



*(Please read Membership Criteria and on pages four and five before completing this application)*

1. **Sponsor:**
2. **Co-sponsor:**
3. **Nominee Information** Include the following: Name, Firm, Address, City, State/Province  
Zip/Postal, Country; Phone/Fax, and email
  
4. **Description of Nominee's Practice** (include information regarding the market in which the Nominee practices, eg., whether courts mandate mediation and how frequently mediation is utilized in that market)
  
5. Please attach the Nominee's current curriculum vitae, including mediation certifications, training, speaking, writing, teaching and training.
6. **IAM Conference Attendance**  
Please list the place and date of all IAM Conferences (live or virtual) attended by the Nominee:
  
7. **IAM Members Known.** Please identify any IAM members the Nominee knows

**8. Mediation Experience**

- a. How many years has the Nominee served as mediator for compensation in commercial disputes? \_\_\_\_\_
  
- b. How many days has the Nominee served as a mediator for compensation in commercial disputes?
  - i. In the past 12 months \_\_\_\_\_
  - ii. In the past 3 years \_\_\_\_\_
  - iii. in the Nominee’s career \_\_\_\_\_

*(Commercial disputes do not include residential landlord/tenant or dissolution of marriage matters. A day is at least 4-6 hours or more, including preparation time.)*

c. Please attach a description of any other mediation-related experience that the Nominee considers to be relevant to this nomination for membership (eg., mediation training, teaching, presiding over settlement conferences as a judge or magistrate, etc.).

**9. References**

Please list three references whom the Sponsors have contacted and submit summaries of each reference’s comments along with this form. References should be counsel, parties, or party representatives with whom the Nominee has worked in a mediation session in the past year.

**Name/Address/Phone/Email**

**Name/Address/Phone/Email**

**Name/Address/Phone/Email**

**10. Background**

Has the Nominee ever been convicted of or are charges pending regarding a violation of any criminal law (other than minor traffic offenses), ethical, code of conduct, or disciplinary rules of any state government or provincial agency, bar association or private or public professional entity? \_\_\_\_\_

If yes, please explain status and/or resolution in an attachment.

**Nominee Affirmation**

The undersigned Nominee affirms and verifies that he or she has read and understands the information provided herein, and that the information is true and complete to the best of his or her knowledge, information and belief. Nominee also confirms that he or she understands this submission does not create any obligation on the part of the International Academy of Mediators to admit me as a member. If granted, membership is subject to the conditions of the IAM By-laws and Constitution, including but not limited to due diligence requirements.



\_\_\_\_\_  
**Nominee's Signature/Date**

**Sponsors' Affirmations**

We the undersigned sponsor and co-sponsor of this Nomination, affirm that based on our personal knowledge and review of at least three professional references, the Nominee meets all the qualifications for membership in the IAM and accordingly, we are pleased to nominate \_\_\_\_\_ to become a Fellow/Distinguished Fellow (circle one) of the IAM immediately upon approval of this Nomination by the Board of Governors. (Please attach any additional comments regarding this Nomination that you believe will be helpful to the Board in reviewing the Nomination)

*Mark Kelly*

\_\_\_\_\_  
**Sponsor's Signature/Date**

*GEOFF SHARP*

\_\_\_\_\_  
**Co-sponsor's Signature/Date**

## INTERNATIONAL ACADEMY OF MEDIATORS MEMBERSHIP CRITERIA

### Overview

New IAM members will be admitted to membership in the Academy under the following guidelines:

- Membership is by **invitation only**
- Membership is limited to **professional commercial mediators** who are **well established and recognized** in their local or regional community as **leading mediators** in the field
- The IAM is dedicated to **inclusiveness** and **diversity** across a full spectrum
- The Membership and Recruiting Committees assist Academy members in identifying mediators who meet the criteria for invitation by the Board of Governors to join as **Fellows** or **Distinguished Fellows**

