

Dispute Resolution Institute

2017 Highlights



COMMITTED TO TEACHING ABOUT
CONFLICT IN ALL ITS COMPLEXITY AND
TO EDUCATING STUDENTS TO BE
SUCCESSFUL, CREATIVE AGENTS OF
CONFLICT RESOLUTION BOTH
AT HOME AND ABROAD

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Focus on community engagement

In the pages that follow, we are featuring DRI's commitment to community engagement and the many different forms this has taken. Community engagement includes deliberative democracy efforts, community dialogues, engagement to resolve disagreements, and community capacity building. We partnered with the Office of Collaboration and Dispute Resolution (OCDR) on two local community engagement projects which were funded in part by a generous grant from the AAA-ICDR Foundation – one with the Saint Paul Public Schools to engage the community in the selection of the new superintendent and one for the City of Falcon Heights and its Task Force on Policing and Inclusion to help the community heal after the death of Philando Castile. We also have a partnership with the Association of Minnesota Counties which is a deliberative democracy effort. Also featured this year is the expansion of our study abroad program in Israel, *Conflict Resolution from Religious Traditions*, which highlights the importance of interfaith dialogue in peace-building. Finally, we feature the work DRI is doing to support the development of community mediation in Minnesota.

Sharon Press

Director, Dispute Resolution Institute

Community Mediation Minnesota (CMM)

For years, the community dispute resolution programs (CDRPs) that are certified by the state have struggled with the age-old negotiators' tension: **knowing that if they could cooperate, there would likely be more resources to go around, but finding it difficult not to compete.**

In 2015, OCDR convened a Community Dispute Resolution Programs Advisory Council to promote the development of a shared vision for community mediation in Minnesota.

The Council met quarterly and in July 2017, the Advisory Council filed the paperwork to create Community Mediation Minnesota (CMM) with the **stated goal of providing “services to all participating CDRPs and [to] help promote and increase access to free or low-cost community dispute resolution programs and services throughout the State of Minnesota.**

The CMM Board's first elected officers include Co-Presidents Sharon Press and Jeff Ringer (Chair, Communication Studies Department at Saint Cloud

State University). CMM has already received a grant from the Legal Services Advisory Committee (LSAC) to **“expand access to justice by bringing the benefits of community mediation to all Minnesota residents over the next two years.”**

The project will focus on strengthening the current CDRPs, increasing their capacities to provide both in-person and remote mediation services, and developing community mediation programs throughout the state.

Collaboration and negotiation for **leaders**

Leaders in local government are increasingly called upon to exhibit proficiency in a range of skills from conflict management, to bringing together groups with diverse opinions, to cultural competency. Through a partnership with the **Association of Minnesota Counties** (AMC), **DRI** developed a training series to address these issues. The program was created exclusively for AMC members, both county commissioners and administrators, throughout the state.

The interactive series that spans the summer and fall of 2017 addresses the following topics, among others:

- The skills, constraints and dynamics of negotiation
- Key communication and conflict processing skills required for successfully navigating challenging conversations
- Components of successful public engagement and dialogue
- The influence of culture on decision making and public dialogue



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Community engagement projects

With support of an **American Arbitration Association–International Center for Dispute Resolution (AAA-ICDR) Foundation** grant, DRI and the **Office of Collaboration and Dispute Resolution (OCDR)** pursued two major projects intended to produce qualitative change in the type of engagement currently taking place between dominant and non-dominant

communities in Minnesota. The projects were based on the belief that in order to address challenging conflict in the community, it is critical to create relationships between and among the people in communities in crisis and also to build capacity in these communities to effectively manage the inevitable future conflicts.



"...It was a large undertaking with many moving parts, but we felt incredibly well-served by the process and results. The community engagement gave us the information we needed as a board to consider and select a final candidate for superintendent who has won the strong early support of our community.

Of equal importance is the rebuilding of trust engendered by your process. The reconnecting and opening of new pathways for authentic communication with our school communities will prove critical as we tackle the tough issues that lie ahead."

— Jon Schumacher, SPPS School Board Chairman

Saint Paul Public Schools (SPPS)

Like many urban school districts, SPPS faces: a pervasive achievement/opportunity gap between students of color and white students; concerns about safety and school climate; questions about how best to serve the large immigrant population, many for whom English is a second language; and tense labor-management relations. In addition, at the time we became involved, the district had just experienced a significant turn-over on the School Board and the departure of the superintendent and many of the top administrators.

