



## **Accelerated Route to Fellowship (International Arbitration) Assessment**

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**September 26, 27 and October 2, 3, 4, 2020**

**Presented and Organized by:**

**The Chartered Institute of Arbitrators' Canada, New York and North America Branches**

**Venue:**

**Remote Video Conference hosted by *Arbitration Place Virtual, Toronto***

**Five interactive workshops explore the challenges of organizing and managing a complex international arbitration and the drafting of an enforceable reasoned award**

**Testimonial:**

"This course was one of the most valuable and rewarding programs I have ever attended. It was rich in substance and, at the same time, conveyed how to practically apply substantive learnings. The workshop/interactive structure makes this program both fun and practical. I particularly appreciated the problems presented because they are real, and finding solutions required not only an understanding of the applicable rules and law, but the exercise of sound judgment. In sum, this course provides the thought processes to resolve and document the complex issues that arise during an international arbitration and when drafting an enforceable reasoned award. I can truly say it made me a better arbitrator."

**Noah Hanft - former President & CEO, CPR; Co-Founder AcumenADR**

## **Internationally Renowned Faculty**



**Trey Bergman, FCI Arb:** Mr. Bergman has served as single arbitrator, panelist and chairman on hundreds of national and international arbitrations since 1990 in cases ranging from complex multi-party to simple disputes including banking, commercial, construction, consumer, contract, copyright, employment, franchise, health law, insurance, malpractice, oil & gas, partnership, personal injury, real estate, securities, and trademark matters. He is a Fellow and Board Member of the College of Commercial Arbitrators and the past chair of the Alternative Dispute Resolution Section, State Bar of Texas (2018). He is also Board Certified in Civil Trial Law by the Texas Board of Legal Specialization and has arbitrated and mediated more than \$95 Billion in disputes.



**Stephanie Cohen, FCI Arb:** Ms. Cohen is a Canadian international arbitrator based in New York City. She is admitted to practice law in New York and Ontario, Canada, and is a member of arbitrator rosters for the ICDR and the AAA, as well as a CPR Distinguished Neutral. She has practiced exclusively as an arbitrator since 2012 and was previously Counsel in the international arbitration and commercial litigation practice groups at White & Case LLP in New York. Ms. Cohen is recognized by Who's Who Legal – Future Leaders as a “top arbitrator” with an “excellent reputation universally,” and is ranked in Chambers Global and Chambers USA. She is Vice Chair of the Chartered Institute of Arbitrator's New York Branch, Co-Chair of New York Arbitration Week 2020, a member of the ICCA-NYC Bar-CPR Working Group on Cybersecurity, and a member of the ICC Commission.



**Jacques S. Darche, C.Arb:** Mr. Darche is a partner at the law firm Borden Ladner Gervais LLP in Montréal. He was admitted to the Québec Bar in 1992 and is a graduate of the Université de Montréal Faculty of Law. Mr. Darche acts as counsel to parties involved in both international and domestic commercial arbitrations and he also represents parties in the homologation, recognition and contestation of arbitral awards and regularly serves as arbitrator and mediator in commercial disputes. In addition, he has a well-developed practice in commercial litigation, franchise law, real estate litigation and expropriation, international fraud, estate litigation, shareholder disputes as well as insolvency and financial restructuring. He is a Certified Arbitrator of the Institut de médiation et d'arbitrage du Québec (IMAQ) and of the Québec Bar. He is a Director the Canadian Branch of the CI Arb and the Honorary Consul of Finland for Montreal.



**Matthew E. Draper FCI Arb:** Mr. Draper is an international arbitration counsel and arbitrator based in New York. He sits as an arbitrator in international disputes administered by the ICC and ICDR, and on the AAA's Large and Complex disputes and the ICDR's international panel. He also sits as arbitrator in *ad hoc* arbitrations under the UNCITRAL Rules. Mr. Draper serves as Treasurer of the Chartered Institute of Arbitrators New York Branch; Co-Chair of the Alternative Dispute Resolution Committee of the American Bar Association's Section on the Environment, Energy and Resources; Chair of the USCIB Arbitration Committee's Sole Practitioner Subcommittee; a member of the ICC Task Force on Arbitration of Climate Change Related Disputes; and a member of the Singapore International Arbitration Centre's Users Council.



**William G. Horton, FCI Arb:** Mr. Horton practices as an arbitrator of international and Canadian business disputes. Prior to establishing his current practice, he served as head of litigation at two major Canadian law firms. He is former chair of the international litigation committee of the International Bar Association, a former co-chair of ADR Chambers' international and commercial arbitration panels, and a former executive member of ICC Canada. He served for 12 years as Editor in Chief of the *Canadian Arbitration and Mediation Journal* and is currently Course Director and principal instructor of the *Toronto Commercial Arbitration Society Gold Standard Course on Commercial Arbitration*. Mr. Horton chairs the Arbitration Act Reform Committee of TCAS, and has spoken and written extensively on arbitration topics at Canadian and international conferences.



