



## **Impasse is a Fallacy: An Advanced Mediators' Forum**

*Lee Jay Berman*

I often wonder who invented the concept of impasse. Who first said, “We are stuck. We cannot go any further.”? Who decided that we should give it a name, acknowledge its existence, and make it the scapegoat for all that goes wrong with a mediation or negotiation?

My guess is that it was the first mediator who had run out of tools. With imagination exhausted, someone threw their hands into the air and declared the negotiation over and decided it was time to send everyone home, declaring an impasse and deeming the mediation process, not just the session, to have failed.

This high energy, seriously practical, advanced workshop will engage you – first in identifying the most common specific causes of impasse, and then in delivering tools that will help you to resolve more cases by avoiding these common traps. Together, we will explore tools to rethink how you do every stage of the process, beginning with convening a case and the mediator’s introduction, right through how you can manage joint sessions and caucuses more effectively, and then finally how to close the deal more successfully. Seasoned mediators will leave renewed, refreshed and motivated to start applying these new tools immediately.

\*Approved for 11.75 participatory hours and 1.00 ethics hour through the State Bar of Texas.