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## Kukin Program for Conflict Resolution Newsletter | Fall 2016

### Cardozo Law School Hosts New York's Global Pound Conference: small group discussion, interactive voting, dynamic panel presentations advancing the future of commercial ADR



**James Corbett, an English barrister and Queen's Counsel, moderates the first panel.**

On September 12, 2016, Cardozo hosted the first US Global Pound Conference event (the GPC), which is one of 40 identical events to be held around the globe. Over the next year, the events will continue ending in London in July 2017. The series, which is entitled Shaping the Future of Dispute Resolution and Improving Access to Justice, seeks reliable, comparable data about what users and professionals involved in ADR need and whether the dispute resolution landscape and structures can change to provide that. The intent is to promote conversations about all forms of civil justice in the

context of commercial disputes: court litigation, arbitration, conciliation and mediation.

The Global Pound Series is utilizing PowerVote, which is an interactive, real time voting platform in order to aggregate as much data from different groups concurrently. The structure, which will be repeated at all 40 events, is to have audience members vote directly on four core questions and then continue the discussion in small groups

while utilizing the online word cloud and question platform. The panel participants-29 in total-were asked not to plan their remarks in advance but to respond and interact to the data in real time. It was an exciting and interesting day filled with interactive conversations and panel discussions!



Panel four panelists, who reflected on action items for promoting better access to justice, are pictured here looking at the Word Cloud created by the participants of the NY Global Pound Conference for their panel. Photo credit: David Reinman.

**2016 Cardozo Journal of Conflict Resolution Will Host the Jed D. Melnick Symposium: *The Pound Conferences: Where Do We Come From? What Are We? Where Are We Going?***



Paul Gauguin, 1897, *Where Do We Come From? What Are We? Where Are We Going?*

On November 7, 2016, the CJCR Symposium will examine the meaning and relevance of the three Pound Conferences (in 1916, 1976, and 2016), each of which sought to re-examine the field of conflict resolution and generate critical changes in line with societal needs and aspirations. In addition to reviewing the history and impact of the Pound Conferences, the Symposium panels will focus on designing new dispute resolution processes, new trends in the quantitative study of ADR, and how new technologies may impact traditional ADR processes.

Register at: [goo.gl/MBgEba](http://goo.gl/MBgEba)

**The Cardozo Journal for Conflict Resolution's 2016 International Advocate for Peace Award Goes to Benjamin Ferencz**



**Pictured here from Left to Right, Lara Traum, Professor Toby Golick, Benjamin Thompson, Benjamin Ferencz, Dean Melanie Leslie and Professor Lela Love.**

Benjamin Ferencz brought Nazi war criminals to trial, negotiated reparations for concentration camp victims, and went on to be one of the founders of the International Criminal Court. On April 11, 2016, Cardozo students awarding the International Advocate for Peace Award had the privilege of hearing Benjamin Ferencz describe his work in detail, including a story of bailing out of a burning airplane over war torn Berlin while on a flight to the Nuremberg Nazi war trials.

Leaders from the nationally recognized *Cardozo Journal of Conflict Resolution* honored Ferencz for his humanitarian work, which includes his days in Germany and his recent critiques of American war policies. Dean Melanie Leslie thanked Ferencz for his contributions to the Cardozo community in the area of human rights over many years.

"As a man who helped give the world the very concept of crimes against humanity, the human rights community owes much to Ben Ferencz," said Dean Leslie at the ceremony. "Today, I want to also acknowledge that Cardozo Law and Yeshiva University owe much to Ferencz for his consistent support of the law school's human rights programs."

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### **Over 100 Students and Judges Participate in the 2016 Cardozo/ABA Intra-school Negotiation Competition**

On May 4, 2016, the ADR Competition Honor Society hosted the 2016 Cardozo/ABA Intra-school Negotiation Competition. There were over 100 students and judges at this year's competition and a total of forty-six teams competed. The winners of the competition were Rachael Schuman and Stephanie Kapinos. Alexander Stolls and Kevin Andrade were the runners up, and Ruma Mazumdar, a solo negotiator, came in third place.





From left to right in the back row: Joe Torres, Damali Slowe, Carlyle Balfour, Stephen Wah, Shakira Wallace, Michael Kar, Justin Gindi, Mike Meyers, Noelle Forde, Jordan Simon, and Brian Salazar. From left to right in the front row: Ruma Mazumdar, Stephanie Kapinos, Rachael Schuman, Kevin Andrade and Alexander Stolls.

### There's No Party like a Neutral Party

Cardozo hosted Volunteer Appreciation Day for its 30 year partner, the New York Peace Institute (aka, Victim Services and Safe Horizons) on April 20, 2016. Food, drink and the usual fun - amazing drawings of Brad Heckman, a button making device, personal decorations and props of all kinds, a photo lab, wonderful remarks of staff and volunteers - made the evening a big success.

Pictured here are Cardozo mediator Carlyle Edwards Balfour and Lela Love, both loyal mediators of the NY Peace Institute.



### Kukin Program Assistant Director Donna Erez-Navot Teaches New York Summer Seminar to Students from Around the World

On the morning of July 11, 2016, Kukin Program Assistant Director Donna Erez-Navot taught students from Spain, Israel, Brazil, Finland, Mexico, Indonesia, and Venezuela about mediation and ADR. The students had varying levels of legal experience - some still in their first degree of law abroad and some had practiced for some time. They all had limited exposure to US legal education. In the afternoon, the 19 students boarded the subway and headed uptown to the United Nations for the afternoon to get an inside view of the UN.



