

Twenty-Five Years Later with Promises To Keep: Legal Education in Dispute Resolution and Training of Mediators

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Twenty-five years after the Pound Conference, legal education in dispute resolution and mediation training have expanded beyond anyone's 1976 wildest dreams. In the Rodgers and Hammerstein musical "Oklahoma," when the country boy arrives in Kansas City, having missed major developments of the Twentieth Century, he is amazed how everything is "up to date." He marvels at gas buggies going by themselves, strangers' voices coming out of telephones, and indoor privies. He sings,

Everything's like a dream in Kansas City
It's better than a magic lantern show . . .
They've gone about as fur as they can go.¹

Had we not been in the middle of the developments, like the country boy, we would marvel at the speed of what's happening in alternative or appropriate dispute resolution (ADR) in legal education and in the training of neutrals. I will begin these comments by reviewing some of the ways that "everything's like a dream." I will then turn that around and look at some potential nightmares threatening the field. And I will end by noting that in many ways we have *not* gone "as fur" as we can go, and we have, in the words of Robert Frost, "promises to keep, / And miles to go before [we] sleep."²

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¹ The verse goes,

Everything's like a dream in Kansas City
It's better than a magic lantern show.
You can turn the radiators on whenever you want some heat
With every kind of comfort every house is all complete
You can walk to privies in the rain and never wet your feet!
They've gone about as fur as they can go. Yes, sir!

Oklahoma! Productions, Oklahoma! Lyrics, <http://home.merlin.mb.ca/~dsparkes/oklahoma/lyrics.html#top> (last visited Mar. 26, 2002).

² ROBERT FROST, *Stopping by Woods on a Snowy Evening*, in NEW HAMPSHIRE: A POEM WITH NOTES AND GRACE NOTES 87, 87 (Henry Holt and Co. 1923).

Today is a day of celebration. Frank Sander and other pioneers in this room—our hosts, Nancy Rogers and Josh Stulberg to single out a few—have achieved this remarkable momentum and growth in the field of ADR. The following are examples of progress in the field of teaching ADR:

1. In many law schools ADR has been incorporated into the curriculum by integrating dispute resolution into standard courses,³ expanding ADR initiatives in an incremental fashion,⁴ and, as almost every law school has done, adding ADR courses to the curriculum. This was not happening in 1976. By 1983, according to an American Bar Association (ABA) survey of dispute resolution programs, forty-three law schools offered ADR courses.⁵ The most recent directory of dispute resolution courses and programs published by the ABA Section of Dispute Resolution reports 830 courses and programs at 182 law schools with sixty-two schools offering dispute resolution-related clinics.⁶ That is phenomenal growth!

2. Today more than 500 law professors identify themselves as teaching ADR.⁷ In 1976, there was no subject category for ADR or mediation.⁸

³ University of Missouri-Columbia School of Law (Missouri) has provided leadership in integrating dispute resolution theory and practice throughout the law school curriculum. In 1985, Missouri systematically integrated the teaching of ADR into all standard first-year law school courses. By 1997, six other law schools had adopted the "Missouri Plan." Leonard L. Riskin, *Disseminating the Missouri Plan To Integrate Dispute Resolution into Standard Law School Courses: A Report on a Collaboration with Six Law Schools*, 50 FLA. L. REV. 589, 590 (1998).

⁴ The Ohio State University Moritz College of Law provides a good example of incremental growth. See generally Sarah R. Cole et al., *Sustaining Incremental Expansion: Ohio State's Experience in Developing the Dispute Resolution Curriculum*, 50 FLA. L. REV. 667 (1998) (describing the evolution of the ADR program at The Ohio State University Moritz College of Law). The program at Benjamin N. Cardozo School of Law is a comparable example of steady and incremental expansion: a mediation clinic began in 1985; a lectureship was added in 1990; the Cardozo Online Journal of Conflict Resolution was founded in 1999; an ADR study abroad program was offered by the summer of 2000; and a certificate program in dispute resolution was in place by 2001. Throughout the period since the founding of the Mediation Clinic in 1985, the number of courses in ADR, competitions, and symposia at Cardozo has steadily grown. See the Kukin Program for Conflict Resolution's homepage, Kukin Program, at <http://www.cardozo.yu.edu/kukin> (last visited Mar. 26, 2002).

⁵ See SPECIAL COMM. ON ALTERNATIVE MEANS OF DISPUTE RESOLUTION, AM. BAR ASS'N, LAW SCHOOL DIRECTORY OF DISPUTE RESOLUTION PROGRAMS (1983).

