

Washington University Law

Negotiation and Dispute Resolution Program



Director's Letter



JOE ANGELIS

PROGRAM STRENGTHS

- **DISTINGUISHED, EXPERIENCED FACULTY** who are outstanding teachers, scholars, and practitioners;
- **A UNIQUE FIRST-YEAR NEGOTIATION** course;
- **A RICH UPPER-LEVEL ADR CURRICULUM** with 20 courses, clinics, and internships;
- **CUTTING-EDGE INTER-DISCIPLINARY** scholarship and courses;
- **INTERNATIONAL experiential learning** opportunities; and
- **AN INSTITUTIONAL COMMITMENT** to public service and public interest lawyering.

Washington University School of Law is a long-standing leader in negotiation and dispute resolution education. At Washington University, we believe that lawyers must be versed in negotiation, problem-solving, collaboration, and creative dispute resolution to practice successfully in today's world.

Our systematic progression of ADR courses, clinics, seminars, and competitions prepares our graduates to enter the legal profession as effective and skilled negotiators, mediators, arbitrators, diplomats, ombudspersons, practitioners, policymakers, and business leaders in local, national, and international arenas.

Washington University provides an introductory *Negotiation* course for all first-year law students—one of the few law schools in the country to provide this opportunity. This required intersession course, taught by full-time faculty, introduces first-year students to negotiation theory and practice while enhancing their understanding of professional identity, judgment, and ethics. The law school also offers intramural Client Counseling and Negotiation Skills Competitions for first-year students to impress upon them from their first year the importance of these fundamental lawyering skills.

Washington University's robust upper-level ADR curriculum includes 20 courses, many of which are offered in multiple sections. Students can choose from a rich array of theory and practice courses, seminars, clinics, and internship opportunities in the United States and overseas.

Our distinguished faculty includes several full-time faculty members with expertise in psychology, business, economics, and international human rights, who teach, write, and practice in the field of dispute resolution. Our distinguished faculty also includes top local practitioners with ADR expertise.

Washington University's innovative Negotiation and Dispute Resolution Program frequently collaborates with the award-winning Clinical Education and Trial & Advocacy Programs to provide our students with an outstanding legal education.

Sincerely,

KAREN TOKARZ

Director, Negotiation and Dispute Resolution Program, and
Charles Nagel Professor of Public Interest Law & Public Service

(front cover, clockwise left): Professor **Rebecca Hollander-Blumoff**, a respected procedural justice scholar, teaches *Negotiation*, *Advanced Negotiation*, and *Law & Psychology*. Professor **Karen Tokarz**, left, director of the Negotiation and Dispute Resolution Program, teaches *Mediation Theory & Practice* and the *Civil Rights, Community Justice & Mediation Clinic*; co-teaches the *International Justice & Conflict Resolution Practicum*; and coordinates the Africa Public Interest Law & Conflict Resolution summer project. **Ilunga Kalala**, JD '13, front row right, assisted in peace-keeping education efforts as an intern for Search for Common Ground in Kinshasa, Democratic Republic of the Congo, in summer 2011.

Innovative First-Year Negotiation Course, Robust Upper-Level ADR Curriculum

Washington University School of Law's Negotiation and Dispute Resolution Program's curriculum is among the strongest in the country. Washington University is one of the few law schools in the nation to provide an introductory *Negotiation* course for all law students. This first-year *Negotiation* course, offered during intersession, lays the foundation for learning in upper-level negotiation and dispute resolution courses and in doctrinal courses. *Pretrial Practice & Settlement*—which introduces students to interviewing, counseling, and negotiation in the context of pleadings, discovery, motion practice, and settlement—has been one of the most popular courses in the upper-class curriculum for more than three decades.



CHERIE TADON

Professor **Ann Shields**, right, coordinates 14 sections of *Pretrial Practice & Settlement* each year, as well as the first-year intramural Client Counseling and Negotiation Competitions.

Introductory ADR Courses

- *Negotiation*—7–8 sections/year
- *Introduction to U.S. & Comparative ADR Processes*—2 sections/year

ADR Theory & Practice Courses

- *Pretrial Practice & Settlement*—14 sections/year
- *Mediation Theory & Practice*—7 sections/year
- *Family Mediation Theory & Practice*
- *Negotiation Theory & Practice*
- *Business Negotiation Theory & Practice*—2 sections/year
- *Business Planning & Drafting: The Deal*
- *Business Planning & Drafting: Fundamentals of M&A Transactions*
- *Arbitration Theory & Practice*
- *International Commercial Arbitration*
- *Securities Law: Litigation & Arbitration*
- *Sports Law: Planning, Drafting & Negotiation*

Capstone ADR Courses

- *Civil Rights, Community Justice & Mediation Clinic*—2 sections/year
- *Advanced Mediation & ADR Processes*—2 sections/year
- *International Justice & Conflict Resolution Practicum*—2 sections/year
- *Advanced Negotiation Theory Seminar*
- *Game Theory & the Law Seminar*
- *ABA Negotiation Competition*
- *ABA Representation in Mediation Competition*

Distinguished Negotiation, ADR, and Related Trial Practice Faculty

Our distinguished full-time faculty includes several faculty members who teach, write, and practice in the areas of Negotiation, ADR, Pretrial, and Trial Practice.

- **Karen Tokarz**, director, Negotiation and Dispute Resolution Program, and Charles Nagel Professor of Public Interest Law & Public Service
- **C.J. Larkin**, administrative director, Negotiation and Dispute Resolution Program, and senior lecturer in law
- **Rebecca Hollander-Blumoff**, associate professor of law
- **Ann Shields**, director, Pretrial Program; professor of practice; and Faculty Ombudsperson
- **Leila Nadya Sadat**, director, Whitney R. Harris World Law Institute, and Henry H. Oberschelp Professor of Law
- **Scott Baker**, professor of law and professor of economics
- **Peter Joy**, vice dean and Henry Hitchcock Professor of Law
- **Katherine Goldwasser**, professor of law
- **Michael Koby**, director, Trial & Advocacy Program, and professor of practice

Our distinguished faculty also includes top local practitioners with expertise in negotiation, mediation, and arbitration.