**Amb. (r.) David Huebner, C. Arb:** Trustee for the Americas of the Chartered Institute of Arbitrators. David Huebner has more than 25 years' experience as an arbitrator and advocate in international, investment, and complex commercial arbitrations. He has particular expertise in technology and life sciences disputes but has handled matters across a wide range of industry sectors, legal issues, and geographic regions. Currently resident in California, he hears cases internationally and has in the past been based for extended periods in Tokyo, Shanghai, and New York. Amb. Huebner served as the American Ambassador to New Zealand and the Independent State of Samoa from 2009 to early 2014, appointed by President Barack Obama.



**Kathleen Paisley, FCI Arb:** Kathleen Paisley is an experienced international arbitrator who has served as an arbitrator of commercial and investor-State disputes under all the major international arbitration rules. She is triple qualified, combining a degree from the Yale Law School with an MBA in Finance and has passed the Certified Public Accountancy exam. Additionally, Ms. Paisley served as a member of the ICCA/NYC Bar/CPR working group which recently released the Cybersecurity Protocol for International Arbitration (2020). The Protocol provides a framework for determining reasonable information-security measures for individual arbitration matters. She is also co-chair of the ICCA/IBA Joint Task Force for Data Protection in Arbitration and serves on the ICCA/ASIL Damages Task Force (quantification), Sedona Conference Drafting Committee on arbitration and the IMI/CCA/Straus Mixed Mode International Task Force (enforcement).



**Michele S. Riley, FCI Arb:** Ms. Riley has over 30 years of international legal experience from working with international law firms in New York and Tokyo, Japan, specializing in commercial transactions and ADR processes, both in private practice and as general counsel of a U.S.-based subsidiary of a Japanese multinational. Ms. Riley serves as a CPR Distinguished Neutral, and is on ICDR's international panel, AAA's commercial arbitration and mediation panels, and the Pro Bono Appellate Mediator Panel of the Second Circuit Court of Appeals. Complementing her ADR practice, Ms. Riley teaches mediation and negotiation at Columbia University's International Center for Cooperation and Conflict Resolution.



**Ann Ryan Robertson, C.Arb:** Ms. Robertson is the current global Deputy President of the Chartered Institute of Arbitrators and will assume the post of global President in 2021. An International Partner in Locke Lord LLP’s Houston office, Ms. Robertson serves as both arbitrator and counsel in international and domestic arbitrations in a variety of complex business disputes across a number of industries. She is a member of the panel of neutrals for the ICDR, HKIAC, AIAC, KCAB, CPR, CAfA, and BVI-IAC. Ms. Robertson is recognized by both Global Arbitration Review’s “Who’s Who Legal: Arbitration” and “Best Lawyers in America International Arbitration–Governmental.” Most recently, the United States government selected her as one of ten arbitrators to serve as dispute settlement panelists pursuant to Chapter 31 of the United States-Mexico-Canada Agreement (US-MCA).



**Sabri M. Shawa QC, FCI Arb:** Mr. Shawa is an arbitrator, mediator, and litigator who has practiced in Calgary for nearly three decades. He has a Bachelor's degrees in law and engineering and a Master of Laws degree with a major in dispute resolution. He is on the executive of the Canadian branch of the Chartered Institute of Arbitrators, and is also the chairperson of its Alberta chapter. Mr. Shawa was named Lawyer of the Year in Calgary for 2020, for Alternative Dispute Resolution, by Best Lawyers Canada. He is also listed as a Litigation Star by Benchmark Canada for arbitration and dispute resolution. Sabri is a member of the Western Canada Commercial Arbitration Society and a Fellow of the Litigation Counsel of America.



**Daniel Urbas, FCI Arb:** Mr. Urbas is an experienced arbitrator and mediator with 25+ years of dispute resolution experience. He sits regularly as a sole arbitrator and as chair or member of three-member panels. His appointments have been by individual parties, jointly by the parties, the court, and institutions and is listed on various rosters. Fluent in both English and French with degrees in both Common Law and Civil Law, Mr. Urbas is an active member of the Québec, Ontario and British Columbia law societies.



**Program Director – James Reiman, FCI Arb:** Mr. Reiman is an arbitrator and mediator of complex domestic and international commercial disputes, and serves as a director on the boards of public and private companies. He has 18 years experience as a trial and commercial transactions attorney practicing in Chicago, IL law firms followed by 20 years as CEO, chairman and board director of public and private companies in the US, UK and China. In addition to his ADR and board work, Mr. Reiman is a member of the faculty of the University of Oxford’s Oxford Programme on Negotiation and a Board Leadership Fellow of the National Association of Corporate Directors.

### **Venue: Remote Video Conference**

The program will be hosted, and the technology managed, by Arbitration Place Virtual, Toronto ON. A dedicated technical support person will be available during all workshop sessions. The technology platform to be employed will be Zoom. All participants will receive a Zoom link and information regarding Zoom use prior to the program.



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## **Accelerated Route to Fellowship (International Arbitration) Assessment**

The Accelerated Route to Fellowship program is designed for senior practitioners in the field of dispute resolution. It is a qualification program; not a fundamentals training program. Successful completion of the program permits participants to apply to become Fellows of the Chartered Institute of Arbitrators, the highest grade of CI Arb membership which allows the use of the designation FCI Arb.

