
Quoting:	LBM Moving Mediation Conference 19/11/2009.

## SSR course

We would draw your attention to the fact that the SSR (Dutch Training and Study Centre for the Judiciary) will be holding a 'Course in conflict diagnosis and intervention techniques' on 18 November under the leadership of Machteld Pel. The course is intended primarily for judges. More information about this can be found in the enclosure.


## Working language

English will be the working language of the conference. There will be no simultaneous interpretation.

## Information

For more information about the conference, please contact Yvonne Brinkhoff, communication officer at the Netherlands court-connected mediation agency, [y.a.brinkhoff-franken@rechtspraak.nl](mailto:y.a.brinkhoff-franken@rechtspraak.nl), tel. +31 26 3593822.

**We look forward to seeing you on Thursday 19 November 2009!**

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de Rechtspraak

**Landelijk bureau mediation**  
**naast rechtspraak**



Ministerie van Justitie