

Elizabeth Kent

Significant Experience

December 2013-Present: Meeting Expectations Hawaii (Sole Proprietor). Provide a variety of alternative dispute resolution processes and training, including mediation and facilitation, specifically tailored to meet clients' needs. Focus on issues involving religious organizations, non-profit organizations, and government. Member of the Accord 3.0 Network.

1994-November 2013: Director (1996-2013), Hawaii Judiciary, Center for Alternative Dispute Resolution (Research Analyst, 1994-1996).

Developed mediation programs for the courts and executive branch; worked on education and training on ADR-related issues; researched/advised the courts on ADR-related issues; oversaw the Judiciary's contract with the community mediation centers; mediated/facilitated cases that affected public policy. Supervised five staff and approximately 40y volunteers and oversaw a budget of approximately \$725,000. During my tenure at the Center:

- Rules providing for ADR were enacted for each trial court and the appellate courts
- An appellate mediation program was enacted, serving parties in more than 500 cases
- Pilot and other ADR programs were implemented, including in misdemeanor cases, on the paternity calendar, for divorce cases, and for foreclosure cases
- Thousands of state and county employees were trained in ADR and conflict resolution classes, including effective communication, negotiation, basic meeting facilitation, beyond basic meeting facilitation, addressing difficult situations, and mediation
- Multi-media methods of informing the public about ADR were utilized, including procuring and producing videos, publishing brochures, giving speeches, making presentations, and television and radio appearances
- Research and articles were published on settlement and resolution of cases in the circuit courts in Hawaii
- The ADR private sector grew dramatically, with increased use and acceptance of mediation
- The Center facilitated or assisted on the design of hundreds of meetings for local government, including planning for a county council, strategic planning for the Judiciary, strengthening responses to domestic violence, and improving the lives of foster children
- Art drawn by elementary school children depicting conflict resolution was hung on permanent display in three major Judiciary buildings
- The Uniform Collaborative Law Act and the Uniform Mediation Act were adopted and signed into law

2001–2002: Deputy Director, Department of Human Services (*Leave of absence from Judiciary*).

Worked with the Director to oversee administration of welfare programs, vocational rehabilitation services, medical assistance programs, child welfare services, and adult protection services. Department had approximately 2,000 employees and budget over \$1 Billion.

Associate, Paul, Johnson, Park & Niles.

Worked on all aspects of commercial litigation.

2014--Present: Lecturer, University of Hawaii.

Teach graduate and undergraduate courses in Business Law, Conflict Resolution, and Negotiation.

Education

William S. Richardson School of Law, J.D., (Law Review; Moot Court Honors Board; Am Jur Award for Contracts); University of Colorado, B.A., Magna cum Laude.

Awards

Dean's Award (Richardson School of Law Alumni Association,).

Alumni Award (Advocates for Public Interest Law, 2016).

Mahalo Award (Mediation Center of the Pacific, 2013).

Distinguished Service (Hawaii Women Lawyers, 2012).

Group Certificate of Commendation, Mortgage Foreclosure (Judiciary, 2011).

Reverend King Peacemaker Award (Church of the Crossroads, 2007).

Lawyer as Problemsolver (Mediation Center of the Pacific, 2004 and 2006).

Improved Justice Award (Mediation Center of the Pacific, 2001).

Rhoda Lewis Award (Hawaii Women's Legal Foundation, 2000).

Significant Publications

Kent, "The Peter Principle Revisited," <http://www.mediate.com/articles/KentFuture.cfm> (2015).

Kent, "Celebrate Groundhog Day! How Punxsutawney Phil Helps Me Help People," <http://www.mediate.com/articles/KentE2.cfm> (2015).

Kent, "How Agatha Christie Helped Me Be A More Effective Mediator," <http://www.mediate.com/articles/KentE1.cfm> (2014).

Barkai & Kent, "Let's Stop Spread Rumors About Settlement & Litigation," 29 Ohio.S.University Journal of Dispute Resolution 85 (2014); shorter article in Vol. 19, Number 2 Hawaii Bar Journal 15 (2015).

Barkai, Kent, & Martin, "Settling Civil Lawsuits in the Hawaii Circuit Courts," Vol. 10, No. 13 Hawaii Bar Journal 1 (2007).

Au and Kent, "The Effect of ADR on the Legal System," Vol. 11 HSBA Journal 6 (November 2007).

Kent, "Privacy and Confidentiality in Mediation," Vol. 9 HSBA Journal 34 (December 2005).

Barkai, Kent, & Martin, "A Profile of Settlement," Vol. 42 Court Review 34 (Fall/Winter 2006).

