

NANCY A. WELSH

PROFESSIONAL EXPERIENCE

Professor of Law, Penn State University, Dickinson School of Law, Carlisle, PA

July 2004 to present

- Courses: Civil Procedure, Negotiation/Mediation, Conflict Resolution Theory Seminar, Dispute Resolution: Comparative and International Perspectives, and Constitutional Law.
- Faculty advisor: Certificate in Dispute Resolution and Advocacy, ADR Society

Visiting Professor (Fulbright Grant Recipient), Department of Private Law, Tilburg University

Tilburg, The Netherlands

January 2006 to June 2006

Associate Professor and Associate Director of the Center for Dispute Resolution, Penn State University, Dickinson School of Law, Carlisle, PA

July 2002 to June 2004

Assistant Professor and Associate Director of the Center for Dispute Resolution, Pennsylvania State University-Dickinson School of Law, Carlisle, PA

July 1998 to June 2002

Senior Consultant and Independent Contractor, Mediation Center, Minneapolis, MN

March 1998 to June 1998

Executive Director, Mediation Center, Minneapolis, MN

June 1989 to February 1998

Adjunct Professor, Hamline University School of Law, St. Paul, MN

June 1988 to June 1991

Director of Mediation Services, Mediation Center, St. Paul, MN

December 1986 to May 1989

Attorney, Leonard, Street and Deinard, Minneapolis, MN

September 1982 to December 1986

EDUCATION

Harvard Law School, Cambridge, MA

J.D., June 1982

Allegheny College, Meadville, PA

B.A., *magna cum laude*, June 1979

- Departmental honors in English and Political Science.

SELECTED PUBLICATIONS

Books

DISPUTE RESOLUTION AND LAWYERS, 4th ed. (co-authored with Leonard Riskin, James Westbrook, Chris Guthrie, Richard Reuben, and Jennifer Robbennolt) (2009).

Articles in Law Reviews and Peer-Reviewed Journals

What's "(Im)Partial Enough" in a World of Embedded Neutrals?, ___ ARIZONA L. REV. ___ (part of special issue on funding justice) (forthcoming, 2010).

You've Got Your Mother's Laugh: What Bankruptcy Mediation Can Learn from the Her/History of Divorce and Child Custody Mediation, ___ AMERICAN BANKRUPTCY INSTITUTE L. REV. ___ (forthcoming, 2010).

Is That All There Is?: "The Problem" in Court-Oriented Mediation 15 GEORGE MASON LAW REVIEW 863 (2008) (co-authored with Leonard Riskin).

Looking Down the Road Less Traveled: Challenges to Persuading the Legal Profession to Define Problems More Humanistically, 2008 JOURNAL OF DISPUTE RESOLUTION 45 (2008) (part of University of Missouri-Columbia symposium entitled "Innovative Models of Lawyering: Collaborative Law and Other Processes").

The Future of Mediation: Court-Connected Mediation in the U.S. and The Netherlands Compared, 1 FORUM VOOR CONFLICTMANAGEMENT 19 (2007).

En vergelijking tussen doorverwijzing naar mediation in civiele zaken: voorspelt de ervaring van de Verenigde Staten (VS) de toekomst van Nederland? (Comparing Court-Connected Non-Family Civil Mediation: Does the U.S. Experience Predict The Netherlands' Future?), 7 TREMA 310 (September, 2007).

Look Before You Leap and Keep On Looking: Lessons from the Institutionalization of Court-Connected Mediation, 5 NEVADA LAW JOURNAL 399 (2005) (co-authored with Bobbi McAdoo).

The Place of Court-Connected Mediation in a Democratic Justice System, 5 CARDOZO JOURNAL OF CONFLICT RESOLUTION 117 (2004).

- Excerpt in James Alfini et al., *MEDIATION THEORY AND PRACTICE*, 2ND ED. (LexisNexis, 2006) at pp. 562-566.

Stepping Back Through the Looking Glass: Real Conversations with Real Disputants About Institutionalized Mediation and Its Value, 19 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 573 (2004).

Remembering the Role of Justice in Resolution: Insights from Procedural and Social Justice Theory, 54 JOURNAL OF LEGAL EDUCATION 49 (2004).

Perceptions of Fairness in Negotiation, 87 MARQUETTE LAW REVIEW 753 (2004).

- Excerpt in Jay Folberg, et al., *Lawyer Negotiation: Theory, Practice and Law* (Aspen, 2006) at pp. 21-25.

The Law of Bargaining, 87 MARQUETTE LAW REVIEW 839 (2004) (co-authored with Russell Korobkin and Michael Moffitt).

- Excerpt in Jay Folberg, et al., RESOLVING DISPUTES: THEORY, PRACTICE AND LAW (Aspen, 2005) at pp. 207-209.

