

PEPPERDINE UNIVERSITY
School of Law

SUMMER COURSES IN

DISPUTE RESOLUTION

- ▶ MOST EXTENSIVE DISPUTE RESOLUTION CURRICULUM IN THE NATION
- ▶ NINETEEN TWO-UNIT COURSES
- ▶ FACULTY DRAWN FROM AROUND THE WORLD
- ▶ ONE-WEEK, TWO-WEEK AND TWO-WEEKEND COURSES
- ▶ ACADEMIC FOUNDATION AND PRACTICAL SKILLS FOCUS
- ▶ INTERNATIONAL PROGRAM IN LONDON AND GENEVA
- ▶ GREAT VIEW, EVEN BETTER SCHOOL

May 23–July 30, 2011
Malibu, California

Limited enrollment

THE 2011 SUMMER PROGRAM offers students an unparalleled opportunity to obtain the finest dispute resolution educational experience in substantive theories, exposure to the field's literature, extensive practical skills development, and stimulating dialogue with students and faculty drawn from around the world.

THE 2011 SUMMER PROGRAM

Nowhere else in America can law students and professionals find the “Pepperdine Experience” in dispute resolution:

- A faculty of academics and practitioners drawn from around the world
- The most extensive dispute resolution curriculum in legal education
- Convenient one-week, two-week and two-weekend formats
- Class locations in Malibu and Orange County
- More than 300 law students and professional colleagues with whom to study
- The LL.M. in Dispute Resolution
- The Master's of Dispute Resolution, and the Certificate in Dispute Resolution, both of which are open to law and graduate students from other institutions, as well as to professionals in various fields
- What many believe is the nation's foremost dispute resolution education organization—the Straus Institute for Dispute Resolution at Pepperdine University School of Law

COURSE SCHEDULES

CURRENT ISSUES IN INTERNATIONAL DISPUTE RESOLUTION:

London/Geneva Study Tour

MAY 24–JUNE 2, 2011

This program will include classroom instruction and site visits to professional organizations involved in international dispute resolution. Classes will be held in London and Geneva, May 24–June 2, 2011.

ONE-WEEK INTENSIVES:

MAY 23–27, 2011

These courses will meet Monday, Tuesday, Thursday, and Friday 8:30 a.m.–5:30 p.m. and Wednesday, 8:30–11:30 a.m.

TWO-WEEK FORMAT IN MALIBU:

MAY 31–JUNE 11, 2011

JUNE 14–25, 2011

JULY 5–16, 2011

JULY 19–30, 2011

These courses will meet for two week sessions. Meeting times will be held on Tuesday and Thursday evenings 6–9:30 p.m. and on Saturdays 8:30 a.m.–4:30 p.m.

TWO-WEEKEND FORMAT IN ORANGE COUNTY:

JUNE 2–4 AND 9–11, 2011

JUNE 16–18 AND 23–25, 2011

JULY 7–9 AND 14–16, 2011

These courses will meet for two consecutive weekend sessions. Meeting times will be held on Thursday and Friday evenings from 6–9:30 p.m. and Saturdays 8:30 a.m.–4:30 p.m. Current JD students are not eligible to take courses in Orange County.

EXTENDED COURSE:

MAY 25–JULY 27, 2011

The Mediation Clinic will meet every Wednesday, 5:00–7:30 p.m. and offers students the opportunity to mediate actual disputes. The Mediation Clinic will require weekly class times and approximately 8 hours of fieldwork per week. Students are advised to leave two time blocks (2 mornings, 2 afternoons or 1 of each) in their schedule to accommodate mediations at various courthouses throughout Los Angeles County.

This brochure describes the 2011 summer program, including its 19 courses, the international program in London/Geneva, this year's visiting faculty, and the requirements for the Straus Institute's graduate programs. In it, students will find information that will provide access to learning opportunities not available at other law schools. Explore its contents and then contact the Straus Institute so that its personnel can connect you with exciting interactive courses, faculty who practice what they teach, and students who understand that the changing legal system requires new skills in new processes for success.

HOW THESE COURSES MIGHT SERVE YOU

EARN A MASTER'S DEGREE IN DISPUTE RESOLUTION

Law students can earn a Master's of Dispute Resolution from the Pepperdine School of Law while they complete the Juris Doctor degree from their law school.

The master's degree requires the successful completion of nine required courses, five elective courses, and an additional 4 units of externship or 6 units of thesis.

Transfer up to 10 units of approved course work from another law or graduate school. The remaining courses can be completed during intensive summer and winter sessions. Thesis or externship experiences can be arranged in the locale of your choice.

While it will require full-time attention, current first-year law students could earn a Juris Doctor and master's degree by May 2013. Students currently in their second year of law school could earn the master's degree within weeks of learning that they have passed the bar exam. The Straus Institute recommends that these students complete the master's degree requirements by enrolling in the 2011 summer program, the 2012 One-Week Winter Intensive course (take the 2012 summer off to study for and take the bar exam), and the Fall 2012 semester. Students would learn their bar results in late fall and complete the master's degree requirements in early December 2012.

A competitive fellowship program allows some students to complete the master's degree for a reduced amount of tuition and work in collaboration with the Straus Institute. Visit our website at law.pepperdine.edu/straus/admissions/tuition.htm for more information on the Fellowship program.

EARN A CERTIFICATE IN DISPUTE RESOLUTION

The Dispute Resolution Certificate program is specifically designed for law students and professionals in business, education, health, law, management, public administration, psychological services, religion, and related occupations. The program requires the completion of 14 academic units. Each student is required to take four core courses and three approved electives. A student could earn the certificate by completing 10 units at Pepperdine this summer (and Winter Intensive, if needed), and transfer 4 units of credit for dispute resolution courses completed at your school. Most law schools will accept the majority, if not all, of the Pepperdine credits.

