HIGHLIGHTS FOR THE 2011-2012 YEAR INCLUDE THE FOLLOWING:

- Cardozo was ranked #7 in the nation in Dispute Resolution by US NEWS AND WORLD REPORT.

- Lela P. Love received a Lifetime Achievement Award from the International Academy of Mediators (IAM) (April 2012, DC) and an ADR Achievement Award from the Association of Conflict Resolution of Greater NY (ACR-GNY) (June 2012, NY).

- The Cardozo Mediation Clinic of 1995 honored their classmate Jay Zwerling, who passed away recently, with a plaque in the Moot Court. Champagne toasts were made and stories were told about Jay’s life (June 5, 2012).

1. **Student Writing Awards and Publication:**

   The following students received an Honorable Mention for the papers they submitted to the ABA Dispute Resolution Section’s Boskey Dispute Resolution Essay Competition. Their essays will be published on the ABA Dispute Resolution website:
   - Samuel D. Permutt for his essay *The 'Honor' Killing Problem in Arab-Israel Communities: A Case for Sulha*
   - Emily Bennett for her essay "*The Innovation of Collaboration: When 'Win-Win' Wins"


2. **The Cardozo Dispute Resolution Society**

   The Cardozo Dispute Resolution Society (CDRS) hosted many events introducing Cardozo students to Dispute Resolution courses and programs at the school, as follows:

   **September**
   - Pizza Reception—Welcome back. The Executive Board, including Dina Bandman, Shawna Benston, Bryan Branon, Romina Canessa, Steven Klein, Anna Mitchell, Victoria Pagos, and Carolina Velez, welcomed students and extended invitations for the submission of nominations for the positions of two 1L Liaisons.

   **November**
Informal cocktail reception at City Tavern to discuss possible events for the 2012 spring semester.

*Pray the Devil Back to Hell*, the first of a three-part movie screening series at Cardozo, in partnership with the New York Peace Institute. Approximately 30 attendees attended the screening and subsequent dialogue. *Pray the Devil Back to Hell*, directed by Abigail E. Disney and Gini Reticker, is the extraordinary story of a small band of Liberian women who came together in the midst of a bloody civil war, took on the violent warlords and corrupt Charles Taylor regime, and won long-awaited peace for their shattered country in 2003. New York Peace Institute Case Manager Rusa Fischer and CDRS Co-Presidents Romina Canessa and Bryan Branon led a discussion on the lessons alternative dispute resolution practitioners in the New York community could take away from the movie. Popcorn and refreshments were served.

**Ongoing.**

Mediators Beyond Borders (MBB) University Chapter Leadership Committee.

**February 2012**

- Bet the Company Litigation: The Roles of Mediation and Insurance. Alumni Jed Melnick (JAMS) and Joshua Schwartz (Associate General Counsel, Regional Compliance Officer, ACE Bermuda Insurance Ltd.) returned to Cardozo, along with Lisa Brenner (Claims Counsel, XL Insurance), Damian Brew (Managing Director, FINPRO), Michael Goodstein (Bailey Cavalieri LLC), Kim Melvin (Wiley Rein LLP), and Associate Martha Solinger (Co-General Counsel and Managing Director, Lehman Brothers Holdings Inc.), for this presentation.

- Bioethics Mediation Seminar with Professors Carol Liebman and Nancy Dubler.


- The Three A’s of Commercial Arbitration with Sandra Partridge (American Arbitration Association Vice President), Peter Zlotnick ’90 (Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. Partner), and Charles J. Moxley, Jr (Kaplan Fox & Kilsheimer LLP and Cardozo ADR Practitioner in Residence).

**March 2012**

- Mediators Beyond Borders Annual Meeting

- The Three A’s of Labor and Employment Arbitration with Jeffrey Zaino (American Arbitration Association Vice President) as the Administrator, Richard Corenthal, Meyer, Suozzi, English & Klein as the Advocate, Jacquelin Drucker, Esq., as the Arbitrator and Barbara Deinhardt, Esq., as the Moderator.

- Mediators Beyond Borders Lunchtime Presentation on MBB work in Rwanda with Emily Gould.
• Divorce Mediation Panel with Elana Katz, LCSW, LMFT (senior faculty member at the Ackerman Institute for the Family), Ken Neumann (mediator, child psychologist and family therapist) and Stephanie Cooper CSL ’86.

• New York State Bar Association Student ADR Cocktail Reception in conjunction with St. John’s and Brooklyn Schools of Law.