Negotiation as One Among Many Tools, 87 MARQUETTE LAW REVIEW 853 (2004) (co-authored with Jennifer G. Brown, Marcia C. Campbell, & Jayne S. Docherty).

Institutionalized Conflict Resolution: Have We Come to Expect Too Little?, 18 NEGOTIATION JOURNAL 345 (October, 2002) (co-authored with Peter T. Coleman).

Searching for a Sense of Control: The Challenge Presented by Community Conflicts Over Concentrated Animal Feeding Operations, 10 PENN STATE ENVIRONMENTAL LAW REVIEW 295 (2002) (co-authored with Barbara Gray).

Disputants' Decision Control in Court-Connected Mediation: A Hollow Promise Without Procedural Justice, 2002 JOURNAL OF DISPUTE RESOLUTION 179 (2002).

Community Conflicts Over Intensive Livestock Operations: How and Why Do Such Conflicts Escalate?, 7 DRAKE JOURNAL OF AGRICULTURAL LAW 7 (2002) (co-authored with Charles W. Abdalla, John C. Becker, Ralph Hanke, Celia Cook-Huffman, and Barbara Gray).

Making Deals in Court-Connected Mediation: What's Justice Got To Do With It?, 79 WASHINGTON UNIVERSITY LAW QUARTERLY 787 (2001).

- Excerpt in Dwight Golann & Jay Folberg, MEDIATION: THE ROLES OF ADVOCATE AND NEUTRAL (Aspen, 2006) at pp. 421-24.
- Excerpt in Leonard Riskin, et al., DISPUTE RESOLUTION AND LAWYERS, 3RD ED. (Thomson/West, 2005) at pp. 801-804.
- Excerpt in Kimberlee Kovach, MEDIATION: PRINCIPLES AND PRACTICE, 3RD ED. (Thomson/West, 2004) at pp. 224-228.
- Short excerpt in Stephen Subrin, et al., CIVIL PROCEDURE: DOCTRINE, PRACTICE AND CONTEXT, 2ND ED. (Aspen, 2004) at p.524.

The Thinning Vision of Self-Determination in Court-Annexed Mediation: The Inevitable Price of Institutionalization?, 6 HARVARD NEGOTIATION LAW REVIEW 1 (2001).

- Recognized as one of the three most-cited articles from the first ten years of the law review's existence.
- Excerpt in Carrie Menkel-Meadow, et al., MEDIATION: PRACTICE, POLICY AND ETHICS (Aspen, 2006) at pp. 580-581.
- Excerpt in Carrie Menkel-Meadow, et al., DISPUTE RESOLUTION: BEYOND THE ADVERSARIAL MODEL (Aspen, 2005) at pp. 320-321.
- Excerpt in Leonard Riskin, et al., DISPUTE RESOLUTION AND LAWYERS, 3RD ED. (Thomson/West, 2005) at pp. 466-468.

Not Quite Protocols: Toward Collaborative Research in Dispute Resolution, 19 CONFLICT RESOLUTION QUARTERLY 75 (2001) (co-authored with Christopher Honeyman and Barbara McAdoo).

Adaptations to the Civil Mediation Model: Suggestions from Research into the Approaches to Conflict Resolution Used in the Twin Cities' Cambodian Community, 15 MEDIATION QUARTERLY 345 (Summer, 1998) (co-authored with Debra Lewis).

Does ADR Really Have A Place on the Lawyer's Philosophical Map?, 18 HAMLIN JOURNAL OF PUBLIC LAW AND POLICY 376 (1997) (co-authored with Barbara McAdoo).

Court-Ordered ADR: What Are the Limits?, 12 HAMLIN JOURNAL OF PUBLIC LAW AND POLICY 35 (1991).

Chapters in Books

Online Communication Technology and Relational Development, in RETHINKING NEGOTIATION TEACHING (Christopher Honeyman, James Coben & Giuseppe De Palo, eds., 2009) (co-authored with Anita Bhappu, Noam Ebner, & Sanda Kaufman).

Mediation Confidentiality in the U.S. in MEDIATION EN VERTROUWELIJKHEID (MEDIATION AND CONFIDENTIALITY) (Hester Montree and Alexander Oosterman, eds., 2009).

Perceptions of Fairness in Negotiation, in THE NEGOTIATOR'S FIELDBOOK (Andrea Schneider & Christopher Honeyman, eds., 2006).

The Law of Bargaining, in THE NEGOTIATOR'S FIELDBOOK (Andrea Schneider & Christopher Honeyman, eds., 2006) (co-authored with Russell Korobkin & Michael Moffitt).