EARN AN LL.M. IN DISPUTE RESOLUTION

The LL.M. in Dispute Resolution is a 28-unit program that can be completed in one year by full-time students or in up to three years by part-time students. Degree candidates will have the opportunity to select from four areas of concentration: arbitration, mediation, international dispute resolution, and litigation. Students who do not want a specialty can pursue a more general course of study. Possession of a JD degree is a prerequisite for admission to the LL.M. program.

JOINT DEGREE PROGRAMS

Since the creation of the Master's of Dispute Resolution, the Straus Institute has established a joint JD/M.D.R. program, and a joint Master's of Dispute Resolution and Master's of Public Policy program with the Pepperdine School of Public Policy. A Pepperdine student pursuing an MBA can elect to pursue an emphasis or concentration in dispute resolution while earning a 14-unit certificate in dispute resolution from the Straus Institute.



ONE-WEEK INTENSIVES

May 23–27, 2011

Monday, Tuesday, Thursday and Friday, 8:30 a.m.–5:30 p.m. and Wednesday, 8:30–11:30 a.m.

MEDIATION THEORY AND PRACTICE

This course explores the various theories underlying and practices basic to mediation. The mediation process is organized into a series of stages, and basic mediation skills and techniques appropriate to each stage are identified and cultivated. Simulations and experiential exercises provide students with an opportunity to develop proficiency as mediators and to rigorously analyze appropriate roles and behavior as mediators and advocates taking into account the legal, ethical and public policy issues surrounding the practice of mediation.



LELA PORTER LOVE is Professor of Law and Director of the Kukin Program for Conflict Resolution at Benjamin N. Cardozo School of Law (NYC). She started one of the first mediation clinics in the U.S. and regularly trains mediators both nationally and internationally. She has an active practice as a neutral, ranging from community disputes to complex litigated matters. Professor Love has written widely on the topic of dispute resolution, including three law school textbooks, many journal articles, and *The Middle Voice* (with Joseph Stulberg). She is past chair of the American Bar Association Section of Dispute Resolution. In her chair year, she spearheaded the first International Mediation Leadership Summit in the Hague.



JOSEPH B. ("JOSH") STULBERG is the John W. Bricker Professor of Law at The Ohio State University Moritz College of Law where he teaches negotiation, comparative dispute resolution, and clinical courses in mediation and civil litigation. For more than 35 years, Josh has designed and conducted mediation training programs nationally and internationally and has mediated social policy controversies of national significance. He is a Distinguished Fellow of the American College of Civil Trial Mediators and a former Vice President of the American Arbitration Association. His extensive written publications include *The Middle Voice* (with Lela P. Love).

NEGOTIATION THEORY AND PRACTICE

This course examines the theory and practice of negotiation as a process used to put deals together or to resolve disputes and legal claims. Students learn about competitive positional bargaining and collaborative problem solving and acquire insight into the strategic management of the tension between the two approaches. Through simulated exercises, students develop skills and confidence as negotiators, including an awareness of the psychological encouragements and barriers to consensus. Special challenges of multi-party negotiations are addressed with an emphasis on the attorney-client relationship, including applicable ethical standards, codes, and law.



RICHARD M. COLEMAN is a Fellow of the American College of Trial Lawyers with more than 4 decades litigation experience. He was Chief of Special Prosecutions in the Los Angeles U.S. Attorney's Office before entering private practice, where his clients included TRW, the Ralph M. Parsons Company, GTE, Zurn Industries, William Peter Blatty and Conway Twitty. A former president of the Los Angeles County Bar Association and of the National Caucus of Metropolitan Bar Leaders, he recently received the McKibbin Excellence In Teaching Award. He serves as a neutral with Alternative Resolution Centers [ARC].

SELECTED ISSUES IN DISPUTE RESOLUTION: LABOR DISPUTES

Prerequisite: LAW 1422 Mediation Theory and Practice or LAW 1392 Alternative Dispute Resolution Processes

This advanced course focuses on developing a conceptual understanding of negotiation, mediation and arbitration in the labor-management arena. This course is highly interactive with a portion of the time spent in specially designed role-plays reflecting a variety of labor-management related conflicts. Some of our nation's most intense and protracted labor disputes will be examined and analyzed by the student. Topics to be covered in this class include understanding negotiations in the labor management environment, protocols and intervention techniques of crisis bargaining, and tools and techniques of labor mediation.



RICHARD BARNES is President of C. Richard Barnes and Associates and was former Director of the Federal Mediation and Conciliation Service. As Director of FMCS, he was responsible for the management of our nation's Federal Mediators in all fifty states, Puerto Rico, the U.S. Virgin Islands and Guam. He led mediation teams that resolved some of our nation's most significant, intense and protracted labor-management disputes. In recent years, these include the 1997 strike between the 185,000 members of the International Brotherhood of Teamsters employed by the United Parcel Service, the International Association of Machinists and the Kennedy Space Center, the California Nurses Association and Kaiser Foundation Hospitals, the Boeing Company and their engineering employees, SPEEA, and served on the mediation team that resolved the 2002 West Coast Ports Dispute between the Pacific Maritime Association and the International Longshoremen and Warehouse Union.

EXTENDED FORMAT

May 25–July 27, 2011

Wednesdays: 5:00–7:30 pm

MEDIATION CLINIC

Pre-requisite: LAW 1422 Mediation Theory and Practice

This practicum offers students the opportunity to actually apply mediation theory in context and to enhance their mediation skills by serving as the mediator in numerous small claims court cases and other referred disputes. Students share the specifics of their mediation experiences in class and receive feedback on their strategic and tactical choices, as well as on their tone and demeanor. This critical review is designed to cultivate and refine advanced mediation skills. Students must be available to mediate eight hours per week during normal business hours.



