

MEDIATION PROFILE

CONTACT DETAILS

PRACTICE NAME : Jonathan Kaplan – Lawyer and Mediator
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WEBSITE LINK (LIV) : <http://www.liv.asn.au/Specialists.aspx>

AREAS OF MEDIATION and OTHER EXPERIENCE

More than 800 disputes mediated through appointments by solicitors and dispute resolution panels. Matters mediated include a variety of commercial business disputes (Supreme Court, Magistrates Court and County Court) including Leasing, Franchising, Partnership, Testator Family Maintenance, Workplace and Domestic and other Building Disputes
Extensive business experience as a former owner for 15 years of 5 successful retail hospitality businesses in the food (café and restaurant) industry.

ADVANCED MEDIATION TRAINING / PUBLICATIONS / CPD TRAINING

Accredited as a Specialist in Mediation by the Law Institute of Victoria (“LIV”)
Advanced Practitioner Member - Resolution Institute (Adv.M.LEADR)
Advanced Skills Training-Transforming Conflict
Advanced Mediation Skills - Accord Group
Attendee at relevant Resolution Institute seminars
Co-presenter of workshop on “Understanding and Managing Conflict” to various industry groups
Completed intensive 5-day workshop with Professor Tania Sourdin to meet the National Mediator Accreditation Standards (NMAS)
Presented CPD Seminars for LIV and Legalwise – “Preparing for and representing your client at mediation”
LIV “Rogers Legal Writing Award” - Highly Commended awards for articles published in the Law Institute Journal (“LIJ”):

- “Seeing clearly – Tackling cognitive bias in dispute resolution” (Published May 2012 - Co-author)
- “Ready Steady Go” – Preparing yourself and your client for mediation (Published April 2016 – Sole author)

Other articles published in the LIJ on Mediation – “Choosing a Mediator”, “What makes a good mediator”, “What lawyers bring”, “When to Mediate” and “Dealing with Unrepresented Parties in Mediation”, “Are forceful mediators effective?”, “How to strike the right balance – Mediating testator family maintenance disputes”, “The Power of Letting Go – Workable solutions when stuck”

COMMITTEES / ASSOCIATIONS / MEMBERSHIPS / APPOINTMENTS

Chair of ADR Committee (Litigation Lawyers Section) - LIV (February 2015 – 2019)
Mediation Law (Specialisation) Advisory Committee Member - LIV – (2011 – current)
Queen Victoria Market Trader Connect Fund – Chair of Advisory Committee (July 2018 - current)
LIV – Member’s Advisory Service
Honorary Legal Counsel to the Australian Institute of Business Brokers (Victorian Chapter) (2011 – 2016)
Former Member of Focus Group for research project – “Exploring Civil Pre-Action Requirements” (Resolving Disputes Outside Courts) written by Professor Tania Sourdin, Centre Director, Australian Centre for Justice and Innovation (ACJI), Monash University

MEDIATION and other PANELS

KATO Collection - a collective of experienced and industry leading mediators across a broad variety of specialties
The Victorian Small Business Commissioner (VSBC)
Australian Small Business and Family Enterprise Ombudsman (ASBFEO)
Office of the Franchising Mediation Advisor (OFMA)
External Mediator of the Magistrates Court of Victoria (SLEM)
LIV – Appointments as mediator by the President of the LIV
Maccabi Victoria – Mediator and Grievance Tribunal Member

EDUCATION

1991 Admitted as a Barrister and Solicitor in the Supreme Court of Victoria
1990 University of Melbourne (converted South African qualification for Australian acceptance)
1988 Degree of Master of Laws in Commercial Law - University of Cape Town, South Africa
1974 – 1977 Baccalaureus Procuratoris, (Legal Degree) - University of Cape Town, South Africa