



MEDIATIONSOPHILEX



DOMINIQUE F. BOURCHEIX

Lawyer, Mediator, Arbitrator and Instructor

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WORK EXPERIENCE

An attorney for more than 25 years, Dominique F. Bourcheix has made mediation, training in mediation/conciliation, and arbitration her exclusive field of practice since 1999 when she shifted her focus away from the civil and commercial litigation. Today, she exercises her specialty primarily in the Greater Montreal area as well as throughout Quebec and, occasionally, in Ontario.

Mediation and Dispute Resolution

Accredited civil and commercial mediator since 1995 with the Quebec Bar, the Quebec Superior Court and several other professional organizations.

Accredited mediator since 1997 with the Quebec Government's conciliation program in family matters.

Conciliator of the *Régie de l'Énergie* since 2005 where she presides over some 80 conciliations per year.

Since 1995, she has conducted hundreds of mediations in English, in French or both in the following fields:

- Construction
- Professional liability
- Insurance
- Disability insurance
- Contracts
- Disputes between shareholders and/or partners
- Engineering and product liability
- Neighbourhood
- Banking and insolvency
- Successions
- Power distribution
- Harassment matters
- Family

These files are usually highly legalized, involve several parties and substantial monetary stakes, and are scheduled for trial from several days to months.

When certain mediations require it, because of the complexity of the issues and the number of parties, she has also developed a successful method of co-mediation and has conducted several with either a lawyer or engineer.

Teaching and coaching

In 2006 and 2007, she gave several advanced seminars to mediators of the *Centre de médiation et d'arbitrage de Paris, Aix-Mediation (France)*, the *Commission des relations du travail du Québec* and the *Commission des Lésions Professionnelles du Québec*.

Since 2005, she has been responsible for the course on *Civil, Commercial and Labor Mediation* (which accredits mediators with the Bar) as well as the *Interest-Based Negotiation* course offered as part of the Quebec Bar's continuing education program. She delivers these courses several times per year.

In 2004, she lectured on *Negotiation and Dispute Resolution in Engineering Administration* within the framework of Sherbrooke University's Master's of Engineering Administration.

Since 1995, she has regularly taught, in French and in English, Interest Based Negotiation and Mediation on behalf of the federal Department of Justice, the Royal Canadian Mounted Police, the Canadian Radio and Telecommunications Council, the Canadian Transport Agency, the Canadian International Trade Tribunal, the Indemnity Fund of the Chambre des notaires du Québec and the Régie des Alcools, des Courses et des Jeux du Québec.

In 2002 and 2005, she held an advanced seminar for the Chambre des notaires du Québec and in 2000 and 2002, taught arbitration courses for CAMVAP (see below).

Arbitration

Since the year 2000, she has served as Arbitration Specialist for Quebec with the Canadian Motor Vehicle Arbitration Plan (CAMVAP), a program established throughout Canada since 1994. Her role is to select, train and supervise the arbitrators on the roster, to process and analyze complaints relative to an arbitrator and to act as consultant on the program. She has conducted several arbitrations in Ontario within the program.

She regularly acts as sole arbitrator, as president or as member of arbitration tribunals in civil and commercial matters.

Litigation

1982-1999 She has practiced litigation and pleaded many cases before Quebec's Superior Court and the Court of Appeal in the fields of:

- Civil law
- Professional liability
- Construction
- Insurance
- Banking and insolvency

Law firms

Since 1991 Lawyer in private practice
1984-1991 Lawyer with the firm of **Clark Woods** and partners
1982-1984 Lawyer with the firm of **Pouliot Mercure**



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Other

- 1979-1980 Political attaché in the Cabinet of Claude Ryan, Leader of the Opposition at the Quebec National Assembly.
Winter 1979
Summer 1978 Research assistant to Victor Nabhan, on copyright and intellectual property, Laval University.