ALEXANDER H. WILLIAMS III served as a judge of the Los Angeles Superior Court from 1984 to 2008. He presided for 8 years in a felony criminal trial department and for another 13 years in a general jurisdiction civil trial department, handling thousands of cases and conducting hundreds of court and jury trials. A trained mediator, he spent his final three years presiding over a full-time settlement court, where he conducted daily settlement conferences and settled hundreds of cases. Williams was the chair of the Judicial Education Subcommittee of the Court's Alternative Dispute Resolution Committee. Before taking the bench, he served as a police officer, Navy judge advocate, and federal prosecutor.

TWO-WEEK FORMAT

BLOCK 1: MAY 31–JUNE 11, 2011

Tuesdays and Thursdays 6-9:30 pm and
Saturdays 8:30 am - 4:30 pm

NEGOTIATION THEORY AND PRACTICE

This course examines the theory and practice of negotiation as a process used to put deals together or to resolve disputes and legal claims. Students learn about competitive positional bargaining and collaborative problem solving and acquire insight into the strategic management of the tension between the two approaches. Through simulated exercises, students develop skills and confidence as negotiators, including an awareness of the psychological encouragements and barriers to consensus. Special challenges of multi-party negotiations are addressed with an emphasis on the attorney-client relationship, including applicable ethical standards, codes, and law.



JOHN LOWRY is the assistant dean of the Lipscomb University College of Business and founder of the School of Executive Education. In addition, he serves as assistant professor of Management for Lipscomb University's College of Business, where he teaches negotiation and dispute resolution courses. Lowry also serves as vice president for the Strategic Resolutions Group, LLC (SRG). At SRG, he provides negotiation, mediation, and conflict management training for major insurance companies, healthcare organizations, and legal services providers. Prior to moving to Nashville, Lowry practiced law with Strasburger & Price, LLP in Dallas, Texas. As an attorney, he represented hospitals and healthcare providers in professional liability and commercial disputes. He has also served as a California State Assembly Fellow and worked in the Law Department of Tenet Healthcare Corporation.

CROSS-CULTURAL CONFLICT AND DISPUTE RESOLUTION

This course surveys the impact that cultural differences, stereotypes and attributions have on key dispute resolution processes, and on conflict generally. It is designed to build theoretical knowledge, to equip students with an analytical framework useful in determining suitable dispute resolution processes, and to instill practical skills and strategies to enhance effectiveness in cross-cultural contexts. Cultural differences in language, customs, values, legal systems and world-views are examined along various dimensions: orientation towards the individual or the collective community; importance of career success over quality of life; deference to authority; long vs. short term orientation; extent to which expectations for behavior are implicit or expressed; perceptions of time and personal space; and aversion to risk.



PROFESSOR MICHELLE LEBARON is Professor of Law and Director of the Program on Dispute Resolution at the University of British Columbia, Canada. Previously, she was a tenured faculty member at the Institute for Conflict Analysis and Resolution at George Mason University. With degrees in law and psychotherapy, Michelle is an interdisciplinary scholar whose books –*Bridging Troubled Waters*, *Bridging Cultural Conflict*, and *Conflict Across Cultures* –span diverse practice and geographical contexts. Professor LeBaron is an award-winning teacher and international speaker. Her current work focuses on the creative and expressive arts as resources for working across cultures.

INTERNATIONAL COMMERCIAL ARBITRATION

This course provides a comprehensive overview of international arbitration law and practice. Topics explored include the making and enforcement of arbitration agreements; the selection and appointment of the arbitral tribunal; preliminary proceedings, including procedural orders and interim relief; the arbitration hearing; and the making and enforcement of the arbitral award. Particular attention is paid to the enforcement of arbitration agreements and awards, the role of the New York Convention of the Recognition and Enforcement of Foreign Arbitral Awards and other treaties, and their interplay with national laws as a backdrop for private arbitration agreements.



BEN H. SHEPPARD, JR., is a Distinguished Lecturer and Director of the A. A. White Dispute Resolution Center at the University of Houston Law Center. He was, until his retirement, a partner in the Houston office of Vinson & Elkins L.L.P., where he practiced from 1969-2005, and was cochair of the firm's International Dispute Resolution Practice. He has served as an arbitrator in a wide variety of international and domestic commercial disputes. He was the author of the report and recommendation to the House of Delegates of the American Bar Association in support of the 2004 revision to the AAA/ABA Code of Ethics for Arbitrators in Commercial Disputes and chaired one of the two working groups that promulgated the 2009 CPR Protocol on Disclosure of Documents and Presentation of Witnesses in Commercial Arbitration.



BLOCK 2: JUNE 14–25, 2011

MEDIATION THEORY AND PRACTICE

This course explores the various theories underlying and practices basic to mediation. The mediation process is organized into a series of stages, and basic mediation skills and techniques appropriate to each stage are identified and cultivated. Simulations and experiential exercises provide students with an opportunity to develop proficiency as mediators and to rigorously analyze appropriate roles and behavior as mediators and advocates taking into account the legal, ethical, and public policy issues surrounding the practice of mediation



LEN WADE is a partner in the Fort Worth, Texas law firm of Kelly, Hart and Hallman. Prior to joining the firm, he served as judge of the 141st District Court of Texas, presiding over a general civil trial docket. An honors graduate of Baylor Law School, he has an active mediation and arbitration practice and represents clients in federal and state court litigation. He is a member of the Association of Attorney Mediators and is on the commercial panel of neutrals of the American Arbitration Association.

PSYCHOLOGY OF CONFLICT

Based on findings from the social sciences, this course examines how individuals think about and relate to one another in the context of conflict. Students acquire a theoretical framework for understanding and assisting parties in conflict. Concepts explored for their usefulness in conflict resolution include the following: personality development and differences; neurotic styles, difficult people and psychological disorders; predictable cognitive biases; sources of psychological resistance to dealing with conflict such as fear of abandonment, shame, guilt and unresolved grief; stages of conflict including escalation, stalemate, de-escalation, and resolution; social origins of conflict, including differences in values, beliefs and morals; socialization of aggressive and cooperative behaviors; emotional intelligence, self-awareness and empathy; trust and altruism; anger and the limits of argumentation and rationality; prejudice and the need for enemies. The course includes at least one self-assessment instrument to enhance student awareness of individual differences in psychological styles.