Kent & Van Epps, "How Courts Can Prepare for Y2K Litigation," Vol. 82 Judicature 233 (1999); Kent & Van Epps, "Y2K Meets ADR: Monitoring Y2K Filings Encouraged," Vol. 11 Court Technology (1999).

Kent, "Appellate Mediation: The First Eighteen Months of the Hawaii Appellate Conference Program," Vol. I Hawaii Bar Journal 95 (1998).

Kent, "ADR and Your Lawsuit: How Do They Mesh?" 10/6/97 PBN 3.

Note, "The Erosion of Home Rule in Hawaii: City and County of Honolulu v. Ariyoshi," 7 U. Hawaii L. Rev. 503 (1985).

**Select Board
Appointments**

Board of Directors, Hawaii Association of Conflict Resolution, Hawaii Chapter (2006–2007).

Board of Directors, Policy Consensus Initiative, 2000–2006.

Commissioner, Uniform Law Commission, 1998-present.

Board of Directors, Legal Aid Society of Hawaii, 1998-2000.

Policy Board Member, Program on Conflict Resolution, 1997-present.

Member/Vice-Chair, Supreme Court Committee on Judicial Performance Evaluation, 1991-1995.

Board of Directors, Hawaii Institute for Continuing Legal Education, 1993-1996 (President in 1995).

Training Sessions

- **Powerful Listening (How to Listen so People will Share their Concerns with You):** This half-day class provides an introduction to basic dispute resolution skills, focusing on verbal and non-verbal components of messages, listening skills, understanding positions and interests, and effective questions.
- **Challenging Conversations (How to Share Your Concerns so People will Hear You):** In this half-day class, trainees learn a four step process to aid in discussing difficult issues in a way that maximizes the possibility of dispute prevention.
- **Negotiation Skills:** This class helps trainees develop the skills needed to negotiate agreements successfully; trainees participate in simulated negotiations and learn to present and respond to offers and counter-offers and use consultative negotiating tactics and techniques. Sessions may last two hours, a half-day, or a full day.
- **Mediation Skills:** This interactive class presents an overview of mediation and skills mediators use. The length ranges from four hours to five days.
- **Advanced Meeting Management:** This one day class covers skills, tools, and techniques to design and manage complex meetings, meeting series, and meetings involving large groups.
- **Advanced Meeting Management – Conflict Assessment:** In this one-day class, trainees work with actors and assess a mock conflict and determine the issues, emotions, necessary parties, and the likelihood and best means of resolution.
- **Run a Great Meeting!:** This half-day class examines the basic foundation necessary to conduct an effective meeting. Trainees learn about meeting facilitation and when to use it, the importance of agendas and how to create one, meeting logistics, and the difference between meeting process and meeting content. Sessions may be one or two days.
- **Tools Mediators Use to Address Annoying Behavior (and you can use them too!):** Do you work with people who are passive aggressive? Aggressive? Talk too much? Don't listen? In this half-day class, trainees learn about communication, different styles of conflict resolution, and direct communication.
- **Vicarious Trauma and Resiliency:** This 2 1/2 hour class was designed for those who work with people who witnessed trauma. Participants review the symptoms of vicarious trauma, also known as compassion fatigue, discuss successful coping techniques, and design an action plan for resiliency.

Presentations

- ABCs of ADR
- ADR – What It Is and Is Not
- Advocacy in Mediation
- Agreement Writing – Elements of an Agreement
- Alternatives to Trial in Hawaii – Some Definitions of Dispute Resolution Options
- Assessment Tools for ADR: ADR Interventions and Criteria for Referral
- Background on ADR History in Hawaii and the United States (and the Judiciary's Center for Alternative Dispute Resolution)
- Boro – Repurposing, Recycling, and New Lives
- Confidentiality in Mediation
- Conflict Assessment Tools
- Conflict in the Church
- Dr. Martin Luther King Jr. and Mediation
- Factors Favoring Use of Mediation
- Five Steps to Effective Meetings
- How Do I Feel About Non-Profits?
- How to Listen so People Will Talk to You
- Ideas on an Ideal Model Comprehensive Court-Connected Dispute Resolution Office
- Informal Resolution of Contract Disputes
- Listening to Identify Interests
- Mediation and the Feminist Viewpoint
- Mediation – Solutions, Success, Satisfaction
- Mediating Contested Cases Under Act 76
- Message of Aloha
- Negotiation for Women
- Overview of ADR in the Hawaii Judiciary
- Overview of Mediation and Skills that Mediators Use
- Resources for Resolving Workplace Disputes
- About the Hawaii Appellate Conference Program