

VIAC – Questionnaire for Mediators

1. **Name:** Biljana Djuricin

2. **Nationality:** Montenegrin

3. **Contact information**

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4. **Education and professional experience (original profession; where did you study?):**

Please add your CV!

5. **Core area of current professional activity:** Civil Procedure Law, Alternative Dispute Resolution, Legal Skills, Law of Evidence, Legal Clinics, and European Civil Procedure Law.

6. **Accreditation in the field of ADR (including relevant trainings and connected qualifications):**

1. Certificate of the appointment of the first mediator, Podgorica, 2005.

2. Certificate for completion of the 40-hours basic mediator training, District Court, Ljubljana, 2005

3. Certificate for advance training in family mediation, Podgorica, Save the Children, 2006.

4. Certificate for train the trainers for mediators, Ljubljana, Cards Regional project, 2006.

5. Certificate in consultation with the Multi-Door Dispute Resolution Division of the District of Columbia Superior Court, DC, 2006.

7. **Practical experience in mediation**

- How many (international) mediations have you participated in
 - as single/co-mediator/in a team? 5 per year
 - administered by an institution; under which Rules? By court and Centre for Mediation 20 per year as a single under Law on Mediation of Montenegro.
 - in which areas/fields? Civil, Family, Commercial, Insurance, Investment area.
 - how complex (*please provide examples, participation of lawyers/experts*)?
 - Participation of lawyers.
- How often have you acted in a different function (e.g. consultant, expert)?
Sometimes as a consultant and expert.
- What other ADR-experience do you have?

Arbitration, Negotiation, and Settlement Week. I am also arbitrator at International Arbitration Moot at Vienna.

8. Languages (including levels)

Mother tongue: Montenegrin, Croatian, Serbian.

I speak fluently English language and may conduct mediation.

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct mediation proceedings in this language):

I speak fluently English language and may conduct mediation.

Basic knowledge:

9. Style of mediation

Where do you see yourself? Please tick box as appropriate or indicate your preferred style

I participate in facilitate mediation, evaluate mediation, transformative and settlement week.

© Alexander, Nadja (2011) "The Mediation Meta-Model - the realities of mediation practice," *ADR Bulletin*: Vol. 12: No. 6, Article 5.
Available at: <http://epublications.bond.edu.au/adr/vol12/iss6/5>; see also here for a detailed description of the 6 mediation styles.

10. Please describe aspects of your personality which could be interesting to clients you are going to mediate; what would former clients emphasize in your work?

perseverance , patience , communication skills , honesty , sincerity , wisdom , self-esteem , flexibility , sense of humor.

My clients emphasize all these aspects of my personality in my work.

11. Publications and other activities in ADR related matters

(e.g. training sessions, seminars, conferences, articles and others):

1. Posredovanje (Mediation), Ministry of Justice, Podgorica (2005).
2. Commentaries to the New Mediation Law of Montenegro, Faculty of Law, Podgorica (2009).
3. Handbook of ADR and Mediation terms, Faculty of Law, Podgorica, 2013
4. . International Commercial Arbitration, 3 Lloyd's Maritime and Commercial Law Quarterly 165 (2002).
5. Some Aspects on Maritime Arbitration in Japan, 12 Pravni Zivot (Judicial Life) (2003).
6. Coo-mediation, Collected Papers of Law School, 2007.
7. Nacela posredovanja, Pravni Zbornik, 2006. (The Principles of Mediation, Collected Papers of Law School, 2006).
8. Attorney's Role in Mediation, Pravni Zbornik (Collected Papers of Law School, 2008).
9. Settlement Week, Collected Paper of Law School, 2009).
10. Negotiation as a Method of ADR, Collected Papers of law School Zagreb, 2013.
11. Conference: Mediation at Balkan, Sarajevo, 2003, Conference: ADR, Ljubljana, 2003, European Conference at Belfast at Paris, couple workshop to promote mediation at Montenegro, training session at Ljubljana, advance training mediation session on commercial, family and landlord law at Superior Court of DC, training session at Nederland (Amsterdam, Hague and Rotterdam).

