

# 20/20 Vision: Focusing on Excellence



Pre-conference: April 30  
Main Conference: May 1 - 2

Gideon Putnam Hotel  
Saratoga Springs, NY



**Duke Fisher**



**Jill Sanders-DeMott, Esq.**



**Eric Tepper, Esq.**



**Teresa Calabrese, Esq.**



**Jessica Rothberg, Esq.**



**Dan Burns, Esq.**



**Tara Clancy**



**Gail Thomas, Esq.**



**Joy Rosenthal, Esq.**



**Andrea Hirshman, Esq.**



**Kris Jenks, CFA, MBA**



**Julie Mersereau, Esq.**



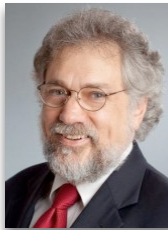
**Kathryn Castro**



**Kristin Coffey, CVA, MBA**



**Steve Abel, Esq.**



**Bob Collins, Esq.**



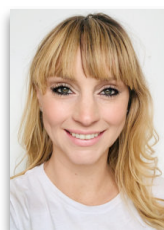
**Carolyn A. D'Agostino, Esq.**



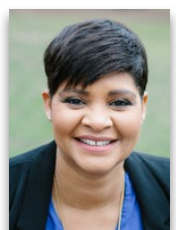
**Lauren Behrman, PhD**



**Robyn Mann, Esq.**



**Nicole Goldstein**



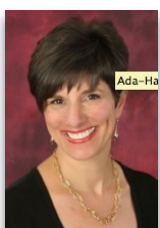
**Elki Camucho**



**Vikran Rajan**



**Elizabeth Vaz, Esq.**



**Ada Hasloeher**



**Susan Ingram, Esq.**



**Joanne Hawthorne, Esq.**



**Charles Newman, Esq.**



**Lela Love, JD**



**Dan Weitz, Esq.**

*“On behalf of the Annual Conference Committee and the NYSCDM Board, we look forward to seeing you for several days of valuable education, networking and camaraderie.”*

**Mark Josephson**

**Esq., CPA, CFP, CFE, CGMA**  
Founder & Senior Partner  
Murray & Josephson, CPAs



**Annual Conference Committee Members**

Mark Josephson  
Annual Conference Chair

Ada Hasloeher  
Speakers & Logistics

Jill Sanders-DeMott  
Speakers & Logistics

Andrea Hirshman  
Speakers & Logistics

Donna La Scala  
Sponsorships

Stephen Linker  
Auction

Connie Fraser  
Standard CEs & CLEs

Kate Bar-Tur  
Mental Health CEs

Patty Murray  
Executive Director

*In loving memory of*



## Schedule At A Glance

### Thursday, April 30

- 11 AM Registration Desk Opens  
Business Expo Opens
- Noon Lunch
- 1 PM Pre-Conference Starts
- 5:30 PM Pre-Conference Ends
- 6:30 PM Opening Reception  
Welcome to New Members
- 7:30 PM Dinner, Abel Award,  
Keynote Address

### Friday, May 1

- 7:30 AM Registration Desk Opens  
Business Expo Opens  
Breakfast Starts
- 8:45 AM Welcome  
Zen Den (New! All Day!)
- 9 AM Opening Plenary
- 10:30 AM Coffee Break & Networking
- 11 AM Breakout Sessions
- 12:45 PM Lunch & NYSCDM Annual Meeting
- 2:30 PM Breakout Sessions
- 3:50 PM Coffee Break & Networking
- 4:15 PM Plenary: Update on the Law
- 5:30 PM Plenary Ends
- 7 PM Dinner & Entertainment
- 9 PM Jam Session

### Saturday, May 2

- 8 AM Registration Desk Opens  
Business Expo Opens  
Breakfast Starts
- 9 AM Breakout Sessions
- 10:40 AM Coffee Break & Networking  
Hotel Checkout
- 11:10 AM Breakout Sessions
- 1 PM Lunch & Closing Plenary:  
Fireside Chat
- 2:45 PM Conference Ends

