



ST. MARY'S  
UNIVERSITY

## Digital Commons at St. Mary's University

---

Faculty Articles

School of Law Faculty Scholarship

---

2013

### Providing Dispute Resolution Expertise to the Community

Rishi Batra

*St. Mary's University School of Law*, [rbatra@stmarytx.edu](mailto:rbatra@stmarytx.edu)

Follow this and additional works at: <https://commons.stmarytx.edu/facarticles>



Part of the [Dispute Resolution and Arbitration Commons](#), and the [Legal Education Commons](#)

---

#### Recommended Citation

Rishi Batra, Providing Dispute Resolution Expertise to the Community, 19 *Disp. Resol. Mag.* 24 (2013).

This Article is brought to you for free and open access by the School of Law Faculty Scholarship at Digital Commons at St. Mary's University. It has been accepted for inclusion in Faculty Articles by an authorized administrator of Digital Commons at St. Mary's University. For more information, please contact [egoode@stmarytx.edu](mailto:egoode@stmarytx.edu), [sfowler@stmarytx.edu](mailto:sfowler@stmarytx.edu).

# Providing Dispute Resolution Expertise to the Community

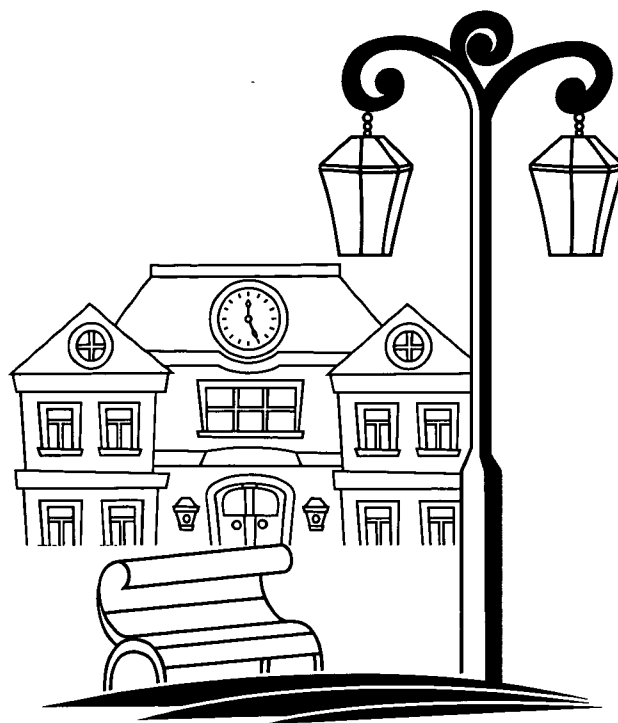
By Rishi Batra

**A**s schools and other public institutions struggle for funding, law schools and their students have new opportunities to fill unmet needs by providing consulting expertise in facilitation and dispute resolution. Such partnerships can provide valuable service for the institutions while giving students a chance to apply their skills to issues in nearby communities.

At The Ohio State University Moritz College of Law, we wanted students in our Multiparty Mediation course to have an experience in which they could use the mediation and facilitation skills they had learned in the classroom in a larger, community-oriented setting. To that end, we worked with a local school district that had recently established a new policy for cell-phone use in its high school. The district superintendent had heard that the policy was causing complaints and conflicts, but he was unsure how to collect and resolve these systematically. We saw this as an opportunity for our students to provide substantive information about how the policy could be improved and, more importantly, to create dialogue among the many stakeholders to resolve the underlying discontent.

The students served as a consulting team for the high school. After an initial meeting between the course professors and the district superintendent, the students were assigned a project with two goals: help gain the perspectives of stakeholders, and gather information about cell-phone policies from other schools for comparison. The students divided themselves in teams of two to meet with the different interested groups identified by the school, such as parents, students, teachers, and administrators. Using the facilitation skills taught in our class, the students conducted interviews with the different stakeholders, often with one student acting as the facilitator, the other as recorder, and then switching roles. Two other students served as group coordinators, moderating the interaction inside the law school classroom, planning assignments, and synthesizing group findings.

The results were illuminating for all involved: The interviews revealed common interests, such as a desire for uniformity of implementation, which administrators, students and parents all thought was lacking. Teachers were frustrated about what they saw as a lack of clarity



about cell-phone use between classes, and parents were frustrated that they were not contacted when cell phones were confiscated. Surprises also surfaced: Teachers, it turned out, were bringing their own lockboxes to school to secure confiscated cell phones.

Our students compiled a report of the various interests and mapped out a clear plan for the school, including announcements of clarifications to the policy as well as a facilitated follow-up group meeting. Back in their own classroom, the law students were able to reflect on their performance and the consulting project as a whole, offering suggestions about how to improve communication among members of the consulting team and how to increase the diversity of stakeholders. For instance, the students noted that the district had identified all of the stakeholders with whom they met. The team thought the findings may have been different had there been greater diversity of voices and they brainstormed how they could broaden the group of stakeholders in future projects.

