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## **Kukin Program for Conflict Resolution**

Newsletter | Fall 2018



**Professor Lela Porter Love Listed #3 North American global thought leader on the 2018 list of Who's Who Legal in Mediation**

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**COMING SOON ON OCTOBER 22, 2018**

## **The Wonderful Story of How "Don't Ask, Don't Tell" was Repealed or How the Military Does ADR Proud**

*Hosted by the Cardozo Journal of Conflict Resolution*

**5 - 7 p.m.**

Come join us for this exciting program that will explore the behind the scenes multi-party negotiations that led to the 2010 repeal of "Don't Ask, Don't Tell." It took more than a directive from the President to repeal the policy. Come hear the backstory from Colonel Linell A. Letendre who was a member of the team that helped spearhead the



Pentagon's review. She will reflect on the process that generated the change and the important lessons learned. At the time the President called for the end of "Don't Ask, Don't Tell," the team members focused on a review and the engagement of stakeholders. Only after the fact did the team realize that they had managed a large-scale, multi-party negotiation. This program will discuss how the Pentagon facilitated a consensus among military branches, key members of Congress and outside interest groups. Their experience is an instructive case study of negotiations and consensus building on a "hot-button" issue that many are aware of, but few know the details of how a consensus was built.

[\*\*Register Here\*\*](#)

### **BREAKING NEWS!**

Professor Donna Erez-Navot has been awarded a two year appointment as a visiting professor.

Donna will direct the Mediation Clinic during her appointment and joins Lela Love in working on the many

initiatives of the Kukin Program.

Congratulations, Professor Erez-Navot!





**SAVE THE DATE: MARCH 18, 2019**

The Cardozo Journal of Conflict Resolution and Touro Law Center are hosting a symposium on the forthcoming UN treaty on compliance with cross-border mediated settlement agreements—to be called the Singapore Mediation Convention. The program will feature speakers who helped draft the Convention, as well as experts on the enforcement of mediated settlement agreements.



**The Cardozo Journal for Conflict Resolution's 2017 International Advocate for Peace Award Proudly Awarded to Leymah Gbowee**

On April 27, 2017, students, alumni, faculty, and administration gathered at Benjamin N. Cardozo School of Law to honor Leymah Gbowee. Leymah Gbowee helped end the Second Liberian Civil War through her organization Women of Liberia Mass Action for Peace. She won the 2011 Nobel Prize for Peace for this work. She currently serves as Executive Director of the Women, Peace and Security Program at the Earth Institute at Columbia University.



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**Professor Love Travels Around the World!**

Who is that sitting between the Serbian Minister of Justice and the Russian Deputy Minister of Justice at the International Legal Forum in St. Petersburg, Russia, in May of 2018? Cardozo's Director of the Kukin Program, Lela Love!



Professor Love inspires students in "Mediation and the Facilitation of Democratic Dialogue" at Central European University in Budapest, Hungary. Sitting to her left is Professor James Coben, who co-led the program.





Professor Love teaches in Berlin a Negotiation and Mediation Program for Tulane and Humboldt Universities for two weeks in August, 2018. She is pictured with her students in front of the Berlin Wall.



### **Professor Erez-Navot Instructs Professionals in the Use of Mediation in Resolving Wills, Trusts, Estates, and Adult Guardianship Disputes**

On June 14, 2018, Professor Donna Erez-Navot co-presented at the NYSBA Dispute Resolution Program about using mediation to resolve disputes in wills, trusts, estates and adult guardianship cases. She was joined by several Cardozo alumni including Adam Halper '97, Glen Parker '10 and Surrogate Court Judge



Brandon R. Sall '85. Professor Erez-Navot also helped lead the attendees in a role play of a sibling estate dispute following the death of a parent.



