

VIAC – Questionnaire for Mediators

1. **Name:** Allan Jeffrey Stitt

2. **Nationality:** Canadian

3. **Contact information**

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

LL.M., Harvard Law School

JD, University of Detroit Law School

LL.B., University of Windsor Law School

B.Com., University of Toronto

I am the President and CEO of ADR Chambers and the Stitt Feld Handy Group. ADR Chambers is the largest, private alternative dispute resolution service provider in the world and has administered over 50,000 mediations and arbitrations. The Stitt Feld Handy Group, the ADR training division of ADR Chambers, has trained over 30,000 people world-wide in alternative dispute resolution skills since its inception in 1994.

Please refer to “Selected Work Experience” in the attached cv for additional professional experience.

5. **Core area of current professional activity:**

Arbitrator, mediator, facilitator, negotiator, trainer, ADR systems design consultant.

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

Chartered Mediator (C.Med.), Chartered Arbitrator (C.Arb.).

7. **Practical experience in mediation**

- How many (international) mediations have you participated in
 - as single/co-mediator/in a team?
 - administered by an institution; under which Rules?

Since 1994, I have mediated about 1,000 domestic and international disputes as a sole mediator, most of which were administered by ADR Chambers.

- in which areas/fields?

Commercial, employment, corporate governance, workplace, banking, personal injury, sports, breach of contract.

- how complex (*please provide examples, participation of lawyers/experts*)?

I have mediated two-party and multi-party disputes in numerous contexts including employment, wrongful dismissal, sports, commercial, insurance, regulatory, corporate governance, and breach of contract. Most of my mediations involved lawyers and many involved experts.

- How often have you acted in a different function (e.g. consultant, expert)?

I am an ADR trainer and teach negotiation through the Stitt Feld Handy Group (since 1994). I also design ADR systems for clients around the world.

I am a Canadian advisor at the UNCITRAL Working Group on the enforcement of international mediation agreements, appointed by the Department of Justice (2015 to present), and a Senior Advisor to the Jerusalem Arbitration Centre (2013 to present).

Between 1992 and 2014, I was an Adjunct Professor at the University of Toronto Law School teaching courses in negotiation. I've also taught courses at the University of Notre Dame Law School (as an Assistant Adjunct Professor) and, at the University of Windsor Law School (as a Special Lecturer).

Refer to "Selected Work Experience" in the attached cv.

- What other ADR-experience do you have?

Refer to "Selected Work Experience" and "Professional Activities and Appointments" in the attached cv.

8. Languages (including levels)

Mother tongue: English

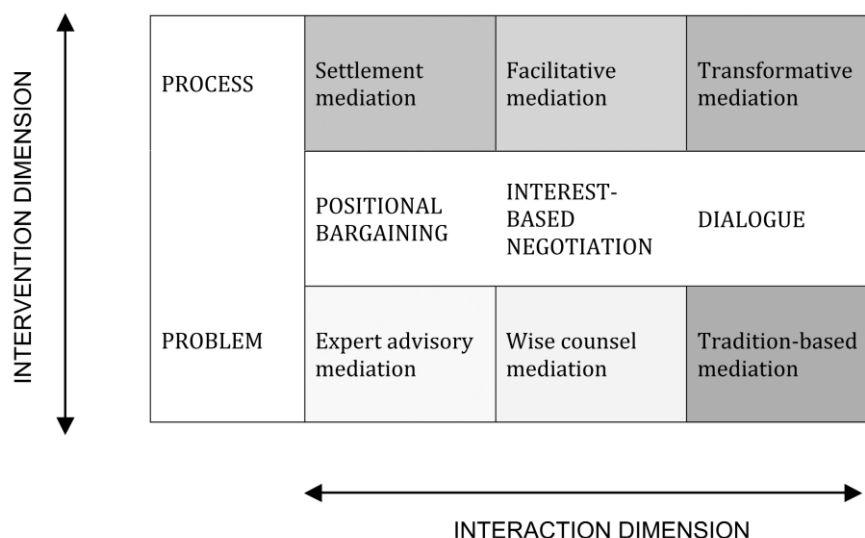
Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct mediation proceedings in this language): N/A.

