



UM Carey Law Celebrates ADR Pioneers

by Deborah Thompson Eisenberg, Associate Professor of Law and Director, Center for Dispute Resolution

This year we celebrated two pioneers in the field of alternative dispute resolution: the Honorable Robert M. Bell, who retired after 17 years as Maryland's Chief Judge, and Law School Professor Emeritus Roger C. Wolf, who founded the Center for Dispute Resolution at UM Carey Law (C-DRUM). These visionary leaders propelled Maryland as a model state for the study and practice of ADR in courts, law schools and K-12 public schools, and communities.

Chief Judge Bell established ADR programs at every court level. He understood the Judiciary's responsibility to prevent conflict by supporting conflict resolution education in schools, collaborative processes for state leaders, accessible community mediation, community conferencing, and problem-solving courts. In April, UM Carey Law participated in a symposium honoring Judge Bell's remarkable legacy in many areas. His ADR accomplishments are described in "ADR and Public Confidence in the Judiciary: Chief Judge's Bell's 'Culture of Conflict Resolution,'" 72 MARYLAND LAW REVIEW 1112 (2013).

In 2013, we also celebrated C-DRUM's 10th Anniversary at a special law school-wide event that recognized many other law school milestones. We honored our beloved



Professor Emeritus Roger Wolf and the Honorable Robert M. Bell (ret.)

founder, Professor Wolf, with a pictorial timeline (below) of our center's key achievements.

As you read the pages that follow, you will see that the ADR trail blazed by Chief Judge Bell and Professor Wolf continues to thrive and grow, making Maryland and UM Carey Law leaders in the field of conflict resolution.

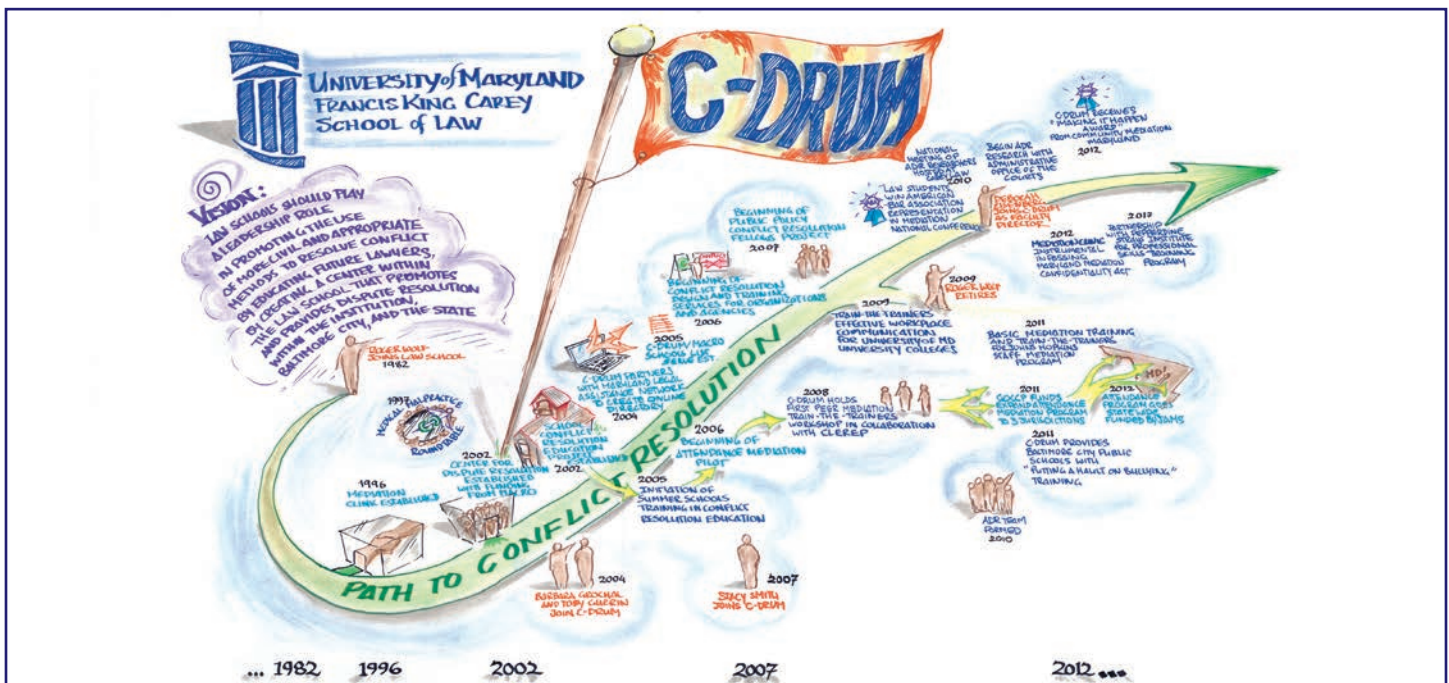


Illustration by Paulo Gregory Harris of Collective Consulting



UNIVERSITY of MARYLAND
FRANCIS KING CAREY
SCHOOL OF LAW
The Center for Dispute Resolution

and

PEPPERDINE UNIVERSITY
School of Law

Straus Institute for Dispute Resolution

Present

PROFESSIONAL SKILLS PROGRAM BALTIMORE, MARYLAND

March 20-22, 2014

Course offerings and faculty:

- **Advanced Mediation** *Nina Meierding & Jim Craven*
- **STAR: A Systematic Approach to Mediation Strategies** *Peter Robinson & Deborah Eisenberg*
- **Tools of Mindful Awareness** *Rachel Wohl & Scott Rogers*
- **Family Law Mediation: When Time is Not on Your Side** *Irwin Joseph & Donald Saposnek*
- **Beyond the Basics: What to Know and Do to Be a More Effective Mediator**
Toby Guerin & Marvin Johnson
- **Conflict Resolution Consulting** *Ken Cloke & Joan Goldsmith*
- **Strategic Negotiation Skills** *Randy Lowry & John Lowry*
- **Conflict Management Coaching: Practice and Principles** *Cinnie Noble & Janie Neff*

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First Annual East Coast ADR Professional Skills Program a Success

“I thought I knew what I was doing and then I took this course,” proclaimed one participant after completing the Advanced Mediation course taught by Nina Meierding and Bruce Edwards. On March 14-16, 2013, 170 attendees from seventeen states and three countries joined nationally renowned faculty at the first annual East Coast Professional Skills Program at UM Carey Law. The program, a partnership between the Straus Institute for Dispute Resolution at Pepperdine University and C-DRUM, featured six distinct programs.

The first of its kind in the Mid-Atlantic area, the 2.5 day program provided a unique learning experience, bringing together a diverse group of participants and highly experienced faculty who provide personalized instruction. Participants included a large contingent of state and federal sector employees, attorneys, and ADR practitioners. Many law students also took advantage of the opportunity to increase their dispute resolution skills and learn with ADR practitioners.

Returning in March 20-22, 2014, the program continues to evolve and will feature some of the same courses including:

- Advanced Mediation
- STAR: A Systemic Approach to Mediation Strategies
- Tools for Mindful Awareness
- Strategic Negotiation Skills

and new courses:

- Beyond the Basics: What to Know and Do to be a More Effective Mediator
- Conflict Resolution Consulting
- Conflict Management Coaching
- Family Law Mediation

UM Carey Law Dean Phoebe Haddon, a participant in the 2013 program, commented, “The partnership with the Straus Institute continues UM Carey Law’s dedication to providing innovative programs that explore the role of attorneys as problem-solvers and promote the appropriate resolution of conflict.”



Howard Gadlin (standing), National Institutes of Health and Toby Guerin lead the ADR in the Public Sector course



Rachel Wohl and Len Riskin engage in a discussion with participants in the Tools for Mindful Awareness course



Participants in the STAR mediation course interact with instructor Peter Robinson

To register visit www.law.umaryland.edu/adrskills. Special rates are available for UM Carey Law alumni, government and nonprofit employees, and members of the MD Program for Mediator Excellence.

Maryland Leaders Tackle Public Policy Issues with Consensus Building

Now in its fifth class, the Maryland Public Policy Conflict Resolution Fellows Program continues the commitment of the Maryland Judiciary, the University of Maryland, Baltimore, and the University of Maryland Francis King Carey School of Law to build Maryland's capacity to address public policy challenges.

Twenty-five Fellows engaged in the three-day program in May, featuring nationally-recognized trainers, Nina Meierding and David Landis. This year's Fellows and past Fellows reunited to hear from author, sports agent, and master negotiator Ronald M. Shapiro.

Throughout the program, C-DRUM and MACRO staff worked with the Fellows to engage in simulations and to explore potential areas for consensus-building in their work. One Fellow commented that the program "opened up a whole new world to me... [I] now begin to understand conflict resolution in all its approaches—so much more intricate and complex than I thought."

Graduates of the 2013 class of Fellows have already begun to implement new skills. Tisha Edwards '13, Interim CEO of Baltimore City Public School System referenced her involvement in the Fellows Program during an interview on Maryland Morning on WYPR with Sheilah Kast. During the interview, she attributed her adopted strategy of "hard on outcomes and soft on people" to the Fellows trainings.

And the Fellows Work Continues...

The impact of the Maryland Public Policy Conflict Resolution Fellows Program is broad and long-lasting. The Fellows are challenged to explore ways to address the public policy challenges they face. This fall, through funding from MACRO and support from C-DRUM, several Fellows are implementing two exciting initiatives:

We Are One Community: Caravan of Reconciliation

Under the leadership of Fellows Imam Yahya Hendi and Rabbi Gerald Serotta, Clergy Beyond Borders will lead four days of events across Maryland to promote interreligious cooperation. After the Caravan, C-DRUM will facilitate a conversation among invited Maryland religious leaders to reflect upon the Caravan and develop a plan for a rapid response network of religious leaders. The proposed network will work to prevent conflicts based on religious misunderstanding and organize to respond to incidents of religious prejudice.



