

Intentional Conversations About the Globalization of ADR



**2005 SYMPOSIUM ON ADVANCED
ISSUES IN DISPUTE RESOLUTION**

OCTOBER 29–30, 2005

HAMLIN UNIVERSITY SCHOOL OF LAW

dispute | resolution
INSTITUTE

**HAMLIN
UNIVERSITY
SCHOOL OF LAW**



Our world is getting smaller and increasingly inter-connected. People travel as easily from Saint Paul to Saint Petersburg as from home to work. So do ideas. Yet, we are still a planet populated by countless different social worlds.

Just like other phenomena, alternative dispute resolution (ADR) is also increasingly global. And, just like other phenomena, its spread and movement carries the values, beliefs, and cultural assumptions of one social world to another.

This fourth biennial symposium on advanced issues in dispute resolution focuses on the globalization of mediation. Specifically, we will examine the growing use of mediation in courts and other professional settings around the world. We will examine both practical and theoretical issues that arise as mediation practices and programs spread across the globe, with a particular focus on the challenges of institutionalizing mediation in new social contexts.

The symposium will provide a setting where scholars and practitioners can engage in meaningful dialogue about how best to understand and promote responsible practice in the globalization of mediation.



ABOUT THE DRI SYMPOSIUM

The biennial Symposium on Advanced Issues in Dispute Resolution was inaugurated in 1999. Its purpose is to bring together scholars and practitioners to engage in purposeful conversation around critical issues in the field of conflict studies and dispute resolution.

Each symposium theme is different, but all share a unique and intimate in-the-round format that intentionally supports engaged and focused conversation and exploration of the symposium theme.

Each symposium is led by carefully selected theme leaders who are experts in the symposium's area of focus and whose role is to frame, open up, and promote engaged dialogue in which all attendees participate.

Symposium Theme Leaders

Amr Abdalla

Professor and Dean for Academic Programs
University for Peace, Costa Rica

Hal Abramson

Professor of Law
Jacob D. Fuchsberg Law Center
Touro College, New York

Nadja Alexander

Professor of Dispute Resolution and Director of Practice
Australian Center for Peace and Conflict Studies
University of Queensland, Australia

Jim Coben

Associate Professor of Law and Director, Dispute Resolution Institute
Hamline University School of Law, Minnesota

Leonardo D'Urso

Principal, ADR Center, Rome, Italy

Ken Fox

Associate Professor and Director, Conflict Studies
Hamline University, Minnesota

Michelle LeBaron

Professor of Law and Director, Program on Dispute Resolution
University of British Columbia, Canada

Francisco Orrego

Eisenhower Fellow in Dispute Resolution
Santiago, Chile

Dana Potockova

Co-Founder, Czech Association of Mediators
Prague, Czech Republic

Yoshitaka Wada

Professor of Law
Waseda University and Kyushu University, Japan

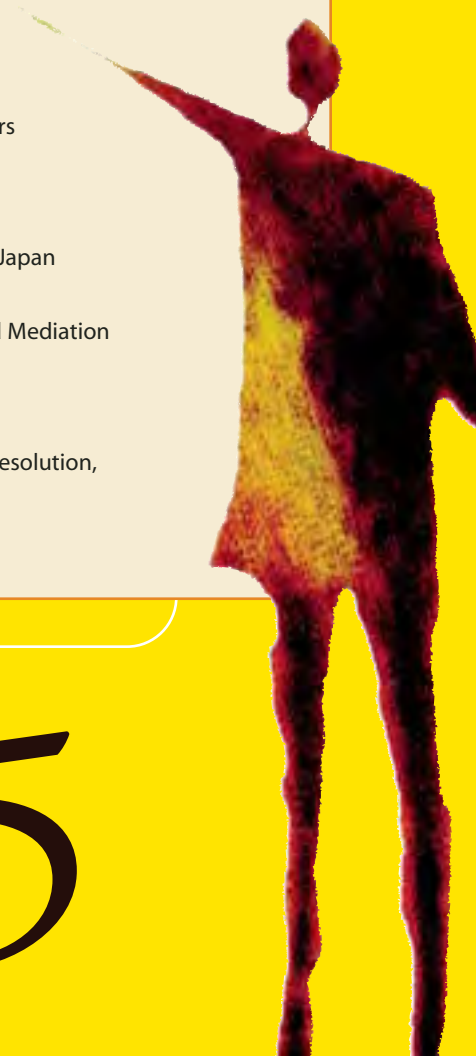
Anil Xavier

Director, Indian Institute of Arbitration and Mediation
Kochi, India

Doug Yarn

Professor of Law and Executive Director,
Consortium on Negotiation and Dispute Resolution,
Georgia State University, Georgia

2005



Schedule

FRIDAY, OCTOBER 28, 2005

7 p.m. – 10 p.m.