RICHARD C. REUBEN is the James Lewis Parks Professor of Law at the University of Missouri School of Law and co-director of the Missouri Center for the Study of Conflict, Law & the Media. Reuben is coauthor of *Dispute Resolution and Lawyers* (2009), a leading ADR casebook, a reporter for the Uniform Mediation act, a project of the American Bar Association and the National Conference of Commissioners on Uniform State Laws, and is one of the leading authorities on confidentiality in ADR processes. He is also the founding chair of the ABA Section of Dispute Resolution's Committee on Public Policy, Consensus Building, and Democracy, and is a member of the Editorial Board of the Section's *Dispute Resolution Magazine*.

SELECTED ISSUES IN DISPUTE RESOLUTION: SETTLING MASS TORTS DISPUTES

Prerequisite: LAW 1422 Mediation Theory and Practice or LAW 1392 Alternative Dispute Resolution Processes

This course is an advanced study of the issues involved in the mediation and management of mass claims. Recognizing that mass claims have unique considerations the class will focus on the following topics: the life cycle of a mass claim; maturation of a mass claim; methods of resolution; and macro and micro considerations for the design of a settlement. The course will consider the implementation of a mass-claim settlement as a potential ongoing mediation process. Students will examine case studies and participate in simulated exercises and discussion on emerging issues in mass-claim resolution.



E. WENDY TRACHTE-HUBER is the principal for Trachte-Huber Consulting. She provides training and consulting in negotiation, mediation, and conflict resolution to corporations and law firms. Prior to returning to her consulting practice she served as claims administrator for the Settlement Facility – Dow Corning Trust. ("SF-DCT") She was the chief executive officer for the facility of nearly 250 staff charged with the processing of all personal injury settlement claims against Dow Corning relating to medical implant products, including silicone gel breast implants. She was responsible for the direction and management of the claim-handling process—from outreach and intake to resolution. Prior to SF-DCT she was the national vice president for Education for the American Arbitration Association. She has written more than five books in the field. Most recently she has been assigned Pastoral Leader for St. John's Episcopal Church in Marlin, TX. She is part of a volunteer ordination program to serve small churches in Texas.

BLOCK 3: JULY 5-16, 2011

COMMUNICATION AND CONFLICT

Pre-requisite: LAW 1302 Psychology of Conflict

Based on communication studies, this course examines the vehicle of communication in the context of conflict, both in the courtroom and as part of various alternative dispute resolution processes and other conflict-driven interactions. It builds on basic conflict theory covered in *Psychology of Conflict* while narrowing its focus to findings related to communication. Concepts explored include the following: basic principles and assumptions of a range of communication theories; influence, persuasion, rhetoric, dialogue, narrative paradigm, and linguistics; non-verbal communication, listening skills, neuro-linguistic programming (NLP); perception and perceptual distortion; power, threat, and face-saving; argumentation vs. aggression; group dynamics and differences in interpersonal, intra-group, inter-group, and organizational contexts; and the effect of third party interventions. The course includes at least one self-assessment instrument to enhance student awareness of individual differences in conflict communication styles.



JIM L. THOMAS is Professor of Communication and Executive Assistant to the President at Lipscomb University in Nashville, Tennessee. He received his BA degree from Lipscomb University, his MA from Auburn University, and his doctorate from The University of Tennessee, Knoxville. Dr. Thomas is a frequent speaker at seminars and programs regarding freshmen retention, student development, and organizational development. In his work with President Lowry, his responsibilities include problem-solving, developing new initiatives for the university, conflict management, and involving the university with the Nashville community. In recent years his attention has focused on conflict management, political consulting, and organizational management.

INTERVIEWING, COUNSELING AND PLANNING

This course develops the craft of the lawyer in client interviewing and counseling. It examines the theoretical framework and strengths and weaknesses of prevailing models of attorney-client relationships with a focus on planning and decision-making. Authoritative, client-centered, and collaborative approaches are explored and compared. The class also examines principles of moral responsibility underlying this critical aspect of a lawyer's role. Emphasis is on learning competent and ethical interviewing and counseling skills through simulated exercises, case studies and discussions.



CYNTHIA E. GREER is a mediator, trainer, and designer of conflict resolution systems. She has conducted over one thousand mediations dealing with employment, sexual harassment, landlord-tenant, corporate, personal injury, and educational disputes. She has developed ADR systems for federal, state, and county governmental agencies and various for-profit and nonprofit organizations and has provided mediation training programs and seminars nationally to individuals, corporations, and government agencies. For nine years, she was the director and senior mediator at the California Academy of Mediation Professionals in Encino, CA. In addition, she is a federal mediator and trainer for the United States Postal Service. For over 17 years, she was an associate dean at Pepperdine University School of Law, where she continues to teach Interviewing, Counseling, and Planning for Lawyers. She also teaches at Atlanta's John Marshall School of Law and at Lipscomb University in Nashville, TN. She maintains a mediation practice, Greer Dispute Resolution Services, in Nashville, Atlanta, Ft. Lauderdale and Los Angeles.

SELECTED ISSUES IN DISPUTE RESOLUTION: INTELLECTUAL PROPERTY DISPUTES

Prerequisite: LAW 1422 Mediation Theory and Practice or LAW 1392 Alternative Dispute Resolution Processes

The United States leads the world in the creative and inventive arts. Movies, music, literary works, gaming, computer software, innovative technology and innovative brands are our most valuable commodities. Our intellectual property law protects the authors, inventors and sellers who create these copyrightable works, patentable inventions and unique trademarks. Intellectual property lawsuits have exploded over the last decade, and they will continue to proliferate. Trained mediators capable of mediating complex copyright, patent and trademark disputes are in high demand. In this course, students will be taught what they need to know to competently and successfully mediate intellectual property disputes. Students will receive summary instruction on substantive intellectual property law necessary to be able to understand and participate in simulated mediation sessions. Students will participate in interactive discussion on how dispute resolution theories and methods can be customized and applied to maximize the likelihood of a successful mediation of complex intellectual property disputes.



