

# 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

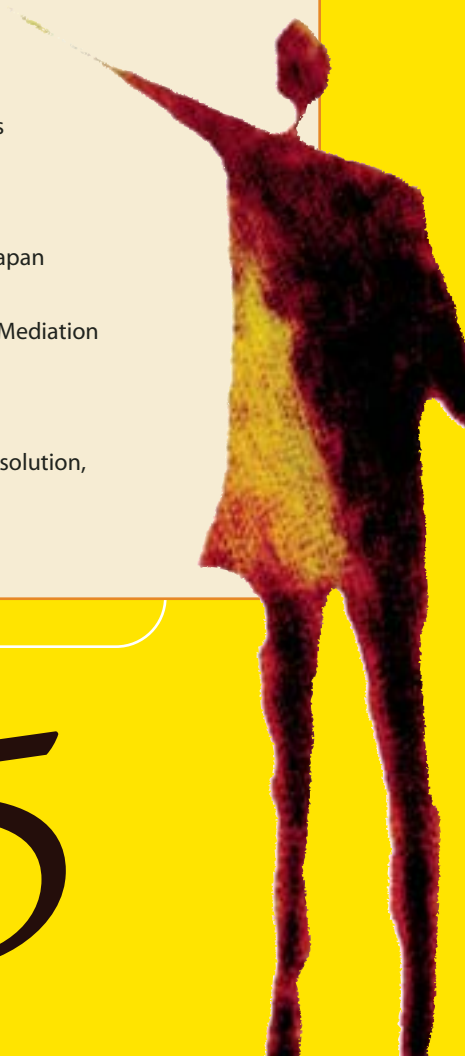
**Anil Xavier**

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**

Intentional Conversations About  
**the Globali**

## **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**

# zation of ADR

# 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  
Phone: 651-523-2561  
Fax: 651-523-2236  
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.

**dispute** | resolution  
I N S T I T U T E

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



2005 SYMPOSIUM ON ADVANCED  
ISSUES IN DISPUTE RESOLUTION

OCTOBER 29-30, 2005

HAMLIN UNIVERSITY SCHOOL OF LAW

Intentional Conversations About  
the Globalization of ADR