Participants in the 2009 Negotiation and Dispute Resolution Program Roundtable

Negotiation and Dispute Resolution Program Hosts Scholarship Roundtables

The Negotiation and Dispute Resolution Program hosts bi-annual national scholarship roundtables in conjunction with the *Washington University Journal of Law & Policy*. The fall 2009 roundtable generated a volume in the *Journal* focusing on “New Directions in ADR & Clinical Legal Education,” which features articles by Beryl Blaustone (CUNY), Kim Emery (Virginia), Jeff Giddings (Griffith), Carmen Heurtas-Noble (CUNY), Paul Holland (Seattle), Jon Hyman (Rutgers), and Carol Izumi (UC Hastings). The fall 2011 roundtable, which will focus on “New Directions in Negotiation & ADR,” will include Jennifer Brown (Quinnipiac), Art Hinshaw (Arizona State), John Lande (Missouri), Jennifer Reynolds (Oregon), Andrea Schneider (Marquette), and others.

Washington U. Teams Garner Success in National ADR Skills Competitions



Members of the ABA Representation in Mediation Competition Team (center) and their coaches celebrate their second-place win at the 2009 National Championship.

Washington University students have achieved remarkable success in negotiation and dispute resolution national skills competitions during the past 25 years. Washington University has won the national championships in the ABA Client Counseling and Negotiation Competitions, and Washington University teams have finished second, third, fifth, and seventh in the nation since first entering the highly competitive ABA Representation in Mediation Competition seven years ago.

ADR Domestic and International Experiential Learning Opportunities

Washington University upper-level students may participate in clinics, practica, and internships in which they engage in negotiation and dispute resolution in domestic and international venues, including:

- *Civil Rights, Community Justice & Mediation Clinic* (housing court mediations and mortgage foreclosure negotiations)
- *Advanced Mediation & ADR Processes* (consumer mediations at the Better Business Bureau)
- *International Justice & Conflict Resolution Practicum* (full-semester externships with agencies and courts such as the International Criminal Tribunals and the Permanent Court of Arbitration)
- *Africa Public Interest Law & Conflict Resolution Initiative* (10-week summer internships with agencies and courts such as the International Labour Organization and the Ghana Supreme Court ADR Programme)



Sarah Placzek, JD/MSW '10, took several upper-level ADR courses and internships in preparation for a career in international human rights work. She was a summer intern at the Legal Resources Centre in Accra, Ghana, (above, standing left) and at the United Nations Inter-Agency Project on Human Trafficking in Bangkok, Thailand. Her capstone experience was her semester-long placement with the Prosecutor's Offices at the International Criminal Tribunal for Rwanda through the *International Justice & Conflict Resolution Practicum*.

FAST FACTS

Percentage of Recent Graduates Taking Upper-Level ADR Courses

- 90%—at least one upper-level ADR course
- 60%—two or more upper-level ADR courses
- 30%—three or more upper-level ADR courses
- 10%—four or more upper-level ADR courses

Post-Graduate International Stipends Open Doors into ADR Practice

The Negotiation and Dispute Resolution Program, in conjunction with U.S. Arbitration & Mediation Midwest Inc., provides an annual post-graduate stipend for a graduate with demonstrated interest in pursuing a career in international ADR.



Tom Burgess, JD '10, back row, second from left, interned at Black Sash in Cape Town, South Africa, in summer 2008. He returned to Cape Town after graduation in 2010 to teach English and peace-building skills at the Sophumelela School in the Samora Machel township.



Elsa Trimble Hart, JD '11, took *Mediation Theory & Practice* and the *Civil Rights, Community Justice & Mediation Clinic* while in law school. She accepted an internship after graduation with the Dacheng Law Offices in Kunming, the capital of Yunnan Province, China, where she aids in counseling clients on dispute resolution strategies and assists in negotiations and mediations.

Negotiation and Dispute Resolution Program Trainings, CLEs, and Speakers

The Negotiation and Dispute Resolution Program sponsors trainings, CLE programs, and lectures each year for students, faculty, and the community. The program co-sponsored the required Advanced Mediation Training for Court Certified ADR Neutrals with the U.S. District Court for the Eastern District of Missouri in 2006 and 2011.



ADR Speakers and Lectures



Jennifer Robbenolt, professor of law, Illinois, *Mea Culpa: The Role of Apologies in Legal Decision-Making*

Wilma Liebman, chair, National Labor Relations Board, *The Revival of American Labor Law*



Jeff Giddings, professor of law, Griffith University, *ADR in Australia: From Indigenous Culture to Modern Day Co-Option by the Courts*

Betty Oyella Bigombe, fellow, Woodrow Wilson International Center, *The Challenges of Mediation: Peace Negotiations with the Lord's Resistance Army in Uganda*



Marc Galanter, John and Rylla Bosshard Professor of Law & South Asian Studies, University of Wisconsin, *Fewer Trials, More Law, More Jokes*

Kenneth Feinberg, Fund Special Master, *Negotiating the September 11 Victim Compensation Fund: Mass Tort Resolution Without Litigation*



(left) Adjunct professors **James Reeves**, left, and **Alan Pratzel**, JD '78, Missouri Supreme Court chief disciplinary counsel, discuss ethics in mediation with Judge **Jean Hamilton**, JD '71, at the 2011 U.S. District Court ADR training program.