## UPDATES FROM OUR FACULTY AND ALUMS

**Professors Donna Erez-Navot and Brian Farkas recently published "First Impressions: Drafting Effective Mediation Statements" in the Lewis & Clark Law Review**

Unlike many legal documents - pleadings, motions, and settlement agreements - there are no standard templates or specific requirements on the form or substance of pre-mediation statements. Now that mediation has become firmly embedded into our litigation culture, it is time for litigators to embrace some concrete "best practices." Drawing on new empirical survey data and interviews with experienced mediators, as well as case law and statutes regarding disclosure, Professors Erez-Navot and Farkas propose guidelines for litigators seeking to draft effective pre-mediation statements that will be most helpful to the mediator, and ultimately, to their clients.



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## **Cardozo Journal of Conflict Resolution Alums published "Mediation and Millennials: A Dispute Resolution Mechanism to Match a New Generation in the Journal of Experiential Learning."**

Two Cardozo alums, Shawna Benson and Brian Farkas, who are millennials themselves, write about millennial experiences and education that has primed the next generation of ADR scholars to be sure to flourish. Mediation, with its emphasis on consensus, compromise and self-determination, comports with many millennials' financial risk-aversion as well as their uniquely interdisciplinary educations.

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## **Securities Arbitration Clinic Visits SEC**

This past Spring, the Securities Arbitration Clinic students met with the SEC's Chairman and several other SEC

Commissioners, the SEC's Investor Advocate, and the Ombudsman for the Office of the Investor Advocate at the SEC to discuss emerging as well as continuing industry practices that impact small retail investors. They also discussed concerns about access to redress for small retail

investors who are defrauded and funding for the clinical programs that provide free representation to small investors before FINRA, state and federal courts and other regulatory bodies.



## **A Quick, Statistical Update from Our Successful Kukin Program!**

**Top 10** Dispute Resolution Law School Since 2000

**#1** Dispute Resolution Program in NYC

**#9** Dispute Resolution Program in the Country

**7** Full-Time Faculty Members

**13** Practicing Faculty

**242** times that students collectively mediated in the Cardozo Mediation Clinic in the 2017-2018 year

**400** couples assisted by the Divorce Mediation Clinic through the bewildering process of marital separation since 2010

**\$900,000** in legal services contributed to New York City by the Divorce Mediation Clinic since 2010

**\$2 million** in judgments recovered by the Securities Arbitration Clinic since the program's inception

**1st place** win for the ADR Competition Honor Society

Two **2nd Place** wins for the ADR Competition Honor Society

## **FACULTY SPOTLIGHT**

### **Maurice Robinson '09**

Maurice Robinson will begin teaching Negotiation this fall. He is the Equal Employment Opportunity Officer and Executive Agency Counsel for the New York City Housing Authority. His interview follows.

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



As a Cardozo alumnus, I am especially delighted to return to my alma mater to join

the faculty of the Kukin Program for Conflict Resolution and teach Negotiation Theories and Skills this Fall. The class is an experiential offering which enables participants to hone essential lawyering skills through engagement with a series of complex, practice-based scenarios in both the civil and criminal arenas.

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## ALUMNI SPOTLIGHTS

### [Randy Tesser '17 at Tesser, Ryan & Rochman, LLP](#)

Randy Tesser is an associate at Tesser, Ryan & Rochman, LLP where he practices business law and professional responsibility work. He has also taken on responsibilities within the New York State Bar Association's Dispute Resolution Section, including Co-Liaison to the Young Lawyers' Section (along with Professor Erez-Navot) and Co-Chair of the New Lawyers and Law Students Committee's ADR Advocacy Clinic.



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### [Lara Traum '16 at the Law Firm and Mediation Practice of Alla Roytberg, P.C.](#)

Lara Traum is an attorney and mediator in private practice with the Law Firm and Mediation Practice of Alla Roytberg, P.C., offering assistance in prenuptial, postnuptial, matrimonial, and trust and estate matters. Alla Roytberg, the principal attorney, is also Lara's mother, and her best friend, and they harness their dynamic as a mother-daughter team to bring special attention to families as they resolve their disputes and



restructure their lives. Lara is bar admitted and licensed to practice in New York, New Jersey, and Connecticut.

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