⁶ See ABA SECTION OF DISPUTE RESOLUTION, AM. BAR ASS'N, DIRECTORY OF LAW SCHOOL DISPUTE RESOLUTION COURSES AND PROGRAMS (2000).

⁷ THE ASS'N OF AM. LAW SCH., DIRECTORY OF LAW TEACHERS, 1136-40 (2001).

⁸ THE ASS'N OF AM. LAW SCH., DIRECTORY OF LAW TEACHERS (1976).

3. Several law schools have developed institutes that train law students, lawyers, and other professionals in dispute resolution theory and skills, offering certificate programs,⁹ masters degrees or LL.M. degrees,¹⁰ and CLE programs.¹¹ One law school hosts a Center for Creative Problem Solving.¹²

4. There is a prestigious award to recognize educational efforts in promoting problem solving in law schools.¹³

5. The pedagogy used to teach mediation and conflict resolution—including, in addition to traditional approaches, games, simulations, and demonstrations—has infused new life into law school teaching.¹⁴ Perhaps

⁹ A survey of law school-based certificate programs in dispute resolution prepared by Professor John Lande in September 2001 revealed fifteen law schools offering such programs, including Cardozo, Chicago-Kent, Hamline, Marquette, Ohio State, Dickinson, Pepperdine, Rutgers-Newark, Missouri-Columbia, Tennessee, Texas, Tulsa, Valparaiso (concentration), Washington (concentration), and Willamette. John Lande, *Certificate Programs in Dispute Resolution in Which Law Schools Participate* (Sept. 2001) (unpublished manuscript, on file with author).

¹⁰ For examples, Pepperdine University School of Law offers a Masters Degree in Dispute Resolution, *see* The Straus Institute for Dispute Resolution, at <http://law-www.pepperdine.edu/straus/> (last visited Mar. 19, 2002), and the University of Missouri-Columbia School of Law offers an LL.M. Degree in Dispute Resolution, *see* Center for the Study of Dispute Resolution, at <http://www.law.missouri.edu/csdr> (last visited Mar. 19, 2002).

¹¹ Harvard Law School's Program for Instruction of Lawyers offers regular ADR CLE programs each year in June, and recently also in November. The Harvard program has trained approximately 5000 persons from all over the world. E-mail from Frank Sander, Bussey Professor, Harvard Law School, to Lela Love (Jan. 22, 2002) (on file with author). The Dispute Resolution Institute at Hamline University School of Law (established in 1991), *see* Dispute Resolution Institute, at <http://www.hamline.edu/law/adr> (last visited Mar. 18, 2002), and The Straus Institute for Dispute Resolution at Pepperdine University School of Law, *see* The Straus Institute for Dispute Resolution, at <http://www.pepperdine.edu/straus> (last visited Mar. 19, 2002), offer multiple ADR programs year around to law students, lawyers, and professionals from various disciplines.

¹² The William J. McGill Center for Creative Problem Solving was established at California Western School of Law in 1997. *See* William J. McGill Center for Creative Problem Solving, at http://www.cwsl.edu/mcgill/mc_main.html (last visited Mar. 19, 2002).

¹³ The CPR Institute for Dispute Resolution offers an annual award for effective teaching of problem solving theory and practice in any law school course, seminar, or clinic. The award was instituted in 2001. *See* CPR Institute Home Page, at <http://www.cpradr.org/outline.htm> (last visited Mar. 19, 2002).

¹⁴ The Program on Negotiation at Harvard University School of Law has been a leader in developing and disseminating curricular material for ADR courses. *See* The Program on Negotiation at the Harvard Law School, at <http://www.pon.harvard.edu> (last

because many law school ADR professors are also trainers, there has been a focus on educational techniques that insure learners “get” the material—that is, acquire attitudes and performance skills as well as knowledge. This pedagogy is in synch with adult learning theory, as well as the goals of clinical legal education. When I attended Georgetown University Law Center in the late seventies, I encountered no comparable teaching methods.

6. A few clicks on the Internet, and a seeker can find mediation-training programs in virtually any ADR practice area in any region of the country.¹⁵ The Internet itself did not exist in 1976, nor did this range of options.

