



NY State Council on  
Divorce Mediation

2018 Annual Conference  
& 35th Anniversary

# Managing The Delicate Balance

Pre-conference: May 3  
Main Conference: May 4 - 5

Hilton Hotel  
Albany, NY



**David A.  
Hoffman, Esq.**



**Hon. Richard A.  
Dollinger, Esq.**



**Renée  
LaPoint, MS**



**Mark Josephson  
Esq., CPA, CFP, CFE, CGMA**



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



**BJ  
Mann**



**Barbara  
Badolato, CSW**



**Katherine  
Weall, Esq.**



**Dorothy  
Weaver, MBA, EdD**



**Charles  
Newman, Esq.**



**Dan  
Burns, Esq.**



**Deborah Hope  
Wayne, Esq.**



**Steve  
Abel, Esq.**



**Ron Heilmann,  
LCSW, LMFT**



**Bob  
Collins, Esq.**



**Maria R.  
Volpe, PhD**



**Bathabile  
Mthombeni, JD**



**Sheila  
Sproule, JD**



**Gwen  
Wright**



**Ellen  
Schell, Esq.**



**Bonnie  
Allen**



**Steven  
Bettman**



**Bill  
Donofrio**

## Getting to the Heart of Conflict: A Workshop on Practical Techniques

**Noon Lunch**

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

**5 CLEs Pending**

In this pre-conference workshop David Hoffman describes the techniques he uses - from intake to final resolution - to access the emotional dimensions of mediation.

This interactive session will involve the use of small group discussion and fish-bowl demonstration to identify best practices. David will also describe (and illustrate) how techniques derived from the Internal Family Systems model of psychotherapy can be useful in helping the parties identify and manage their anger, ambivalence, feelings of loss, and other emotions - and also help mediators manage their own internal voices.

*Please see registration details on page 9.*



**David A. Hoffman, Esq.**

Mediator, Arbitrator,  
Collaborative Lawyer  
Boston Law Collaborative  
Harvard Law School  
Author, TEDx Speaker

*Opening Reception &  
Welcome to New Members!*

*6:30 PM Cash Bar*

*Dinner, Keynote Address &  
Abel Award Ceremony*

*7:30 PM*

**Keynote Address: David Hoffman, Esq.  
“Personal Reflections on the Path from Mediator to Peacemaker”**

David Hoffman will discuss how the streams of spirituality, social justice, and ‘right livelihood’ have flowed together for him in his work as a mediator.

*Please see registration details on page 9.*

## Schedule At A Glance

### Thursday, May 3

- 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 4

- 8 AM Registration Desk Opens  
Business Expo Opens  
Breakfast Starts
- 9 AM Plenary: New Tax Laws
- 10:15 AM Coffee Break & Networking
- 10:30 AM Breakout Sessions
- 11:20 AM Quick Break
- 11:30 AM Breakout Sessions
- 12:45 PM Lunch & NYSCDM Annual Meeting
- 2:30 PM Plenary/Debate: Role of Attorneys
- 4:10 PM Coffee Break & Networking
- 4:30 PM Plenary: View From the Bench
- 7 PM 35th Anniversary Party

### Saturday, May 5

- 8 AM Registration Desk Opens  
Business Expo Opens  
Breakfast Starts
- 9 AM Plenary: Update on the Law
- 10:40 AM Coffee Break & Networking
- 11 AM Breakout Sessions
- 12:40 PM Lunch
- 2 PM Plenary: Diversity & Implicit Bias
- 3:40 PM Conference Ends

*Mark Your Calendars for  
Next Year's Annual Conference  
May 2 - 4, 2019*

8 AM Registration Desk Opens, Business Expo Opens  
Breakfast is Served; Welcome

9 AM Plenary **1.5 CLEs Pending**

## Navigating The New Tax Laws When Mediating Divorcing Couples

During this session, Mark Josephson will provide a detailed discussion on how the new tax laws will impact tax planning strategies for divorcing couples. Topics to be covered include: new tax rates, changes to various deductions and tax credits, the elimination of personal tax exemptions, new alimony rules, and much more.