PAUL E. BURNS practices intellectual property and litigation with Procopio, Cory, Hargreaves & Savitch LLP in San Diego and Arizona and has an active arbitration and mediation practice. He serves as a neutral for the American Arbitration Association, the International Institute for Conflict Prevention & Resolution, and the International Trademark Association's Panel of Neutrals. From 2006-2008, Professor Burns served as Chair of the American Intellectual Property Law Association's ADR Committee. He has been selected for inclusion in Best Lawyers in America and Super Lawyers each year since 2007. He received his B.S., magna cum laude, and J.D., magna cum laude, from Boston College.

BLOCK 4: JULY 19-30, 2011

ARBITRATION PRACTICE AND ADVOCACY

Today many business and employment disputes are resolved through out-of-court binding arbitration processes. This intensive, interactive course is designed to provide students with a practical grounding in counseling and advocacy skills required for state-of-the-art arbitration practice through problems and exercises simulating common arbitration scenarios in which students play the parts of lawyers, arbitrators, and parties. Students learn how to draft dispute resolution agreements for arbitration and how to advise clients on many different aspects of arbitration, including the suitability of arbitration as an alternative to negotiation, mediation or litigation. They also experience advocacy roles at all stages of arbitration, including the filing of an arbitration demand, the selection of arbitrators, planning for and conducting hearings, the publication of a final decision (award), and the enforcement or setting aside of an award. The course emphasizes modern commercial and employment arbitration in the U.S. but also includes references to international, consumer, securities and labor arbitration.



JOHN ALLEN CHALK, SR., a partner in Whitaker, Chalk, Swindle & Sawyer, L.L.P., Fort Worth, Texas, is Immediate Past President of the Tarrant County Bar Association in Texas and the Immediate Past Chair of the Alternative Dispute Resolution Section of the State Bar of Texas. Mr. Chalk has been a domestic and international arbitrator since 1992. He serves as a neutral for the American Arbitration Association, the American Health Lawyers Association ADR Service, the CPR International Institute for Conflict Prevention & Resolution, and the Arbitration Panel of the Chartered Institute of Arbitrators. He is a Fellow of the Chartered Institute of Arbitrators, and a Master of the Mahon Inn of Court, Fort Worth, Texas.

SELECTED ISSUES IN DISPUTE RESOLUTION: DISPUTE RESOLUTION SYSTEMS DESIGN

Prerequisite: LAW 1392 Mediation Theory and Practice or LAW 1422 Alternative Dispute Resolution Processes

This course explores the growing trend toward the design and development of dispute resolution systems within organizations, including the workplace, at the enterprise level, in business-to-business and e-commerce marketplaces, and in other organizational settings. Starting with historical and legal contexts, the course will examine the burgeoning field of dispute systems design in the new economy with focus on potential advantages and disadvantages of this approach to what arguably is the privatization of justice. Students will also be provided with a practical framework to apply dispute systems to design concepts in specific situations.



ARTHUR PEARLSTEIN is professor of law and director of the Werner Institute for Negotiation and Dispute Resolution at Creighton University School of Law in Omaha, Nebraska. A graduate of Harvard Law School (JD) and the Straus Institute for Dispute Resolution at Pepperdine University (Masters in Dispute Resolution), he has an extensive background in both the law and practice of mediation and arbitration as well as in the design and development of organizational dispute resolution systems. Prior to heading the Werner Institute, he was the general counsel and director of ADR and International Programs at the Federal Mediation and Conciliation Service.



LEARN A EUROPEAN PERSPECTIVE ON DISPUTE RESOLUTION

Once again, in the summer of 2011 participants studying dispute resolution at the Straus Institute will be able to participate in an international study tour. This 2-unit course is specifically designed to provide experience with key international dispute resolution institutions and those professionals who lead them. While students can travel to cities in Europe, unique to this program is the opportunity for site visits to international organizations and personal interaction with international experts in dispute resolution. True to Straus Institute core values, this program will utilize complex collaborative consulting case studies, which will be explored in the classroom each morning and developed by site visits with accomplished local practitioners in the afternoons. Enrollment is limited.

STUDY IN LONDON AND GENEVA MAY 24–JUNE 2, 2011

A European Perspective on International Commercial and Public Dispute Resolution

Participants in this course will study dispute resolution in two of the most important cities in the world—London and Geneva. In London, the focus will be on international commercial dispute resolution. During the second week of the course, participants will also study international public dispute resolution in Geneva, Switzerland. Participants will learn about public dispute resolution systems through classes with guest speakers and site visits to the World Trade Organization, the International Court of Sport at the International Olympic Committee (Lausanne), and the International Compensation Programmes at the International Organization for Migration.

SITE VISITS AND GUEST LECTURERS IN LONDON CAN INCLUDE THE FOLLOWING:

- ▶ Middle Temple Inn with barristers practicing international commercial arbitration
- ▶ London's Commercial Court
- ▶ Offices of international solicitors
- ▶ A barrister who is an expert on the 1996 revision of England's Arbitration Act
- ▶ Representatives from the Center for Effective Dispute Resolution
- ▶ Meeting at the London Court for International Arbitration with its executive director

FACULTY



MAUREEN WESTON is professor of law at Pepperdine University School of Law. She received her JD from the University of Colorado. Professor Weston teaches courses on dispute resolution, civil procedure, legal ethics, and sports law. She has taught at the University of Oklahoma, University of Colorado, and Brasenose College in Oxford, England. Prior to teaching, Weston practiced law with Holme Roberts & Owen and Faegre & Benson in Colorado. She is cochair of the ABA Section on Dispute Resolution Education Committee, and is actively involved in the section's Representation in Mediation program. Weston is coauthor of a sports law casebook, and has written articles in the area of disability law, sports law, and dispute resolution.