7. Therapeutic jurisprudence and preventive law—two movements that take into account the psychological well-being of clients—have brought interdisciplinary research and teaching involving law, philosophy, psychiatry, psychology, social work, criminal justice, public health, and other fields into law teaching and practice.¹⁶ These movements have complemented the interdisciplinary foundations of mediation theory and practice and the individual-centered focus in mediation on party needs and interests. Similarly, client-centered interviewing and counseling, a movement that paralleled the development of ADR, has contributed to a focus on uncovering and pursuing client needs and interests,¹⁷ rather than law-dominated outcomes. The client-centered focus complements interest-based bargaining theory,¹⁸ which undergirds much of the pedagogy around

visited Mar. 19, 2002). It is evident, however, that the presence of novel teaching approaches in law schools has not (yet) inspired a universal reevaluation of traditional approaches.

¹⁵ See, e.g., *The Calendar of Mediation Skills Training*, available at <http://www.mediate.com/calendar/maincalendar.cfm> (last visited Feb. 2, 2002).

¹⁶ David B. Wexler, *New Directions in Therapeutic Jurisprudence: Breaking the Bounds of Conventional Mental Health Law Scholarship*, 10 N.Y.L. SCH. J. HUM. RTS. 759, 761–62 (1993); Thomas L. Hafemeister, *End-of-Life Decision Making, Therapeutic Jurisprudence, and Preventive Law: Hierarchical v. Consensus-Based Decision-Making Model*, 41 ARIZ. L. REV. 329, 330–31 (1999) (describing the underlying principle of therapeutic jurisprudence as a recognition that law can and should have positive mental health and psychological consequences for the individuals it affects).

¹⁷ In 1977, just one year after the Pound Conference, David Binder and Susan Price authored the first edition of *LEGAL INTERVIEWING AND COUNSELING: A CLIENT-CENTERED APPROACH*, a seminal work shifting the focus in counseling from the provision of legal advice, to the exploration of client interests and options and the provision of information to the client to assist in client-based decision-making. The current edition of that work is DAVID A. BINDER ET AL., *LAWYERS AS COUNSELORS, A CLIENT-CENTERED APPROACH* (1991).

¹⁸ ROGER FISHER & WILLIAM URY, *GETTING TO YES* (1981), is the most widely read book expounding this theory.

mediation.¹⁹ The collaborative lawyering movement, where the lawyers commit to working together to achieve a mutually acceptable outcome and to withdraw if such an outcome is not possible, is a more recent, derivative development that is based on a commitment to finding consensus-based solutions.²⁰

8. The ABA Section of Dispute Resolution Conference, only three years old, is larger than the ABA Litigation Section Conference.²¹ A negotiation competition and a representation in mediation competition now supplement other ABA litigation-based competitions.²²

9. Over the last quarter century, more and more attention has turned to insuring high quality mediation practitioners. A variety of approaches have been adopted, including setting minimum requirements in terms of hours of training and specific aspects of the necessary curriculum,²³ certifying trainers

¹⁹ One notable exception to this statement is the theory of transformative mediation, based on strategies to achieve party empowerment and inter-party recognition rather than interest-targeted problem solving. See ROBERT A. BARUCH BUSH & JOSEPH P. FOLGER, *THE PROMISE OF MEDIATION: RESPONDING TO CONFLICT THROUGH EMPOWERMENT AND RECOGNITION* 79–113 (1994) (describing transformative mediation as an approach which rejects the goal of problem-solving).

²⁰ Ascanio Piomelli, *Appreciating Collaborative Lawyering*, 6 *CLINICAL L. REV.* 427 (2000).

²¹ Interview with Jack Hanna, Director of the ABA Section of Dispute Resolution, at the 2000 Section of Dispute Resolution Conference, in San Francisco, Cal. (Apr. 6–8, 2000). According to Mr. Hanna, the percent of Section members in attendance at the Section of Dispute Resolution Conference is twice that of any other ABA Section's conference. Telephone Interview with Jack Hanna, Director of the ABA Section of Dispute Resolution (Jan. 7, 2002).

²² The ABA Negotiation Competition is eighteen years old (begun in 1984), and the ABA Representation in Mediation Competition was officially inaugurated in 2000. See American Bar Association Network, Law Student Division Negotiation Competition, available at http://www.abanet.org/lstd/negotiation/negotiation_00-01.html (last visited Mar. 6, 2002); American Bar Association Network, Representation in Mediation Competition for Law Students, available at <http://www.abanet.org/dispute/mediationcomp.html> (last visited Mar. 6, 2002).