*Mark Your Calendars for  
Next Year's Annual Conference  
April 29 & 30, May 1, 2021*

*Duke Fisher Presenting on Nonviolent Communication*

# Mediating Without Fear: High Conflict, High Authenticity, High Satisfaction!

**Noon Lunch**

**1PM to 5:30 PM Pre-conference**

**5 CLEs Skills Pending 5 Social Worker CEs Available**

Why have custody battles when you can make parenting plans? Transform binary thinking of winners and losers to meeting everyone's needs. Join Duke Fisher with support from Jill Sanders-DeMott for this interactive and intimate pre-conference workshop to:



**Jill Sanders-DeMott, Esq.**  
Moderator,  
Accredited Mediator  
& Attorney

- Support access to the process
- Draw out voiceless parents
- Explore how all behavior is driven by our deeper needs
- Transform high conflict conversation into conversations of needs
- Support families to move beyond threats and demands
- Use needs to craft creative parenting arrangements
- Learn how to make strong feelings a resource rather than an impediment
- Create foundations for true co-parenting
- Learn to differentiate the needs of the children and the parents
- Break impasses by unleashing parent creativity
- Support your own self care by boosting meaning in your work
- Craft parenting plans that truly meet the needs of the family and the children.

Duke is a straight-talking, tireless advocate for respectful collaborative conflict resolution, who will challenge and educate attendees through his use of unpredictability, good films and experiential exercises. Duke will create a unique and dynamic space that will encourage you to have fun, take risks, dig deeper and learn from each other. Participants should be ready to share their personal experiences as a child and parent for powerful application to their family mediation skills.



**Duke Fisher**

**Mediator, Trainer  
Restorative Justice Facilitator &  
Professor**

- Duke Fisher is a trusted facilitator and mediator who facilitates meaningful conversations in schools, universities, and organizations worldwide. He is committed to building bridges to all of his participants and ensuring their needs are honored.
- Duke has been a New York State Certified Mediation Trainer since 1989. He is the past director of the Dispute Resolution Center for Delaware and Chenango Counties and has taught mediation courses worldwide, including at Hofstra and Albany Law Schools.
- As a lead trainer for the University of San Diego Center for Restorative Justice, Duke frequently trains community agencies and educational institutions in restorative practices that help build community, respond to incidents of crime or misconduct, and successfully reintegrate students after suspension.
- Duke is the 2007 "Lawrence P. Cooke Peace Innovator Award" recipient recognized for his never-ending search for creative methods to support effective learning and address conflict. He has a B.A. from the University of Wisconsin-Madison.

*6:30 PM Cash Bar ~ Opening Reception & Welcome to New Members!*

*7:30 PM ~ Dinner, Keynote Address & Abel Award Ceremony*

**Keynote Address: Duke Fisher**  
**"Sometimes the Cobbler's Kids Get Shoes Too"**

**Click to  
Register!**



- 7:30 AM Registration Desk Opens, Business Expo Opens, Breakfast is Served
- 8:45 AM Welcome and Opening Comments
- 9:00 AM Opening Plenary 1.5 CLEs Areas of Professional Practice Pending

## Review of Cases Dealing With the Current Maintenance Guidelines and Consideration of the Impact of the Tax Cuts and Jobs Act on Spousal Maintenance

Eric Tepper has worked extensively on maintenance guidelines and was part of Judge Sunshine’s working group which negotiated New York’s newly enacted spousal maintenance guidelines legislation that went into effect in January 2016. They were developed when spousal maintenance was a tax deduction to the payor and taxable income to the payee. With the Tax Cuts and Jobs Act (TCJA), spousal maintenance is no longer a taxable event for either party.