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

10:15 AM Coffee Break & Networking

10:30 AM Breakout Sessions

### Making the Case for Caucusing in Divorce Mediation

**1CLE Pending**

Some divorce mediators never use shuttle diplomacy, while commercial mediators use it almost exclusively. In this workshop, David Hoffman will present his views on why commercial mediators over-utilize caucusing and divorce mediators under-utilize it. Drawing on game theory, psychology, and anecdotal data, David will outline 12 situations in which caucusing is not just useful but essential.



**David A. Hoffman, Esq.**  
Mediator, Arbitrator, Collaborative Lawyer  
Boston Law Collaborative  
Harvard Law School

### What the Heck is a HECM? (Reverse Mortgages are Not What You Think!)

During this session, Bill Donofrio will review the myths, features and benefits of reverse mortgages, which are regulated by the FHA and government insured. Then he will explain how divorce mediators are using this financial tool to help divorcing couples aged 62 and older. Some use HECMs so that one party can buy the other out and stay in the marital home. Some use HECM loans to purchase new homes for both parties. This is your opportunity to learn everything you wanted to know about reverse mortgages, but were afraid to ask.



**Bill Donofrio**  
Reverse Mortgage Specialist  
HighTech Lending, Inc.

### Retirement Account Primer for Mediators

**1CLE Pending**

This introduction or refresher workshop will cover some of the most valuable assets in the marital estate: the retirement accounts and pensions. Carolyn will review the basics of defined benefit plans, defined contribution plans, vesting, and other terminology that may often seem dense and confusing to the uninitiated. She also will review different methods of division, dealing with pre-marital contributions and post marital contributions to accounts, and the differences between private sector (ERISA governed) and governmental plans. Issues of discovery of financial information and QDRO drafting also will be addressed.



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

# Day 1: Friday, May 4

11:20 AM Quick Break

11:30 AM Breakout Sessions

## Converting Calls To Clients

Whether you are new to mediation or a seasoned practitioner this workshop will provide useful strategies to grow your practice. You will learn how to convert a tentative telephone inquiry into a consultation and convert the consult into a client. More than 80% of BJ's consultation clients commence mediation. Her workshop will be interactive and include the nuts and bolts of a consult, including forms and homework that makes the mediation process efficient and affordable for clients. She also shares how she broaches marriage counseling when appropriate, and how to convert the "reluctant spouse" to start the process. BJ is an informative and entertaining speaker. You won't want to miss her expertise.



**BJ Mann**

Accredited Mediator & Author  
BJ Mann & Associates Mediation Services

## Navigating the Retirement Landscape

1.5 CLEs Pending

This is an intermediate-level workshop for mediators who wish to step beyond the basics and learn how to "think like a financial planner" to enable their clients to resolve conflict around the division of their respective retirement accounts and pensions. Will address: 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. For practitioners with a basic understanding of the definitions and concepts used in dividing retirement accounts, or who have taken the Pension Primer workshop.



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

Pension Consultant  
The Law Office of  
Carolyn D'Agostino, PLLC

## Tour the New York State Court of Appeals

Taking place just two blocks from the Hilton, this tour will feature the hand-carved, oak-paneled courtroom designed by architect Henry Hudson Richardson, judges chambers, adjoining rooms and the dome mural painted by Eugene Savage. In addition to seeing this stunning historic building, participants will learn insights into the history of New York jurisprudence.



**New York State Court of Appeals**

20 Eagle Street  
Albany, New York 12207

12:45 PM Lunch & NYSCDM Annual Meeting

- Annual Report to be delivered  
by NYSCDM President Renee LaPoint

- Elections



**Renée LaPoint, MS**  
NYSCDM President  
Accredited Mediator  
The Mediation Center

## Exhibiting at the Business Expo & Placing an Ad in the Conference Brochure

Are two effective ways to promote your services to  
NYSCDM members and help support the Council  
during its 35th Anniversary

For more information, please contact:

[Susan Ingram](#)

or

[Patty Murray](#)

2:30 PM Plenary **2 CLEs Pending**

## Debate: Is There a Place for Consulting Attorneys in Divorce Mediation?

This will be an interactive discussion with 4 panelists -- Deb Hope Wayne, Esq., Renee LaPoint, MS, Bob Collins, Esq., and Ron Heilmann, LCSW, LMFT -- presenting their views on the place for lawyers in divorce mediation. Some of the panel will discuss why he/she believes lawyers should have a limited role, if any at all, in a divorce mediation, while others will discuss how having lawyers at the table can benefit not only the mediator, but the parties. Come to the session with your thoughts and questions. This promises to be a very lively discussion. Moderated by Dan Burns, Esq.