²³ Florida requires twenty hours of training for county court mediators and forty hours of training for family and circuit court mediators. FLA. R. FOR CERTIFIED AND COURT-APPOINTED MEDIATORS 10.100(a)(1), 10.100(b)(1), 10.100(c)(1) (2000), available at <http://www.flcourts.org/osca/divisions/adr/Certrules.htm> (last visited Mar. 26, 2002). In Michigan, community mediators must receive a minimum of forty hours of training in a course of study approved by the state court administrator. The Community Dispute Resolution Act, MICH. COMP. LAWS ANN. § 691.1559(b) (West 2000). In Minnesota, for inclusion on the state court roster of qualified neutrals, thirty hours of training are required in a program certified by the state court administrator. MINN. GEN. PRAC. R. 114.13(a) (2000). In New York, basic training for community mediation

or training programs that will be recognized to satisfy training requirements,²⁴ requiring apprenticeship or co-mediation prior to being placed on a panel,²⁵ and instituting continuing mediation education (CME) requirements.²⁶

10. Sometimes anecdotal evidence is more persuasive than statistical data. In my own experience, the following incidents capture the evolution of the teaching of mediation, from being a novel idea to being an established, central part of the curriculum:

- More than a decade ago, I proposed that my law school offer a twenty-five hour mediation-training program for lawyers and others interested in mediation practice. My then academic dean responded in shock, "But what would you talk about for twenty-five hours?" Today, few would ask that question.
- Annually, I interview students to participate in the Mediation Clinic at Cardozo Law School. Students increasingly indicate that they were trained as peer mediators in elementary, middle, or high school. Dispute resolution training is becoming prevalent from early grade levels, to professional schools and all grades in between.

includes twenty-five hours of classroom training and role-play. N.Y. STATE UNIFIED CT. SYSTEM COMMUNITY DISPUTE RESOLUTION PROGRAM MANUAL pt. VII, § 7.010 (1995) [hereinafter N.Y. STATE UCS CDRCP PROGRAM MANUAL].

²⁴ New York requires that mediation trainers be certified by the State ADR Office in order to train mediators to serve at community dispute resolution centers. N.Y. STATE UCS CDRCP PROGRAM MANUAL, *supra* note 23, pt. VII, § 7.010.

²⁵ In Florida, mediators must observe a minimum of four mediation conferences and conduct four mediations under the supervision of a court-certified mediator (county court mediators) or observe a minimum of two mediations and conduct two mediations under the supervision of a court-certified mediator (family and circuit court mediators). FLA. R. FOR CERTIFIED & CT.-APPOINTED MEDIATORS 10.100(a)(2) (2000), *available at* <http://www.flcourts.org/osca/divisions/adr/Certrules.htm> (last visited Mar. 26, 2002). In New York, community mediators must serve an apprenticeship (including a minimum of one observation and two observed mediations) in order to be certified by a center as part of its panel. N.Y. STATE UCS CDRCP PROGRAM MANUAL, *supra* note 23, pt. VII, § 7.010.

²⁶ In Florida, mediators must complete a minimum of sixteen hours of continuing mediator education (CME) every two years. Supreme Court of Florida, Administrative Order, No. AOSC00-8, In re: Rules Governing Certification of Mediators 13 (Apr. 11, 2000), *available at* <http://www.flcourts.org/> (last visited Mar. 26, 2002). In Minnesota, qualified neutrals providing facilitative or hybrid services must receive six hours of continuing training annually to remain on the state court roster. MINN. GEN. PRAC. R. 114.13(g) (2000). In New York, continuing education of no less than six hours per year must be completed in order for mediators to maintain their certifications. N.Y. STATE UCS CDRCP PROGRAM MANUAL, *supra* note 23, pt. VII, § 7.010.

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- Last spring, while looking for a workstation for an assistant, I proposed that one of the computer stations dedicated to the Innocence Project at Cardozo be used for the mediation program. Another professor proposed two less intrusive alternatives of using some under-utilized space for the workstation, or moving the dispute resolution program to another floor in the school where contiguous offices were available. She chided me, "I thought you ADR folk were supposed to come up with the 'win-win' 'out-of-the-box' ideas." Ideas from ADR teaching have gained currency and recognition in the law school.