Registration and informal reception (at the Saint Paul Hotel)

SATURDAY, OCTOBER 29, 2005

8 a.m. – noon

Session 1

Building a Context for Conversation— Understanding the Globalization Phenomenon

Core questions include:

- What do we mean by the globalization of mediation?
- Where and in what ways is mediation practice being introduced and institutionalized?
- What is being imported and from where? From whom?
- What are the factors that drive this phenomenon?
- Who benefits and in what ways?
- In what ways is this globalization a new form of imperialism or political, intellectual, and cultural colonization?

Noon – 1 p.m.

Lunch

1 p.m. – 5 p.m.

Session 2

Examining the Social and Cultural Challenges of Globalization

Core questions include:

- In what ways does this movement of ideas take into account the social and cultural contexts from which and to which the movement occurs?
- What are the challenges of moving from one legal culture to another?
- How does the dissonance between theory and practice distort/impact/affect the import/export process?

Saturday Evening

Free with opportunities for informal interaction

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SUNDAY, OCTOBER 30, 2005

8 a.m. – noon

Session 3

The Globalization of Mediation as a Systems Design Challenge

Core questions include:

- From the perspective of both the importer and exporter, what are the key questions that must be addressed in designing and implementing a mediation program in new or different social, cultural, and legal settings?
- In what ways should/can this design process respond/adapt to the social and cultural context in which the program is being introduced?
- What should be the measure of accountability for social and cultural consequences of this movement? What special obligations do funders have to promote such accountability?
- What should teachers, trainers, and consultants in the field know/incorporate regarding globalization and development?

Noon – 1 p.m.
Lunch

1 p.m. – 3:30 p.m.

Session 4

Synthesis: What are the Implications of our Conversation on the Further Development of Mediation in a Global Context (with respect to research, theory-building, policy, and practice)?

Core questions include:

- What is missing from our understanding of the phenomenon of mediation globalization?
- How can scholars and practitioners work together to advance thinking and practice in globalization of mediation?
- How does globalization of mediation impact the evolution of mediation theory and practice?
- Can we articulate best practices when mediation processes/models are introduced into new contexts?
- How do we establish useful criteria for measuring the success of import/export efforts?

3:30 p.m.
Close

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Registration Form

2005 SYMPOSIUM ON ADVANCED ISSUES IN DISPUTE RESOLUTION

October 29–30, 2005

(with informal welcoming reception on Friday, October 28)

Name:

last

first

middle

Address:

street

city

state

zip

Phone: () ()

business

home

E-mail:

Institutional Affiliation:

detach here

MAIL REGISTRATION FORM TO:

Dispute Resolution Institute
Hamline University School of Law
1536 Hewitt Avenue
Saint Paul, MN 55104-1237

FOR MORE INFORMATION, CONTACT:

Salvador Panga, Post-Graduate Fellow
Dispute Resolution Institute
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spanga01@hamline.edu
www.hamline.edu/law/adr

CONFERENCE FEES:

Due to the generosity of Hamline law school alumnus Kip Kootz '93, symposium registration fees of \$175 (including costs of the Friday evening reception, transport to and from hotel to symposium, and lunch on Saturday and Sunday) are being waived for the first fifty registrants. Please register early; the symposium is limited to eighty participants.

OVERNIGHT ACCOMMODATIONS:

The Saint Paul Hotel

350 Market Street
Saint Paul, MN 55102
Phone: 651-292-9292
Fax: 651-228-9506
Toll-free: 800-292-9292
www.stpaulhotel.com

Rate: \$109 plus tax, per night (only if booked by October 1). A nonrefundable first night deposit is required at time of reservation. When booking, mention that you are with the Hamline Dispute Resolution Institute to receive this favorable rate.

The historic Saint Paul Hotel is Minnesota's landmark hotel, offering 254 beautifully decorated rooms, all renovated in 2005. The Hotel's tradition of service has earned it the AAA Four Diamond Award for twenty-two consecutive years, and a place on the *Condé Nast Travelers* Gold List — the only Minnesota hotel to earn this distinction.

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