Through a series of assessment conversations, we identified stakeholder themes and a shared commitment to community engagement and the need to work together against the substantial challenges facing the district. We began our work by holding facilitated conversations with the School Board to improve the Board's capacity for effective communication and problem-solving.

We then created and worked with a "Design Team" to shape the engagement process to select the new superintendent. The team included representatives from the following stakeholder groups: The School Board, the Teachers' Union, the SPPS Administrative Team, parents, students, and community groups. Through the design team process, the representatives learned to work together, to listen and respect each other and developed deeper understandings of each other's perspectives. They assisted with the design of a very effective community engagement process which consisted of three open community meetings, 25 targeted meetings, two community surveys, and an opportunity for the community to meet the superintendent finalists. The result is that a new superintendent, who enjoys the support of the community has been hired and a foundation for future collaborative work has been built.

City of Falcon Heights

On July 6, 2016 Philando Castile, an African-American male motorist, was shot and killed by a Saint Anthony police officer after being pulled over in Falcon Heights, a suburb of Saint Paul, Minnesota. The community of Falcon Heights, as well as the broader Minnesota community, was in shock. There were protests throughout the summer at the Governor's Mansion, and throughout the city, as well as calls for the City of Falcon Heights to end its contractual relationship with the Saint Anthony Police Department.

The Falcon Heights City Commission appointed a Task Force on Inclusion and Policing, and recognizing that there was a great need to engage the community, invited a team of facilitators (from DRI, OADR, the University of Minnesota Humphrey School, and Metropolitan State University) to design a series of five community conversations. The goal was to seek input from residents and guests that visit the community to develop recommendations, work together to build a more inclusive and welcoming community, and develop policing practices that reflect the values of the community.

Because there also was a need for the community to heal, each session consisted primarily of small group circles guided by restorative values that fostered deep and self-reflective dialogue. The input from the community conversations was considered by the Task Force and included in its final reports to the City Commission. As a testament to the work that was done to provide a space for healing, when the not guilty verdict of the police officer was announced, while there was tremendous pain and grief, there were no destructive protests.

Generously funded by a grant from





Symposium 2017

An intentional conversation about community engagement: Weaving threads to strengthen the fabric of our communities

Recent events have served to highlight the critical importance of community engagement to address all kinds of issues. We have seen the results when relationships are missing, trust erodes, people do not feel heard and fear is allowed to grow. This disconnection is happening in our local communities, our governmental institutions and even in the international arena. It underscores the need to improve both our ability to provide meaningful opportunities for public participation, communication and engagement as well as the need for those who provide these services to have concrete evidence of the value of doing so.

DRI Symposia bring together scholars and practitioners to engage in purposeful conversation around critical issues in the field of conflict studies and dispute resolution. While each symposium involves a specific theme, all share a unique and intimate in-the-round format that intentionally supports engaged and focused conversation and exploration in the symposium's area of focus. All invited participants have a role in the conversations which are framed by theme leaders whose role it is to provoke and promote dialogue.

The 2017 Symposium, *An Intentional Conversation About Community Engagement: Weaving Threads to Strengthen the Fabric of Our Communities*, is generously funded by a grant from the American Arbitration Association–International Center for Dispute Resolution (AAA-ICDR) Foundation. It will focus on three areas:

SESSION ONE: An exploration of select local and national community engagement projects with a focus on what we have learned from these experiences

SESSION TWO: A discussion of how we can demonstrate “success” of community engagement including consideration of innovative evaluative methods

**SESSION THREE:
Where should we go from here?**

The theme leaders will be joined by a host of invited participants who each have an important perspective on the topics with which we will be grappling. At the conclusion of the Symposium, theme leaders and participants will be invited to write essays, alone or in interdisciplinary groups, drawing from the rich discussion which takes place during the symposium. These essays will be published by DRI Press in the spring of 2018.



The theme leaders and moderators for this Symposium include:

Terry Amsler, Adjunct Lecturer, Indiana University School of Public and Environmental Affairs; Co-Chair, ABA Dispute Resolution Section Public Policy, Consensus Building and Democracy Committee; Member, Deliberative Democracy Consortium Executive Committee

Lisa Blomgren Amsler, Keller-Runden Professor of Public Service, Indiana University School of Public and Environmental Affairs

Toby Berkman, Sr. Associate, Consensus Building Institute; Lecturer on Law, Harvard Law School

Chris Carlson, Chief Advisor to Policy Consensus Initiative

Ken Fox, Professor, Hamline University School of Business; DRI Senior Fellow

Suzanne Ghais, Principal, Ghais Mediation and Facilitation, Author of *Extreme Facilitation*