Mr. Tepper will review pertinent cases since January 2016. Most deal with the guidelines, in general, and whether there should be an award per the guidelines or a deviation of the amount and/or duration of the maintenance. Then Mr. Tepper will review what, if anything, can be done to address the change in the tax law when determining spousal maintenance under the guidelines. Included will be a discussion on if there should be any adjustment, and if so, if the adjustment should take into consideration the tax benefits lost to the payor, the tax benefits to the payee, or some combination of the two. Relevant case law will be addressed. Mr. Tepper has presented on this topic to New York State Judges and to Court Attorneys as part of their judicial and continuing legal education.



**Eric A. Tepper, Esq.**  
Attorney & Lecturer who  
Worked on NY State  
Maintenance Guidelines

- 10:30 AM Coffee Break & Networking
- 11:00 AM Breakout Sessions

### Are You My Mother? Emerging Issues in Queer Parenting 2 CLEs Diversity, Inclusion & Elimination of Bias Pending 2 Social Worker CEs Available

The complexities and challenges that arise with non-traditional parenting structures will be discussed. During an engaging and interactive presentation, attendees will learn:

- Current issues and the legal status of parentage in NY State
- Tips and tools for working with families who don’t fit the traditional paradigm



**Teresa Calabrese, Esq.**  
Mediator  
& Attorney



**Jessica Rothberg, Esq.**  
Accredited Mediator  
& Attorney

### Mediating Child Support: Beyond the Basics 2 CLEs Skills Pending

So, you’ve determined the income of each parent and have made the CSSA calculations. Now what? During this interactive session we will explore how to mediate child support. The discussion will include how to address shared parenting, add-on’s, using a “children’s account” and what steps are required to modify child support, including when it should be done through the court. Come with your questions and thoughts since audience participation is encouraged.



**Dan Burns, Esq.**  
Accredited Mediator  
& Attorney

### Deeper Dive on NVC and/or Parenting Mediation 2 Social Worker CEs Available

At the end of the pre-conference, attendees will pick a specific aspect of non-violent communication and/or parenting mediation for further discussion. Duke will take a deeper dive on this topic. Anyone is welcome to attend, even if you were not at the pre-conference.



**Duke Fisher**  
Mediator, Trainer  
& Professor



12:45 PM Lunch

**NYSCDM Annual Meeting**

**Annual Report by NYSCDM President  
Deborah Hope Wayne, Esq.**

**Elections**



**Deborah Hope Wayne, Esq.**  
NYSCDM President  
Accredited Mediator &  
Collaborative Lawyer

2:30 PM Breakout Sessions

## Storytelling Strategies for More Effective Mediation

2 CLEs Skills Pending

Personal stories enable people to communicate and learn on a deeper level. Strategic storytelling can enable mediators to help couples reach understanding and resolution. In this workshop, led by expert storytellers, Tara Clancy of the Moth and attorney Gail Thomas, mediators will learn proven storytelling strategies and techniques that you can incorporate into your own practice. Limited to 20 participants\*, this experiential, exercise-driven session will teach you storytelling basics such as how to: 1) identify and choose your personal story to make a point and 2) create a strong story using emotional arc, scenic details, and theme to “show, not tell.” You’ll also learn how to become a better listener and help your clients tell their own stories.

*\* Attendees interested in this session must pre-register on the event form. The 20 spaces will be filled via a random lottery from those who pre-register. All others will be placed on a wait-list and will have first priority if the session is offered in the future.*



**Tara Clancy**  
Comic, Author, The Moth



**Gail Thomas, Esq.**  
Attorney & Storyteller

## The Power of Dignity in Conflict Resolution

2 CLEs Ethics & Professionalism Pending  
2 Social Worker CEs Available

Understanding the underlying dignity concerns of grievances can make a huge difference in resolving conflict. Unnamed indignities can take on an invisible energy of their own, keep conflict alive and hinder resolution. Using Dr. Donna Hicks’ research, we’ll examine how to draw out the best in people and apply her Dignity Model to our mediation work. Participants will learn:

- The essential elements of dignity
- How violating dignity creates conflict
- How honoring dignity resolves conflict
- Ways to honor dignity and avoid traps that risk violating it

*Recommended reading prior to session:  
“Leading with Dignity” by Donna Hicks, PhD*



**Joy Rosenthal, Esq.**  
Mediator & Attorney



**Andrea Hirshman, Esq.**  
Mediator & Attorney



**Teresa Calabrese, Esq.**  
Mediator & Attorney

## Top Questions All Mediators Need to Ask Couples about Finances

2 CLEs Skills Pending

Make sure you are asking all the right questions to ensure your couples are not rolling the dice on their finances. This curated discussion will feature financial and legal experts identifying best practices and explaining how to avoid costly pitfalls on key topics including:

- Business valuations
- Pensions
- Budgeting
- Survivor benefits
- QDRO dos and don’ts
- Identifying income and assets
- Double-dipping
- Taxable vs. non-taxable assets



**Kris Jenks, CFA, MBA**  
Financial Executive



**Julie Mersereau, Esq.**  
Mediator & Attorney



**Kathryn Castro, CFP, CDFA**  
Financial Advisor



**Kristin Coffey, CVA, MBA**  
Senior Consulting Manager

3:50 PM **Coffee Break & Networking**

4:15 PM **Update on the Law 1.5 CLEs Areas of Professional Practice** Pending

5:30 PM

Review and analysis of the significant cases that were decided during the past year. Topics will include marital and separate property, pensions and retirement accounts, the marital residence, maintenance, child support and a host of other cases that will help you provide your clients with the information they will need to make informed decisions.



**Steve Abel, Esq.**  
Accredited Mediator  
Attorney  
Editor, Federal Family Law

## 7 PM **Dinner and Entertainment**

Cash bar, dinner and brief live auction followed by humorous tales from the world of divorce and uncoupling from Moth storytellers.

### **Tara Clancy**

Comic  
Author  
The Moth



### **Gail Thomas**

Attorney  
Storyteller  
The Moth

## 9 PM **Jam Session**

Each year, attendees informally gather to play their guitars, fiddles and harps and sing folk songs.

### **Zen Den**

New this year, we are offering a special room for member self care on Friday, May 1.

In this peaceful space, you will be able to relax, meditate and more. Details forthcoming.

We also encourage you to enjoy the beauty of Saratoga Springs and walk the hotel grounds to enjoy some calming moments and sample some of the most popular mineral water springs in the area.

### **Unique Experiences & Special Auction Items**

Building on the fun and success of last year's auction, we will continue with our short live auction featuring a few unique experiences (i.e., use of your vacation home, dinner at a chef's table) and special treasures (i.e., painting, sculpture).

If you are able to help support the Council by donating something special, or know someone who can, please contact:

[Steve Linker](#) or [Patty Murray](#)

8 AM Registration Desk Opens, Business Expo Opens, Breakfast is Served  
9 AM Breakout Sessions

## WTF Do I Say Now? 2 CLEs Skills Pending

Divorce mediation is a process in which good intentions are necessary, but not sufficient; there's an array of specific techniques that mediators can turn to in moments when the couple is -- and the mediator's feeling -- stuck.

Bob Collins will share the 40 best "moves" he's discovered in his 35 years of practice to create momentum for couples, with the aim of allowing new mediators to expand their toolbox and grizzled veterans an opportunity to add a few tricks to their repertoire.

Written excerpts from Bob's training text on the 40 Techniques will explain the what, why, when, and how of using each intervention, and a group exercise will demonstrate how the tools look when applied in the field.



**Bob Collins, Esq.**  
Mediator & Attorney  
Common Sense Divorce Mediation

## Uncoupling Retirement Assets 2 CLEs Skills Pending

Retirement accounts and pensions are some of the most valuable, yet challenging assets to deal with when parties are uncoupling. Carolyn will review what mediators need to know and ask about these critical assets including: defined benefit plans, defined contribution plans, vesting, different methods of division, dealing with pre-marital and post-marital contributions, private sector (ERISA governed) vs. governmental plans.

