

Two Lectures on
Mediation

on 9 May 2:30-6:00pm
at the Auditorium, Business Environment Council Building
77 Tat Chee Avenue, Kowloon Tong

Speakers



Professor Sharon Press

Director, Dispute Resolution Institute, Mitchell Hamline School of Law

2:30-4:00pm: Choosing Suitable Mediation Tools and Achieving Results

During this presentation, Professor Press will start with an exploration of the foundational elements of mediation and a brief review of its use in the modern era. These early years were marked by great hope for the promise mediation had to address a range of issues. Over the past thirty years, mediation has been widely accepted into the legal fabric which has led to the development of a wide range of tools and practices. Professor Press will elaborate on some of the more common mediation tools and discuss the suitability of these tools in achieving results – both more a qualitative and quantitative standpoint. Prof. Press teaches Practice, Problem-Solving and Professional Responsibility, Mediation, and Advanced International Business Negotiation. Prof. Press is also the recipient of numerous professional awards, including the Mary Parker Follett Award for Excellence and Innovation in Dispute Resolution presented by the Association for Conflict Resolution.

Prof. David Smith

Practice Professor of Law, School of Law, Singapore Management University

4:30-6:00pm: Into the Breach: Ethics and Decision-Making in a Real and Virtual World

Over the last two decades the leaders in business, government, universities and other institutions has been causing tremendous harm to a wide range of stakeholders due to unethical decision-making. Economics and conflict of interest, of course, are two major culprits that drives leaders to unethical decision-making. But there are others. We will look at the intellectual forces that work against a decision-maker doing the right thing. Wishful thinking, rationalization, a failure to think across time and space are some. We will also consider who the ethical gatekeepers should be and why they often fail to do what we expect them to do. This includes regulators and boards of directors -- and lawyers. With regard to the latter, what is the role of the in-house counsel at a corporation in ensuring that ethical decisions are made? What is the role of a lawyer who is advising on and negotiating a transaction when he or she sees that the client is engaged in, or about to engage in, unethical decision-making? Finally, we will consider what can be done to ensure, or at least foster, ethical decision-making. What systems and procedures can be established to help decision-makers do the right thing? Prof. Smith will share with us his thoughts in his lecture. Prof. Smith was a member of the Law Reform Commission of the Government of Hong Kong SAR, and the Steering Committee on Reform of Legal Education of the Government of Hong Kong SAR, and has served on the boards of the Basic Law Institute of Hong Kong SAR.

CPD registration approval from

Hong Kong Mediation Center (HKMC): 3 CPD points (1.5 CPD points per lecture)

Pending CPD registration approval from Hong Kong Mediation Accreditation Association Limited (HKMAAL) and Hong Kong International Arbitration Centre (HKIAC) as at April 25, 2017



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