



Ian C. Szlazak
RESOLUTION HOUSE INC.
Professional Dispute Resolution Services
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Overview

Ian Szlazak is a full-time, professional dispute resolution and conflict management service provider. His approach is results-oriented, both in terms of problem-solving and in terms of party satisfaction. Amongst his goals are to provide his clients with the highest level of service and to continually strive to expand the horizons of ADR (alternative/appropriate dispute resolution) to areas and applications where it can benefit as many people as possible. To meet these goals, he offers a range of dispute resolution and conflict management services, tailored to meet the challenges at hand.

Background and Career History

Ian grew up in Regina, Saskatchewan during the 1950's and 60's. During his undergraduate university years, he became interested in industrial relations and political studies. This interest developed further at law school with a concentration of studies in labour, employment and administrative law. Since becoming a lawyer in 1978, Ian has built upon this educational foundation, with experience in private practice, the government sector, where he was a prosecutor and advisor, and more recently, as senior corporate counsel and manager in one of the largest corporations in Canada. In this latter role, Ian retained many lawyers and instructed them on behalf of his client. This work gave him exposure to a wide range of disputes and a good understanding of the dynamics of the client/counsel relationship, which has been of enormous assistance to him as a third party.

Since 1995, he has acted solely as a dispute resolution service provider, first operating as Principal, Resolution House, and since 2004, as President and C.E.O. of Resolution House Inc.

Professional Qualifications and Degrees

1. B.A., Queen's University, 1973
2. LL.B., Osgoode Hall Law School, York University, 1976
3. Member, Law Society of Upper Canada, Call of 1979 (No. 18253K)
4. Canadian Securities Course, 1996
5. LL.M. (A.D.R.), Osgoode Hall Law School, York University, 1998
6. C.Med. (Chartered Mediator), ADR Institute of Canada, 1998

Dispute Resolution Training

In addition to his Master of Laws degree in ADR, since 1995 Ian has obtained hundreds of hours of specialized training in many aspects of ADR, including two workshops on negotiation at Harvard Law School, Boston, mediation training with CDR Associates, Colorado, human rights mediation training, Toronto, third party neutral training and dispute resolution systems analysis and design, Ottawa, ombuds training, The Ombudsman Association (U.S.) and arbitration training in both labour and general arbitration, Ottawa and Toronto. To remain conversant with the new developments in the field, he is committed to continuing education and regularly attends ADR conferences and educational programs. A detailed list of his training is available upon request.

Experience

In addition to some 18 years' experience as a lawyer, Ian has an extensive track record as a professional dispute resolution service provider:

- **Mediation:** over 1,800 mediations, both Court-connected/mandatory and private; roster mediator, Ontario Mandatory Mediation Program, Superior Court of Justice; experience with both complex multi-party disputes and large, multi-million dollar claims, almost all involving lawyers as representatives; his experience spectrum is extensive (numbers indicate cases done in particular areas), including employment/workplace, labour-management cases (350+); personal injury actions (motor vehicle (300+) and other); disability (100+), property and life insurance claims (200+), professional negligence (all professions, particularly physicians and lawyers) litigation (25+), public authority lawsuits, including claims against police (20+); securities-related litigation (30+); corporate-commercial disputes (225+); franchise litigation, construction (including liens) litigation (65+); leasing disputes, trademark litigation, marital/family property-family business disputes, estate litigation (20+) and environmental/land use claims (10+).
- **Arbitration:** a variety of decisions, labour-management and employment-related disputes; offers arbitration services alone or in conjunction with other processes, such as mediation (med-arb).
- **Early Neutral Evaluation (ENE):** 2 interventions and decisions, labour-management disputes; offers ENE in all litigious matters, particularly employment-related cases.
- **Partnering/Facilitation:** over a dozen workshops, both construction-related and with respect to organizational challenges, sometimes provided in conjunction with mediation, coaching and training services.
- **Investigation and Coaching:** a number of highly-sensitive investigations of workplace situations (e.g.: allegations of harassment), including experience in planning the investigation, interviewing witnesses/participants, development and delivery of employee surveys, document and policy review, and evidence analysis and reporting, in accordance with client policies. A complementary service, though not necessarily offered together, is personal coaching of individuals who have found themselves in conflict situations and who are thought to require assistance in changing their approach to others or to their employer. These time-sensitive services are provided in a highly confidential manner designed to protect the privacy of individuals and organizations and to minimize the chances of retributive behaviour.
- **Dispute Resolution (DR) Consulting and Systems Design:** advisor to broadcasting/communications regulator, government department, Crown Corporation and individuals,

involving analysis, reporting and design of dispute resolution/conflict management systems, as well as strategic negotiating advice, coaching and investigative services.

- **Training:** trainer, presenter and coach on numerous occasions, often to professional groups, sometimes as a member of a training team, generally with emphasis on co-designed, customized training.

Memberships and Rosters/Panels

Memberships:

In addition to being a member of the American Bar Association (ABA) Dispute Resolution Section and the ADR Institute of Ontario, Ian has been a past member and supporter of the Conflict Resolution Network Canada (which has discontinued operations) and the Association for Conflict Resolution (ACR). He also has been appointed by the Attorney General of Ontario as a member of the Local Mediation Committee in Ottawa, which is responsible for overseeing the roster of mandatory mediators for the Superior Court of Ontario.