Basic knowledge:

Style of mediation

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

My style varies among all of the boxes as needed by the parties.



9. 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?

I spend the necessary time to prepare in order to have informed and intelligent discussions with the parties about the issues. I use a combination of joint sessions and caucuses while being flexible to make sure it suits the parties' needs. I have developed multiple techniques to help disputants overcome stalemates. Many are outlined in my book, *Mediating Commercial Disputes* (Canada Law Book 2003).

10. Publications and other activities in ADR related matters (e.g. training sessions, seminars, conferences, articles and others):

Please refer to "Selected Publications" and "Selected Work Experience" in the attached cv.

11. Memberships in mediation institutions / functions in mediation institutions/organizations

I am a Distinguished Fellow with the International Academy of Mediators (IAM), an invitation only organization of successful and highly trained professional mediators from around the world.

I am a member of the ADR Institute of Canada, a non-profit organization that shares information, promotes ideas for continuous improvement and upgrading of ADR as a profession.

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

Commercial, employment and insurance.

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

Owning and running a successful business requires a variety of soft skills including communication, making decisions, self motivation, leadership, team-working, creativity problem solving, time management and working under pressure. These skills are also required by the managers all whom help me run the business.

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

I teach courses on mediation and must keep myself aware of the latest thinking and theories about best practices in mediation. I also regularly have observers sit in on my mediation.

15. Date of birth: October 11, 1961.

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

Allan Jeffrey Stitt

B.Comm, LL.B., J.D., LL.M., C.Med., C.Arb.,
Distinguished Fellow - International Academy of Mediators

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Education, Academic Awards and Activities

- 1992 **Master of Laws**, Harvard Law School.
- Social Sciences and Humanities Research Council of Canada Doctoral Fellowship.
- 1990 **Bar Admission Course**, Law Society of Upper Canada, Toronto.
- 1988 **Doctor of Jurisprudence** (U.S. equivalent of LL.B.), University of Detroit Law School.
- Graduated *summa cum laude* with the highest grade point average of the 147 graduating law students.
 - American Jurisprudence Award in Constitutional Law and American Jurisprudence award in Estates & Trusts.
- 1988 **Bachelor of Laws**, University of Windsor Law School.
- Gold Medalist, with the highest grade point average of the 125 graduating law students.
 - Awarded University of Windsor President's Medal "for outstanding contributions to campus activities while maintaining a superior academic record". One student from the University's graduating body may receive the award each year.
 - Awarded Igor Kaplan Memorial Award for exemplifying the traditions of the law in scholarship commitment and integrity.
 - Graduated with High Honours on Dean's Honour Roll. Also awarded: the Board of Governor's Medal; Barlet & Richardes Centennial Award; Robert H. Wilson Memorial Award; Canada Law Book Prize; Teresa Merlo Memorial Scholarship; McTague Award; Carswell Company Limited Book Award (twice); Harold G. Fox Bursary (twice); and the University of Windsor In-Course Scholarship (twice).
 - Editor of the *Windsor Review of Legal and Social Issues* (the student Law Review), 1986-1988.
 - Member of the University of Windsor Varsity Tennis Team, 1985-1988 (Most Valuable Player on team for 1986-87 and 1987-88 seasons).
- 1984 **Bachelor of Commerce**, University of Toronto, St. George Campus.

Selected Work Experience

- 1994 - Present **President & CEO** of ADR Chambers Inc., the largest, private alternative dispute resolution service provider in the world having administered over 50,000 mediations and arbitrations since 2012.
- Chartered Mediator (C.Med.) with experience mediating commercial, employment, regulatory, corporate governance, workplace, banking, personal injury, breach of contract, sports, and other disputes.
 - Chartered Arbitrator (C.Arb.) with experience arbitrating commercial disputes in a variety of business contexts.