ACADEMIC BACKGROUND

- 1980-1981 **Quebec Bar**
1976-1979 **Université Laval**
Bachelor in Civil Law (LL.L.)
1973-1976 **Concordia University**
Bachelor of Arts, Political Science Major (B.A.)
1972-1973 **Loyola College**
Degree of Collegial Studies (D.E.C.)
1966-1972 **Villa Sainte-Marcelline**
High school

Continuing Education (Dispute resolution)

- 2000 Advanced course in family mediation, Quebec Bar.
2000 & 2003 Family mediation seminars *Journées d'études Europe Amérique*.
1997 Course in family mediation, Iris Quebec Inc.
1995 Course in civil and commercial mediation, Quebec Bar.
1994 Course in civil and commercial mediation, Centre d'arbitrage commercial national et international du Québec.
1993 Course in civil and commercial mediation, Chambre des notaires du Québec.

CONFERENCES GIVEN

- 2005-2007 Mandated by the Quebec Bar to deliver conferences on mediation to the province's various Chambers of Commerce.
2003 *Mediation*, as part of a seminar given to a delegation of Serbian high magistrates organized by the International Association of Jurists.
Mediation in disability insurance for the Canadian Institute.
2002 *Demonstration* of a mediation in construction law at a symposium of Justice Canada litigation lawyers.
2001 *The Mediator's Role, Evolution and Trends* at the Quebec Bar's Récents développements en médiation symposium.
Mediation in disability insurance at the Canadian Institute.
2000 *Demonstration of a mediation* in construction law at the Congrès des avocats de province.
Demonstration of a family mediation for the Longueuil Bar.
1999 *Demonstration of a mediation* in Design Built Construction at two Infonex conferences on design built construction.
Demonstration of a mediation of a commercial leasing conflict at the Symposium on Solutions for the Future of the Young Chamber of Commerce of the South Shore of Montreal.
1997 *Demonstration of certain aspects of mediation* in harassment matters at the National Symposium on Conflict Resolution and Harassment in the Work Place, held by Justice Canada.
Facilitator and guest speaker at the National Symposium on Dispute Resolution of the Royal Canadian Mounted Police, Pentington, B.C.
1995 *Demonstration of a mediation* in computer matters at the Chamber of Commerce of the South Shore of Montreal.



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- 1994 *Demonstration of a mediation* in construction law at the symposium on Soft Justice and Construction of the Association of Architects in Private Practice of Quebec.
- 1993-1994 *Demonstration of a mediation* in a leasing conflict at the Chamber of Commerce of the South Shore of Montreal.
- 1993-1994 Speaker on the new Quebec Civil Code for:
- The Association of Architects in Private Practice.
 - ISRM, International Specialized Risk Management.
 - The Chamber of Commerce of the South Shore.
 - The Association of Anjou Industrials.
 - The Regional Centres of the Royal Bank of Canada.

COMMUNITY INVOLVEMENT

- 2005-2008 Member of the *Participatory Justice Committee* of the Quebec Bar.
- 2004 Recipient of the *Volunteer Emeritus* award, Fondation de l'Hôpital Charles-Lemoyne.
- 1999-2003 Member of the mediation committee of the Longueuil Bar.
- 1998-2003 Member of the mediation committee of the Canadian Bar, Quebec Section.
- 1995-1996 Member of the environment committee of the South Shore Chamber of Commerce.
- 1994-1995 Member of the recruiting committee of the South Shore Chamber of Commerce.
- 1983-1994 Member of the Board of Directors of the École Supérieure de la Danse du Québec.
- 1991-1992 Member of the executive committee of the École Supérieure de la Danse du Québec.
- 1989-1993 Founder and member of the executive committee of the Villa Sainte-Marcelline Alumni.
- 1981-1985 Member of the Board of Directors of the Liberal Party Association, N.D.G.
- 1978-1979 Co-president of the Laval University legal aid office.
- 1977-1979 Producer and anchor of a weekly legal information radio show, CKRL-MF, Québec.
- 1974-1975 Author of judicial articles in the Laval University Journal *Le fil des événements*, Québec.
- 1974-1975 Vice-president of the Loyola Cegep Political Science Association.



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