ANTHONY MILLER is a mediator and arbitrator who has been teaching at Pepperdine University School of Law since 1977. He has taught Torts, Remedies, Constitutional Law-Individual Rights, Family Law, Community Property, Divorce and Family Mediation, Labor Law, Public Sector Labor Law, International Commercial Arbitration, and Arbitration Practice. He has served as a dispute resolution neutral, as a divorce mediator and as a labor arbitrator. He is currently on the panel of arbitrators of the Federal Mediation and Conciliation Service and serves as hearing officer and arbitrator for both the City and the County of Los Angeles.

COST:

- ▶ Students will be responsible for tuition of \$3,020, transportation, lodging, and a \$500 activity fee to cover group activities and housing in Geneva.
- ▶ Students in good standing will be allowed to sign up for this 2-unit course on a first-come, first-served basis. Spaces in this course fill up very quickly, so please apply as early as possible.

For more information, please contact Randi Saxer at 310.506.4655, or visit <http://law.pepperdine.edu/straus/academics/summer/abroad/london/default.htm>.

Please note that it is unlikely that participation in foreign summer programs may be used to accelerate graduation. Students interested in acceleration should seek clarification at their home school in light of ABA Standard 304, Interpretation 304-4.

ORANGE COUNTY CAMPUS

(Current JD students are not eligible to enroll in these courses.)

All Orange County courses meet:

Thursday and Friday evenings: 6–9:30 p.m., Saturday: 8:30 a.m.–4:30 p.m.

June 2-4 and 9-11, 2011

INTERVIEWING, COUNSELING AND PLANNING

This course develops the craft of the lawyer in client interviewing and counseling. It examines the theoretical framework and strengths and weaknesses of prevailing models of attorney-client relationships with a focus on planning and decision-making. Authoritative, client-centered, and collaborative approaches are explored and compared. The class also examines principles of moral responsibility underlying this critical aspect of a lawyer's role. Emphasis is on learning competent and ethical interviewing and counseling skills through simulated exercises, case studies and discussions.



DAVID CRUICKSHANK is a consultant with Kerma Partners. He advises law and other professional services firms on practice management, strategy, governance, leadership development and talent retention strategies. He works with managing partners, professional development partners, departments and hiring partners to convert training to a strategic advantage of the firm. David creates customized programs on leadership, time management, project management, delegation, feedback and business development skills. David has also worked on partner consultations in AmLaw top 50 firms and has designed customized partner-level courses for many AmLaw 200 firms. He has worked as a training consultant in top firms in Canada, the United Kingdom and the United States since 1990. He is well known academically in the field of legal skills education. David was most recently Director of Professional Development at Paul, Weiss, Rifkind, Wharton and Garrison in New York. He has a master's degree in law from Harvard Law School. His law degree and B.A. were earned at the University of Western Ontario.

June 16-18 and 23-25, 2011

PSYCHOLOGY OF CONFLICT

Based on findings from the social sciences, this course examines how individuals think about and relate to one another in the context of conflict. Students acquire a theoretical framework for understanding and assisting parties in conflict. Concepts explored for their usefulness in conflict resolution include the following: personality development and differences; neurotic styles, difficult people and psychological disorders; predictable cognitive biases; sources of psychological resistance to dealing with conflict such as fear of abandonment, shame, guilt and unresolved grief; stages of conflict including escalation, stalemate, de-escalation, and resolution; social origins of conflict, including differences in values, beliefs and morals; socialization of aggressive and cooperative behaviors; emotional intelligence, self awareness and empathy; trust and altruism; anger and the limits of argumentation and rationality; prejudice and the need for enemies. The course includes at least one self-assessment instrument to enhance student awareness of individual differences in psychological styles.



JUAN CARLOS GONZALEZ has been a Federal Mediator since 2000 and is assigned to oversee collective bargaining throughout the Los Angeles area in such industries as aerospace, entertainment, manufacturing, construction and service (hotels/stadiums). During his tenure he has mediated hundreds of collective bargaining disputes including the mediation of strikes and lockouts. As a Federal Mediator, he also advises organizations and their labor unions on strategies to improve their labor relations through the mediation of grievances and delivery of joint training programs. Gonzalez has also worked extensively for FMCS in coordination with the International Labor Organization in Latin America designing and delivering tripartite (Company-Labor-Government) programs in conflict resolution for Argentina, Peru and Colombia.

July 7-9 and 14-19, 2011

ARBITRATION PRACTICE AND ADVOCACY

Many business and employment disputes are resolved through out of-court binding arbitration processes. This intensive, interactive course is designed to provide students with a practical grounding in counseling and advocacy skills required for state-of-the-art arbitration practice through problems and exercises simulating common arbitration scenarios in which students play the parts of lawyers, arbitrators and parties. Students learn how to draft dispute resolution agreements for arbitration and how to advise clients on many different aspects of arbitration, including the suitability of arbitration as an alternative to negotiation, mediation or litigation. They also experience advocacy roles at all stages of arbitration, including the filing of an arbitration demand, the selection of arbitrators, planning for and conducting hearings, the publication of a final decision (award), and the enforcement or setting aside of an award. The course emphasizes modern commercial and employment arbitration in the U.S. but also includes references to international, consumer, securities and labor arbitration.



JOHN P. MCCRORY is professor of law at Pepperdine University School of Law. Prior to joining the Pepperdine faculty, he was the founding director of the Dispute Resolution Project at Vermont Law School. He has been a visiting professor at: Melbourne, Sydney, Wollongong, and Murdoch Universities in Australia; Rhodes University, South Africa; the University of Strathclyde, Scotland; and the University of Leicester, England. Professor McCrory served as: Chair of the Alternative Dispute Resolution Section, Association of American Law Schools (AALS); Chair of the AALS Labor Law Section; the Society of Professionals in Dispute Resolution (now Association for Conflict Resolution) liaison to the ABA Standing Committee on Dispute Resolution (predecessor of the Section on Dispute Resolution); and Consultant to the Australian Administrative Appeals Tribunal in the development of a mediation program. In addition to teaching, he was: a partner in the Melli, Smith, Shiels & McCrory law firm (Madison, Wisconsin); General Counsel of the Wisconsin Education Association Council; and an attorney with the National Labor Relations Board.