12. Memberships in mediation institutions / functions in mediation institutions/organizations:

1. Member of Montenegrin Mediation Association.
2. Member of ABA/ADR.
3. Member of International Conference on Mediation on Justice.
4. First Mediator in Montenegro appointed by Minister of Justice of Montenegro.
5. President of Commission for appointing Mediators in Montenegro.

13. Special expertise or specializations (please list a maximum of three) in your ADR-practice:

Specialization in Multi- Door ADR of Superior Court, District Columbia, DC.

Specialization in Advance Family Mediation Course, Podgorica.

Specialization in Civil Mediation at US.

Expertise, Belfast European Mediation Conference.

Specialization in District Court of Ljubljana, Slovenia.

Specialization at Mediation Institute of Nederland.

14. Soft Skills (e.g. intercultural competences):

Intercultural competence

15. How do you ensure your professional quality (e.g. coaching, practice supervision, etc)?

Coaching, supervision, lectures, seminars, courses, permanently training.

16. Date of birth: November 6th, 1957

I have completed this questionnaire to the above to the best of my knowledge and believe it is accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons or may be published on VIAC's website.

Date and signature

June 30, 2016

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I EDUCATION:

Bachelor of Laws, University of Montenegro, School of Law, Podgorica.

Master of Laws, University of Belgrade, School of Law, Belgrade.

Doctor of Laws, University of Novi Sad, School of Law, Novi Sad.

Certificate mediator, District court of Ljubljana, Slovenia.

Certificate trainer for mediation, Center for ADR, Ljubljana, Slovenia.

II POSITION HELD:

Assistant, University of Montenegro, School of Law, Podgorica, (1987-1992).

Assistant-Professor, University of Montenegro, School of Law, Podgorica, (1992-1997).

Associate Professor, University of Montenegro, School of Law, Podgorica, (1997-2002).

Professor of Law, University of Montenegro, School of Law, Podgorica, 2002-present.

Director of Center for Legal Clinics, School of Law University of Montenegro, (2003-present).

Director of postgraduate civil procedure program (2005/present)

First Mediator in the Republic of Montenegro, 2005-present.

Roster Mediator and Trainer for Mediation in Montenegro and U.S.

Member of the Regional Master Program on EU Business Law and lecturer.

Vice Dean, Faculty of Law, University of Montenegro, 2012-2015.

Vice President of Scientific Body of the University of Montenegro.

Arbitrator at International Arbitration Moot at Vienna.

III COURSE TAUGHT and OTHER SERVICES:

A (Home University)

- a) Civil Procedure Law;
- b) Law of Evidence;
- c) Alternative Dispute Resolution;
- d) Civil Law Clinic;
- e) Legal Skills;
- f) EC Procedural Law;
- g) Judicial Protection of Fundamental Rights in the EU

B (Other Institutions)

- a) Teaching at the Center for Training Judges of Montenegro.
- b) Working as a Mediator in Basic court in Montenegro and US.
- c) Working as a Trainer for Training in Mediation.

C (Host University)

- a) Visiting Professor at the Central European University/ CRC, Budapest, Hungary, (2011);
- b) Visiting Professor at the College of Law, University of Nebraska, Lincoln, U.S. (2003);
- c) Visiting Professor at the School of Law, University of Ljubljana, Slovenia (2004-present);
- d) Visiting Professor at the School of Law, Jagelonian University, Krakow, Poland (2003);
- e) Visiting Professor at the Magdalen College, University of Oxford, (2004);
- f) Visiting Fulbright Professor at the Catholic University of America, Columbus School of Law, Washington DC, (2004/05, 06);
- g) Lecturer at Public and Private Justice Summer School, Dubrovnik, Croatia, 2007/08.
- h) Visiting Professor at Erasmus University, Rotterdam, Nederland (2006).

IV OTHER PROFESSIONAL ACTIVITIES:

A (Research work)

- a) Westminster College, Oxford, England, summer 1981, study of English language;
- b) Central European University (Summer University), Budapest, Hungary, 1998, course-Legal Theory and Judicial Review;
- c) George Washington University and Georgetown University, Washington DC, U.S., March 2-25, 2003, research of clinical legal education;
- d) University of Warsaw and Krakow, Poland, April 7-15, 2003, workshop-legal clinics.
- e) Internship program at the Multi-Door ADR Division of the Superior Court of District

- Columbia, Washington DC;
f) University of Rotterdam, May, 2006- Mediation.