Institutionalization and Professionalization, in THE HANDBOOK OF DISPUTE RESOLUTION (Michael Moffitt & Robert Bordone, eds., 2005).

Court-Connected General Civil ADR Programs: Aiming for Institutionalization, Efficient Resolution and the Experience of Justice, in ADR HANDBOOK FOR JUDGES (Donna Stienstra & Susan Yates, eds., 2004) (co-authored with Bobbi McAdoo).

Reconciling Self-Determination, Coercion and Settlement in DIVORCE MEDIATION: CURRENT PRACTICES AND APPLICATIONS (J. Folberg, Ann Milne and Peter Salem, eds., 2004).

Alternative Dispute Resolution (ADR) in Minnesota--An Update on Rule 114 in COURT-ANNEXED MEDIATION: CRITICAL PERSPECTIVES ON SELECTED STATE AND FEDERAL PROGRAMS, 203 (Edward Bergman and John Bickerman, eds., 1998) (co-authored with Barbara McAdoo).

- Excerpt in Jay Folberg, et al., RESOLVING DISPUTES: THEORY, PRACTICE AND LAW (Aspen, 2005) at pp. 388-390.
- Excerpt in Dwight Golann & Jay Folberg, MEDIATION: THE ROLES OF ADVOCATE AND NEUTRAL (Aspen, 2006) at p. 426-427.

Articles in Professional Journals

What's It All About?: Finding the Appropriate Problem-Definition in Mediation, __ DISP. RESOL. MAG. __ (Summer 2009) (co-authored with Leonard Riskin).

Eyes on the Prize: The Struggle for Professionalism, 11 DISPUTE RESOLUTION MAGAZINE 13 (Spring 2005) (co-authored with Bobbi McAdoo).

Institutionalizing Mediation in the Courts: What Do Empirical Studies Tell Us?, 9 DISPUTE RESOLUTION MAGAZINE 8 (Winter, 2003) (co-authored with Barbara McAdoo and Roselle Wissler).

- Excerpt in Leonard Riskin, et al., DISPUTE RESOLUTION AND LAWYERS, 3RD ED. (Thomson/West, 2005) at pp. 693-697.
- Short excerpt in James Alfini et al., MEDIATION THEORY AND PRACTICE, 2ND ED. (LexisNexis, 2006) at pp. 537-540.

All in the Family: Darwin and the Evolution of Mediation, 7 DISPUTE RESOLUTION MAGAZINE 20 (Winter, 2001).

Arbitration Clauses and Beyond: Avoiding Pitfalls in Drafting Dispute Resolution Clauses in Employment Contracts, 1 JOURNAL OF ALTERNATIVE DISPUTE RESOLUTION IN EMPLOYMENT 35 (Fall, 1999).

The ABCs of ADR: Making ADR Work in Your Court System, 37 THE JUDGES JOURNAL 11 (Winter, 1998) (co-authored with Barbara McAdoo).

Grappling the Monster Case: The Next Frontier in ADR, 54 BENCH AND BAR OF MINNESOTA 21 (September, 1997) (co-authored with Federal District Court Judge Ann Montgomery).

System Implementation Means Difficult Choices, 14 ALTERNATIVES TO THE HIGH COST OF LITIGATION 135 (December, 1996) (co-authored with Barbara McAdoo).

The Times They Are A' Changin'--Or Are They? An Update on Rule 114, 65 HENNEPIN LAWYER 8 (July-August, 1996) (co-authored with Barbara McAdoo).

Monographs and Reports

One Foray into the Theory-Practice Divide: Lessons for Future Expeditions in ENGINEERING BROAD-BASED DISCUSSIONS: ENGAGING MULTIDISCIPLINARY GROUPS TO CREATE NEW IDEAS IN CONFLICT RESOLUTION 5 (monograph) (2003) (co-authored with Grace D'Alo).

Here There Be Monsters: At the Edge of the Map of Conflict Resolution in MONSTERS IN THE WATERS: FEAR AND SUSPICION DIVIDE THE FIELD OF CONFLICT RESOLUTION 1 (monograph) (2001) (co-written with Christopher Honeyman and Barbara McAdoo).

ALTERNATIVE CONFLICT RESOLUTION STRATEGIES FOR ADDRESSING COMMUNITY CONFLICTS OVER INTENSIVE LIVESTOCK OPERATIONS (report submitted in June, 2000 to the Pennsylvania Department of Agriculture) (co-authored with Barbara Gray, Charlie Abdalla, John Becker and Celia Cook-Huffman).

A GUIDEBOOK ON COMMUNITY PARTICIPATION IN ADDRESSING DISPUTES OVER INTENSIVE LIVESTOCK OPERATIONS (submitted in June, 2000 to the Pennsylvania Department of Agriculture) (co-authored with Barbara Gray, Charlie Abdalla, John Becker and Celia Cook-Huffman).