April 2012

• Risks of Doing Business in Russia and How The Use of ADR Can Help with Peter Pettibone (Honorary Director of the U.S.-Russia Business Council and of counsel, Hogan & Hartson LLP/Moscow)

• Alternative Careers in ADR with Tracey Frisch (AAA in-house counsel).

3. The Cardozo Journal of Conflict Resolution

Generous funding was provided by the JAMS Foundation.

The Journal gave the 12th Annual International Advocate for Peace Award to Mr. John Marks, President and Founder of Search for Common Ground. In his role as President and Founder of SFCG and Common Ground News Service, Mr. Marks used journalism to promote conflict resolution and prevention on an international scale by training organizers and reporters in conflict and post-conflict areas, using inter-ethnic reporting teams and framing questions to find areas of consensus. Through these efforts, SFCG has transformed the way global conflict is perceived and addressed, combining grassroots community engagement with political and institutional advocacy. This creative formula has fostered meaningful and constructive dialogues around the globe. In addition, the News Service has exposed many areas where more work needs to be done to foster mutual understanding.

Mr. Marks also worked extensively on problems surrounding the Israeli-Palestinian conflicts, and was both writer and producer of The Shape of the Future, a four-part TV documentary series that was simulcast on Israeli, Palestinian, and Arab satellite TV. Mr. Marks also serves as executive producer of The Team, a TV and radio series in 16 countries, as well as numerous other TV and radio programs. John is a Skoll Fellow in Social Entrepreneurship and holds an Honorary Doctorate from the University of Peace in Costa Rica. He served as a US Foreign Service Officer and as Executive Assistant to the late US Senator Clifford Case. A graduate of Cornell University, John was a Fellow at Harvard’s Institute of Politics and a Visiting Scholar at Harvard Law School. He is an award-winning author and a Senior Ashoka Fellow.

4. The Certificate in Dispute Resolution

The following students received a Certificate in Dispute Resolution in 2012: Jessica Bialostozky, Amy Cross, Lancelot Esteibar, Jacob Hartz, Bryan Wolin, and Chauniqua Young.
5. Conferences and Presentations

The Dispute Resolution Section of the New York State Bar Association co-sponsored with Cardozo a **Commercial Arbitration Training** (7/16-18/12 at Cardozo).

Cardozo served as host and co-sponsor for the **11th Annual Association of Conflict Resolution of Greater New York (ACRGNY) Conference** (6/21 at Cardozo).

**AT & T Mobility v. Concepcion**, with opening remarks by Dean Matthew Diller and Professor Myriam Gilles, panelists Paul Bland, Brian Fitzpatrick, Adam Kline, Jean Sternlight, and Stephen Weiss discuss the scope of Concepcion. Panelists Gary Friedman, Deepak Gupta, William Wade-Gery, and Adam Zimmerman discuss alternative challenges to class action waivers and other possible responses to the decision. (4/26 at Cardozo).

Cardozo and the NYS Bar Association Dispute Resolution Section co-sponsored a program on **The Basics of Mediating Trusts & Estates Disputes** (5/21 at Cardozo).

Cardozo co-sponsored a 6.5 hour CLE program/professional workshop presented by Jeremy Lack and Francois Bogacz on **Applying Neurobiology to Negotiation and Mediation** (4/23 at John Jay College-CUNY).

6. Competitions

**St. John's Annual Securities Dispute Resolution Triathlon** (negotiation, mediation and arbitration)
A joint initiative of the Hugh L. Carey Center for Dispute Resolution at St. John’s School of Law and the Financial Industry Regulatory Authority (FINRA), this competition took place on October 15-16, 2011. Twenty-eight student teams representing over twenty law schools from around the country participated in the competition. Cardozo students, Aaron Liebowitz, Diana Wong, and Charity Brady were among the competitors.

**The American Bar Association Negotiation Competition**
The American Bar Association Regional Negotiation Competition took place in Albany, NY on November 12th-13th, 2011. Cardozo’s teams of Sarah Nadeau & Rachel Teitelbaum and Emily Fusting & Bryan Wolin placed second and third out of a field of twenty four teams. The team of Sarah Nadeau and Rachel Teitelbaum advanced to the National Finals.

**Jeffry S. Abrams National Mediator Competition**
For the first time, Cardozo sent two students to compete at the University of Houston Law Center on November 10th – 12th in the Jeffry S. Abrams Mediator Competition: Chauniqua Young and Lancelot Esteibar. Judged on effectiveness as a mediator, Lancelot Esteibar was one of four semi-finalists in a field of eleven mediators from seven schools.
The ICC International Commercial Mediation Competition in Paris
Since 2007, Cardozo has sent a team to the ICC Competition. This year the team of, Sarah Nadeau and Bryan Wolin, coached in Paris by Ben Thompson, represented Cardozo.