Tisha Edwards ('13) Interim CEO, Baltimore City Public Schools receives her certificate from President Jay Perman and Dean Phoebe Haddon



Lou Gieszl, Deputy Executive Director of MACRO, presents at the Fellows Training

Defying Definitions

Fellows Phoebe Stein, Executive Director of the Maryland Humanities Council, and J. Neil Bell, Executive Director of the Maryland Commission on Civil Rights, are joining efforts in the 2013 Southern Maryland Dialogue Project. The interactive project involves community dialogues and on-line platforms intended to break down stereotypes, explore identity, and model civil discourse. Staff from C-DRUM and MACRO, along with other selected community members, will serve as facilitators for the community dialogue.

2013 Public Policy Conflict Resolution Fellows

J. Neil Bell
Executive Director, Maryland Commission on Civil Rights

Eleanor M. Carey, Esq.
Synergies Consulting Group

Rev. Andrew Foster Connors
Senior Pastor, Brown Memorial Park Avenue
Presbyterian Church

Theodore Dallas
Secretary, Department of Human Resources

Tisha Edwards
Interim CEO, Baltimore City Public Schools

Suzanne Fischer-Huettner
Publisher, The Daily Record

Peter N. Gilbert
Chief Operating Officer, University of Maryland, Baltimore

Leonard J. Howie, III
Secretary, Department of Labor, Licensing and Regulation

Scott A. Hancock
Executive Director, Maryland Municipal League

Pamela Q. Harris
Court Administrator, Montgomery County Circuit Court

Anwer Hasan
Senior Vice-President, Louis Berger Water Services, Inc.

Kevin Lindamood
President and CEO, Health Care for the Homeless, Inc.

Susan K. McComas
Maryland State Delegate

Aaron Merki, Esq.
CEO, Free State Legal Project, Inc.

Jason Perkins-Cohen
Executive Director, Job Opportunities Task Force

Cynthia Raposo, Esq.
Vice-President, Legal
Under Armour, Inc.

Reemberto Rodriguez
Director, Silver Spring Regional Services Center

Fern Shen
Editor, Baltimore Brew

Raymond Skinner
Secretary, Department of Housing and
Community Development

Rabbi Ronald J. Shulman
Chizuk Amuno Congregation

Charles W. Simmons, Ph.D.
President, Sojourner-Douglass College

Karen Sitnick
Director, Mayor's Office of Employment Development

Phoebe Stein
Executive Director, Maryland Humanities Council

Mary L. Washington
Maryland State Delegate

Rev. Sheridan Todd Yeary
Senior Pastor, Douglas Memorial Community Church



Maryland Carey Law Launches Course on Collaborative Law & Practice

by Jana Singer, Professor of Law

Last spring, Maryland Carey Law offered its first course on Collaborative Law and Practice. The course was co-taught by Professor Jana Singer and three leading collaborative attorneys: Suzy Eckstein, Karen Robbins and Bruce Avery. The classes also featured a number of guest speakers and collaborative law trainers, who contributed their legal, financial and mental health expertise.

The course used both stand-up teaching and experiential learning techniques to introduce students to the skills and concepts that are at the heart of collaborative practice—a method of practicing law in which attorneys work closely with mental health and financial professionals to facilitate settlement, rather than resolving cases through adversarial litigation. Collaborative attorneys and their clients agree, at the outset of the representation, that they will not seek court intervention and that, if the matter cannot be settled, the collaborative attorneys must withdraw from the case and the parties must engage new counsel. This “disqualification clause” aligns the interests of attorneys and clients and offers the opportunity for the parties to pursue mutually beneficial and durable settlements, without the specter of imminent court involvement.

The course focused primarily on the use of collaborative law in family cases, the field in which it first developed and where it has now become widespread. Students also learned about the growing application of collaborative practice to other civil contexts, including medical malpractice and trusts and estates disputes. The class featured spirited discussions about the limits of the adversary system and the ethical challenges posed by collaborative practice. In addition, through simulation and role play, students honed dispute resolution skills such as active listening, facilitation and interest-based negotiation.

As a final project for the course, students conducted research on current issues in collaborative law and practice, and produced materials that were distributed at a Conference on Multidisciplinary Approaches to Separation and Divorce, held at the Universities at Shady Grove in late April. The materials included a comparison of mediation and collaborative law; an analysis of the Uniform Collaborative Law Act, which is currently being considered in Maryland; and a brochure for the Collaborative Law Project of Maryland, a nonprofit organization dedicated to make collaborative law available to low and moderate income clients. The students joined Professor Singer at several conference presentations on Mediation and Collaborative Law: Tensions, Challenges and Opportunities.



