



MEDIATION IN THE EU: LANGUAGE, LAW & PRACTICE

- Language training for judges
- Focus on civil and commercial mediation

Krakow, 23-25 February 2022

**UP
GRADE**
YOUR LEGAL
EXPERTISE



Speakers

Maciej Czerniakowski

Translator, Business & Legal English Teacher, Lublin

Brian Hutchinson

Arbitrator, Mediator, Barrister, GBH Dispute Resolution Consultancy; Associate Professor at University College Dublin

Rafał Morek

Advocate, Partner at DWF Poland, Warsaw

Nana Papadogeorgaki

Attorney-at-Law, Mediator, Trainer for Mediators, Athens

Eva Samaniego Fernández

Professor, Department of Foreign Languages, National Distance Education University (UNED), Madrid



Key topics

- Legal framework of cross-border civil and commercial mediation
- Key features and different phases of the mediation process
- Mediator skills and negotiation techniques
- Interaction between mediation and civil proceedings
- Online dispute resolution schemes
- English legal terminology in mediation

Language
English

Event number
122DT20f

Organisers
ERA (Anastasia Patta) in cooperation with the Polish School of Judiciary and Public Prosecution

Location
National School of Judiciary and Public Prosecution (KSSiP)
ul. Przy Rondzie 5, 31-547 Kraków



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Mediation in the EU: Language, Law & Practice

Wednesday, 23 February 2022

- 08:45 Arrival and registration of participants
- 09:00 **Opening session and introduction to the programme and project**
Anastasia Patta
- 09:15 **Key legal terminology in EU civil law**
Eva Samaniego Fernández
- 10:30 Coffee break
- 11:00 **The mediation landscape in the EU**
- Legal framework of cross-border mediation in civil and commercial cases
 - Mediation Directive
- Nana Papadogeorgaki*
- 12:00 **DISCUSSION ROUND: National procedural frameworks and the latest legal developments in the participating EU Member States**
- 12:30 Lunch break
- 13:30 **GROUP A: Preparing a mediation procedure – the key to mediation success**
Practical session based on an international sales and distribution contract dispute
- Different phases of the mediation process
 - Opening of the procedure and building trust
 - Scope and borders of confidentiality
- Nana Papadogeorgaki*
- 13:30 **GROUP B: Legal language training (Part I)**
Oral and written exercises
Eva Samaniego Fernández
- 15:00 Coffee break
- 15:30 **GROUP A: Legal language training (Part I)**
Oral and written exercises
Eva Samaniego Fernández
- 15:30 **GROUP B: Preparing a mediation procedure – the key to mediation success**
Practical session based on an international sales and distribution contract dispute
- Different phases of the mediation process
 - Opening of the procedure and building trust
 - Scope and borders of confidentiality
- Nana Papadogeorgaki*
- 17:00 End of the first day

Thursday, 24 February 2022

- 09:00 **GROUP A: Key features of civil & commercial mediation**
- Mediation concepts for business mediation
 - Mediator skills and negotiation techniques
 - Dealing with power imbalances
- Brian Hutchinson*
- 09:00 **GROUP B: Legal language training (Part II)**
Written comprehension & exercises
Eva Samaniego Fernández
- 10:30 Coffee break
- 11:00 **GROUP A: Legal language training (Part II)**
Written comprehension & exercises
Eva Samaniego Fernández

Objective

The purpose of this interactive seminar is twofold: first, to introduce participants to the law and practice of cross-border civil and commercial mediation and, secondly, to improve their English language skills.

Participants will be encouraged to make use of mediation techniques and procedures, while also receiving the tools to and developing the ability to communicate effectively in English in cross-border situations.

Who should attend?

Judges (nominated by the project partners), mediators and lawyers in private practice from EU Member States.