EXCELLENCE IN EDUCATION

THE STRAUS INSTITUTE RECOGNIZED AS A NATIONAL LEADER

When Pepperdine University School of Law first began to establish an internationally recognized institute for dispute resolution in 1986, no one could have foreseen the indelible mark it would make in its relatively short 25-year life. The combination of vision, leadership, and tireless energy has made the Straus Institute more successful than anyone imagined as it has grown to ten full-time faculty and twelve staff members, serving more than 4,000 people a year.

The efforts were recognized when *U.S. News & World Report* began ranking dispute resolution programs at law schools. Pepperdine has always been ranked among the top three programs, and has been ranked the #1 dispute resolution program for 1998, 2000, 2004, 2006, 2007, 2008, 2009, 2010, and 2011.

Other examples of our awards and recognition:

2007

Pepperdine is selected to host the prestigious “American Arbitration Association Library and Information Center Collection” formerly regarded as the AAA Library in New York City

2006

The Straus Institute received the Ninth Circuit ADR Education Award from the U.S. Court of Appeals for the Ninth Circuit for excellence in dispute resolution education in the western United States. Straus was also recognized by the California Dispute Resolution Council “for the outstanding contribution to the profession of ADR neutrals.”

2003

The Straus Institute was awarded the Excellence in Education Award by the prestigious International Academy of Mediators.

2002

The Los Angeles County Bar Association’s Dispute Resolution Services (DRS) honored the Straus Institute with a Special Public Service Award.

2000

The Straus Institute was recognized for outstanding achievement in ADR education and training by the American College of Civil Trial Mediators.



LAW FACULTY FROM 30 SCHOOLS STUDY DISPUTE RESOLUTION AT PEPPERDINE THROUGH THE FELLOWSHIP PROGRAM

More than 40 law faculty members from around the country have participated in the Straus Institute’s Law Faculty Fellowship Program at Pepperdine University School of Law. The Fellowship Program provides free tuition and housing, as available, for full-time faculty at American law schools to attend dispute resolution courses at Pepperdine, in order to advance teaching or scholarship in dispute resolution. Since its inception in 1998, the program has allowed the institute to host professors from 30 law schools, including the University of Iowa, University of Michigan, University of Missouri-Columbia, University of Oklahoma, Ohio State University, University of Pennsylvania, Rutgers University, Syracuse University, Texas Tech University, Tulane University, Washington University in St. Louis, and Villanova University.

REGISTRATION AND FEES

VISITING LAW STUDENTS

Degree-seeking students currently enrolled in another ABA-accredited law school should complete the registration form and return it with their statement of desire to study at Pepperdine, letters reflecting their status as students in good standing, their dean's permission to attend, and the \$15 application fee and \$300 tuition deposit

PEPPERDINE LAW, LL.M., M.D.R., OR CERTIFICATE STUDENTS

Pepperdine law students and individuals admitted to the Straus Institute's LL.M., M.D.R., or Certificate programs should register for the classes through the normal registration process on WaveNet.

OTHERS

Persons not currently enrolled in the law school may apply for admission to the LL.M., M.D.R., or Certificate programs. To audit a course, please submit the registration form from this brochure, a brief statement describing your desire to take the course and a resume including your academic background. Please also include the \$15 application fee and \$300 deposit. To request an application, visit the website or email dracademics@pepperdine.edu. For consideration of admission to the program, all applications, letters of reference, official transcripts, and application fees must be received by February 15 for the summer term. Call 310.506.4655 for details.

TUITION

Tuition for each 2-unit summer course is \$3,020. A \$15 application fee and a \$300 nonrefundable tuition deposit must accompany all applications for students not currently enrolled at Pepperdine. Two checks should be made payable to Pepperdine University (one for the application fee and one for the tuition deposit). The balance of tuition is due on the first day of class. A 15-day notice will be provided if any course is cancelled.

TO REQUEST AN APPLICATION FOR THE CERTIFICATE, M.D.R., OR LL.M. CONTACT:

Straus Institute for Dispute Resolution

Pepperdine University School of Law

24255 Pacific Coast Highway

Malibu, CA 90263

Phone: 310.506.4655

Fax: 310.506.4437

Web site: law.pepperdine.edu/straus/

E-mail: dracademics@pepperdine.edu

MCLE CREDIT

Each course has been approved for MCLE credit by the State Bar of California. Pepperdine School of Law certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing MCLE.

HOUSING

The George Page Residential Complex, located across the street from the School of Law, will be available for a limited number of summer school students. The residential complex offers four-bedroom, single-bath apartments with kitchen, living, and dining areas. Housing is available on a first-come, first-served basis and early reservation is advised. On-campus recreation facilities include an Olympic-size pool, tennis courts, weight room, gym, and track. For housing information and registration, visit pepperdine.edu/housing. If you have further questions, you may e-mail housing@pepperdine.edu.



LOCATION

THE SCHOOL OF LAW

Pepperdine University's mission is to provide education of excellent academic quality within its Christian heritage. Pepperdine University School of Law is located on the University's Malibu campus, occupying its own 30-acre site, overlooking the Pacific Ocean. Characterized by a program of academic excellence and professional skills training, the law school emphasizes professional ethics and moral values.

Pepperdine School of Law seeks a limited enrollment of approximately 650 full-time students. It is fully approved by the American Bar Association and is a member of the Association of American Law Schools. Course work from the School of Law generally will be accepted for transfer by other law or graduate schools.