Professor Jana Singer

Student reaction to the new Collaborative Law and Practice course was overwhelmingly positive. One student called it “By far one of my most enjoyable classes I’ve taken in law school!” The student “learned a lot about not only really listening, negotiating and working with a team, but also realized the inward strength it takes to work in the family law arena.” ADR Team President and third year student, Claire Costantino, concurred: “The real benefits of the class are how well it teaches you to listen to clients, to guide clients toward advice that will serve their interests, and how you learn to problem solve with other attorneys. Lots of law school classes teach you a particular area of law or a particular writing skill, but few teach you so much about interacting with clients productively.” Rising 3L Adam Rubin called the class “dynamic” and said that he felt “better prepared to start the Mediation Clinic this upcoming semester after taking Collaborative Law.” The class will be offered again in the Spring of 2014.

Professor Singer is the co-editor of a 2008 book, Resolving Family Conflicts, and is currently finishing a book for NYU Press that explores recent changes in family dispute resolution, including court-based mediation programs and collaborative law.

Mediation Clinic Continues Strong Partnerships

Maryland Carey Law’s Mediation Clinic continues to offer a rich experiential learning opportunity for its students. Students are trained as mediators by clinic faculty, Professors Deborah Eisenberg and Toby Guerin, and then offer those skills in the community.

Continuing its collaboration with the District Court ADR Program in the District Court for Baltimore City, clinic students volunteer as mediators at the District Court two days per week throughout the semester. This “day of trial” mediation experience resulted in 44 mediations by the Clinic during the last academic year.

In addition, Shannon Baker, Regional Programs Director for the District Court ADR program, identified and referred 105 pre-trial cases to the clinic for possible mediation. The students were assigned these cases and contacted the parties to offer mediation services. About 10% of the referred cases resulted in mediation, and more than half of those reached agreement. Parties engaging in the process commented that mediation was a “better alternative than going to trial” and that the parties “couldn’t work it out without this help.”

Ms. Baker noted, “As a law student myself, I can appreciate the value of real-world skills application, the ability to observe and learn about the use of ADR in Maryland’s courts, and the thrill of jumping in the midst of high conflict to mediate contested cases; some of which may involve attorneys and claims up to \$30,000.00.” The District Court ADR Office is consistently impressed by “the enthusiasm and professionalism exhibited by the students in the Mediation Clinic.” The clinic looks forward to new opportunities when the District Court ADR program expands its services to include mediation of peace orders.

The clinic also receives referrals of employment discrimination cases involving federal sector workers from the local Equal Employment Opportunity Commission. These cases offer the students an opportunity to broaden their skills, as the parties are typically represented by counsel and the litigation more complex.



The photo from the District Court ADR Program Volunteer Appreciation back row (from l to r): Shannon Baker and Sarah Kauffman from the District Court ADR Office; front row (from l to r): Emily Miller, Professor Deborah Eisenberg, Dave O’Donnell, Kimberly Schindel representing the Mediation Clinic and Mary Ann Ferguson, Esq., a volunteer in Frederick County.

Because C-DRUM manages the School Conflict Resolution Education Grant program in partnership with MACRO, clinic students also have the opportunity to apply what they have learned about conflict resolution in a public school setting. Law students assisted with peer mediation programs, offered classes on topics related to conflict resolution, or advised individual students interested in resolving school-based problems.

Finally, the clinic provided opportunities for the students to prepare testimony on ADR issues before the state legislature, observe mediations in federal cases, and support C-DRUM’s work in training or providing facilitations in the public and private sectors.

| Semester | Pre-day of Trial Referrals | Pre-day of Trial Mediations | Pre-day of Trial Mediation Agreements | Day of Trial Mediations | Day of Trial Mediation Agreements |
|----------|----------------------------|-----------------------------|---------------------------------------|-------------------------|-----------------------------------|
| Fall | 53 | 10 | 4 | 18 | 9 |
| Spring | 52 | 7 | 2 | 26 | 13 |

Building Connections through Restorative Practices in Schools

As schools throughout the country seek ways to improve academic performance, build character, and engage students in learning, they are increasingly turning to restorative practices. Restorative practices is not a “program” or a code of conduct, nor is it a way to offer a student “a free ride” when a rule is broken. Rather, restorative practices include a set of tools to address misbehavior in a way that is designed to strengthen relationships, engage parties in collaborative problem-solving, empower individuals to grow and change, and foster responsibility. At its core, restorative practices defines a state of being stemming from the belief that each individual should be treated with dignity and respect.

According to Professor Mara Schiff of Florida Atlantic University, “schools in at least 20 states have started to incorporate restorative justice practices in their school-discipline policies.” Unlike traditional models of discipline focused on punishing the offender, restorative practices include the “victim” in the process, and avoid blaming and shaming the offender. The tools are designed to respect both the offender and the victim, and to provide the space for collaborative problem-solving. By involving both the victim and the offender, the process allows the individuals to move beyond an incident of harm. The offender has an opportunity to learn from the incident and be held accountable for “repairing the harm” caused, thus restoring him or her to the community.