B (Projects)

- a) Life and work legal writer Valtazar Bogisic, School of Law, Podgorica, 1988-1992;
- b) Modernization of Law in Eastern Europe, Institute for European Law, Frankfurt/M, Germany, 2002; and
- c) Clinical Legal Education, School of Law, University of Montenegro, Podgorica, 2000-2005.
- d) Human Rights Clinical Education UNHCR, Podgorica, 2007/08.
- e) Notary Law, GIZ, 2009.
- f) Civil Procedure Law, OEBS, 2013.
- g) Legal Reform, USAID, 2005/06.
- h) Mediation, Ministry of Justice 2005-2006.

C (Conferences)

- a) Kopaonic School of Natural Law, International conference, Serbia, 1997, 1998, 1999, 2001, 2003, 2004 - speaker;
- b) King Nicholas-life, work and time, International conference, Montenegrin Academy of Science and Art, 1998, speaker;
- c) International Commercial Arbitration, International conference, School of Law, University of Montenegro, Podgorica, 1998, speaker;
- d) Code General of Montenegro and Hill, National conference, Montenegrin Academy of Science and Art, 2000, speaker;
- e) Dynasty Petrovic-Njegos, International conference, Montenegrin Academy of Science and Art, University of Montenegro, Podgorica, 2002, speaker;
- f) Harmonization of Arbitration Law and Practice, International conference, Permanent Arbitration Court, Zagreb, Croatia, 2002, speaker;
- g) Third Balkan Law School Linkage Initiative Conference, ABA CEELI, Skopje, Macedonia, 2002, speaker;
- h) Externships Learning from Practice Conference, the Catholic University of America, Columbus School of Law, Washington DC, March 2003, speaker;
- i) Fourth Balkan Law School Linage Initiative Conference, ABA CEELI, Rijeka, Croatia, 2004, speaker;
- j) Regional Conference on Mediation, Sarajevo, October 2004, speaker.
- k) European Mediation Conference, Belfast, April 2008, speaker.
- l) European Mediation Conference, Paris, May 2012, speaker.

V MEMBERSHIP and ACTIVITIES in PROFESSIONAL ASSOCIATIONS:

- a) Member of the Council of the Law Faculty;

- b) Member of the Redaction of Journal of the Law Faculty;
- c) Member of the Redaction of Law Reports of Association of the Jurists of Montenegro;
- d) Member of the Jurists of Montenegro;
- e) Member of Association of the University Teacher;
- f) Member of Central and East International Study Association;
- g) Editor in chief of the Bulletin of Legal Clinics, School of Law;
- h) Member of Montenegrin Mediation Association;
- i) Member of ABA/ADR.
- J) Member of International Conference on Mediation on Justice.
- k) Member of Legal Body of the Montenegrin Academy of Science and Art.

VI COMMUNITY SERVICE:

- a) Member of the Government of Federal Expert Team for Reform of Civil Procedure (1998);
- b) President of the Government of Montenegrin Expert Team for Judiciary Reform of Civil Procedure (2003);
- c) President of the Government of Montenegrin Expert Team in working to the Mediation Law;
- d) President of the Government of Montenegrin Expert Team in working to the non Contentious Law;
- e) Legal advisor of USAID in implementation Laws in judiciary system;
- f) Legal advisor of GTZ in implementation Notary Law.
- f) Legal advisor of GTZ in implementation Customer Law.
- g) Legal expert of OEBS in implementation Civil Procedure Law.

VIII LANGUAGE:

- a) English (fluently);
- b) Russian (good);
- c) Germany (limited oral ability and comprehension).

PUBLICATIONS:

Textbooks

1. Gradjansko Procesno Pravo (Civil Procedural Law), Podgorica (4th ed. 1997).
2. Manuel for the Basic Course in Mediation (coauthor), Ljubljana 2008
3. Pravne vjestine (Legal Skills), Podgorica, in coming.
4. Handbook of ADR and Mediation Terms, Podgorica, 2013.