The American Bar Association Representation in Mediation Competition
Cardozo sent two teams to the ABA Regional Representation in Mediation Competition hosted by Pace Law School on March 3, 2012. Students competing were: Emily Fusting, Lancelot Esteibar, Victoria Pagos, and Dan Liston. Out of a field of 12 teams, the Cardozo team of Emily Fusting and Lancelot Esteibar placed 4th.

Willem C. Vis International Commercial Arbitration Moot Competition
The Annual Willem C. Vis Competitions promote the study of international commercial law and arbitration for law students from around the world. In March, Benjamin N. Cardozo School of Law sent teams to both the William C. Vis International Commercial Arbitration Moot West (Vis Moot West) in Vienna, Austria, and the William C. Vis International Commercial Arbitration Moot East (Vis Moot East) in Hong Kong. Students were selected based on their performance in the International Arbitration Practicum, a year long course dedicated to studying oral and written advocacy in arbitration. Course participants prepare for the William C. Vis Competitions, and the actual teams are competitively selected after a three-round intra-school competition.

Cardozo’s teams are coached by Professor Curtis Pew. Cardozo was represented at the Vis Moot East in Vienna by a team of four students, including: Anna Mitchell, Jacob Hartz, Joseph Devine, and Magda Laszlo. In Hong Kong, Bryan Branon, Gintare Mockute, Inna Yelyashkevych, and Danielle Carter represented Cardozo.

The Cardozo/ABA Intraschool Negotiation Competition
This competition, held at Cardozo each year, was judged in 2012 for the first time by both ADR professionals and students in the ADR Competition Team. Fifty students (26 teams) competed. The winners were: 1st Place to Iliza Bershad and Allison Simon; 2nd Place to Metom Bergman and Michael Wertheim; and 3rd Place to Kyle Epstein and Brian Farkas and Jessica Cohen-Nowak and Evan Kass.

The ABA Client Counseling Competition

7. Clinics

- Mediation Clinic
The Mediation Clinic is an 8 credit, 2 semester clinical program in which 16 students are trained and supervised in mediating cases at community dispute resolution centers, small claims and the pro se civil courts, high schools, and the Equal Employment Opportunity Commission (EEOC), while studying the broad field of alternative dispute resolution. The Mediation Clinic was founded in 1985 and has been offered each year since. In addition to the educational value of the Mediation Clinic, Cardozo is proud of the community service the Clinic provides. Clinic participants are trained to be mediators in
the fall semester of their program. However, in the spring semester they are approved community mediators servicing difficult and diverse cases in a variety of venues. In addition, each student gives a presentation on conflict resolution to community or other groups.

This year Cardozo students reported participation in 185 cases, either as an apprentice mediator (observing or co-mediating) or as a mediator. For all the cases, the agreement or resolution rate was 55%. The break down of cases that settled in mediation was as follows: 66% in the Brooklyn Civil Court; 57% in the Manhattan Civil Court; 49% in the Manhattan Small Claims Court; 0% of the EEOC cases; 77% of the Brooklyn Mediation Center cases; and 24% of the Queens Small Claims Cases. Over a third of all cases mediated were between Landlords and Tenants. Of these, 53% reached agreement.

Students made presentations on mediation and alternative dispute resolution processes to a variety of groups, including: Edward Murrow High School, Congregation Agudath Israel in Caldwell, NJ, the International Center for Dispute Resolution, the New York Peace Institute, the NYU Bronfman Center for Jewish Student Life, BALSA, the Gay Men’s Health Center, Trevor Day School, and a video prepared for the American Bar Association Section of Dispute Resolution Competition for mediation-promoting videos.

As in past years, the Mediation Clinic was very popular. A total of 71 students applied for the 16 clinic openings.

- **Divorce Mediation Clinic**

  In the Spring of 2010 Cardozo Law School was selected by New York State’s Office of Court Administration to create a divorce mediation program designed to bring the benefits of family mediation to the public. The Cardozo Law School Divorce Mediation Clinic established as a result has offered a dozen competitively-selected law students each semester an opportunity to gain practical mediation experience and develop matrimonial drafting skills, while offering critical divorce services free to citizens of New York City and the surrounding region.