The Maryland School Conflict Resolution Education Program, in its eleventh year, provides conflict resolution education grants to K-12 Maryland public schools. Administered by C-DRUM, this program is supported by the Maryland Judiciary’s Mediation and Conflict Resolution Office (MACRO) in partnership with the Maryland State



Students from Hampstead Hill Academy in Baltimore City and Mediation Clinic student Zachary Schulz '13 talk during a peer mediation training session.

Department of Education. Since its inception, the program has supported the integration of restorative practices in schools. All grantees attend a two-day summer training which includes a brief introduction to restorative practices and an experiential module on classroom meetings. Of the 120 grants provided by the program since 2002, 22% have included circle processes and 56% of these have supported peer mediation programs, a tool considered by some to be a restorative practice.

In Maryland, most of the schools utilizing restorative practices partner with local organizations such as the Community Conferencing Center in Baltimore City, the Conflict Resolution Center of Montgomery County, and the Mediation and Conflict Resolution Center at Howard Community College.

Core Principles of Restorative Practices:

- The offender is heard;
- The victim is involved;
- The offender is not subject to shame and blame but in fact is held in respect;
- The offender is provided an opportunity to repair the harm; and
- The focus is on collaborative problem-solving.

Maryland schools using restorative practices have documented success:

- In 2012-2013, Somerset County introduced Daily Rap (a circle meeting) to eighth grade teachers in Washington High School and Crisfield High School. The teacher-facilitated weekly circles provided an outlet for the school to deal with daily issues and more serious topics such as the considerable upset after a murder in a local housing development and devastation after Hurricane Sandy. After eight months of weekly circles, the impact on Grade 8 was dramatic over the prior year, with disciplinary incidents reduced by 41%, incidents of disrespect reduced by 76%, disruption reduced by 24%, and incidents of refusal to obey reduced by 44%.
- Sligo Middle School in Montgomery County implemented school-wide weekly circles, in partnership with the Conflict Resolution Center of Montgomery County. The 2012-13 school-wide data indicates a 24% reduction in office referrals and a 44% reduction in suspensions as compared with the prior year. When surveyed, 81% of teachers agreed: "I feel more connected to my students."
- Since 2008, Hampstead Hill Academy in Baltimore City, has been working toward building a whole school approach to restorative practices. The entire staff has been trained in restorative practices through the use of affective statements, restorative questions, impromptu conferences and proactive circles. In 2012-13, the school documented a 63% decrease in office referrals, a 19% decrease in suspensions, and a 33% decrease in detentions. The principal attributes recent success with the 2013 Maryland School Assessments scores in part to the restorative culture throughout the school.



Barbara Grochal participates with teachers and staff of Greencastle Elementary School during a summer training on *The Virtues Project*.

(photo courtesy of Dara Feldman)

Restorative practices are not only helping students on what one teacher coined "the socio-emotional side," but also are helping schools reduce disciplinary referrals and improve academic performance.

In 2013-2014 the following schools will receive conflict resolution education grants to support restorative practices:

In Baltimore City : Callaway Elementary School, Holabird Academy, Hampstead Hill Academy, Reach! Partnership School

In Montgomery County: Sligo Middle School, Greencastle Elementary School

STUDENT PERSPECTIVES

Taking Mediation into the Court Room

As an aspiring estates and trusts attorney, third-year student Adam Rubin participated in an externship with the Orphans' Court (probate court) of Baltimore County and the Family Mediation Division of the Baltimore County Circuit Court during the summer of 2013. In this role, Adam was able to experience the integration of mediation within a wide range of family conflicts. Through the observation of mediations as well as traditional courtroom experiences, Adam gained a better understanding of different mediator styles, the relation between mediation theory and application, the role of the attorney in mediation, and the connection between mediation and the Judicial system.

Like all externships at Maryland Carey Law, Adam's externship provided him with a hands-on experience outside of the typical classroom setting. When exploring his options, Adam expressed a desire to participate in a probate court and gain an understanding of the role of mediation within the court system. By the end of his externship, Adam had reviewed Orphans' Court cases to determine whether they were ripe for mediation, observed mediations and scheduling conferences, and performed a variety of tasks for both the Orphans' Court and Circuit Court. Adam also produced written documents to assist the Orphans'

Court and Circuit Court in policy decisions. He conducted research and prepared a memorandum assessing whether the continuing education requirements for Orphans' Court mediators should mirror the requirements for Circuit Court mediators. He also compiled an annotated bibliography of quality assurance sources of mediation programs for the Circuit Court, which will be distributed at the September meeting of the Mid-Atlantic Association for Court Management.

The highlight of Adam's externship was exposure to mediation within the context of the court system. "I was able to experience firsthand the differences between managing family conflicts in a court room setting versus a mediation setting. Mediation provides an arena to address underlying emotional themes as well as legal issues. The court is limited to dealing with issues in the pleadings. However, addressing the emotional elements of a dispute is essential to a resolution which emphasizes maintaining family relationships."