On-line Publications

The State of the States: Dispute Resolution in the Courts, Symposium Issue, CARDOZO ONLINE JOURNAL OF CONFLICT RESOLUTION (sponsored by the *Cardozo Online Journal of Conflict Resolution*, the National Center for State Courts, and the Policy Consensus Initiative) (September, 1999).

Manuscripts in Progress

I Could Have Been A Contender: Iqbal As Deterrent to Negotiation, Mediation and Other Forms of Early, Autonomous Dispute Resolution, __PENN STATE L. REV.__ (working title) (forthcoming, 2010).

Driving on the Bridge—and Hoping the Railings Hold, ____ LAW AND SOCIAL INQUIRY ____ (working title) (book review) (forthcoming, 2010).

Talking to the Screen: Examining the Use of Videoconferencing in Legal Education and Dispute Resolution (working title) (co-authored with Barbara Brunner).

Comparing Mediation in the U.S. and the Netherlands: The Special Case of Confidentiality and Privilege (working title).

SELECTED PRESENTATIONS, SYMPOSIA AND WORKSHOPS

Presenter, ABA Section of Dispute Resolution Annual Conference and Legal Educators' Colloquium, San Francisco, CA, April 8-10, 2010.

Plenary speaker, Symposium on ADR in the Courts, co-sponsored by the ABA Section of Dispute Resolution and the California Administrative Office of the Courts, San Francisco, CA, April 7, 2010.

Invited participant, Joint Symposium on International Investment and ADR: Preventing and Managing Investment Treaty Conflict, Washington & Lee University School of Law's Frances Lewis Law Center and United Nations Conference on Trade and Development, Lexington, VA, March 29, 2010.

Moderator and organizer, Reflections on *Iqbal* Symposium, Penn State University, Dickinson School of Law, Carlisle (in-person) and University Park (simulcast), PA, March 26, 2010.

Keynote presenter, ADR Institute, Pennsylvania Bar Institute, Pittsburgh (in-person) and Philadelphia (simulcast), PA, March 4, 2010.

Invited presenter, Conflict Resolution and the Economic Crisis, William Boyd School of Law, University of Nevada at Las Vegas, Las Vegas, Nevada, February 12-13, 2010.

Invited presenter, "Moving Mediation" Conference, Dutch Council for the Judiciary, Ministry of Justice and the Netherlands Court-Connected Mediation Agency, The Hague, The Netherlands, November 19-20, 2009.

Invited presenter, Conference on User Driven Approaches in Dispute Resolution, Tilburg University Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution Systems, Tilburg, The Netherlands, November 16-17, 2009.

Faculty member, Advanced Mediation and Advocacy Skills Institute, ABA Section of Dispute Resolution, Philadelphia, PA, October 15-16, 2009.

Invited presenter, "You've Got Your Mother's Laugh: What Bankruptcy Mediation Can Learn from the Her/History of Divorce and Child Custody Mediation," Symposium--ADR Meets Bankruptcy: Cross-Purposes or Cross-Pollination?, St. John's University School of Law, Queens, NY, October 2, 2009.

Co-presenter (with Barbara Brunner), "Managing the Impact of Videoconferencing on the Relational Element of Legal Education and Dispute Resolution," Online Dispute Resolution Forum, University of Haifa, Haifa, Israel, June 3-4, 2009.

Presenter, "What Is '(Im)partial Enough' in a World of Embedded Neutrals?," ABA Section of Dispute Resolution Works-in-Progress Conference, Arizona State University, Sandra Day O'Connor College of Law, October 24, 2008.

Invited presenter, "How Much (Im)partiality Can We Afford in Dispute Resolution Processes?," University of Nevada-Las Vegas, William S. Boyd School of Law, October 22, 2008.

Invited presenter, "ADR and Multi-party Disputes," Conference on Access to Justice in European Mass Disputes, Tilburg University and Ministry of Justice of the Netherlands, October 3, 2008.

Invited presenter, "What Is '(Im)partial Enough' in a World of Embedded Neutrals?," Dispute Resolution Series, Hofstra University School of Law, Hempstead, New York, September 17, 2008.

Presenter, "The New Lawyer: Is Settlement Transforming the Practice of Law?" 10th Annual ABA Section of Dispute Resolution Spring Conference, Seattle, Washington, April 3-5, 2008.

Presenter and moderator, "Balancing Client Self-Determination and Efficient Resolution of Family Cases," 44th Annual Conference of the Association of Family and Conciliation Courts, Washington D.C., May 30 – June 2, 2007.