And here we are today, celebrating both a revolutionary development of a new paradigm and an evolution in teaching and practice. Practitioners, professors, trainers, and leaders of court programs from all over the country, who have spent a career in conflict resolution, are gathered to celebrate. This event itself is more evidence of a coming of age. Like the Kansas City country bumpkin, had we fallen into a Rip Van Winkle sleep in 1976, we would wake up today amazed and delighted, thinking, "they've gone about as far as they can go." So what are the looming clouds? What nightmares could mar this dream?

1. Many voices are starting to sound that there is a danger that legal education may be heading toward teaching "mediation advocacy" as a way to continue traditional adversarial combat values and import those values and that paradigm into mediation and its related processes.²⁷ Should that trend develop, then the magic of mediation, its capacity to generate understanding, recognition, and creative problem solving, will be compromised. The nightmare of that road is that we will have abandoned or undermined mediation as an opportunity for law schools to offer a healing art and to be leaders in the creative problem-solving arena. Instead of pursuing one of "the most creative social experiments of our time,"²⁸ we will be putting one more notch on our "have gun will travel" belt.

2. As mediation is imported into the courts, there is growing evidence of mediation's changing into an adjudicatory-like process where attorneys lead the discussion by presenting their "cases" to the neutral, the session then is conducted in a series of individual caucuses, and the neutral's opinion as to

²⁷ Carrie Menkel-Meadow, *And Now a Word About Secular Humanism, Spirituality, and the Practice of Justice and Conflict Resolution*, 28 *FORDHAM URB. L.J.* 1073, 1087 (2001) (stating that courses teaching "mediation advocacy" are "an oxymoron that promises to continue traditional adversarial combat values and import them into newer forms of conflict resolution").

²⁸ Derek Bok, *The Law and Its Discontents: A Critical Look at Our Legal System*, B. LEADER, Mar.-Apr. 1983, at 21, 28.

likely court outcome is the major lever generating movement in the process.²⁹ The Michael Douglas/Demi Moore film “Disclosure” depicted a mediation in which attorneys presented their case to the “judge”; parties were brutally cross-examined by opposing counsel, and it would have been impossible for anyone to have experienced anything like healing, understanding, or creative problem solving. Such practices and images are confusing, and the particular nightmare is that mediation will be swallowed by an adversarial paradigm. As trainers and teachers, we will have to adapt our teaching to reflect the new, adjudicatory aspects, the roll-back to an adversarial paradigm, if we cannot shift public interest and the bar towards mediation as a collaborative approach to dispute resolution.

3. Now we have a new nightmare. Terrorists are undermining the fabric of civilized society, and combat is the ordinary fare on the news. We are dropping 15,000 pound bombs and deploying “no negotiation” rhetoric in response. The climate makes it more difficult to advocate reconciliation and collaboration. In this case, the reconciliation need not be with the individual terrorists, but rather between Moslems and Jews, Moslems and Christians, Palestinians and Israelis, and so on. A nightmare of this historical moment would be for compassion and imagination to go out of vogue, for people to become increasingly polarized and uncompromising; suddenly annihilation seems possible.

In 1939, W.H. Auden wrote the following verses:

In the nightmare of the dark
All the dogs of Europe bark,
And the living nations wait,
Each sequestered in its hate;

Intellectual disgrace
Stares from every human face,
And the seas of pity lie,
Locked and frozen in each eye.³⁰

We do not condone atrocities, but as educators and practitioners and program leaders we must spin out how the insights from this field can move us forward and generate movement in this dark time. What has been built

²⁹ Nancy A. Welsh, *The Thinning Vision of Self-Determination in Court-Connected Mediation: The Inevitable Price of Institutionalization?*, 6 HARV. NEGOT. L. REV. 1, 25–27 (2001).

³⁰ W.H. Auden, *In Memory of W.B. Yeats*, in *THE MAKING OF A POEM: A NORTON ANTHOLOGY OF POETIC FORMS* 188, 188 (Mark Strand & Eavan Boland eds., 2000).

should stand, and we must advance. Anthrax and suicide bombers call for every ounce of thoughtful creativity. Ethnic divisions with global consequences call for all our skills in promoting understanding and collaboration.

Let us not succumb to these nightmares. Building processes that can further human connection and collaboration is an attainable dream.

I promised we would end with Robert Frost, not Auden. What miles must we go before we can sleep? What promises are left to keep?³¹

1. We must create more useable, tested, accessible, appealing, and downloadable training material. We need good videos that are targeted to a variety of practice areas—commercial cases, police-civilian, attorney-client grievance matters. Specialized material for various arenas need not be created from scratch all over the country for each iteration. We need mechanisms to share—and the Internet is a promising vehicle for that purpose.

