



GENEVIEVE A. CHORNENKI

LL.B., LL.M. (ADR), C.Med., C.Arb.

Conflict Management Services since 1989

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PROFESSIONAL SUMMARY

Overview:

The recipient of the first Award of Excellence in ADR from the ADR Section of the Ontario Bar Association (1999) as well as an Excellence in Teaching Award from the University of Toronto (2000), Genevieve Chornenki established an independent ADR practice in 1989. Since then she has worked with hundreds of individuals and businesses (and their professional advisors) to resolve disputes of all sorts. She successfully mediated the first complaint referred to mediation by an Ontario health-care regulator and the first business dispute referred by a major Canadian financial institutions. She now provides four basic kinds of service – (i) non-partisan dispute resolution services such as mediation and arbitration; (ii) organizational services such as contract ombuds, independent complaint-handling and consulting; (iii) one-one-one coaching; and (iv) education and training. Genevieve is also a principal in The Estate Mediation Group which helps resolve estate disputes.

DR Qualifications:

A Chartered Mediator and Chartered Arbitrator of the ADR Institute of Canada, Genevieve Chornenki has received dispute resolution training from Harvard University (Cambridge, MA), the University of Toronto (Toronto, ON), the Centre for Dispute Settlement (Washington, DC) and C.D.R. Associates (Boulder, CO). This included mediation, arbitration, facilitation, and ombuds training. A lawyer by background, Ms. Chornenki graduated from Osgoode Hall Law School in 1978 and practised law, principally civil litigation, for a period of 15 years. (She now provides non-partisan dispute resolution services but not legal services.) She holds a Master of Laws in Alternative Dispute Resolution from Osgoode Hall Law School and is qualified to administer the Myers-Briggs Type Indicator, an instrument concerned with individual differences in perception and decision-making. Genevieve is also trained in conflict coaching and the Integral Coaching method.

DR Interventions:

Genevieve Chornenki performs mediation, arbitration and other forms of third-party intervention for individuals, groups, and public & private institutions. Where appropriate, she designs customized approaches to conflict. She has served on the following ADR rosters and currently provides Ombuds services to Ontario Power Generation Inc.:

- Arbitration & Mediation Institute of Canada
- Canadian Motor Vehicle Arbitration Plan
- Farm Debt Mediation Service of Canada
- Public Works Canada
- Roster Mediator, Ontario Mandatory Mediation Program – Toronto/Ottawa
- Ontario College of Teachers
- Canadian Food Inspection Agency
- Canadian Foundation for Dispute Resolution
- College of Physicians & Surgeons of Ontario
- London Life Customer Satisfaction Process – External Review Adjudication
- Ontario Farm Products Marketing Board
- Canada Customs and Revenue Agency, Independent Third Party Review (Human Resource issues)

As a neutral intervenor, Genevieve Chornenki has worked in many fields, including:

- Construction
- Education
- Family Enterprise
- Human Rights
- Partners/Shareholders
- Consumer Complaint
- Employment/Workplace
- Financial Institutions
- Insurance
- Personal Injury
- Contracts
- Estates, wills & trusts
- Government
- Not-For-Profits
- Professional Discipline/Negligence

DR Consulting:

Genevieve Chornenki also gives expert design advice about conflict management programs and interventions. Sample consulting clients include:

- Department of Justice Canada
- The Ontario Teachers Federation
- County of Essex, Ontario
- Copyright Board of Canada
- Canadian Radio-television & Telecommunications Commission
- Canadian Motor Vehicle Arbitration Plan
- The University of Toronto
- The Encon Group
- National Energy Board
- Canadian International Trade Tribunal

Here are some examples of Genevieve Chornenki's DR consulting work:

- Creation of DR Framework, setting out program structure, processes, and suitability criteria
- Preparation of program documentation, i.e. intake guides, practice directions, frequently asked questions DR programs
- Evaluation Plan for DR program
- Surveys of stakeholders in DR systems, both before and after program design
- Best practices research and advice
- Position paper with design recommendations for the Department of Justice Canada, entitled *Civil Litigation and ADR, A Reciprocal Relationship*
- Design of quality assurance program for third-party neutrals in an industry-specific DR plan
- Arms-length review and revision of existing DR program documentation, including agreements and users' guide
- Expert advice in the design and planning of a restructuring exercise for 20 municipalities
- Customized training as part of DR program implementation, including identification of relevant competencies
- Governance and decision-making structures for groups
- General process advice for ad hoc DR design

DR Seminar and Teaching Experience:

Ms. Chornenki has organized and conducted hundreds of courses and seminars as detailed on her "Conflict Management Education & Training Experience List". She has done extensive customized training and course design for a variety of public and private bodies. Training positions held by Genevieve Chornenki include:

- Lead Instructor, *Mediation Training*, His Highness Prince Aga Khan Shia Imami Ismail Regional Conciliation and Arbitration Board for Ontario
- Instructor and Course Coordinator, *Conflict Analysis & Design*, University of Toronto Certificate in Continuing Studies in Dispute Resolution
- Instructor and Course Coordinator, *Appreciating Arbitration*, University of Toronto Certificate in Continuing Studies in Dispute Resolution
- Instructor, *Commercial Mediation*, York University
- Instructor, *Mediation Fundamentals* and *Advanced Mediation Thinking & Techniques*, University of Toronto Certificate in Continuing Studies in Dispute Resolution
- Special Lecturer in *Alternative Dispute Resolution*, University of Toronto Faculty of Law
- Instructor, *Arbitration I*, University of Toronto School of Continuing Studies
- Instructor of *Negotiation* and *Civil Procedure*, Bar Admission Course of the Law Society of Upper Canada

Publications:

Genevieve Chornenki is author of *The Corporate Counsel Guide to Dispute Resolution* (Canada Law Book), co-author of *Bypass Court: A Dispute Resolution Handbook*; 4th edition (LexisNexis), a contributing author to the *ADR Practice Manual* (CCH Canadian Limited) and *The Accountant's Guide to Litigation Support Services* (Carswell), and a contributing essayist to *Rethinking Disputes: the Mediation Alternative* (Cavendish Publishing Limited). Ms. Chornenki's other professional writing includes *Criteria for Successful Mediation: a Users' Guide* (Alternative Dispute Resolution Law Journal), *Interest-Based Negotiation: Improving Settlement Prospects in Estate Disputes* (Ontario Bar Association), and *Implementing Mediation* (Insight Construction Claims Seminar). Her CBC Ideas radio programs include *The Trouble With Tolerance* (2006) and *Changing the Workplace* (2002).

Leadership:

Genevieve Chornenki has held a variety of leadership positions in the dispute resolution field:

- Co-editor ADR Newsletter and Executive Member, ADR Section of the Ontario Bar Association (2006-2007)
- Member of the Toronto Local Mediation Committee, Ontario Mandatory Mediation Program (current)
- Member of the Board of Directors of the Sport Dispute Resolution Centre of Canada (2003-2005)
- Past Chair (national & Ontario) of the Chartered Mediator Accreditation Committee of the ADR Institute of Canada
- Founding Chair of the Alternative Dispute Resolution Section of the Ontario Bar Association (1991-1994)
- Vice President (Eastern Canada) of the Society of Professionals in Dispute Resolution (1992-1995)
- Director of the Arbitration and Mediation Institute of Ontario (1991-1993)