We see this model as a way for law schools to use their dispute resolution expertise and provide direct benefit to local organizations. Schools, governments and nonprofit groups often have projects that can benefit from conflict mapping and systematic dialogue, but many lack the expertise, funding and personnel to get started. By reaching out to these organizations, law schools can provide valuable learning opportunities for their students and bring about positive change in the communities around them. ♦



**Rishi Batra** is a visiting assistant professor at Whittier Law School. He was previously the Langdon Fellow in Dispute Resolution at The Ohio State University Moritz College of Law. He can be reached at [rishib@gmail.com](mailto:rishib@gmail.com).



# Valuable guides from the ABA Dispute Resolution Section



## Civic Fusion: Mediating Polarized Public Policy Disputes

Bringing together the forces of political debate, this book outlines civic fusion and the process of successful public policy mediation. To help mediators understand how powerful the tool of mediation is and help them reach their full potential, this outlines what civic fusion is and provides real world examples of cases with positive outcomes.

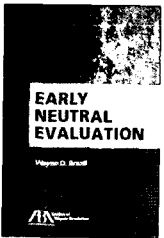
2012, 6x9, 400 pages, PC 5100022  
\$59.95 - DR Members: \$49.95



## Psychology for Lawyers: Understanding the Human Factors in Negotiation, Litigation, and Decision Making

Introducing practicing lawyers and law students to some of the key insights offered by the field of psychology, this guide offers a crash course in those aspects of psychology that will be most useful to practicing attorneys. Included are discussions and insights on perception, memory, judgment, decision making, emotion, influence, communication, and the psychology of justice.

2012, 7x10, 600 pages, PC 5100021  
\$174.95 - DR Members: \$144.95



## Early Neutral Evaluation

This valuable guide is a tool to teach lawyers, litigants, neutrals, judges, court program administrators, and public policy analysts what early neutral evaluation (ENE) consists of, why and under what circumstances it can be used most productively, and the difference between it and mediation.

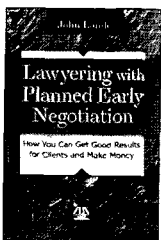
2012, 6x9, 200 pages, PC 5100008  
\$49.95 - DR Members: \$34.95



## Stories Mediators Tell

This new book is a collection of inspirational stories shared by experts in the field who want others to experience the art of mediation. Their stories share advice on how to handle certain situations.

2012, 6x9, 366 pages, PC 5100020  
\$49.95 - DR Members: \$34.95



## Lawyering with Planned Early Negotiation

To help you in your negotiations, this guide discusses how you can be more successful using planned early negotiations. The strategies in this book can help you become a more effective negotiator, which can increase your professional satisfaction, generate good will, relieve stress, and increase your effective billing rates with creative fee arrangements.

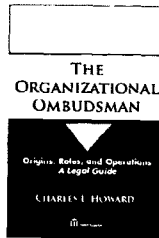
2012, 6x9, 200 pages, PC 5100005  
\$74.95 - DR Members: \$59.95



## Judges Under Fire Human Rights, Independent Judges and the Rule of Law

A compilation of true accounts of cases where the rule of law was jeopardized, this guide illustrates what can happen when the judiciary is stripped of its independence and prevented from following the rule of law. While it provides some lessons from foreign nations where the rule of law has been sublimated to opportunistic leaders, it also provides a chilling reminder that it can happen here.

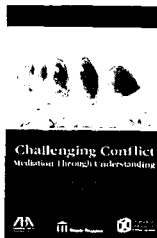
2011, 6x9, 200 pages, PC 5100006  
\$39.95 - DR Members: \$34.95



## The Organizational Ombudsman: Origins, Roles and Operations - A Legal Guide

The book provides a detailed rationale for the creation of ombudsman offices, suggestions for structuring and documenting an ombudsman program and how to address issues that arise in litigation, a comprehensive presentation of various legal issues associated with organizational ombudsman programs, including collecting cases that deal with imputed notice and confidentiality, and much more.

2010, 6x9, 642 pages, PC 4740068  
\$89.95 - DR Members: \$71.95



## Challenging Conflict: Mediation Through Understanding

This revolutionary book shows how through mediation, parties can escape the trap of conflict rather than remain ensnared within its grasp at enormous cost to themselves and others. Through the telling of ten riveting stories of actual commercial mediations, the principles and methodologies of the understanding-based approach come alive.

2008, 6x9, 305 pages, PC 4740067  
\$37.95 - DR Members: \$29.95



## Making Money Talk: How to Mediate Insured Claims and Other Monetary Disputes

Learn how to deal with the peculiar problems of traditional bargaining through proven models and techniques that will help you to gain a better understanding of the dynamics of money negotiations, identify the recurring problems presented in those cases, acquaint and arm yourself with new tools to handle those challenges, and much more.

2007, 6x9, 269 pages, PC 4740066  
\$42.00 - DR Members: \$32.00

To order, visit **ShopABA.org**  
or call the ABA Service Center  
at **(800) 285-2221**.