  The Cardozo program provides mediation services at the courthouse at 80 Centre Street in Manhattan to appropriate couples four days each week, and is remarkable among law school clinical programs in affording students the responsibility to mediate couples’ complete range of economic issues, in addition to their parenting provisions. Working under the direct supervision of Robert Kirkman Collins, a professor with over thirty years of divorce mediation experience in private practice, students assist separating couples resolve the full range of issues presented by divorce – the parenting schedule and decision-making protocols for their children, an equitable division of their assets and liabilities, fixing basic child support and allocating major parental expenses, setting spousal support, negotiating insurance coverage, and navigating through tax issues. Upon completion of the couples’ discussions, which typically require from two to five separate mediation sessions, students take responsibility for drafting the parties’ legal Separation Agreement and preparing and filing the complex set of papers and forms needed to obtain an uncontested decree of divorce.

  During the two and a half years of its operation, the Cardozo Clinic has been able to assist over 150 couples through the bewildering process of marital separation – without cost to them and with a minimum of rancor; it has directly benefited members of the public who could not otherwise afford experienced guidance through the divorce system,
and aided the judiciary by resolving several complex case directly referred to the Cardozo Clinic from the bench. Many students have reported the Divorce Mediation Clinic to be a highlight of their educational experience at Cardozo, and several alumni of the Clinic have gone on to incorporate divorce mediation into their practices after graduation.

- **Security Arbitration Clinic**

The Securities Arbitration Clinic, begun in 2003, will complete its seventh year this fall. The Clinic represents claimants who cannot afford an attorney and who have securities-related arbitration claims arising from improper actions by retail securities brokers and/or broker-dealers. The majority of the Clinic's clients are elderly and single, others include disabled persons and young adults who have inherited some small sum of money on the passing of their parents. The clients' cases are tried primarily before FINRA, but the Clinic also handles matters before the NFA and AAA arbitration forums. During the past year, the Clinic received 43 inquiries, settled more than a dozen cases and currently has seven cases pending before FINRA and one in court. Four cases are currently under investigation. The remainder of the cases either presented claims that were inarbitrable; were barred by the statute of limitations and/or arbitration eligibility rules; or were presented by parties who were in jurisdictions to which the Clinic's student practice order does not extend. To date, the Clinic has recovered over $600,000 on behalf of its clients.

The Clinic is staffed by eight students, and one full-time Director/Clinical Faculty member.

8. **Global Perspectives on ADR: Mediation and Democratic Dialogue Summer Study Abroad Program**

This program gives students the opportunity to study conflict resolution processes through multinational examples and perspectives in an international setting, examining mediation initiatives in both developed and emerging democracies. Program design has been guided by the principle that great dispute resolvers of the 21st century not only will be advocates, but also creative problem solvers working collaboratively at home and abroad. The program is sponsored by Cardozo, together with both the Dispute Resolution Institute of Hamline University School of Law and Central European University.

In 2010, a two-week, three-credit program was offered at Central European University in Budapest, focusing on *Mediation and Democratic Dialogue*. American students learned side-by-side with scholars from Central and Eastern European countries and elsewhere. The course is designed to facilitate the exchange of ideas and cooperative projects among academics, professionals, and students in the East and West who are pursuing the study of conflict and conflict resolution processes. For each offering of the program, students and faculty from many countries have participated, making it an unparalleled cross-cultural learning experience. In 2010, a total of 33 students from 15 countries attended the ADR Abroad Program.

9. **Lela P. Love**
Most Recent Publications

Stories Mediators Tell (editor, with Eric Galton) (ABA Publishing 2012)

Chapter on *Generosity* for Volume 4 in Educating Negotiators for a Connected World: Volume 4 in Rethinking NegotiationTeaching Series (with Sukhsimranjit Singh) (publication pending 2012, DRI Press).


Teacher’s Manual for Dispute Resolution: Beyond the Adversarial Model, 2nd Edition (with Carrie Menkel-Meadow, Andrea Schneider and Jean Sternlight) (2011)


*Dispute Resolution: Beyond the Adversarial Model, 2nd Edition* (with Carrie Menkel-Meadow, Andrea Schneider and Jean Sternlight) (2011)

*Trick or Treat? The Ethics of Mediator Manipulation*, 17 Dispute Resolution Magazine 17 (with Jim Coben) (Fall, 2010)

*The Middle Voice*, with Joseph B. Stulberg (Carolina Academic Press 2009)

Courses, Conference and Other Presentations:


Opening Remarks and Mediator for Cardozo and the *NYS Bar Association Dispute Resolution Section* co-sponsored program *The Basics of Mediating Trusts & Estates Disputes* (5/21/12 at Cardozo).