Plenary presenter, "Recent Developments in ADR Research: What Courts and ADR Neutrals Need to Know," National Conference on Court ADR, 9th Annual ABA Section of Dispute Resolution Spring Conference, Washington D.C., April 25-28, 2007.

Presenter, "Civil vs. Common Law: Does Context Matter in ADR?" 9th Annual ABA Section of Dispute Resolution Spring Conference, Washington D.C., April 25-28, 2007.

Keynote speaker, "What Is 'Impartial Enough' in a World of Embedded Neutrals?" 2007 Northern California ADR Faculty Conference, Stanford Law School, Palo Alto, California, April 21, 2007.

Plenary presenter, "The Ethics of Impartiality and Conflicts of Interest in ADR," 3rd Annual ADR Institute, Pennsylvania Bar Institute, Philadelphia, March 1, 2007.

Presenter, Symposium honoring the work of Leonard Riskin, University of Missouri-Columbia, October 20, 2006 (with article to be published in future issue of JOURNAL OF DISPUTE RESOLUTION).

Keynote speaker and workshop presenter, 15th Annual Conference of Dispute Resolution Center of the Supreme Court of Florida, Orlando, Florida, August 24-26, 2006.

Presenter and panelist, "Comparing the Needs Currently Addressed by Court-Connected Mediation in the U.S. and The Netherlands and Looking to the Future" and "Is (Statutory) Regulation a Good Incentive for Parties to Choose Mediation?," in "The State of Affairs of Mediation in Europe. What Can Governments Do (More)?" International Expert Meeting sponsored by the Dutch Ministry of Justice, in The Hague, The Netherlands, June 29-30, 2006.

Presenter, "The Value of Mediation for 'One-Time' and 'Repeat' Disputants," Erasmus University, in Rotterdam, The Netherlands, May 29, 2006.

Presenter, "The Future of Mediation in The Netherlands," Workshop sponsored by The Netherlands Ministry of Justice and WODC, in The Hague, The Netherlands, May 24, 2006.

Presenter, "Current Developments in Mediation in the U.S.," Workshop sponsored by ACBMediation, in The Hague, The Netherlands, May 17, 2006.

Presenter, "The Rise of the Embedded Neutral: Operating Within the Shadow of the Judge or Expropriating and Undermining the Judge's Legitimacy?," with Honorary Chair Robert Mnookin, Seminar sponsored by Tilburg University, The Catholic University of Leuven, and The Francqui Foundation, in Tilburg, The Netherlands, May 16, 2006.

Presenter, "Mediation: A Trans-Atlantic Dialogue," Workshop sponsored by the Institut für Anwaltsrecht of The University of Cologne, in Cologne, Germany, May 11, 2006.

Presenter, "The Successful Institutionalization of Alternative Processes in U.S. Courts, the Rise of the 'Embedded Neutral,' and New Concerns About Courts' Deference," sponsored by the Private Law Department at Tilburg University, in Tilburg, The Netherlands, May 8, 2006.

Presenter, "The Value of Mediation for 'One-Time' and 'Repeat' Disputants," Conference on "Advocaat en Mediation" (The Advocate and Mediation), sponsored by de Rechtspraak and Nederlandse Orde van Advocaten, Amersfoort, The Netherlands, April 24, 2006.

Presenter, "Impartiality and Neutrality: How Much Is Enough?," Legal Educators' Colloquium, Annual Conference of the ABA Section of Dispute Resolution, in Atlanta, Georgia, April 6-8, 2006.

“An Overview of Mediation with a Focus on Victim-Offender Mediation,” Workshop sponsored by the International Victimology Institute of Tilburg University, in Tilburg, The Netherlands, March 14, 2006.

Presenter, “Embedded Neutrals, the Appearance of Impartiality and Unacknowledged Normative Choices,” Quinnipiac University School of Law, in Hamden, Connecticut, December 8, 2005.

Participant and presenter, Conference on Court ADR Research, hosted by the Federal Judicial Center and the Moritz College of Law of the Ohio State University, in Washington D.C., November 17-18, 2005.

Presenter, “Embedded Neutrals, the Appearance of Impartiality and Unacknowledged Normative Choices,” Marquette University Law School, in Milwaukee, Wisconsin, November 1, 2005

Presenter, “The Da Vinci Code, Feminist Theory and the Institutionalization of Dispute Resolution Processes and Courses in the Courts and Academia,” 18th Annual Conference of the International Association for Conflict Management, in Seville, Spain, June 12-15, 2005.

Keynote Speaker, “Stepping Back Through the Looking Glass: Real Conversations with Parents and School Officials about Special Education Mediation and its Value,” Conference sponsored by Connecticut SERC and the Centers on Dispute Resolution and Children and Families of the Quinnipiac University School of Law, in Hamden, Connecticut, May 18, 2005.