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



**Deborah Hope Wayne, Esq.**  
Accredited Mediator  
Deborah Hope Wayne, PC



**Renée LaPoint, MS**  
NYSCDM President  
Accredited Mediator  
The Mediation Center



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



**Ron Heilmann, LCSW, LMFT**  
Accredited Mediator  
Mediation Network of  
Syracuse, NY

4:10 PM Coffee Break & Networking

4:30 PM Plenary

## Spousal Support: A View From the Bench 1.5 CLEs Pending

This plenary will feature The Honorable Richard A. Dollinger, Monroe County Supreme Court Acting Justice. Judge Dollinger will explain how the courts are applying the spousal support statute. In doing so, he will provide valuable insights about the circumstances that would need to exist for a court to vary from the guidelines and how much weight is given to the various factors that are used to determine both the amount and duration of spousal support.



**Hon. Richard A. Dollinger, Esq.**  
Acting Justice

## 7 PM 35th Anniversary Party, Dinner & Dancing

*Feel free to glam it up for the red carpet and put on your dancing shoes for DJ Al's Retro Dance Party! We are going to have fun celebrating our milestone anniversary!*

*35th Anniversary*

8 AM Registration Desk Opens, Business Expo Opens  
Breakfast is Served

9 AM Annual Plenary

## Update on the Law 2 CLEs Professional Practice Pending

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.**  
Attorney & Accredited Mediator  
Center for Mediation and Training  
Editor, Federal Family Law

10:40 AM Coffee Break & Networking

11 AM Breakout Sessions

## Mediating Past Gender Stereotypes 2 CLEs Pending

Although we may wish that we are beyond thinking in stereotypical ways, research reveals the startling impact of deeply ingrained gender (and other) stereotypes. This presentation will review just how "gender-neutral" mediations can be; how mediators unwittingly view parties of different sexes; and how parties view mediators and their interventions through a gender lens, often without realizing it. It will present ways to focus attention on negotiating (and arguing) styles in order to build awareness, promote productive dialogue, and create workable, enduring agreements.



**Dorothy Weaver, MBA, EdD**  
Barnard College,  
Columbia University



**Charles Newman, Esq.**  
Charles M. Newman  
Law, Mediation and  
Arbitration

## Breaking Through Stalemates: Understanding What Impasses are Really About

2 CLEs & 2 MH\* CEs Pending  
\* Mental Health CEs Co-sponsored by R. Cassidy

Accredited Mediator Member and Certified Social Worker, Barbara Badolato, CSW, will be partnering with Katherine Weall, Esq., who is a professional actor, role-player, mediator and attorney for this highly interactive session. They will be joined by attorney-mediator, Steven Bettman, Esq. Through roleplaying, they will demonstrate the strategies and tactics you can use to help couples break through their emotional, practical and/or power-based stalemates during mediation.



**Barbara Badolato, CSW**  
Accredited Mediator  
Divorce Mediation  
Professionals



**Katherine Weall, Esq.**  
Attorney, Mediator  
Actor



**Steven Bettman, Esq.**  
Attorney, Mediator

## Trends, Resources & Techniques to Know When Mediating Domestic Violence Cases

2 CLEs & 2 MH\* CEs Pending  
\* Mental Health CEs Co-sponsored by R. Cassidy

In 2016, NY Courts reported more than 310,000 orders of protection in the Domestic Violence Registry, and there was a 10% increase in related family court cases statewide\*. After a brief overview of trends and prevention strategies, the NYS Office for the Prevention of Domestic Violence (OPDV) will review resources and techniques divorce mediators (from beginner to advanced) can use to mediate cases that involve domestic violence. This panel will address matrimonial law as well as how to uncover domestic violence, prepare the victim, deal with the abuser, level power imbalances, understand the mental health implications and more.



**Gwen Wright**  
OPDV Executive  
Director



**Ellen Schell, Esq.**  
OPDV General  
Counsel



**Bonnie Allen**  
OPDV Domestic Violence  
Pgm. Admin. 1

12:40 PM Lunch

## You Asked For It: More Time for Networking

Use lunch to make new contacts and catch up with longtime colleagues.

