

## Introduction

This bibliography project began as a joint effort of the Ohio State University College of Law, Harvard Law School's Program on Negotiation, and the American Bar Association Standing Committee on Dispute Resolution. Carole Hinchcliff, the original bibliographer, and those on the Ohio State Journal on Dispute Resolution who followed in her steps categorized each publication by public policy themes as well as more traditional forms of categorization, such as type of process, substantive area of dispute, and institutional auspices. The bibliography focuses broadly on writings in English that are likely to interest lawyers and legal scholars. The Journal staff also makes the comprehensive bibliography available on diskette for computer-assisted search.

Read comprehensively, the annual bibliography demonstrates the topics that interest scholars and other legal writers during each year. In this sixth year, the over 600 annotations for 1993 publications indicate the continuing attention of writers to some of the themes that cut across applications of dispute resolution, particularly on the qualifications of neutrals, confidentiality, mandatory participation, and enforcement of pre-dispute clauses. They give context to the American "alternative dispute resolution movement" by describing the development of dispute resolution in societies that circle the globe.

In terms of numbers, however, publications that provide pragmatic advice to lawyers or urge them to expand use of dispute resolution processes dwarf the publications that examine public policy issues or offer comparative perspectives. "How to" publications on the use of dispute resolution processes, particularly arbitration, for employment disputes are particularly prevalent. Writings on international arbitration also form a large proportion of the 1993 publications, focusing on effects of new trade agreements, new conventions on international arbitration, and the effects of

foreign arbitration laws. Practitioners of mediation offer advice in applications that include the use of mediation in cases involving utilities, patents, television franchises, as well as traditional areas such as administrative, family, and commercial.

Relatively few critics of dispute resolution expressed their views in 1993 publications. Most critical works focused on the public policy implications of enforcing of pre-dispute arbitration clauses in employment and consumer disputes on the effectiveness of non-binding arbitration for medical malpractice cases. The process of mediation won mostly praise. The majority of 1993 authors urged lawyers to expand their use of dispute resolution processes.