Presenter, “What Can Empirical Research Teach Us?,” Legal Educators’ Colloquium, Annual Conference of the ABA Section of Dispute Resolution, in Los Angeles, California, April 14-16, 2005

Presenter, “What Does Justice Have to Do With Mediation?,” Dispute Resolution Lecture Series, William Boyd School of Law of the University of Nevada, Las Vegas, in Las Vegas, Nevada, April 1, 2005.

Presenter, “Is Mediation the Practice of Law?,” ADR Institute sponsored by Pennsylvania Bar Institute and Philadelphia Bar Association, in Philadelphia, Pennsylvania, March 23, 2005.

Presenter, “Eyes on the Prize: The Struggle Toward Professionalism,” Colloquium Series, University of St. Thomas School of Law, in Minneapolis, Minnesota, March 14, 2005.

Participant, “Theory/Practice in Collaborative Problem Solving,” Hewlett Foundation-funded conference, in Boulder, Colorado, February 4-5, 2005.

Presenter, “Disputant Perceptions of Institutionalized Special Education Mediation Services,” Consortium for Appropriate Dispute Resolution in Special Education, Third Annual Symposium on Dispute Resolution in Special Education, in Washington, D.C., December 3, 2004.

Presenter, "Symposium: Institutional Impacts on Efforts to Refine Negotiation Methods in Practice," 17th Annual Conference of the International Association for Conflict Management, Pittsburgh, PA, June 6-9, 2004.

Presenter, Symposium entitled "Justice in Mediation," hosted by the Cardozo School of Law of Yeshiva University, New York City, March 12, 2004.

Participant, Workshop organized by the Hewlett Foundation and Stanford University to discuss the evolution and future development of the field of conflict resolution, Washington DC, January 9-10, 2004.

Participant, Meeting hosted by Marquette University Law School to discuss and define a negotiation "canon," Milwaukee, WI, November 7-9, 2003.

Presenter, "Designing and Measuring ADR Performance: How to Gain Friends and Money," Pre-Conference Meeting of the Court Section of the Association of Conflict Resolution (ACR) and the Policy Consensus Initiative, 2003 Annual Conference of ACR, Orlando, FL, October 15, 2003.

Co-organizer and moderator, "Dispute Resolution and Capitulation to the Routine: Is There A Way Out?," symposium co-sponsored by The Dickinson School of Law of The Pennsylvania State University, the Broad Field Project and the Research Section of the Association for Conflict Resolution, Carlisle, PA, April 10-11, 2003.

Presenter, "Teaching Ideas from the Theory to Practice/Broad Field Initiatives" and "It's the Context, Stupid! Why the Context Matters in Institutionalizing Mediation," Fifth Annual Conference of the ABA Section on Dispute Resolution, San Antonio, TX, March 20-22, 2003.

Plenary presenter, "Insights from Social and Procedural Justice Theory," 2003 Annual Meeting Workshop on Alternative Dispute Resolution, AALS, Washington D.C., January 3, 2003.

Presenter, "Social and Procedural Justice and the Role of ADR," 2003 Annual Meeting Workshop on Alternative Dispute Resolution, AALS, Washington D.C., January 3, 2003.

Presenter, "Can Two Wrongs Make a Right? Exploring the Fuzzy Math of Mediator Ethics," 11th Annual Emerging Issues in Mediation Conference of the University of Wisconsin-Madison Division of Professional Development and Applied Studies and the Wisconsin Association of Mediators, Madison, WI, November 13, 2002.

Speaker, "Stepping Back Through the Looking Glass: Real Conversations with Real Disputants About the Place, Meaning and Value of Mediation," Quinnipiac/Yale Dispute Resolution Workshop, New Haven, CT, October 18, 2002.

Presenter, "Effects of Legal Training and Practice on Ethics and Justice Perspectives," 15th Annual Conference of The International Association for Conflict Management, Salt Lake City, UT, June 9-12, 2002.

Presenter, "Collaborating on Research Priorities in Dispute Resolution: A Theory/Practice Workshop" Osgoode Hall Law School, Toronto, ON, May 3-4, 2002.

Presenter, "Procedural Justice and Court-Connected ADR: Do Our Practices Conform to our Theories?" Legal Educators' Colloquium sponsored by ABA Section of Dispute Resolution, Seattle, WA, April 6, 2002.

Presenter and moderator, "Institutionalizing Court ADR: What Does Empirical Data Tell Us?" at the Mini-Conference on Court ADR sponsored by the ABA Sections of Dispute Resolution and Litigation, ABA Judicial Division, Ninth Circuit Standing Committee on ADR, Association for Conflict Resolution, National Association for Community Mediation, National Center for State Courts, Federal Bar Association, National Association for Court Management and Conference of State Court Administrators, Seattle, WA, April 4, 2002.