The program focuses on applicable laws and procedures for the conduct of efficient arbitration hearings in complex international cases. The program is comprised of three elements:

### **1. Oral Assessment**

This element of the Accelerated Route to Fellowship Programme consists of two days of workshops (4 days if the program is via remote video conference) based on a case study of a dispute. Each participant is assessed on his/her knowledge, judgment and self-presentation during discussion of a series of problems arising during a mock complex international arbitration and role play simulations.

### **2. Written Assessment**

Written assignments will be part of the assessment process during the workshop portion of the program. One of the written assignments will be prepared in advance of the workshops and will be collected early on the first day of the workshops.

### **3. Award Writing Examination**

This element consists of a written, open book examination in which an award must be written and fully reasoned based on the evidence in an arbitration proceeding. The exam is administered as part of this program. To receive a passing grade, the award must meet international standards for enforcement. The exam administration and assessment fee is included in the tuition fee for the program.

Following successful completion of the three elements described above, candidates may schedule a Peer Interview. There will be a separate charge for the Peer Interview: it is not included in the tuition fee of this program.

**Who Should Attend?** You are a practicing lawyer with at least 10 years litigation and/or dispute resolution experience. For further information regarding one's qualification to participate in the program, please contact Jim Reiman, Program Director ([jreiman@ReimanADR.com](mailto:jreiman@ReimanADR.com)).

**Assessment.** Continual assessment throughout the workshop portion of the program, written submittals, and award writing exam.

**Assessment Result.** Successfully passing the oral and written assessments during the workshop portion of the program allows the candidate to take the Award Writing Examination. Successful completion of the Award Writing Examination and (separate) Peer Review Interview allows the candidate to apply for Fellow status (for full details of route to Fellowship, please visit the CI Arb website [www.ciarb.org](http://www.ciarb.org)). Candidates may apply for Associate CI Arb membership with the Chartered Institute of Arbitrators at any time.



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## **Frequently Asked Questions**

### **What will happen during the oral assessment portion of the program?**

You will be in small groups with two or more assessors. You will be given a case study comprising a commercial contract and a set of facts describing the events which lead to a dispute between a number of parties. During the assessment workshops, various situations or problems which might arise during an international arbitration will be put to you and you will discuss how you would deal with them. There are also written and role play exercises.

### **What grade of membership will I be entitled to?**

You may apply as an Associate member of the CI Arb at any time.

If you pass the oral and written assessments during the workshop portion of the Accelerated Route to Fellowship program, and are not already a Member of the CI Arb, you will be entitled to apply for Member status. This applies whether you sit for and pass the Award Writing Exam or not. Applying for Member status as soon as possible is encouraged as all persons applying for Fellow status must first be Members of the Institute.

If you do not pass the oral and written assessment portion of workshop portion of the Accelerated Route to Fellowship program, you will not be permitted to take the Award Writing Exam.

If you do not pass the Award Writing Exam, you will not be permitted to proceed to the Peer Interview process for Fellowship status.

If you successfully pass the workshop portion of the Accelerated Route to Fellowship program as well as the Award Writing Exam, you will be able to schedule a Peer Interview. There will be a separate charge for the Peer Interview process: it is not included in the tuition cost of this program. Following successful completion of the Peer Interview you may apply to upgrade your membership level from Member to Fellow status.

## **Continuing Legal Education (CLE)**

In the United States, certificates for applying for continuing legal education (CLE) credit will be provided to candidates who request them. Typically, this program has been approved for 12.5 – 14 CLE Skills and 1.5 – 2.0 Ethics Credits. In Canada, CLE approval pending.

## **Timing and Scheduling**

The workshops will commence promptly at the times stated below. Note that all times stated are Eastern Time (ET) (UTC -5:00).

### **Saturday, September 26, 2020**

10:00 a.m. – 3:00 p.m.

### **Sunday, September 27, 2020**

10:00 a.m. – 2:00 p.m.\*



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**Friday, October 2, 2020**

10:00 a.m. – 2:00 p.m.

**Saturday, October 3, 2020**

10:00 a.m. – 2:30 p.m.

**Sunday, October 4, 2020**

**Award Writing Exam**

10:00 a.m. – 3:00 p.m.

\* Accommodations will be made for those needing to depart early on September 27, 2020.

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**We are anticipating strong demand for this program and would ask that you register at the earliest possible date. **Registration is limited!****

## **PROGRAM REGISTRATION**

**For candidates paying in Canadian \$\$**

[Click Here](#)

**For candidates paying in US \$\$**

[Click Here](#)

## **Fees**

**Accelerated Route to Fellowship Program registration fee:**

**\$2,000.00 – Canadian Dollars**

**\$1,500.00 – United States Dollars**

**Cancellation:** You may freely substitute someone from your organization until the Friday before the Training. A cancellation fee of US\$ 250/CAD 335 will be charged if cancellation is received prior to September 1, 2020; tuition will not be refunded if cancellation is received after August 31, 2020. However, the fee paid may be applied to a future program.

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