

ASU College of Law Starts Mediation Clinic
by Robert Dauber

The College of Law at Arizona State University expanded its course offerings in ADR to include a Mediation Clinic, beginning with the Fall 1996 semester. In the new Mediation Clinic, second- and third-year law students receive intensive training in the mediation process, then serve as mediators in a variety of contexts while continuing to study alternative dispute resolution in the classroom. The class is designed to help law students understand another dimension of lawyering — that of problem-solving.

Students begin the semesters by undergoing an intensive training program in the mediation process, including full-day sessions in which they take part in simulated mediations, view their performances on videotape, and receive one-on-one feedback from faculty members, as well as critiques from other class members. Once the skills training is completed, students are assigned to mediate a broad range of disputes in the metro Phoenix area, including civil cases filed in local justice courts, planning and zoning appeals and other neighborhood disputes at the municipal level and employment-related grievances filed with governmental employers. While gaining this practical experience, students also attend seminars twice a week where they study and debate broad issues relating to mediation and dispute resolution, including the proper role of ADR in the court system, ethical issues that arise in mediation and models of negotiation techniques that apply in both the mediation and litigation settings.

In addition to their fieldwork and their attendance at seminars, students are expected to write two papers during the course of the semester — one based on their experience as a mediator and the other based on in-depth research into one of the theoretical issues raised in the classroom.

The Mediation Clinic, which was funded with a significant private donation from a prominent alumnus of the ASU College of Law, represents an initial step in the law school's effort to expand its curricular offerings in alternative dispute resolution while providing new services to the community. The College of Law administration is currently working with this donor and other members of the local business community on plans to establish a permanent resource center on campus that would be devoted to improving the use and understanding of dispute resolution processes.

The Mediation Clinic will provide free mediation services for select cases, upon referral from attorneys or agencies in the Valley. To obtain more information on the Clinic, call (602) 965-9138.