

KING COUNTY BAR ASSOCIATION

1.00 Ethics CLE Credit – A/V Approval #1214072

Recording Date – October 14, 2021

| Meeting Location | Date | Time | Topic |
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| The Safety of Your Home | Thursday, October 14, 2021 | 11:55 AM to 1:00 PM | Mediator Ethics: Navigating Self- Determination, Neutrality, Impartiality & Imbalance of Power |

For all KCBA sections, credit submittal to the State Bar occurs within 30 days of the program

AGENDA

11:55 AM Introduction

12:00 PM Presentation: ‘Mediator Ethics: Navigating Self-Determination, Neutrality, Impartiality & Imbalance of Power’, by Esther Park and Alan Kirtley, University of Washington School of Law

Foundational ethical principles of mediation are party self-determination, mediator neutrality and impartiality. The generally accepted view is that mediators are constrained in their ability to intervene to balance power between parties or to ensure a “fair result.” From a new book, Esther Park and Alan Kirtley will present the radical idea of relational party self-determination and a more expansive role for the mediator in relation to the RPC 2.4.

1:00 PM Adjourn

SPEAKER BIOGRAPHY

Esther Park, University of Washington School of Law – Esther Park is Director of the Externship Program at the University of Washington School of Law. Esther also coaches students in the Professional

Mediation Skills Training Program and supervises law students in the mediation clinic. Since 2015, Esther has been working with the Dispute Resolution Center of King County in various capacities, including court lead at Small Claims Court, mentor mediator for practicum students, and presenter in the 40-hour basic mediation training courses. In her previous career as an attorney, Esther represented parents involved in the child welfare system in Brooklyn, NY, directed a civil legal aid clinic in Seattle, and litigated civil and criminal matters at a small law firm in Seattle. Before starting her legal career, Esther was a practicing pharmacist, licensed in Washington and Massachusetts.

Alan Kirtley, University of Washington School of Law – Alan Kirtley is an Emeritus Associate Professor of Law at the University of Washington School of Law and a founding director of its Clinical Law Program. He teaches in the law school’s Mediation Clinic. He has a private mediation practice and does volunteer work in public policy disputes and with community dispute resolution centers. He is a frequent presenter at mediator training programs. Professor Kirtley served as chairman of the WSBA’s Alternative Dispute Resolution Section. Kirtley co-founded the Northwest Dispute Resolution Conference. He has published several articles in this field, and he was awarded a writing prize by the Center for Public Resources for his article on the mediation privilege. Professor Kirtley was an academic advisor to the national drafting committee of the Uniform Mediation Act (“UMA”), and he was instrumental in the passage of the UMA in Washington State. He has been a Visiting Scholar at Harvard Law School and Ohio State University College of Law. He is currently on the Board of the King County Dispute Resolution Center.