Monographs

1. Utvrđivanje istine u parničnom postupku (Establishment of the Truth in Civil Procedure), Podgorica (1998).
2. Uticaj krivične presude na parnicu (The Impact of Criminal Verdict on the Litigation), Podgorica (2002).
3. A Spectrum of Views on Legal Clinics, (coauthor) Podgorica (2003).
4. Posredovanje (Mediation), Podgorica (2005).
5. Techniques for Teaching Law, (translation from English on local language), Podgorica, 2005.
6. Practicum for Legal clinics, Podgorica, 2006
7. Modernisierung durch Transfer im 19. Und fruhen 20. Jahrhundert, coauthor, Frankfurt, (2006).

Commentary

1. Commentaries to the New Civil Procedure Code of Montenegro, Podgorica (2004).
2. Pekinska deklaracija i platforma za akciju (*Beijing Declaration and Platform for action, coauthor*), Podgorica (2004).
3. Commentaries to the New Mediation Law of Montenegro, Podgorica (2009).

She wrote 100 articles in international and domestic law reviews.

Articles (Some of them)

1. Articles

1. *Sporazum o mjesnoj nadležnosti*, 8 Zbornik Pravnog Fakulteta u Podgorici 159 (1985). (*The Agreement of Territorial Jurisdiction*, 8 Law Review 159 (1985).)
2. *Eventualno spajanje tuzbenih zahtjeva*, 3 Pravni Zivot 88 (1982). (*Possible Merging of Charges According to the Law on Litigation Procedure*, 3 Judicial Life 88 (1985).)
3. *Uredjenje licnih stanja po Zakonu o vanparničnom postupku*, 8 Zbornik Pravnog Fakulteta u Podgorici 127 (1982). (*Setting Personal Account According to the Law on non Litigation Action*, 8 Law Review 127 (1985).)
4. *Parnična sposobnost po Zakonu o parničnom postupku*, 4 Glasnik 15 (1983). (*Litigation Capacity*, 4 Herald 15 (1985).)
5. *Postupak priznanja strane sudske odluke*, 8 Jugoslovenska Revija za Medjunarodno Pravo 186 (1983). (*Foreign Judicial Decision in Civil Procedure*, 8 Yugoslav Review for International Law 186 (1983).)
6. *Postupak priznanja strane sudske odluke*, 8 Pravo-Teorija i Praksa 77 (1986). (*Enforcement Foreign Decision in Civil Procedure*, 8 Law-Theory and Practice 77 (1986).)
7. *Uticaj krivične presude na parnicu u stranom pravu*, 10 Zbornik Pravnog Fakulteta u Podgorici 201 (1983). (*The Impact of Criminal Verdict on Litigation*, 10 Law Review 201 (1985).)
8. *Steta kao elemenat krivičnog djela*, 2 Glasnik 25 (1984). (*Damage as a Part of Criminal Action*, 2 Herald 25 (1985).)
9. *O teoriji istine*, 2 Praksa 148 (1985). (*About Theory of the Truth*, 2 Practice 148 (1985).)