Participant, Hewlett Theory Centers 2002 conference entitled "Framing New Directions for Theory from Practitioners' Experience: What Don't We Know? What Do We Need to Know? And How Can We Find Out?" sponsored by the William and Flora Hewlett Foundation, New York City, March 21-23, 2002.

Presenter, "Mediating with High Conflict Families," ABA Section of Dispute Resolution and Association of Family and Conciliation Courts' Symposium on Family, Family-Business and Intergenerational Disputes, Philadelphia, PA, February 1, 2002.

Co-organizer, presenter and moderator, "Resolving Disputes Arising Out of the Changing Face of Agriculture: Challenges Presented by Law, Science and Public Perceptions," symposium co-sponsored by The Dickinson School of Law's Center for Dispute Resolution, The Agricultural Law Research and Education Center and the *Dickinson Journal of Environmental Law and Policy*, Carlisle, PA, January 18-19, 2002.

Participant, "ADR Evaluation Summit" sponsored by the Maryland Mediation and Conflict Resolution Office and Salisbury University's Center for Conflict Resolution, Ocean City, MD, November 8-9, 2001.

Presenter, Hamline University School of Law's 2001 Symposium on Advanced Issues in Dispute Resolution entitled "Moving to the Next Level: Intentional Conversations about Race, Mediation and Dispute Resolution," St. Paul, MN, October 27-28, 2001.

Presenter, "Judges, Attorneys, Clients, Mediators: What Do They Want From Mediation? Are They All After the Same Thing?" at the Association of Conflict Resolution Annual Conference, Toronto, ON, October 11-13, 2001.

Presenter, "Judges, Attorneys, Clients, Mediators: What Do They Want from Mediation? Are They All After the Same Thing?" at the ABA Section of Dispute Resolution Annual Conference, Washington, D.C., April 26-28, 2001.

Participant, Conference sponsored by the Theory to Practice Project to develop teaching tools based on *The Handbook of Conflict Resolution* (eds. Morton Deutsch and Peter Coleman), Boston, MA, March 2-3, 2001.

Participant, Conference entitled "Reflective Practice/Best Practice in Evaluating Court-Connected ADR," co-sponsored by the Georgia Office of Dispute Resolution and the Consortium on Negotiation and Conflict Resolution, Atlanta, GA, November 3-4, 2000.

Presenter, "Translating Theory to Practice," at the annual conference of the Wisconsin Association of Mediators, Madison, WI, November 2-3, 2000.

Presenter, "The Challenge of Walking the Talk of Self-Determination in Court-Annexed Mediation" at the University of Wisconsin's Institute for Legal Studies, Madison, WI, November 1, 2000.

Presenter, "The Challenge of Walking the Talk of Self-Determination in Court-Annexed Mediation" and "Expanding Your Mediation Practice to Include Commercial Agreement Facilitation" at 28th annual conference of Society of Professionals in Dispute Resolution, Albuquerque, NM, September 14-16, 2000.

Presenter, "Self-Determination in Court-Annexed Mediation: What Does It Mean? Can It Be Protected?" at 2nd annual conference of the ABA Section on Dispute Resolution, San Francisco, CA, April 6-8, 2000.

Plenary presenter, "The Top Ten Reasons Why ADR Ought to Transform the Law School Curriculum" for Legal Educators' Colloquium at 2nd annual conference of the ABA Section on Dispute Resolution, San Francisco, CA, April 6-8, 2000.

Plenary presenter, "Alternative to *What?* The Influences on ADR Theory and Practice" and "Is the Devil in the Details? Do We Care?" at the 5th Annual Conference on Emerging Issues in Mediation, sponsored by the University of Wisconsin-Madison and the Wisconsin Association of Mediators, Madison, WI, November 10-12, 1999.

Participant, Meeting of the Mediation Law Project Academic Advisory Committee to the ABA Section on Dispute Resolution and National Conference of Commissioners on Uniform State Laws, Arlington, VA, October 22, 1999.

Plenary Presenter, 27th Annual Conference of the Society of Professionals in Dispute Resolution, Baltimore, MD, September 23-25, 1999.

Presenter, "Darwin and the Institutionalization of Mediation: Adapting the Process So That It Survives and Thrives in New Environments," 27th Annual Conference of the Society of Professionals in Dispute Resolution, Baltimore, MD, September 23-25, 1999.

Presenter, "The State of the States: Dispute Resolution in the Courts," symposium sponsored by the *Cardozo OnLine Journal of Conflict Resolution*, the National Center for State Courts and the Policy Consensus Initiative, Baltimore, MD, September 22, 1999.