Adam Rubin looks forward to incorporating his externship experiences as a third-year student in the Mediation Clinic at the University of Maryland Francis King Carey School of Law.

New International Arbitration Externship Informs and Challenges Students

Third-year student Sylviane Kouemo recently served as the first extern from the University of Maryland Carey School of Law at the Holtzmann Center, a new international arbitration center at the American Society of International Law (ASIL) in Washington D.C. ASIL fosters and studies international law in an effort "to promote the establishment and maintenance of international relations on the basis of law and justice."

Sylviane and another intern conducted extensive research on international arbitration, and contributed to the first edition of the Holtzmann Center's newsletter, among other tasks. The database of arbitration programs will be used to inform practitioners and scholars in the field of international arbitration. The externship provided an opportunity to learn about the variety of arbitration programs and practices throughout the world and participate in webinars and events associated with the Holtzmann Center and ASIL. As Sylviane describes, "my

experience at the Holtzmann Center made me grow both as a student and as a future lawyer. I learned a lot during my internship, academically on the topic of international arbitration, and practically on organizing events, publishing materials, and working with other lawyers."

Sylviane Kouemo is a third year law student, who will spend her last semester of law school in Dallas, TX where she is interning with the Legal Aid of Northwest Texas.

Maryland Carey Law students have also completed ADR internships at:

- Court of Special Appeals ADR Division
- District Court of Maryland ADR Office
- Equal Employment Opportunity Commission
- Maryland Commission on Civil Rights
- Maryland Mediation and Conflict Resolution Office

ADR Team Wins Top Honors

The Alternative Dispute Resolution Team offers students the ability to learn and engage in two critical aspects of legal practice—mediation and negotiation. Students are selected to join the team at a spring intra-school competition. Once selected as team members, they engage in a year-long ADR Team Seminar, taught by adjunct faculty members and alumni Barry Gogel and Nick Scull. The seminar focuses on the theory and practice of negotiated and mediated settlements.

Last year, the ADR Team competed in four competitions. In the fall, UM Carey Law hosted the ABA Law Student Division's Regional Negotiation Competition. Two student teams from Maryland competed with peers from law schools in the region. In January, two student teams traveled to Liberty University School of Law in Lynchburg, Virginia for the school's annual National Negotiation Competition. The team of Peter Cooch and Alvaro Llosa '13 finished the competition tied for fourth place.

The ADR Team continued its record of excellence at two mediation competitions in 2013. At the International Competition for Mediation Advocacy in Toronto, third-year student Maram Salaheldin was honored with the ICMA's Founders Award as the "law student that the judges and mediators collectively agree is the most outstanding individual in the competition." Maryland Carey Law received honorable mention for the Louise Otis Award, an award recognizing law schools for the outstanding advancement and education of mediation.

The ADR Team and coach Toby Guerin also excelled at the 2013 ABA Dispute Resolution Section's Regional Representation in Mediation Competition, hosted in Virginia Beach, where they placed first and fourth. The first place team of Anna Hadjitheodosiou and Michael Damiano advanced to the National Competition in Chicago, IL in April 2013.

The 2013-14 school year looks like another promising year for the team. The spring 2013 intra-school competition featured over 50 competitors. Fourteen new students were invited to join the fifteen returning team members. The ADR Team looks forward to another year of strong competing, engaging seminar experiences, and growing its presence in the national and local ADR community.

Current ADR Team President and Mediation Clinic student Claire Constantino contributed to this article.



ADR Team (from l to r): Laurie Holmes, Mallory Montgomery, Ian Clark, Anna Hadjitheodosiou, Michael Damiano, and Michael Goldberg.



Maram Salaheldin receives the ICMA's Founders Award from Kileen Dagg Centurione at the International Competition for Mediation Advocacy. The award recognizes the most outstanding individual in the competition.

Colombian University Visits Maryland Carey Law

Although our countries may be rather different, the challenges faced by academic centers seeking to promote conflict resolution remain the same. This was the theme during a visit by three professors from Colombia's University of Antioquia's Centro de Conciliacion (Centro) to Maryland Carey Law.

Professors Ana Milena Monsalve Florez, Fernanda Escobar Luisa Acosta, and Isabel Puerta Lopera met with C-DRUM staff in May 2013. The Centro de Conciliacion, similar to C-DRUM, studies the role of conflict resolution in society and educates students about the connection between conflict resolution and the law. The history of violence as a form of conflict resolution in Colombia has led to the growth of grassroots efforts to promote more peaceful venues to address disputes. Community-based dispute resolution has slowly become institutionalized such that Colombia now requires arbitration and conciliation (similar to mediation) for certain types of disputes.

During the visit, the professors and C-DRUM staff discussed the challenges faced in gaining institutional support for the use of conflict resolution and the growth of various forms of conciliation among the two country's legal systems. Both UM Carey Law and University of Antioquia require students to complete an experiential learning component, which presents opportunities for cross-cultural learning and collaboration among students.