Mediators will learn about: pension valuation concepts, offsetting pensions and/or retirement accounts based on valuations, investment risk, swapping retirement accounts for other marital assets, and tax impacting of retirement accounts.



**Carolyn A. D'Agostino, Esq.**  
Pension Consultant  
The Law Office of Carolyn D'Agostino, PLLC

## Gray Divorce: Effects of Divorce on Adult Children

2 CLEs Skills Pending  
2 Social Worker CEs Available

Divorce hurts whether children are 13 or 30. FamilyKind's Adult Children of Divorce Committee (ACOD) is examining the trauma suffered by young adults whose parents divorce at a time when gray divorce rates have more than doubled between 2005 and 2015.

Unique unexamined issues exist. Parents are generally under the mistaken impression that because their adult children are not living at home, the divorce is of no consequence and they are better able to cope. Panelists will have an in-depth discussion of the adult children's experience and longterm effects of gray divorce. In doing so, they will share their own life stories along with their professional expertise.

*Presented by the Adult Child of Divorce Committee of FamilyKind, Ltd.*



**Lauren Behrman, PhD**  
Psychologist and Mediator



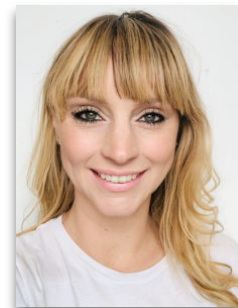
**Robyn Mann, Esq.**  
Mediator & Attorney

10:40 AM Coffee Break & Extra Time for Checking Out of the Hotel  
11:10 AM Breakout Sessions

## Promotional Opportunities: Exhibiting, Ads, Lit Drops

Learn how you can promote your services to NYSCDM members and help support the Council.  
For information on promotional and sponsorship opportunities, please contact:

[Donna La Scala](#) or [Patty Murray](#)



**Nicole Goldstein**  
ACOD FamilyKind



## 11:10 AM Breakout Sessions

### Practice Management: Avoiding Technology is No Longer an Option

2 CLEs Law Practice Management Pending

Keeping up with technology is no longer just an option, it is an essential part of your practice management. Your effective use of technology will impact your profitability, efficiency, client experience and security. There's no one-size-fits-all solution, so this panel will provide guidance on questions you have, offer tips and explore options on using technology to:

- expand your business via online mediating
- organize your time and billing
- secure client information
- market your services online
- use apps to ease client communications



**Elki Camucho**  
Camucho Consulting



**Elizabeth Vaz, Esq.**  
Mediator & Attorney



**Vik Rajan**  
Videosocials

### How To Work With Drafting Attorneys

2 CLEs Skills Pending

This session will explain how to draft your Memorandum of Understanding to provide all information a drafting attorney needs.

- What should your MOU cover? NOT cover?
- What concerns and issues do drafting attorneys typically have with MOUs?
- How can mediators avoid and address those concerns in advance?
- How would developing a relationship with a drafting attorney (or two) make you a better MOU drafter?

We will provide a sample MOU template and a corresponding Settlement Agreement for comparison and discussion.



**Ada Hasloeher**  
Accredited Mediator



**Susan Ingram, Esq.**  
Accredited Mediator & Attorney

### Innovative Ways to Use Trusts in Divorce Mediation Settlements

2 CLEs Areas of Professional Practice Pending

This presentation will discuss the following strategies and tactics:

- How to use Trusts to achieve equitable distribution in a mutually agreeable and legally enforceable manner.
- Trust applications for dealing with Special Needs scenarios regarding Child Support, Maintenance and Medicaid eligibility.
- Creative "out of the box" thinking on how using Trusts can secure marital assets and accomplish solutions to unusual situations.