Rosters/Panels:

- Ontario Mandatory Mediation Program, Superior Court of Justice, Ottawa – roster mediator (1996-2007)
- LawPRO/Lawyers' Professional Indemnity Company (LPIC), Toronto - mediator
- Cable Television Standards Council, Ottawa – mediator/arbitrator
- Insurance Bureau of Canada, Toronto – mediator
- Canadian Food Inspection Agency, Ottawa – independent third party (national)
- Public Works and Government Services Canada, Ottawa – National Master Standing Offer list, mediation services
- Federal Mediation and Conciliation Service, Human Resources and Skills Development Canada – adjudicator
- CPR International Institute for Conflict Prevention and Resolution (2003-05)

Research, Writing and Presentations

Ian is the author of numerous articles on ADR topics and is a frequently called-upon speaker/lecturer at conferences, professional programs and universities. He is a regular instructor and assessor in Negotiation and Interviewing for the Skills Phase of the Bar Admission Course, Law Society of Upper Canada. His published work includes:

- "Haven't Been There, Haven't Done That: An Exploration of Construction Industry Partnering and Further Applications of the Concept in Other Contexts" (February 1999) 41 C.L.R. (Construction Law Reports) (2d) 216.
- "Resolving Litigious Disputes Using Mediation – Some Observations", Proceedings of Conflict Resolution Symposium, 2000 (Ottawa: The Mediation Centre at Carleton University, January 2001) at 137-155.

Comprehensive lists of Ian's published and unpublished work, including arbitration awards, as well as presentation and training experience, are available upon request.

Third Party Approach

The nature of ADR services is such that understanding a third party's philosophy or approach is essential to assessing and choosing an individual who will meet the needs of clients. Background, training and qualifications are important, but acceptability has more to do with the third party's approach or style, including their interactive skills as a **mediator**. Ian would prefer to work with, not just for, the parties and their representatives in order to cultivate the most conducive atmosphere possible for productive discussions. Ian encourages representatives and

parties to take full responsibility for their dispute. This sense of ownership promotes a serious approach to the dispute that has the best chance of overcoming obstacles.

Dispute resolution processes work best if there is considerable evidence of preparation and a cooperative approach, directed to solving problem(s) in a mutually satisfying way. Listening to one another is strongly encouraged, with the intention of allowing the participants to reveal their underlying interests and to provide rationales to one another. Accordingly, while emphasizing a results-oriented approach that professionals are comfortable with, at the same time Ian endeavours to create a relaxed, inclusive atmosphere that is designed to encourage parties to focus on the problem(s), not on the person(s) across the table.

Ian believes that dispute resolution processes, when selected carefully and at the appropriate time, offer effective methodologies for parties and their representatives to move beyond their dispute(s) relatively quickly and most effectively. Mediation, as an example, is both a sophisticated dispute resolution process in its own right and an excellent complement to the litigation process. Considerable care must be taken when integrating an ADR process with another process, such as litigation.

When Ian set out in this field to be a service provider, he chose to do it on a full-time basis, where he could eliminate most conflicts or potential conflicts of interest. He also chose to obtain the best training available and to keep his qualifications up-to-date, at a level that exceeds those set by any organization or regulator. He does not limit his training to ADR; an example is his completion of the **Canadian Securities Course**, a relatively rare qualification for a mediator but one which assists him in securities, economic and financial matters.

Ian uses an interest-based, facilitative approach to mediation, which he has found has met with a good level of acceptability and success. Where there is a consensus that a more evaluative, substantively-related approach is required, he is prepared to modify his approach, but never to the extent of being coercive. If the parties have a future together, Ian will attempt to facilitate a discussion of relationship issues. In all cases, where it is evident that a particular culture is relevant, it will be taken into account. He has found that his legal training has been of assistance in this regard. His experience indicates that while caucusing or private meetings with the parties is not a mandatory element of mediation, it can be employed to great effect to break impasses. Ian is receptive to discussions prior to the mediation to discuss process issues.

Early neutral evaluation (ENE) and adjudicative services are provided where it is clear to all concerned what the parameters of the process are. ENE, which features a non-binding finding, is available if all parties are in agreement about what service they are seeking and that Ian is satisfied that he has sufficient information, factual or otherwise, to make a determination which does justice to the matter in dispute. Where ENE is offered in conjunction with mediation, it is conducted at the end of the mediation, when it is clear that the mediation did not produce a settlement. Similarly, **arbitration services** and **hybrids of arbitration**, such as mediation-arbitration (med-arb) are offered when it is clear that there is a common understanding of process expectations. Primarily due to background and interest, the main area of Ian's arbitration practice is labour, employment and related matters.

Partnering, other types of **facilitation**, **investigations**, **DR consulting and systems design** and **training/coaching**, sometimes offered in combination, are services requiring considerable client consultation prior to the intervention itself. These assignments are incredibly varied in their nature, but all feature a strong theme of cultivated listening, respect for others and a desire to add value and a preventive element to the clients' own processes.

In order to provide the best service possible and in an endeavour to continually improve, a **mediation evaluation** is made available through the firm's website to representatives after each

mediation, inviting both representatives and parties to reply. The feedback received is carefully considered and held in confidence. Feedback with respect to other types of intervention also is welcome. **Sensitive documents** given to Ian Szlajak are destroyed by shredding on a periodic basis.

References

The privacy of parties would be offended by a list of clients offering "testimonial statements". However, Ian Szlajak can indicate that he has been called upon on a repeat basis by many large and sophisticated users of ADR, including many of the most prominent corporations, insurers and law firms in Canada. He encourages prospective clients to "call around". If required, references may be arranged.

Questions?

If this curriculum vitae has not answered all of your questions or it has prompted some others, do not hesitate to call Ian Szlajak at 613-746-9679/fax: 613-746-6637 or contact him by e-mail at iszlajak@resolutionhouse.com.

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