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Mediation Advocacy (NITA Practical Guide Series)

John W. Cooley

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Written by a lawyer for lawyers, Mediation Advocacy was critically acclaimed in 1996 for its in-depth examination of the mediation process. Now, six years later, the mediation field has changed dramatically, and John W. Cooley updates this classic text to include a comprehensive chapter on cybermediation as well as new sections on various mediation design processes and techniques.

In Mediation Advocacy, Second Edition, Cooley leads you step by step through the stages of mediation. Chapter 1 introduces the two principal ADR processes-mediation and arbitration. Chapters 2 through 6 provide useful information and practice tips for advocates regarding every stage of representation in the mediation process. Each of these chapters includes a checklist highlighting key actions at critical stages of the mediation process. Chapter 7 addresses hybrid ADR processes, such as co-mediation, mini-trials, and summary jury trials. Chapter 8, a new chapter in the second edition, examines effective advocacy in cybermediation. It contains a wealth of new information including:

Basic definitions of electronic dispute resolution terms
Alternative cyber-ADR processes
Benefits and limitations of cybermediation
Ethics of cyberadvocacy
Considerations in selecting a cybermediation service and cybermediator

Cooley includes a cybermediation vignette concerning a four-party dispute. This real-life scenario takes readers through the various stages of cybermediation including preparing the case and client, in-session and post-session advocacy. The appendix contains sample mediation forms and rules, a list of ADR providers, and a list of nonprofit organizations that study and promote the use of ADR.

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