- ADR consultant (for systems design) to companies and organizations such as the Canadian Bankers Association, Bank of Montreal, College of Physicians and Surgeons of Ontario, Ontario Ministry of Agriculture and Food and Rural Affairs, Law Society of Upper Canada, Canada Pension Plan, Canadian Tire.
- Negotiation consultant for both private and public sector negotiations.
- Trainer for Negotiation and ADR courses in North America, South America, Europe, Australia, Asia, and Africa.

Selected Work Experience - continued

- 2015 **UNCITRAL Working Group**
- Canadian advisor on the enforcement of international mediation agreements, appointed by the Department of Justice Canada.
- 2013 - Present **The Jerusalem Arbitration Centre (JAC)**
- Senior Advisor assisting with development of arbitration rules and introduction of mediation for resolution of disputes between Israeli and Palestinian businesses.
- 1992 - 2014 **Adjunct Professor**, University of Toronto Faculty of Law.
- Teaching courses in Negotiation and Alternative Dispute Resolution.
- 1998 - 2004 **Sessional Lecturer**, University of Windsor Faculty of Law.
- Teaching courses in Alternative Dispute Resolution.
- 1990 - 1994 **Lawyer**, Osler, Hoskin & Harcourt, Toronto.
- Litigator for commercial disputes.
- 2001 **Lecturer**, University of Lisbon (Portugal).
- Teaching a course in Alternative Dispute Resolution.
- 2000 **Lecturer**, University of Philippines.
- Teaching a seminar in Alternative Dispute Resolution.
- 2000 **Assistant Adjunct Professor**, Notre Dame Law School.
- Teaching a course in Negotiation.
- 1988 - 1989 **Clerk** to the Justices, Ontario Court of Appeal.

Selected Publications

Books

Mediation: A Practical Guide, (Cavendish Publishing), 2004.

Mediating Commercial Disputes (Canada Law Book), January, 2003. Number one on National Post Business Books bestseller list, July, 2003.

ADR For Organizations: How To Design A System For Effective Conflict Management (John Wiley & Sons), 1998. Number one on Globe and Mail Business Books bestseller list, October, 1998. Translated into Korean, 2011.

Understanding the Income Tax Act, (2nd ed.) (Toronto: Carswell, 1991). (Textbook co-authored with C. Rand).

Other

ADR Practice Manual, (Editor-in-Chief), (Toronto: LexisNexis Canada Inc., 1996 to present). Author of "Mediation" chapter in *ADR Practice Manual*.

"**The Role of A.D.R. in the Civil Justice System**" (1996) *Rethinking Civil Justice: Research Studies for the Civil Justice Review*, Volume 2, page 449, (co-authored with Francis J.F. Handy and Peter Simm), commissioned by the Ontario Law Reform Commission.

Selected ADR Training Received

1993 **Advanced Negotiation Course**, Program of Instruction for Lawyers, Harvard Law School.

1992 **Negotiation and Mediation Workshop**, Harvard Law School, taught by Professor Roger Fisher, Professor Frank Sander, and Bruce Patton. Completed as part of LL.M. Program at Harvard Law School.

Professional Activities and Appointments

2016 & 2017 Listed in *Who's Who Legal: Mediation*

2013 - Present Panel Member - **Canadian Transportation Agency** List of Arbitrators.

2012 - 2016 Listed in *The International Who's Who of Commercial Mediation*.

2012 - Present Panel Member - International Panel of Mediators, **Singapore Mediation Centre**.

2012 - 2014 Listed in *Best Lawyers in Canada in Alternative Dispute Resolution*.

2012 & 2014 Listed in Mediation Chapter, *Who's Who Legal: Canada*.

2007 - Present Distinguished Fellow, **International Academy of Mediators**.