### Criteria for Admission to Membership as Distinguished Fellow

Nominees for membership in the Academy in the **Distinguished Fellow** category must generally meet the following **minimum qualifications** with respect to **mediation experience**:

- in commercial mediation practice at least **5 years**, with corresponding certification for those mediators who practice in jurisdictions that have certifications for commercial mediation
- at least **a majority of their professional efforts** are dedicated to commercial mediation
- in developed markets, must have worked at least **600 commercial mediation days**
- in emerging markets<sup>1</sup>, must have worked at least **300 commercial mediation days**
- in undeveloped markets<sup>2</sup>, must have worked at least **100 commercial mediation days**
- **mediation days** consist of **at least 4 hours** of work focused on **mediation of commercial disputes** (including teaching, training or facilitating as well as mediating disputes and excluding days spent mediating pro bono, small claims and domestic relations matters)
- **alternative mediator experience** may be considered provided it is **substantially equivalent** (participation in mediations as party or counsel is not considered mediator experience)

### Criteria for Membership as Fellow

Nominees for membership in the Academy in the **Fellow** category must generally meet the following **minimum qualifications** with respect to **mediation experience**:

- in commercial mediation practice at least **3 years**, with corresponding certification for those mediators who practice in jurisdictions that have certifications for commercial mediation
- at least **a substantial proportion of their professional efforts** are dedicated to commercial mediation
- in developed markets, must have worked at least **300 commercial mediation days**
- in emerging markets, must have worked at least **150 commercial mediation days**
- in undeveloped markets, must have worked at least **50 commercial mediation days**

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<sup>1</sup> “Emerging” markets are those areas or regions where relatively fewer commercial disputes are mediated, in contrast with developed markets where the majority of commercial disputes get referred to mediation, whether by courts, counsel or parties. Factors include: the extent to which mediation is mandatory, the length of time mediation has been in use, the types of disputes that go to mediation and the numbers of mediators who practice on a full or substantial-time basis.

<sup>2</sup> “Undeveloped” markets are those areas or regions where mediation is just beginning to be utilized and thus very few commercial disputes are mediated and very few mediators practice on a full or substantial-time basis.

- **mediation days** consist of **at least 4 hours** of work focused on **mediation of commercial disputes** (including teaching, training or facilitating as well as mediating disputes and excluding days spent mediating pro bono, small claims and domestic relations matters)
- **alternative mediator experience** may be considered provided it is **substantially equivalent** (participation in mediations as party or counsel is not considered mediator experience)

### **Membership Nomination Process**

**Invitations** to join the Academy are issued only upon **approval** by the **Board of Governors** of a **Nomination** from a qualified **Sponsor** and **Co-sponsor**

- **Sponsors** must be **Distinguished Fellows** who have been **members** of the IAM for **at least two (2) years** or **who have attended at least four (4) conferences**
- **Nominations** are **submitted** to the Board of Governors **only from** qualified **Co-Sponsors** on a form that includes **attestations vouching** that the prospective new member is a ***pre-eminent distinguished or rising star mediator*** in their local community
- **Nominees for membership** are encouraged to **attend at least one live or virtual IAM conference** at the **invitation of a member** (any Fellow or Distinguished Fellow may invite with approval of the Recruiting Chair) before their Sponsors submit a Nomination on their behalf.
- **Mentees** in the Mentorship Program who have gained the **requisite experience** are encouraged to seek Sponsors for nomination as **Fellows**

**Fellows** who have gained the **requisite experience** are encouraged to seek Sponsors for nomination as **Distinguished Fellows**

# Hayden Wilson

Chairman & Partner

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## Admitted

- Barrister and Solicitor of the High Court of New Zealand, 2000

## Qualifications

- Victoria University of Wellington, 2000, B.A., Politics
- Victoria University of Wellington, 2000, LLB
- Victoria University of Wellington, 2008, LL.M.
- Pepperdine University, 2013, Mediating the Litigated Case
- Harvard Law School, 2017, Advanced Mediation