2 PM Closing Plenary

## Addressing Diversity, Inclusiveness and Implicit Bias: Concerns Facing Mediators

2 CLEs Pending

How best to embrace diversity and inclusiveness have been the focus of extensive attention for the mediation field. The larger discourse raises concerns about the people involved, the process itself, and the profession. Like all mediators, divorce mediators are expected to create an equitable environment to help the parties reach agreements despite the fact that everyone in the room comes with their own biases, perceptions, cultural experiences, values, and assumptions, many, if not most, which are interwoven to result in implicit biases. These unconscious attitudes, whether favorable or unfavorable, influence mediation sessions and outcomes. This session will discuss strategies of looking inward at self and outward at others, how to be mindful of the mediation standards of conduct to manage biases, and how to incorporate principles of diversity and inclusion into divorce mediation practice.



**Maria R. Volpe, Ph.D.**  
Director, CUNY Dispute Resolution Center  
John Jay College of Criminal Justice - CUNY



**Bathabile Mthombeni, JD**  
Ombudsman,  
Binghamton University - SUNY



**Sheila Sproule, JD**  
Assistant Statewide ADR Coordinator  
NYS Unified Court System

3:40 PM Conference Ends - Get Home Safely - **See you next year! May 2-4, 2019**

*“On behalf of the Annual Conference Committee and the NYSCDM Board, we look forward to seeing you at this robust educational event and having a wonderful celebration of the Council’s 35th Anniversary.”*



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

## Annual Conference Committee Members

Mark Josephson, Chair  
Dan Burns, Speakers & Logistics  
Ada Hasloecher, Speakers & Logistics  
Jill Sanders-DeMott, Speakers & Logistics  
Connie Fraser and Kathy Jaffe, Standard CEs & CLEs  
Kate Bar-Tur, Mental Health CEs  
Susan Ingram, Sponsorships  
Katherine Weall, Logistics  
Rita Medaglio-Barrera, Logistics  
Patty Murray, Executive Director

## Albany Hilton

40 Lodge Street  
Albany, New York, 12207  
518-462-6611

The special rate for our room block is **\$139 per night**, available on first-come, first-serve basis.

Please make your reservations before the cutoff date, **March 31st, 2018**, by calling **800-445-8667**.

You can also book your hotel room [using this link](#).

then enter the group code **2CDM** under the Special Rate/Group code.

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

For overnight guests, there is a free shuttle service to Albany International Airport and Rensselaer Amtrak Train Station. Contact the hotel in advance for schedule (**518-462-6611**).

Catch the bus at one of 4 bus stops located across the street, operated by the CDTA/ Capital District Transportation Authority.

Taxi rides to and from the airport average \$30 to \$40, and from the train station \$10-\$15. Lyft and Uber are also available.

Discounted, covered self-parking is \$7 per day, paid upon check-in. You will receive a slip for in and out privileges.

Recently renovated hotel has beautiful guest rooms, pool, fitness center and many other amenities.

Hotel is within a 5-minute walk to Pearl Street, Times Union Center, Empire State Plaza/State Capitol, The Egg, City Hall, Corning Preserve, the Palace Theater and many other attractions.



## 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 6.)	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>(Half-price! Become a Member &amp; Save!)</b>	\$75	\$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
R. Cassidy Fee for MH CEs (Mental Health Professionals Only)	\$40	40	\$40

**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. 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, 2015 – July 24, 2018." CLE credits will be earned depending on sessions attended.

**CONTINUING EDUCATION** for Mental Health Professionals are approved for select presentations and co-sponsored by R. Cassidy Seminars. For details, please consult the brochure or contact Kate Bar-Tur at [kbartur@nydivorce-mediation.com](mailto:kbartur@nydivorce-mediation.com)

**FINANCIAL HARDSHIP:** NYSCDM's Financial hardship policy is available upon written request. To apply, write Connie Fraser at 95 Allens Creek Road, Building 2, Suite 123, Rochester, New York 14618.

**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.

**SPECIAL NEEDS:** If you need dietary or ADA accommodations or have other special needs, please indicate them on the online registration form or email [director@nysmediate.org](mailto:director@nysmediate.org)