10. *Problem utvrđivanja istine u parnici*, 3 Glasnik 23 (1986). (*Issues Referring to Establishment of the Truth*, 3 Herald 23 (1986).)
11. *Postupak u braccnim sporovima*, 5 Anali 577 (1986). (*Procedure in Marriage Disputes*, 5 Annual 577 (1986).)
12. *Dejstvo osudjujuce krivicne presude u parnici*, 1 Glasnik 8 (1987). (*Influence of Criminal Verdict*, 1 Herald 8 (1987).)
13. *Pravni zbornik, prikaz, 14 Zbornik Pravnog fakulteta u Podgorici* 165 (1987). (*Law Review, book-review*, 14 Law Review 165 (1987).)
14. *Priznanje cinjenica u parnici*, 1 Pravni Zivot 143 (1989). (*Acknowledgements of Facts in Civil Procedure*, 1 Judicial Life 143 (1989).)
15. *Svjedok kao dokazno sredstvo*, 9 Glasnik 7 (1990). (*A Witness as Source of Evidence in Lawsuit*, 9 Herald 7 (1990).)
16. *Nacelo istine i nacelo dispozicije u parnici*, 25 Zbornik Pravnog Fakulteta u Podgorici 65 (1991). (*The Principle of Truth and Principle of Disposition in Civil Litigation*, 25 Law Review 65 (1991).)
17. *Utvrdjivanje istine u Crnogorskom zakoniku o postupku sudskom u gradjanskim parnicama*, 2 Arhiv za pravne nauke 379 (1992). (*Establishment of the Truth in the Montenegrin Law on the Court Procedure in Civil Lawsuits of 1905*, 2 Archive for Law Science 379 (1992).)
18. *Ocjene dokaza u parnicnom postupku*, 11 Glasnik 7 (1992). (*Assessment of Evidence in Civil Procedure*, 11 Herald 7 (1992).)
19. *Svojjinski odnosi u Kotoru u 14 vijeku*, 1 Istorijski Zapisi 286 (1992). (*Property relation in Kotor in 14th century*, 1 Historical Notice 286 (1992).)
20. *Vanparnicno i izvrsno pravo*, 12 Praksa 59 (1993). (*Non Litigation and Enforcement Law*, 12 Practice 59 (1993).)
21. *Dokazni ugovori u parnicnom postupku*, 6 Sudska Praksa 67 (1993). (*The Contracts of Evidence in Civil Procedure*, 6 The Judicial Practice 67 (1993).)
22. *Razvoj procesnih prava u staroj Crnoj Gori i Srbiji*, 3 Arhiv za pravne nauke 424 (1994). (*Development of Procedural Law in Old Montenegro and Serbia*, 3 Archive for Law Science 424 (1994).)
23. *O teretu dokazivanja u parnici*, 8 Pravo-Teorija i Praksa 67 (1995). (*About Burden of Proof in Civil Litigation*, 8 Law-Theory and Practice 67 (1995).)
24. *O istini u parnicnom postupku*, 1 Pravni Zbornik 35 (1995). (*On the Truth in Legal Proceeding*, 1 Law Report 35 (1995).)
25. *Da li je u nas potrebna unifikacija vanparnice*, 3 Pravni Zbornik 146 (1995). (*Does Yugoslavia Need non Litigation Unification*, 3 Law Report 146 (1995).)
26. *Garancije objektivnosti u sudjenju*, 4 Pravni Zivot 399 (1996). (*Guarantees of Objectivity in Passing Verdict*, 4 Judicial Life 399 (1996).)
27. *O nekim problemima vezanim za vjestacenje u parnicnom postupku*, 1 Pravni Zbornik 143 (1996). (*Some Problems with Opinions of Experts in Civil Litigation*, 1 Law Report 143 (1996).)
28. *Saslusanje stranaka kao dokazno sredstvo u parnici*, 1 Advokat 180 (1997). (*Parties as Witnesses in Civil Litigation*, 1 Advocate 180 (1997).)
29. *O dokazu u parnicnom postupku*, 2 Pravni Zbornik 115 (1997). (*On Evidence in Civil Procedure*, 2 Law Report 115 (1997).)
30. *Uz predlog zakona o izmjenama Zakona o izvrsnom postupku*, 11 Sudska Praksa 72 (1997). (*The Reform of Lawsuit and Another Procedure in Yugoslav Legislation*, 11 The Judicial Practice 72 (1997).)
31. *Pogresno ili nepotpuno utvrđeno cinjenicno stanje u parnici*, 4 Pravni Zivot 89 (1997). (*Facts-Mistaken as Reason for Appeal in Lawsuit*, 4 Judicial Life 89 (1997).)
32. *Kloniranje ljudske vrste – za i protiv*, 1 Pravni zivot 701 (1998). (*Cloning of Human Being – yes or no*, 1 Judicial Life 701 (1998).)