2. The “A” of ADR must have more meaning. Mediation, in the array of processes, stands alone in its ability to generate radically different outcomes than adjudication. We must preserve that alternative.³² Frank Sander identified mediation as a “sleeping giant” for that potential.³³ We must wake that giant.

3. The multi-door courthouse has not yet been fully realized. I would be delighted to stand corrected,³⁴ but a thoughtful screening clerk does not

³¹ The woods are lovely, dark, and deep,
But I have promises to keep,
And miles to go before I sleep,
And miles to go before I sleep.

FROST, *supra* note 2, at 87.

³² See Lela P. Love & Kimberlee K. Kovach, *ADR: An Eclectic Array of Processes, Rather Than One Eclectic Process*, 2 J. DISP. RESOL. 295, 306 (2000).

³³ Richard C. Rueben, *The Lawyer Turns Peacemaker*, A.B.A. J., Aug. 1996, at 54, 55.

³⁴ Professor Frank Sander has pointed out that while it may be technically correct that

no place right now fully embodies the multidoor courthouse . . . some places . . . are heading in that direction. The Middlesex Multidoor Courthouse in Cambridge, Massachusetts used to screen cases individually and refer them . . . to mediation, arbitration or case evaluation. There are also a number of places (e.g., the Northern District of California) that have what they call multioption justice, with screening and referrals by a variety of court officials.

E-mail from Frank Sander, Bussey Professor, Harvard Law School, to Lela Love (Jan. 22, 2002) (on file with author). Similarly, the Court Dispute Referral Center in New York City screens cases where parties are making criminal allegations about others and sends complaints to a district attorney, mediation, or appropriate civil court. See Special

direct parties to distinct process options any place I have seen. That dream needs to be realized.

4. We need more research, though we have made a good start,³⁵ to develop useful theory about constructive approaches to overcome barriers to negotiation, and to address concerns raised by the impact of gender, culture, or disability on participation in mediation. We need to know more about the dynamics of power, the mechanisms that allow parties to “let go” of ancient grudges, of entrenched positions, and the environments necessary to spark and support creativity. As we learn more, we need to tie theory to practice by developing vivid, targeted training material.³⁶

5. Finally, training programs and classes must be constantly improved as we advance. I just completed a twenty-hour self-defense training program (roughly comparable in length to some mediation training programs).³⁷ I was not a particularly motivated student, as I had been railroaded into the program. Nonetheless, I came away with the necessary attitude or “fighting spirit” required to confront an assailant; with remarkable skills, rehearsed until they became “muscle memories,” of constructive (that is lethal) moves in a fight, and with an array of knowledge about, for examples, anatomy—the weakest points in a male body, the strongest weapons for females—and the psychology of victimization. At the end of twenty hours, the students had to display in front of an audience the ability to take down an assailant. The trainers and the program put itself on the line because the audience for this graduation rite of passage was by and large prospective students. Like the self-defense training, our training programs for mediators, our classes, should be tight and tested and accountable.

In a quarter of a century the acceleration from zero to sixty has been stellar. But let us not emulate the quarter horse, who is fast for a quarter of a mile (fastest on earth) but then cannot keep the pace. We need power and

Projects—Criminal Court, at <http://www.courts.state.ny.us/NYCCriminalSpecialProjects.html> (last visited Mar. 26, 2002).

³⁵ See, e.g., THE HANDBOOK OF CONFLICT RESOLUTION: THEORY AND PRACTICE (Morton Deutsch & Peter T. Coleman eds., 2000) for a recent compendium of research in the field.

³⁶ See Christopher Honeyman et al., *Here There Be Monsters*, in THE CONFLICT RESOLUTION PRACTITIONER: A MONOGRAPH BRIDGING THEORY AND PRACTICE 1 (Shinji Morokuma ed., 2001) (calling for bridges between scholars and practitioners); Jeffrey Senger & Christopher Honeyman, *Cracking the Hard-Boiled Student*, in THE CONFLICT RESOLUTION PRACTITIONER: A MONOGRAPH BRIDGING THEORY AND PRACTICE, *supra*, at 31 (providing examples of how to turn research findings into effective training exercises).

³⁷ The program described is the Impact Program. Impact & Prepare Personal Safety, at <http://www.prepareinc.com> (last visited Mar. 24, 2002).

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speed for the whole distance. While we have a great deal to celebrate, we have only begun.