George Latimer, Professor Emeritus, Macalester College; former Hamline Law Dean and Saint Paul Mayor

Melanie Leehy, Co-chair City of Falcon Heights Task Force on Inclusion and Policing

Mariah Levison, Manager Bureau of Mediation Services, Office of Collaboration and Dispute Resolution

Kevin Lindsey, Commissioner, Minnesota Department of Human Rights

Grade Lum, Director, The Divided Communities Project, Moritz College of Law, The Ohio State University; Lecturer, and Research Fellow, Stanford Law School

Craig McEwen, Professor Emeritus, Bowdoin College

Sharon Press, Professor and Director, Dispute Resolution Institute, Mitchell Hamline School of Law

Kathy Quick, Associate Professor, Humphrey School of Public Affairs, University of Minnesota

Joseph ("Josh") Stulberg, Michael E. Moritz Chair in Alternative Dispute Resolution, Moritz College of Law, The Ohio State University

Andrew Thomas, Community Relations and Neighborhood Engagement Director, City of Sanford, Florida



Taking **distance learning** to new heights

Mitchell Hamline is the first ABA-approved law school in the country to offer a part-time, on-campus/online J.D. enrollment option—known as the HYBRID J.D.SM program. The program features two interrelated elements: intensive in-person experiential learning and online coursework that allows students to study the law from anywhere in the world. Through distance learning, HYBRID J.D. program students are engaging and succeeding in many traditional law student activities.