33. *Uloga Kralja Nikole u zakonodavnoj djelatnosti*, 21 Glasnik CANU 658 (1998). (*King Nicholas and his Impact on Legislation*, 21 Herald of Montenegrin Academy 658 (1998).)
34. *Neki problemi prilikom donosenja presude*, Budva-Zbornik 17 (1998). (*Some Issues in Rendering of Decisions*, Budva- Report 17 (1998).)
35. *Neki pogledi na vanbracne odnose u pravu stare Crne Gore*, 1 Pravni Zivot 553 (1999). (*A Views on Extra-Martial Relation under the Old Montenegro Law*, 1 Judicial Life 553 (1999).)
36. *A Witnesses: Difference and Likeness Between English Civil Proceeding and our*, 2 Pravni Zbornik (Law Report) 102 (2000).
37. *O nekim procesnim odredbama Zakonika opsceg crnogorskog i brdskog*, 23 Glasnik CANU 113 (2000). (*About Some Rules of Court Procedure in Peter's Code*, 23 Herald of Montenegrin Academy 113 (2000).)
38. *The Possibilities for Clinical Legal Education at the Law School*, 2 Pravni Zbornik (Law Report) 155 (2001).
39. *Ucesce trecih lica u parnici*, Centar za obuku sudija 131 (2001). (*Third Parties in Litigation*, Center for Training Judges 131 (2001).)
40. *Prava zenskog djeteta i Pekinska deklaracija*, 1 Pravni Zivot 509 (2001). (*Rights of Girl - Child and Beijing Declaration*, 1 Judicial Life 509 (2001).)
41. *Uticao krivicne presude na parnicu-novi pristup*, 2 Jugoslovenska Revija za Kriminologiju i Krivicno Pravo 125 (2002). (*Influence of Criminal Verdict on Civil Litigation-New Approach*, 2 Yugoslav Review on Criminology and Criminal Law 125 (2002).)
42. *Allgemeiner Uberlick der Juristischen Reformen in Montenegro*, 11 Ius Commune – Sonderhefte 256 (2002). (*Approach on Judiciary Reform in Montenegro, Review of Institute on European Law, Frankfurt, 2002.*)
43. *Doprinos dinastije Petrovic-Njegos stvaranju modernog crnogorskog sudstva*, 1 Glasnik CANU 356 (2002). (*Contribution of Petrovic Dynasty in Creating of Modern Montenegrin Judiciary*, 1 Herald of Montenegrin Academy 356 (2002).)
44. *Objavljivanje arbitraznih odluka*, 2 Pravni Zbornik 175 (2002). (*Confidentiality in Arbitration Law*, 2 Law Report 175 (2002).)
45. *International Commercial Arbitration*, 3 Lloyd's Maritime and Commercial Law Quarterly 165 (2002).
46. *Some Aspects on Maritime Arbitration in Japan*, 12 Pravni Zivot (Judicial Life) (2003).
47. *Montenegro Clinical Legal Education: A Spectrum of Views*, <http://law.cua.edu/New/conference/externships/>.
48. *Clinical Legal Education at the Law School of the University of Montenegro*, 2 Balkan Law School Linkage Initiative Newsletter (2003).
49. *Civil Procedure Law in Civil Law and Common Law: Divergence and Convergence*, International Journal of Evidence and Proof, 2003.
50. *New Civil Procedure Law*, Natural School of Law, Kopaonik, 2004.
51. *Analza izmjena ZPP*, Centar za obuku sudija, Podgorica, 2004. (*Analyze of the Changes of CPL*, Center for training judges, Podgorica, (2004).)
52. *Report on Legal Clinics*, Bulletin of the Legal Clinics, (2005).
53. *Coo-mediation*, Collected Papers of Law School, 2007.
54. *Nacela posredovanja*, Pravni Zbornik, 2006. (*The Principles of Mediation*, Collected Papers of Law School, 2006).
55. *Attorney's Role in Mediation*, Pravni Zbornik (Collected Papers of Law School, 2008).
56. *Settlement Week*, Collected Paper of Law School, 2009).
57. Konecny and Reisch (Eds): *Austrian Bankruptcy*, Lloyds Maritime and Commercial Law Quarterly, November 4, 2009.