**Joanne Hawthorne, Esq.**  
Attorney

## 1:00 PM Lunch and Closing Plenary

### Will Divorce Mediation Become the Last Bastion for Joint Sessions? What the Latest Research in Mediation and Neuroscience Tells Us About the Use of Caucus versus Joint Session 2 CLEs Skills Pending 2 Social Worker CEs Available

National studies and surveys show that a growing number of commercial, employment, business, and other mediators have forsaken the joint session and moved towards a primarily caucus-based practice. Divorce mediators may become the last bastion of professionals prioritizing joint sessions in mediation. Why do divorce mediators value joint sessions so much? Why are other mediators embracing shuttle diplomacy instead? Are the benefits shortsighted? These and other questions will be answered during a fireside-chat-style conversation. Lela Love (Professor of Law at Cardozo; Director, Kukin Program for Conflict Resolution) will share her latest research on caucusing and other mediation trends. Dan Weitz (Adjunct Professor of Law, Cardozo and NYU; Director, Professional and Court Services for the New York State Unified Court System) will discuss the neuroscience behind both methods. Is it that divorce mediators are stuck in our ways? Or do we understand the true value of joint sessions?



**Charles Newman, Esq.**  
Mediator & Attorney



**Lela Love, JD**  
Professor Cardozo Law



**Dan Weitz, Esq.**  
ADR Director NY Courts

2:45 PM Conference Ends - Get Home Safely - See you next year! April 29, 30 and May 1, 2021

2020 NYSCDM Annual Conference Brochure

## Gideon Putnam Hotel & Spa

24 Gideon Putnam Road  
Saratoga Springs, NY 12866  
(866) 890-1171

The special rate for our room block is **\$149 per night**, available on first-come, first-serve basis.

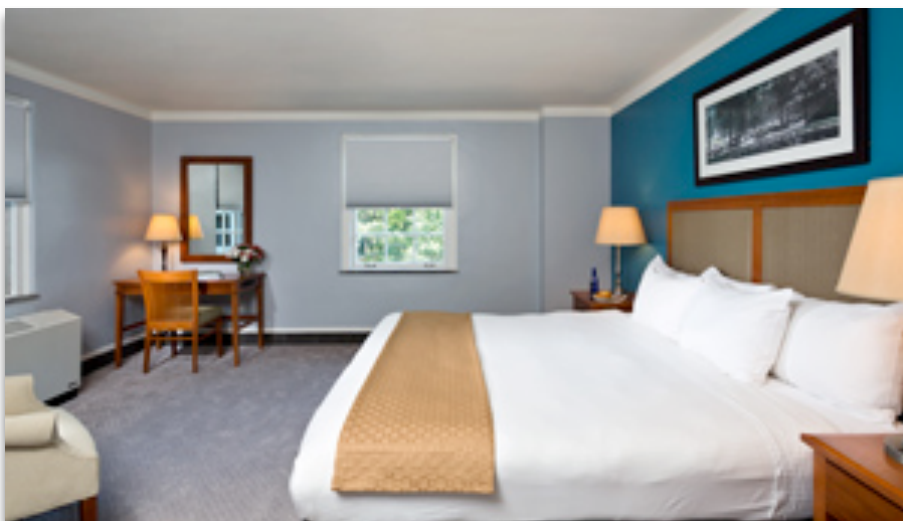
Please make your reservations before the cutoff date, **March 31st, 2020**, by calling **(866) 890-1171**

[You can also book your hotel room online via this link](#), then enter the group code **9NE25K** under the Special Rate/Group code.

Room cancellations need to be made 72 hours in advance of hotel stay.

Recently renovated, the stately Gideon Putnam Hotel has beautiful guest rooms, free parking, free wifi, free shuttle to downtown Saratoga and many other amenities. For detailed travel information, [please visit the hotel's website](#).

The Gideon Putnam is located in [Saratoga State Park](#), which is gorgeous and features many attractions within walking distance including the Roosevelt Baths and Spa, Saratoga Automobile Museum, golf, public springs and more. Shopping in downtown Saratoga Springs [and other activities](#) is a brief shuttle ride away.