Pictured here are the 19 students from the NY Summer Seminar with Kukin Program Assistant Director Donna Erez-Navot.

## Faculty Spotlight



**Joseph B. ("Josh") Stulberg, Adjunct Professor of Law, Michael E. Moritz Chair in Alternative Dispute Resolution at The Ohio State University, Moritz College of Law Celebrates 30 Years of Teaching at Cardozo**

**Tell me about the classes you teach at Cardozo.**

I teach two classes at Cardozo Law School: for the Cardozo Mediation Clinic, I join Professor Love just before the fall semester begins to conduct the intensive basic mediator skill-building training program; in the spring semester, I teach Negotiation Theory and Skills. I have taught the Basic Mediator Skill-Building Training since the inception of the Clinic in 1985. At that time, I was the primary mediator trainer for Safe Horizon. When Cardozo's mediation clinic started, I was one of the few mediator trainers certified by the NYS Office of Court Administration (OCA) to conduct such programs. The training program participants in those early years of the Cardozo clinic consisted of approximately 16 Cardozo students and 8 community volunteers from Safe Horizon. Since I was the mediator trainer for Safe Horizon, I was, gratefully, used by Cardozo to execute the "combined" training. Beginning in 1987, Professor Love joined me in what has now been our professional collaboration for 30 years.

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## Alumni Spotlight

## **Michael Berger '06 Receives Award for Alternative Dispute Resolution Excellence from the Department of Veteran Affairs**

Michael Berger is an Attorney - Advisor at the Office of General Counsel for the Department of Veterans Affairs in Brooklyn, New York. Berger represents the interests of the Secretary of Veterans Affairs in the North Atlantic District North. His representation includes VA's health care systems and their outpatient clinics, cemeteries, regional benefits offices for veterans, as well as any other needs of the Agency. Berger was most recently awarded the Secretary of the Department of Veterans Affairs' Alternative Dispute Resolution Excellence Award for his exemplary work in effectively representing the Department in mediations and negotiations.

During Michael's second year at Cardozo Law School, he enrolled in the Representation in Mediation course (IMAP) taught by Professors Abramson and Love during the January term. He believes that it gave him a very important tool: being able to use active listening to focus on interests. That skill acquired from IMAP really sticks with him in his daily practice. IMAP clearly explained to him that one of the key skills of a good attorney is to advise your clients and help them identify their interests, and assess risks and benefits of pursuing different paths to achieve those interests.

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**Michael Berger and Veterans Affairs' General Counsel, Leigh Bradley, who presented Berger with the Award on behalf of the Secretary.**

## **Eric Slepak '14 Directs ADR Programs at Resolution Systems Institute (RSI)**

Eric Slepak is Director of ADR Programs at Resolution Systems Institute (RSI), one of the nation's preeminent court ADR organizations, based in Chicago, Illinois. Eric began at RSI in 2015 as their Resource Center Director, maintaining and disseminating court ADR resources through their CourtADR.org Resource Center, and also answering direct inquiries from jurisdictions around the country. Recently, Eric stepped into the role of RSI's Director of ADR Programs, where he is overseeing all of RSI's mediation programs, working with program coordinators, judges, court administrators, mediators and other stakeholders to ensure that these programs are effectively serving disputants and otherwise meeting their objectives. In addition, he seeks out funding opportunities and prepares grant proposals to foster program development, and supports RSI's mediator training and program evaluation services.



During his time at Cardozo, Eric was the Executive Editor of Volume 15 of the Cardozo Journal of Conflict Resolution. Eric sees that immersive learning experience



as his entrance to the field of ADR. It gave him tremendous exposure to cutting edge ideas in ADR. In addition, Cardozo hosted the Annual ADR Works in Progress Conference that year, where Eric was introduced to many of the forward thinkers in ADR. Eric credits his time at Cardozo, including his Negotiation Theory and Skills class with Professor Steven Yadegari, as having a direct and definite correlation to securing and informing his work at RSI.

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### **Steven Yadegari '98, a Successful Graduate Now at Cramer Rosenthal McGlynn, LLC, Returns to Cardozo to Teach Negotiation**

Steven Yadegari is the Chief Operating Officer (COO) and General Counsel at Cramer Rosenthal McGlynn, LLC (CRM). CRM is a registered investor advisor located in New York City that invests across a variety of investment accounts and products and caters to an institutional audience, including 401 k plans, retirement systems, pension plans and others. Steven oversees all legal compliance operations and human resources functions at his firm. As part of his role as COO, he deals with a range of employee-related issues from hiring and firing to considering structural changes. According to Steven, when dealing with sensitive employee-related issues, the skill set that he acquired as a mediator in the Cardozo Mediation Clinic is incredibly valuable. His role requires negotiating and dealing with a variety of third parties, clients, regulators, service providers and others, and these interactions are all aided by his understanding of principled negotiating techniques, active listening, and interest-based discussions.



After graduation, Steven worked at the Securities Exchange Commission (SEC). One of his roles while at the SEC was Senior Counsel in the Division of Enforcements in the Office of the Chief Counsel. In that role he worked with the regional offices and helped bring their enforcement recommendations to the SEC Commissioners for approval. He believes he was selected for this sensitive task because of his mediation background. The position required a deep understanding of negotiation since there is an inherent tension that exists between enforcement colleagues seeking to bring an action and the skeptical and critical view the Commission must use to review any alleged violations. As Senior Counsel, Steven was there to guide enforcement colleagues to present their recommended actions in the best and most effective way.

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