*Hayden Wilson is noted for the diversity of his practice, which not only covers a broad range of commercial and public law litigation, but also embraces a significant alternative dispute resolution component. Clients identify him as an adviser noted for "understanding the client's context and business drivers and factoring this into his advice," and for being particularly "outstanding at understanding legal risk both generally and from a political and reputational perspective.*

**"Chambers and Partners Asia Pacific 2021**

Hayden is a partner in the Wellington office and is the Chair of Dentons Kensington Swan's board. He leads the New Zealand public law and dispute resolution practice and serves on the Global Board of Dentons, the World's largest law firm.

Hayden is a senior partner with unparalleled expertise in government decision making. His public law expertise and networks have lead him to be involved in some of the most highly sensitive commercial projects and relationships that the New Zealand Government has been involved in. He is a strategic thinker, with the ability to assess legal, political and reputational risk, having worked with the senior levels of the public sector and the Executive for the majority of his career.

Hayden is recognised as a leading litigator and a skilled negotiator, having trained as a mediator at the Straus Institute for Dispute Resolution at Pepperdine University in California and at Harvard University in Boston.

Hayden is recognised by both Chambers & Partners and Legal 500 as one of New Zealand's leading lawyers in litigation and dispute resolution. Hayden is also recognised by Who's Who Legal as both a Global Leader and National Leader in their Commercial Mediation guide. He has recently been named on the Legal 500 Arbitration Powerlist for Australasia.

Hayden works across the range of disputes and public law disciplines including core administrative public law issues, advice on constitutional and administrative law, legislative obligations, and regulation in the public sector. He helps both public and private sector clients to manage a wide range of public law and commercial issues

Hayden specialises in helping clients manage their relationships with Government, Crown entities and regulators. Hayden is deeply connected with Government and the public service, and calls on those relationships to assist clients to resolve issues and disputes.

He is experienced in managing highly confidential information. Hayden and his team provide crisis management support and advice in relation to government or regulatory investigations, inquiries or prosecutions.

Hayden has significant expertise in undertaking and managing investigations and inquiries. His public law expertise brings a deep understanding of legal processes, including the requirements of natural justice.

*"Hayden brings an ability to understand complex business arrangements and industry nuance and knows how those can be reflected in an easily applicable legal context. What we have found makes Hayden different is his ability to work with parties to generate new and innovative ideas that have real commercial value. He has an ability to join dots that others don't see. There are not many lawyers or mediators like him" - client feedback*

Dear Jeff and Carol,

I hope this email finds you well.

Further to the earlier emails, I write regarding the nomination by Geoff Sharp and me of our New Zealand colleague and friend, Hayden Wilson, to the IAM.

I **attach** Hayden's nomination form, signed by Geoff and me. I also attach Hayden's CV.

I have spoken to each of Hayden's three referees, Matthew McClelland QC, Elspeth Horner and Margaret Matthews. All three are experienced NZ lawyers. All three spoke of Hayden, and his mediation skills, in the highest terms. Comments included: "huge people skills", "fantastic", "very good at keeping momentum going", "brought the elements together", "he was so impressive that in-house counsel subsequently sent out an email recommending Hayden", and "did a great job".

For my part, I consider Hayden to be one of the leading mediators in NZ. He mediates regularly I know. He has a deep technical and theoretical understanding of mediation. He speaks regularly on mediation. He is a supportive colleague. Quite how he does all of this whilst still chairing a major law firm I do not know. Woe betide the rest of us when he gets some more free time!

I wholeheartedly support his nomination. I know Geoff does too.

Please let me know what else we can do, and/or if there are any queries.

Ngā mihi nui / Kind regards

Mark

**MARK KELLY**

BARRISTER & COMMERCIAL MEDIATOR | **BANKSIDE** CHAMBERS  
LLB (Hons) BA FAMINZ