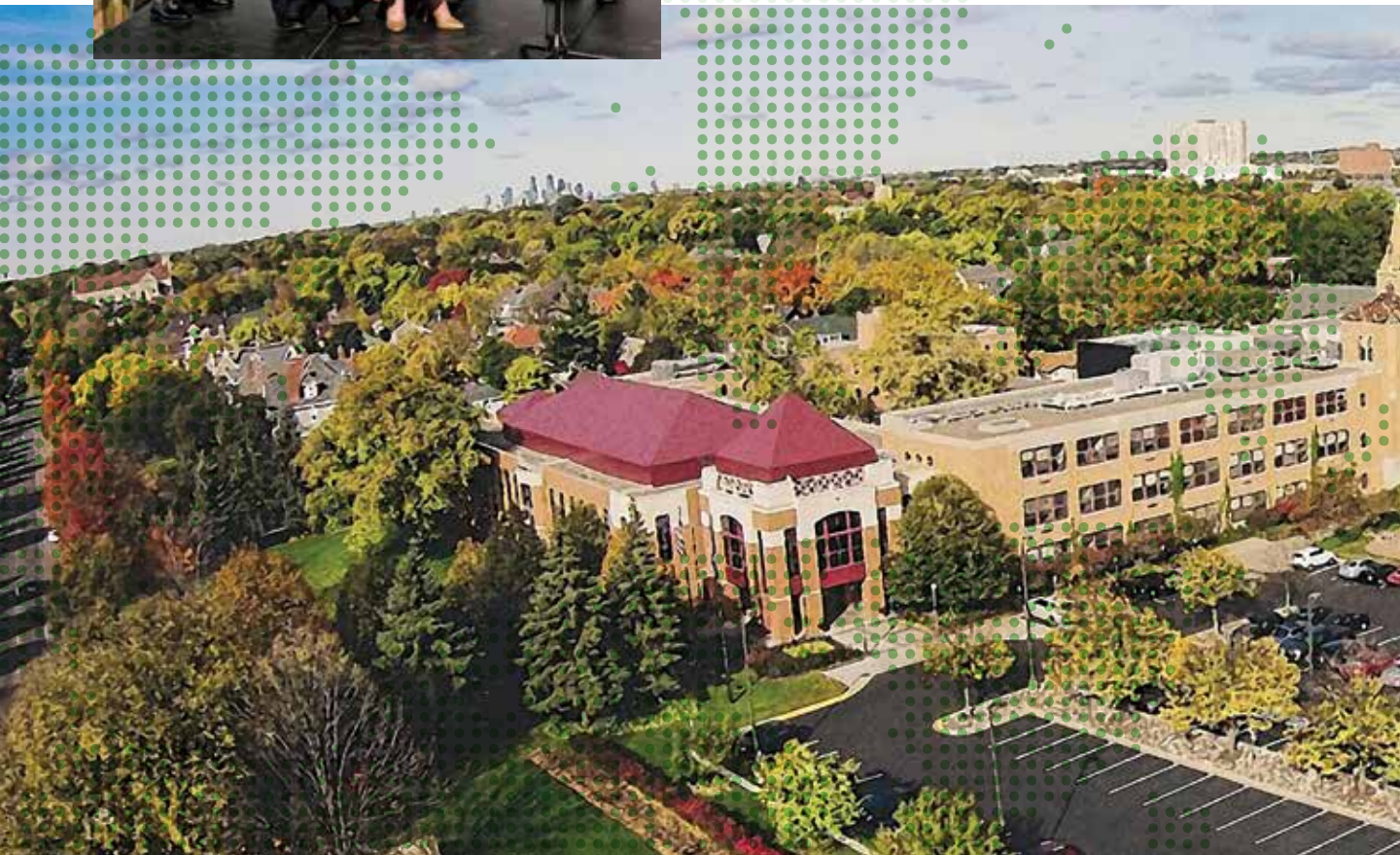


World Champions of the 2017 International Negotiation Competition for Law Students

After becoming national champions in the ABA Law Student Division Negotiation Competition this year, HYBRID J.D. program students Brian Kennedy and Briana Al Taqatqa represented the U.S. in the International Negotiation Competition for Law Students held in Oslo, Norway this summer. The five-day competition featured daily, simulated international negotiation sessions judged by a panel of legal experts from around the world. Kennedy and Al Taqatqa outperformed teams from 31 countries to claim the international championship.

Kennedy is CEO at El Paso Sports Commission in El Paso, Texas and Al Taqatqa, from Bloomington, Minn., is an analyst for the international education management company SABIS. Team coaches, Mitchell Hamline Dean of Student Affairs and Student Life Lynn LeMoine '11 (HUSL), Hamline University Professor, and DRI Senior Fellow,

Brian Kennedy and Briana Al Taqatqa receive their award in Oslo, Norway.



Ken Fox, and alumnus Pat Zitek '10 (HUSL), conducted the coaching sessions via Skype and Zoom, and developed the participants negotiation skills, while building teamwork, through distance learning.

"Brian and I were not sure what to expect going into the competition," Briana Al Taqatqa said. "We worked with our coaches to prepare for cultural differences in style, language barriers, and a multi-party negotiation. I think that preparation was essential to our success."

Certificate in Conflict Resolution Theory and Practice

For the first time this fall, students can now complete the Certificate in Conflict Resolution Theory and Practice online. Students in both the on-campus and HYBRID J.D. programs also have the option to take a combination of online and in-person courses to fulfill the certificate requirements.

This certificate is a 17-credit program that enables students to develop ADR knowledge and skills in an organized, thoughtful, and scholarly way, linking theory to practice. Beyond the core and elective course requirements, there is a practice component that requires students to engage in our clinics, ADR Externships, or an ADR competition. Our robust externship program works with our students from all over the globe to participate in meaningful externship programs, wherever they reside.

The final component of this program is the Practice Perspectives requirement for which students must complete ADR activities, including attending bi-annual colloquia designed specifically for certificate students.

Our **Certificate in Conflict Resolution** for non-JD students also is now available in a fully online format.





Conflict resolution from religious traditions **program expansion**

Study Abroad in Israel

When we contemplate religious conflict, we often think of all the ways that religions create divisions. This study abroad program, in the birthplace of the Abrahamic Religions of Judaism, Christianity and Islam, provides students with an intensive immersion into the religious traditions focusing on their capacity to be a force for bringing people together.

Beginning in Jerusalem, the city of gold, students study at the Rothberg International School at the Hebrew University of Jerusalem on Mount Scopus. There is no place in the world comparable to Jerusalem. It is both ancient and modern; a city of peace and great divisions; and it is home to major holy sites for many religions. Studying both in the classroom and using the city as our classroom, students begin the process of understanding the complexities of and the possibilities for peace.

Because Jerusalem is unique, this year we have expanded the program to include visits and study outside of Jerusalem. Students will attend (and participate) in a negotiation class at the law school in Tzfat, visit with peacemakers from each of the Abrahamic religions, and experience how Jews, Moslems, Christians, and Arabs live and work together in peace.

Over the course of this ten-day program, students receive an introduction to Christian, Moslem and Jewish traditions and reflect on how these religious traditions provide opportunities for dialogue and conflict resolution within and between these faith traditions. The Middle East is a fascinating place, both as a subject of study and a location to study. For over a decade, students have been transformed by this experience and we look forward to providing this expanded opportunity.



Lecture on the Mount of Olives

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Established in 1991, the Dispute Resolution Institute offers rigorous academic discourse, hands-on simulation experience, and cross-disciplinary examination of conflict theory, advocacy, and problem-solving in domestic and study abroad programs for law students, lawyers, and other professionals.

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