Presenter, "The Facilitative-Evaluative Debate: Implications for Regulators and ADR Providers" and "Economic Competition Between Private Mediators and Community/Volunteer Mediators—What Does the Profession of Mediation Mean?" at 26th Annual Conference of the Society of Professionals in Dispute Resolution, Portland, OR, October 15-17, 1998.

AWARDS AND RECOGNITION

Recipient, Fulbright Grant for research and teaching, Tilburg University, The Netherlands, January-June, 2006.

Recipient, "In the Trenches" Award, Legal Education Committee of the Section of Dispute Resolution of the American Bar Association, 2005.

Selected as one of the top lawyers in Minnesota by *The Minneapolis-St. Paul Magazine* in August, 1998.

Selected as one of four U.S. Fellows to participate in August, 1997 Salzburg Seminar (held in Salzburg, Austria) on American law and legal institutions.

Selected as a Leading Minnesota Attorney, 1997 (based on survey of peers).

SELECTED CURRENT AND PAST PROFESSIONAL ACTIVITIES

Member, American Bar Association, Association for Conflict Resolution, Association of American Law Schools (Alternative Dispute Resolution and Civil Procedure Sections).

Admitted to practice before the Minnesota Supreme Court and in all other courts of the state.

Chair and Chair-Elect, Alternative Dispute Resolution Section of the Association of American Law Schools.

Member, Section Council of the American Bar Association Section of Dispute Resolution.

Member, Independent Standards Commission, International Mediation Institute (created by Netherlands Mediation Institute, Singapore Mediation Centre/Singapore International Arbitration Centre and International Centre for Dispute Resolution/American Arbitration Association).

Member, Mediation Advisory Board of the U. S. District Court of the Middle District of Pennsylvania.

Member, Mediator Panel, U. S. District Court of the Middle District of Pennsylvania.

Member, Advisory Committee on Alternative Dispute Resolution, Joint State Government Commission of the General Assembly of the Commonwealth of Pennsylvania.

Member, Editorial Board, *Conflict Resolution Quarterly*.

Founding member, ADR Law Profs Blog (Indisputably.org).

Co-chair, Publications Board, ABA Section of Dispute Resolution.

Co-chair, James Boskey Essay Competition Committee, ABA Section of Dispute Resolution/Association for Conflict Resolution.

Member, Steering Committee of the Theory-to-Practice Project (funded by the Hewlett Foundation).

Co-chair of the Legal Educators' Colloquium and member, Executive and Steering Committees, 2nd Annual Conference of the American Bar Association Section on Dispute Resolution (held April 6-8, 2000).

Member, research team for the Conflict Resolution Project funded by the Pennsylvania Department of Agriculture (through the Agricultural Law Research and Education Center).

Member, Editorial Board, *The CCH Journal of Alternative Dispute Resolution in Employment*.

Member, ADR Review Board (appointed by Chief Justice to advise Minnesota Supreme Court regarding Rule 114 of the General Rules of Practice).

Member, ADR Implementation Committee (appointed to advise Minnesota Supreme Court regarding court-annexed ADR).

Member, Board of Directors, Minnesota Chapter of the Society of Professionals in Dispute Resolution.

Chairperson, Minnesota State Bar Association Committee on Alternative Dispute Resolution.

Co-Chairperson and Member, Lawyers Alliance for Nuclear Arms Control, Minneapolis-St. Paul Chapter.

President, Vice-President, Secretary and Member of Board of Directors, Playwrights' Center, Minneapolis, MN.

Radio Announcer and Newscaster, WRIE-AM and WLVU-FM, Erie, PA.

SELECTED CURRENT AND PAST UNIVERSITY-RELATED SERVICE ACTIVITIES

Chair, Vice-Chair and Secretary of the Faculty of Penn State University, Dickinson School of Law.

Chair and Vice-Chair, Promotion and Tenure Committee of Penn State University, Dickinson School of Law.

Faculty Advisor, Certificate in Dispute Resolution and Advocacy.

Faculty Advisor, *Penn State Law Review*.

Faculty Advisor, ADR Society, Penn State University, Dickinson School of Law.

Faculty Advisor, ABA Law Student Division Negotiation Competition Team, Penn State University, Dickinson School of Law.

Associate Director, Center for Dispute Resolution, Penn State University, Dickinson School of Law.

Chair and Member, Faculty Development Committee, Diversity Committee.

Member, Dean Search Committee.

Member, Library Committee, Orientation Committee, Faculty Rights and Responsibilities Committee, Academic Rules Committee, Clinics and Externships Committee, Certificate Committee, Appointments Committee, International/Nonresident Educational Programs Committee.

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