2006 Recipient of the **Ontario Bar Association** Award for Excellence in Alternative Dispute Resolution.

1996 - Present Awarded designation of Chartered Mediator (C.Med.) by the National Board of Accreditation and National Board of Directors of the **ADR Institute of Canada**.

2000 - Present Awarded designation of Chartered Arbitrator (C.Arb.) by the National Board of Accreditation and National Board of Directors of the **ADR Institute of Canada**.

2009 - Present Member of the International Panel of Arbitrators, **International Centre for Dispute Resolution (ICDR)**, the international division of the American Arbitration Association.

2009 - Present Arbitrator and Mediator, **Sport Dispute Resolution Centre of Canada (SDRCC)**.

2003 - 2009 Inaugural Chair of the Board of Directors, **Sport Dispute Resolution Centre of Canada**, as selected by the Minister of Canadian Heritage.

- 2008 - Present **Certified Mediator** with the **International Mediation Institute (IMI)**.
- 2008 Recipient of the 2008 **University of Windsor Faculty of Law Alumni Award of Excellence**, in recognition of international achievements in the development of ADR education, training programs, systems design and leadership.
- 2010 - Present **Certified Mediation Trainer, Mediation Board of Trinidad and Tobago.**
- 2010 Facilitator for the **Civility Tour** for the **Law Society of Upper Canada.**
- 2008 - 2012 Member of **NAFTA Advisory Committee on Private Commercial Disputes.**
- 1998 - Present Member of **Local Mediation Committee, Mandatory Mediation Program - Toronto**, appointed by the Ministry of the Attorney General.

Professional Activities and Appointments - continued

- 2000 - 2001 Elected President of **ADR Institute of Canada.**
- 1999 - 2000 Elected President of the **Arbitration and Mediation Institute of Canada.**
- 1997 - 1999 Elected President of the **Arbitration and Mediation Institute of Ontario.**
- 1996 - 1997 Elected Chair of Alternative Dispute Resolution Section, **Canadian Bar Association** (Ontario).
- 1994 & 1995 Teaching Assistant to Professor Roger Fisher at **Harvard Law School** for the Negotiation Workshop at the Program of Instruction for Lawyers.

Workshops Designed and Taught

Designed and instructed customized workshops in ADR and Negotiation for such organizations as:

Astral Media
Capgemini
Honda Canada
Ontario Federation of Indian
Friendship Centres
Ontario Power Generation
Petro Canada
SAP Canada
Scotiabank
TD Bank

The Law Society of Upper Canada
Borden Ladner Gervais LLP
Lang, Michener, LLP
McCarthy, Tétrault, LLP
Minden Gross LLP
Osler, Hoskin & Harcourt LLP

BDO Dunwoody, Chartered Accountants
The Co-operators Insurance
Desjardins General Insurance Group
Liberty International Underwriters

Ministry of Community & Social
Services
Ministry of Health
Ontario Farm Products Marketing
Commission
Ontario Human Rights Commission
Ontario Public Service
Workers' Compensation Appeals Tribunal

Consulting and Audit Canada
Human Resources Development Canada
Investment Industry Regulatory
Organization of Canada (IIROC)
Royal Canadian Mounted Police
Canadian Food Inspection Agency

Ethiopian Arbitration and Conciliation
Center
Ethiopia Bar Association
Kenya Bar Association
Uganda Bar Association

Australian Industrial Relations
Commission
Native Title Services (Australia)
Native Title Tribunal (Australia)

Barbados Bar Association
Barbados Judiciary
Caribbean Development Bank, Barbados

Trinidad and Tobago Judicial Education
Institute

ADR Chambers (Hong Kong) Ltd.

Philippine-Canadian Centre
(Philippines)

ADR Chambers (UK) Ltd.
British Dental Association
4 Pump Court (Barristers Chambers,
U.K.)
East Anglian Chambers (U.K.)

Personal

Married to Sari with three children. Hobbies include playing tennis and the study and collection of sports contracts and memorabilia.