Classes are held in the Odell McConnell Law Center, which includes a 375,000-volume law library, classrooms, administrative offices, cafeteria, and lounges. The School of Law is located in one of the most dramatic settings in the nation and provides an excellent environment for legal studying and learning.



MALIBU, CALIFORNIA

Malibu is a residential and recreational community located 12 miles north of Santa Monica and approximately 35 miles from downtown Los Angeles. Bordered by the Pacific Ocean and the Santa Monica Mountains, Malibu offers excellent coastal recreation, pleasant restaurants and shops, and a relaxing escape from big-city life. Malibu is home to Pepperdine University, the Hughes Aircraft aerospace research facility, and numerous motion picture and television celebrities. It is less than one hour from the Los Angeles International Airport, San Fernando Valley, and the "Gold Coast" of Ventura County.



APPLICATION AND REGISTRATION FORM: 2011 SUMMER COURSES IN DISPUTE RESOLUTION

All fields are required to process application. Registrations are accepted on a first-come, first-served basis and must be received no later than two weeks prior to the first day of class.

Name _____ Social Security No. _____

Mailing Address _____

City _____ State _____ Zip _____

Permanent Address _____

City _____ State _____ Zip _____

E-mail _____

Business Phone () _____ Residence Phone () _____

Birth date _____ ☐ Male ☐ Female

Please check the appropriate box or boxes

☐ I am a degree-seeking law student in good standing, currently enrolled in an ABA-approved law school.

Name of School _____

☐ I am an attorney or other professional who would like to participate on an audit basis (MCLE credit available).

Include with this form your resume, a letter describing your interest in the class, and proof of admission to the bar.

☐ Please mail me application information for the LL.M., M.D.R., or Certificate program.

If you are applying for admission to the LL.M., M.D.R., or Certificate program, the following information is required with your application:

- ▶ Personal statement explaining your desire to study at Pepperdine School of Law
- ▶ Application for Admission (available at law.pepperdine.edu/strauss)
Deadline to apply for Summer or Fall, 2011 is February 15.
- ▶ Three letters of recommendation
- ▶ Official transcripts from all schools attended

Indicate which course(s) you are interested in:

☐ London and Geneva Study Tour
May 24–June 2, 2011

MALIBU CAMPUS

ONE-WEEK INTENSIVES

May 23–27, 2011 (choose one)

- ☐ Mediation Theory and Practice
- ☐ Negotiation Theory and Practice
- ☐ Selected Issues in Dispute Resolution:
Labor Disputes

TWO-WEEK FORMAT—Block 1

May 31–June 11, 2011 (choose one)

- ☐ Negotiation Theory and Practice
- ☐ Cross-Cultural Conflict and Dispute Resolution
- ☐ International Commercial Arbitration

TWO-WEEK FORMAT—Block 2

June 14–25, 2011 (choose one)

- ☐ Mediation Theory and Practice
- ☐ Psychology of Conflict
- ☐ Selected Issues in Dispute Resolution:
Settling Mass Torts

TWO-WEEK FORMAT—Block 3

July 5–16, 2011 (choose one)

- ☐ Communication and Conflict
- ☐ Interviewing, Counseling and Planning
- ☐ Selected Issues in Dispute Resolution:
Intellectual Property Disputes

TWO-WEEK FORMAT—Block 4

July 19–30, 2011 (choose one)

- ☐ Arbitration Practice and Advocacy
- ☐ Selected Issues in Dispute Resolution:
Systems Design

EXTENDED FORMAT:

May 25–July 27, 2011

- ☐ Mediation Clinic

ORANGE COUNTY CAMPUS (Current law students are not eligible to enroll in these courses.)

TWO-WEEKEND FORMAT

☐ Interviewing, Counseling and Planning
June 2–11, 2011

☐ Psychology of Conflict
June 16–25, 2011

☐ Arbitration Practice and Advocacy
July 7–16, 2011

Mail to: Admissions Office, Pepperdine University School of Law, Malibu, CA 90263.

Two checks should be made payable to Pepperdine University (\$15 for the application fee and \$300 for the tuition deposit). This registration form officially enrolls and commits you to attend the classes for which you have registered, when approved. By submitting this registration form, you agree to enroll in the academic term indicated above. Your signature indicates that you have read and agree to the financial policies that are stated in the School of Law catalog. If you withdraw from all of your courses prior to the end of the add/drop period, you will owe a \$150 withdrawal fee. All payments are due on or before the first day of class or you will incur a finance charge.

Signature _____ Date _____

The Straus Institute for Dispute Resolution

JOIN 300 LAW STUDENTS FROM 20 SCHOOLS, LAWYERS, JUDGES, AND MID-CAREER PROFESSIONALS FOR INCREDIBLE COURSES IN A BREATHTAKING SETTING.

The Straus Institute for Dispute Resolution was established at Pepperdine University School of Law to meet the demands of the changing legal environment of dispute resolution. Emphasizing non-litigation approaches to conflict, such as negotiation, mediation, and arbitration, the institute is involved in research, publication, consultation, teaching, training, and intervention related to dispute resolution.

The Straus Institute is the first program of its kind in the Southwest and the most comprehensive law school-related program in the nation. Established in 1986, the institute provides services throughout the United States and the world. The institute is housed in the Odell McConnell Law Center, Pepperdine University School of Law.

SUMMER 2011 COURSES INCLUDE:

- › Current Issues in International Dispute Resolution: London/Geneva Study Tour
- › Mediation Theory and Practice
- › Selected Issues in Dispute Resolution: Intellectual Property Disputes
- › Negotiation Theory and Practice
- › International Commercial Arbitration
- › Cross-Cultural Conflict and Dispute Resolution
- › Interviewing, Counseling, and Planning
- › Psychology of Conflict
- › Arbitration Practice and Advocacy
- › Mediation Clinic
- › Communication and Conflict
- › Selected Issues in Dispute Resolution: Labor Disputes
- › Selected Issues in Dispute Resolution: Systems Design
- › Selected Issues in Dispute Resolution: Settling Mass Torts



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