Faculty, course in *Basic Civil Mediation*, *University of Idaho School of Law* (Moscow, ID 5/14-18/12).

Presenter, *Overcoming Cognitive Illusions to Provide Procedural and Substantive Justice in Arbitration*, *14th Annual Spring Conference of the ABA Section of Dispute Resolution* (Washington, DC (4/18-21/12)
Featured Speaker, *Stories Mediators Tell*, NYS Bar Association Dispute Resolution Section Mediation Committee (2/28/12)

Panelist, *Overcoming Obstacles to Effective Dispute Resolution*, NYS Bar Association Dispute Resolution Section Annual Meeting (1/26/12)


Panelist, *Mediation Settlement Day Event* event, Brooklyn Civil Court (10/20/11)


Faculty, *Negotiation and Mediation*, Tulane Law School and Humboldt University (Berlin 7/25-8/5/11)

Faculty (welcomed participants and taught a 2-hour segment), *Commercial Arbitration Training*, New York State Bar Association/Dispute Resolution Section and Cardozo School of Law (6/28-30/2011)

Plenary Panelist, *Fitting ADR into your Law School Curriculum*, Moderator, Pedagogy in Mediation Teaching and Mediation Track Leader, *Teaching Law School ADR Classes, Pepperdine School of Law* (Malibu 6/21-22/11)

Faculty, Mediation (2 credit course with Joseph Stulberg), Pepperdine University School of Law (2/2011 Malibu, CA)


Invited Participant, *Rethinking Negotiation Teaching, Beijing Conference/Peking University and Hamline University Schools of Law*, (5/2011 China)


Welcoming Remarks, *The “Wahala Factor”: How to Mediate a Problematic Real Estate Dispute*, for the New York State Bar Association Section of Dispute Resolution, the Nigerian Lawyers Association, and Benjamin Cardozo School of Law (3/29/11)
Presenter, visitors from China: Professor Li Rong, Judge Li Xiaoshen, Judge Yu Jianfeng, and Attorney Zhang Kehua, for the State Department (2/28/11)

Panelist, Sneak Peek for newly admitted students, Benjamin N. Cardozo School of Law (2/21/11)

Moderator, Panel on Alternative Courts: Rethinking Justice and Rehabilitation, Public Law Advocacy Week, Benjamin N. Cardozo School of Law (1/24/11)

Trainer, Part 137 Fee Dispute Arbitration Training, NY County Lawyers Association and the Office of Court Administration (11/9/10)

Opening Remarks, 12th Annual Symposium of the Cardozo Journal of Conflict Resolution: Energy and the Environment: Preventing and Resolving Conflicts, Benjamin N. Cardozo School of Law (11/1/10)

Panelist, Breaking Political Impasse with Mediation, ABA Section of Dispute Resolution and the Hawaii State Bar Association ADR Section (Honolulu, 10/26/2010).

Presenter, Round Table Conference on Mediation in Asia, Recent Trends in Mediation World-Wide and Building a Law School Mediation Program, Kyushu University (Fukuoka, Japan, 9/30-31/2010).

Presenter, Stories Mediators Tell, Annual Retreat and Conference of The American College of Civil Trial Mediators (Vermont, 7/19/10).

Faculty, Mediation (2 credit law school course) Vermont Law School (7/30-8/3/10) (with Dan Weitz).

Committee and Other Service:

Co-Chair, Committee for the ABA Section of Dispute Resolution Award for Scholarship (2010-12)

Co-Chair, Advisory Committee to Restructure the Dispute Resolution Magazine for the ABA Section of Dispute Resolution (2012- )

Member, International Board of Distinguished ADR Professionals of the Center for Mediation and Law in Moscow (2011- )

Member, NYS Bar Mediation Section, Education Committee (2010- )

Chair, Academic Standards Committee, Benjamin N. Cardozo School of Law (2011- )

Member, Surrogate's Court Mediation Pilot Project (2009- )
Member, CPR Executive Advisory Committee (2010- ) and Mediation Committee (2010-)

Mediator, mediated first case in a Surrogate’s Court (2010)

Judge, *James B. Boskey ADR Writing Competition*, sponsored by the ABA Section of Dispute Resolution in association with Penn State Dickinson School of Law. (2008- )

Member, Mediation Ethics Advisory Committee, Unified Court System of New York State (2006-2009).

Member, Committee on Mediator Ethical Guidance, ABA Section of Dispute Resolution (2006-2010). Chaired subcommittee that drafted response to first ethical query to the Committee on Mediator Ethical Guidance.

Secretary and Vice President, Archbold Expeditions (ongoing)