

Me Hélène de Kovachich (Nov 2023)

Me Hélène de Kovachich is considered one of the pioneers of alternate dispute resolution (ADR) in Quebec. She has presided over more than 1,000 private and judicial mediation cases nationally and internationally. Lawyer, mediator, trainer, author, former president of the Administrative Tribunal of Québec (2008-2013, member of the Tribunal from 2006 to 2016), she acts primarily in shareholder disputes and in corporate restructuring and business transfers, successions and work place (partnering, abuse of power and harassment disputes) . She is accredited as a mediator in civil and commercial matters (construction litigation, estates, insurance, workplace disputes, Autorité des marchés financiers and - as a judge - in expropriation, municipal taxation and social affairs). She is member of the roster mediators list of the Sport dispute resolution center of Canada. She has developed a national and international practice (notably in Canada, the United States, the United Kingdom, France, Mali, Mexico, Cambodia, Morocco, Haiti, India, China, Italy and Burkina Faso). "Distinguished Fellow of the International Academy of Mediators (2006). In November 2023, she was invited by the President of France's "Conseil National de la Médiation" to speak at their first plenary session and share her 30-year experience of DRP methods in Quebec.

After practicing tax law (Ministère du Revenu du Québec, Stikeman Elliott), she founded Groupe Option Médiation in 1994. She contributed to the creation of one of the first integrated judicial mediation programs, which has become a world reference in the field: the out-of-court settlement conferences (CRA) and the program to facilitate criminal proceedings in Quebec. She has trained judges from Quebec, Canada and abroad in judicial mediation. At the Tribunal administratif du Québec, she developed and implemented the first judicial co-mediation process in expropriation matters, and participated in the development of the conciliation process in the social affairs section. She has participated in activities advocating the establishment of DRP systems in Canada and abroad, including the creation of Front Line Justice (FLJ), a transitional justice system for countries affected by conflict and environmental disasters that has been implemented in Haiti and Mali. She chaired the Canadian Bar Association's national DRP section and led numerous DRP projects, including those related to the development and adoption of the Canadian Model Commercial Law based on the UNCITRAL Model Conciliation Law. She was a member of the Board of Directors of the Institut de médiation et d'arbitrage du Québec (IMAQ), and in 2006 received the Prix de la qualité de l'enseignement from the Faculty of Law of the Université de Sherbrooke.

Co-author of "Guide pratique de médiation" (1997) and Participer à la médiation (2020) in Québec , and in France "La médiation administrative, nouveau mode de résolution des litiges" (2020). She is the author of numerous articles on commercial and civil mediation, mediation in administrative law and arbitration, and family mediation. She developed the training manual and trained and supervised lawyers who are to be accredited by the Quebec Bar as family mediators.

In 2016, Me de Kovachich was mandated by the Conseil des Ministres of the Government of Quebec to create, implement and direct the first University Mediation Clinic in Quebec at the Faculty of Law of the Université de Montréal (2016-2019). Throughout her career, Me de Kovachich has been invited on numerous occasions to speak before a variety of local, national and international audiences, including students, colleagues, the business community and international dignitaries.