Your contact persons



Anastasia Patta
Course Director
E-mail: apatta@era.int



Christiane Schmitz
Assistant
E-mail: cschmitz@era.int

11:00 **GROUP B: Key features of civil & commercial mediation**

- Mediation concepts for business mediation
- Mediator skills and negotiation techniques
- Dealing with power imbalances

Brian Hutchinson

12:30 Lunch break

13:30 **WORKSHOP** (coffee & tea will be served during the workshop):

Solving an employment dispute out of court

- The role of the lawyer, the mediator and the parties
- Negotiation techniques and efficiency by caucus
- Drafting a settlement agreement

Brian Hutchinson

17:00 End of the second day

19:00 Dinner

Friday, 25 February 2022

09:00 **GROUP A: Interaction between mediation and civil proceedings**

- Effects of mediation on limitation and prescription periods
- Enforcement of settlement agreements
- **WORKSHOP – Online dispute resolution schemes in a cross-border consumer dispute**

Rafał Morek

09:00 **GROUP B: Legal language training (Part III)**

Preparation of short oral presentations & exercises

Maciej Czerniakowski

10:30 Coffee break

11:00 **GROUP A: Legal language training (Part III)**

Preparation of short oral presentations & exercises

Maciej Czerniakowski

11:00 **GROUP B: Interaction between mediation and civil proceedings**

- Effects of mediation on limitation and prescription periods
- Enforcement of settlement agreements
- **WORKSHOP – Online dispute resolution schemes in a cross-border consumer dispute**

Rafał Morek

12:30 **DISCUSSION ROUND: Judicial, court-annexed or extra-judicial mediation? Experiences in the Member States**

Coordinated by Maciej Czerniakowski & Rafał Morek

13:30 End of training

For programme updates: www.era.int
 Programme may be subject to amendment.

Calendar of events

Civil and commercial mediation

Riga, 6-8 June 2022

Event no.: 122DT22f

Prague, 9-11 November 2022

Event no.: 122DT24f

Sofia, 15-17 March 2023

Event no.: 123DT03f

Vilnius, 24-26 April 2023

Event no.: 123DT02f

Family mediation

Bucharest, 9-11 May 2022

Event no.: 122DT21f

Barcelona, 19-21 September 2022

Event no.: 122DT23f

Thessaloniki, 8-10 February 2023

Event no.: 123DT01f

Project partnership

EU-wide networks

EJTN – European Judicial Training Network

GEMME – European Judges Group for Mediation

MiKK – International Mediation Centre for Family Conflict and Child Abduction

National judicial training institutions

Belgium – Judicial Training Institute

Bulgaria – National Institute of Justice

Estonia – Supreme Court

Finland – National Courts Administration

Greece – National School of Judges

Latvia – Judicial Training Centre

Lithuania – National Courts Administration

Poland – National School of Judiciary and Public Prosecution (*Beneficiary*)

Romania – National Institute of Magistracy

Spain – General Council for the Judiciary

Bar associations

Czechia – Czech Bar Association

Greece – Thessaloniki Bar Association

Latvia – Latvian Collegium of Sworn Advocates

Lithuania – Lithuanian Bar Association

Slovakia – Slovak Bar Association

Spain – Barcelona Bar Association

Registration

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Europäische Rechtsakademie
Academy of European Law
Académie de Droit Européen
Accademia di Diritto Europeo

Application procedure

This seminar series is co-funded by the European Union's Justice Programme (2014-2020). The following terms and conditions of participation apply:

for lawyers & mediators

Applications for

Mediation in the EU: Language, Law & Practice

can be made online until 14 January 2022 on the following website:



www.era.int/?131068&en



Project description

Within the framework of the Justice Programme the European Union is co-financing a series of nine language training activities on cross-border mediation.

Each seminar will last 2.5 days and will be organised in the partnering Member States. The number of participants (judges, lawyers and mediators) will be limited to 30 per event.

The training activities will combine interactive language training and legal training with a focus on cross-border mediation.

More information about the project on:

www.era-comm.eu/mediation-project

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Location

National School of Judiciary and Public Prosecution (KSSiP)
ul. Przy Rondzie 5, 31-547
Kraków

Language

English

Contact Person

Christiane Schmitz
Assistant
cschmitz@era.int
+49 (0) 651 93737-122

Participation

Participation will be subject to a selection procedure since the **number of places available is limited**. A response will be given to every applicant shortly after the deadline. Participants should have a working knowledge of English.

Registration fee

275 EUR (including documentation).
Coffee breaks and lunches are included. ERA will organise and cover a joint dinner for all participants.

Travel expenses

Travel costs are **not** reimbursed by ERA and participants are asked to book their own travel.

Accommodation

The participation fee includes hotel accommodation: maximum 3 nights at the hotel booked by ERA will be covered directly by ERA.

for judges

Interested judges from the partnering Member States may register via their national judicial training institutions. Interested members of the Association of European Judges for Mediation (GEMME) may register via GEMME. Participation is on selection.