Roger Candelaria, Campus Compliance Officer at the University of Maryland College Park and former Rotary Fellow in Colombia, assisted the professors during their visit to Baltimore, which also included meeting with community mediation centers and other ADR providers in Maryland.



Professors from the University of Antioquia and representatives from Maryland Carey Law during their visit in May 2013.



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Administrative Assistant

C-DRUM News and Notes

Professional Trainings

This year C-DRUM has provided a variety of conflict resolution, mediation, and negotiation trainings, including the following:

- “A Conversation with Lawyer-Consumers of Mediation,” Maryland Mediator’s Convention, Linthicum, MD, Dec. 7, 2012
- “Successful Communication with Students, Families and Colleagues,” Baltimore City Public School System Staff, Feb. 25-26, 2013
- ADR in the Public Sector, Advanced Negotiation Skills, and STAR: Systemic Approach to Mediation Strategies, East Coast Professional Skills Program with the Straus Institute for Dispute Resolution at Pepperdine University, Baltimore, MD, Mar. 14-16, 2013
- “Professionalism and Leadership Skills,” Student Leaders, University of Maryland Carey School of Law, Aug. 23, 2013

Through C-DRUM’s conflict resolution education program, trainings were provided to grantees and public schools throughout the state.

- Schools Conflict Management Winter Training, Arbutus, MD, Feb. 20, 2013
- Peer Mediation Train-the-Trainers Workshops, Columbia, MD, May 17-18, 2013
- Summer Conflict Management Training for Schools, Columbia, MD, July 30-31, 2013 and Annapolis, MD, Aug. 1-2, 2013

Barbara Grochal continues to provide valuable trainings and presentations to schools and educators on a variety of conflict resolution topics.

- Co-Presenter, Peer Mediation Training for Summit Park Elementary School, Baltimore County, MD, Oct. 17-18, 2012
- Co-Presenter, Peer Mediation School-wide Assembly, Holabird Academy, Baltimore City, MD, Jan. 11, 2013

Stacy Smith provided a series of attendance mediation trainings in partnership with Community Mediation Maryland for community mediation centers in Maryland:

- Advanced Attendance Mediation Training, Sept. 19-20, 28-29, Oct. 26 and 29, 2012, Aug. 29-30, 2013
- Advanced Attendance Mediation Skills Development, Apr. 25, May 3, June 5, and Aug. 7 2013

Teaching

Professor Deborah Thompson Eisenberg received a promotion to Associate Professor of Law

Professor Deborah Eisenberg contributed a list of legal textbooks involving practical problems and exercises to the website on Legal Education, ADR, and Practical Problem Solving <http://leaps.uoregon.edu>

Publications

Deborah Thompson Eisenberg, Toby Treem Guerin, and Rachel Wohl co-authored *Alternative Dispute Resolution and Public Confidence in the Judiciary: Chief Judge Bell’s “Culture of Conflict Resolution,”* 72 MARYLAND LAW REVIEW 1112 (2013)



Professor Deborah Thompson Eisenberg leads a discussion at the East Coast Professional Skills Training Intensive.

Professor Robert J. Condlin

- “The Curious Case of Transformative Dispute Resolution: An Unfortunate Marriage of Intransigence, Exclusivity, and Hype,” 14 *CARDOZO JOURNAL OF DISPUTE RESOLUTION* 301 (2013)

Professor Deborah Thompson Eisenberg

- “Regulation by Amicus: The Department of Labor’s Policy Making in the Courts,” 65 *FLORIDA LAW REVIEW* 1223 (2013)
- “Stopped at the Starting Gate: The Overuse of Summary Judgment in Equal Pay Cases,” 57 *NEW YORK LAW SCHOOL LAW REVIEW* 815 (2012-13)

Professor Jana Singer

- “Bargaining in the Shadow of the Best Interest Standard: The Close Connection Between Substance and Process in Child-Custody Decision-making,” 76 *LAW & CONTEMPORARY PROBLEMS* (forthcoming 2013)

Events

C-DRUM co-sponsored a symposium on “Business Arbitration: Redefining the Landscape of Effective Business Practices” with the Maryland Journal of Business and Technology Law in Baltimore, MD on Nov. 2, 2012

Maryland Carey School of Law hosted the 1st Annual East Coast Professional Skills Program in partnership with Pepperdine University on Mar. 14-16, 2013

As part of the Maryland Public Policy Conflict Resolution Fellows Program, C-DRUM, in collaboration with the Maryland Mediation and Conflict Resolution Office, coordinated a variety of programs for past and future Fellows:

- Fifth Public Policy Conflict Resolution Fellows Program, Baltimore, Maryland, May 8-10, 2013
- Webinar, “ADR in the Private Sector: Are Businesses Missing a Golden Opportunity?” presented by Philip Armstrong, former General Counsel of Georgia-Pacific, on June 24, 2013

