

“Less Salt, More Vitamins” – Teaching Dispute Resolution to First-Year Law Students



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For three decades, the University of Missouri School of Law has been a leader

in educating law students about the range of ways that lawyers help clients solve legal problems. We are especially well-known for our efforts in introducing all students during their first year of law school to dispute resolution.

In 1985, we began incorporating instruction in dispute resolution in all of the first-year courses. In 2004, we changed our approach by concentrating this instruction in our Lawyering: Problem Solving and Dispute Resolution course. This is currently offered as a two-credit course during the fall semester to all first-year students. It is designed to provide students with an introduction to critical lawyering skills, an overview of the alternative processes that a lawyer can employ to resolve a client’s problem and an understanding of the lawyer’s role as a problem solver.

We have experimented with different approaches to introduce students to the concepts of lawyering, problem solving and dispute resolution. The recent debates in the legal academy about providing law students with instruction in these areas highlight the importance of our experience. We hope that our experience will be of interest to other schools seeking to find creative ways to expose students to the theory and practice of lawyering.

A Brief History of the Course

In 1984, the law school hired dispute resolution expert Leonard Riskin to lead its curriculum design efforts, leading to the adoption of the “Missouri Plan,” which systematically integrated dispute resolution into all required first-year courses. The law school’s Center for the

Study of Dispute Resolution trained all faculty members in dispute resolution, encouraged interested professors to devise dispute resolution exercises and videotapes for their courses, and offered coaching and other assistance. Professor Riskin and Professor James Westbrook authored a pioneering textbook, *Dispute Resolution and Lawyers*, which helped faculty teach dispute resolution in their courses.

Writing four years after the start of the Missouri Plan, Professors Riskin and Westbrook noted that the basic approach had been institutionalized – the first-year faculty was familiar with dispute resolution processes, and that related exercises were common occurrence in most first-year courses. They also commented that the program had been successful in providing students with a solid foundation of dispute resolution skills, knowledge and perspectives. Still, Professors Riskin and Westbrook noted areas of concern and emphasized the need for continuing self-reflection and self-assessment, given the enormity of the task at hand.

The Missouri Plan continued to move forward over the next decade. In 1995, under Professor Riskin’s leadership, the center obtained a grant from the U.S. Department of Education’s Fund for the Improvement of Post-Secondary Education to help six other law schools (DePaul, Hamline, Inter-American Law School in Puerto Rico, Ohio State, Tulane and the University of Washington) develop their own adaptations of our project to integrate dispute resolution into standard first-year courses. These efforts led to the development and adoption of a variety of approaches to integrating the teaching of dispute resolution skills in the law school curriculum and the creation of centers, clinics and programs related to dispute resolution teaching and scholarship at several of these schools. Throughout this period, and while working with other schools in