### NYSCDM Contact Details

For more information, email [director@nysmediate.org](mailto:director@nysmediate.org)

Or call: (516) 227-2595

To become a member, visit our website: [www.nysmediate.org](http://www.nysmediate.org)





Join Now and Get Member Pricing (Rates do not include Hotel Guest Room, see page 9.)	Super Early Bird Register by March 31	Early Bird Register April 1-15	Regular Pricing Register Apr. 16 or Later
<b><i>New! Combo Pricing Deal:</i></b>			
Thursday, Friday & Saturday. All Meals, All Program Offerings. <b>Member Rate* (Best Value!)</b>	\$595	\$695	\$745
Thursday, Friday & Saturday. All Meals, All Program Offerings. Non-member Rate <b>(Become a Member &amp; Save!)</b>	\$825	\$925	\$975
<b><i>A la Carte Pricing You'll Recognize:</i></b>			
Pre-conference Only, <b>Member Rate*</b> (Includes Thurs. Lunch & Dinner)	\$165	\$185	\$205
Pre-conference Only, Non-member Rate (Includes Thurs. Lunch & Dinner)	\$285	\$305	\$325
Friday & Saturday Only, <b>Member Rate*</b> (Includes Meals on Fri. & Sat., as well as Thurs. dinner.)	\$495	\$575	\$595
Friday and Saturday Only, Non-member Rate (Includes Meals on Fri. & Sat., as well as Thurs. dinner.)	\$625	\$705	\$725
Friday Only <b>Member Rate*</b> (Includes All Fri. Meals)	\$375	\$395	\$425
Friday Only Non-member Rate (Includes All Fri. Meals)	\$485	\$505	\$525
Saturday Only <b>Member Rate*</b> (Includes All Sat. Meals)	\$275	\$295	\$325
Saturday Only Non-member Rate (Includes All Sat. Meals)	\$385	\$405	\$425
First-time Member Dues <b>(Become a Member &amp; Save!)</b>	\$150 (thru 2/29) \$75 (half-year starts 3/1)	\$75	\$75
Past Member Dues <b>(Renew &amp; Save! Get New Benefits!)</b>	\$200	\$200	\$200
Three-day Guest (Meals Only, Thursday, Friday & Saturday)	\$350	\$360	\$370
One-day Guest (Meals Only)	\$130	\$140	\$150

**Register Online Via This Link**

\*NYS DRA members and MEMBERS OF OTHER STATE ORGANIZATIONS THAT DO NOT PRACTICE IN NEW YORK, are eligible for NYSCDM member rates. Government employees are eligible for member rates as well. Please email [director@nysmediate.org](mailto:director@nysmediate.org)  
We offer a \$25 discount for presenters; for details, contact [director@nysmediate.org](mailto:director@nysmediate.org).

CONTINUING LEGAL EDUCATION: "New York State Council on Divorce Mediation has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the State of New York from July 25, 2018 – July 24, 2021." CLE credits will be earned depending on sessions attended. All sessions are suitable for newly appointed and experienced attorneys. Continuing Education credits are provided for beginning and advanced mediators." [ContinuingEd@NYSmediate.org](mailto:ContinuingEd@NYSmediate.org)

CONTINUING EDUCATION for Social Workers will be provided for specific sessions (identified in brochure) by FamilyKind at NO additional cost.

CONTINUING EDUCATION for other professionals will be provided for all sessions by NYSCDM at NO additional cost.

FINANCIAL HARDSHIP: NYSCDM's Financial hardship policy is available upon written request. To apply, write Connie Fraser at The Park @ Allens Creek, 150 Allens Creek Road, Ste. 250, Rochester, New York 14618 or [ContinuingEd@NYSmediate.org](mailto:ContinuingEd@NYSmediate.org)

REFUNDS: For requests received via email by April 15, refunds will be granted as follows: amount paid, less a \$75 administrative fee. Thereafter, no refunds will be granted.