Presentations

Professor Donald Gifford

- Presenter, “Negotiation Techniques: How to Maximize Value and Get the Job Done,” at the 86th Annual National Conference of Bankruptcy Judges in San Diego, CA on Oct. 25, 2012 (with Hon. Shelley C. Chapman)
- Invited Lecturer, Apprentice Program-Professional Development Series on “Advanced Negotiation Skills,” Baltimore, MD on Mar. 19, 2013
- Presenter, “Negotiation Techniques and Bankruptcy” at the 2013 Mid-Atlantic Institute on Bankruptcy and Reorganizations on Sept. 20, 2013 in Charlottesville, VA

Professor Deborah Thompson Eisenberg

- Presenter, “ADR 101: Knowing Your Options,” University of Maryland Francis King Carey School of Law, Baltimore, MD, Oct. 18, 2012
- Moderator, “Making the Most of Your Arbitration Process,” Symposium, “Business Arbitration: Redefining the Landscape of Efficient Business Practices,” University of Maryland Francis King Carey School of Law, Baltimore, MD, Nov. 2, 2012
- Presenter, “The Top Ten Mistakes Litigators Make in Mediation,” Federal Bar Association Program, U.S. District Court of Maryland, April 12, 2013
- Moderator, “2000s: Courts and Community,” Symposium, Access to Justice: Five Decades of Change in Maryland and the Impact on America, Apr. 19, 2013
- Invited Lecturer, “Finding, Keeping, and Satisfying Clients,” Apprentice Program-Professional Development Series, University of Maryland Francis King Carey School of Law, Apr. 29, 2013
- Presenter, “The ‘S’ Word in Employment Discrimination Cases: Moving Past ‘Settlement’ to ‘Social Change’ with Restorative Practices,” Law & Society Association Annual Meeting, Boston, MA, May 30, 2013
- Presenter, “Regulation by Amicus: The Department of Labor’s Policy Making in the Courts,” UNLV William Boyd School of Law, Las Vegas, NV,

Apr. 8, 2013 and the Southern Association of Law Schools Annual Meeting, Palm Beach, FL, Aug. 7, 2013

Professor Robert J. Condlin

- Invited Presenter, “The Curious Case of Transformative Dispute Resolution: An Unfortunate Marriage of Intransigence, Exclusivity, and Hype” 25th Anniversary Legal Theory Workshop, New York Law School, New York, NY

Professor Jana Singer

- Presenter, “Mediation and Collaborative Law: Tensions, Challenges and Opportunities,” Conference on Multi-disciplinary Approaches to Separation and Divorce, The Universities at Shady Grove, Rockville, MD, Apr. 19, 2013
- Presenter, “Bargaining in the Shadow of the Best Interest Standard: The Close Connection Between Substance and Process in Child-Custody Decision-making,” Law & Contemporary Problems Symposium on Child Custody Decision-making, Duke Law School, Durham, NC, Apr. 26, 2013

Toby Guerin

- Presenter, “ADR in Maryland’s Circuit Courts” Maryland State Bar Association Section on Dispute Resolution’s Pizza and Professionalism, Baltimore, MD, Feb. 12, 2013
- Panelist, “Design Choices for Developing and Enhancing Mediation Clinics,” AALS Clinical Law Conference, San Juan, PR, Apr. 29, 2013
- Panelist, “The Intersection of ADR and the Collaborative Process: Assisting Clients in Choosing ADR Options,” MD Partners for Justice Conference, Baltimore, MD, May 16, 2013

Barbara Sugarman Grochal

- Panelist, “Restorative Practices in Maryland Schools,” MD State Department of Education Best Practices in Discipline Workgroup, Columbia, MD, Feb. 27, 2013
- Committee Member; facilitator, “Network Meeting of Colleges and Universities Developing Peace and Conflict Studies Programs”; and presenter “Using Circles for Motivation and Community Building,” International Conference on Conflict Resolution Education, Cleveland, OH, June 13-15, 2013



Chaz Remus talks with students from Hampstead Hill Academy in Baltimore City during a peer mediation training hosted at UM Carey Law

Media

The Mediation Clinic created a consumer awareness video, Understanding Mediation, on the use of mediation for small claims cases in Maryland. The video is accessible at <http://www.cdrum.org>

Barbara Grochal was a featured guest speaker on the Texas Conflict Coach Radio Show, discussing “Parenting Discipline for Toddlers to Teens: How to Avoid the ‘Countdown to Meltdown’” which aired on May 7, 2013

Barbara Grochal and Stacy Smith presented a webinar, “Mediation in Schools,” through the ADRHub.com 2013 Webinar Series on Sept. 19, 2013

Awards

ADR Team member Maram Salaheldin ’13 was recognized as “Best Overall Advocate” at the International Competition for Mediation Advocacy in Toronto, Canada on Mar. 15, 2013

Mediation Clinic student, Charles “Chaz” Remus ’13 received the Clinical Legal Education Association’s Outstanding Student Award in recognition of his excellence in a clinical course



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