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ABA Section of
Dispute Resolution

YOUR LINK TO THE SECTION OF DISPUTE RESOLUTION

Get To Know Your Leaders



You know the name, now get to know more about Professor John Lande, Dispute Resolution Section Council member.

As part of our on-going series of questions and answers with Council members of the Section, we asked Council Member John Lande to answer some questions about his corner of the ADR field.

What is your current position?

I am the Isidor Loeb Professor and Director of the LL.M. Program in Dispute Resolution at the University of Missouri School of Law.

How did your ADR career develop?

That's a long story. Here are the Cliff Notes. Growing up, I was uncomfortable seeing destructive conflict and I always thought about how problems could be solved more constructively. When I was an undergraduate, I took a course in sociology of law and was fascinated to read sociological studies about how disputes were really handled. I went to law school because I wanted to help solve social problems and was more attracted to cooperative than adversarial approaches. After I graduated in 1980, I practiced traditional representation for two years and didn't like it. I took several mediation trainings and opened my own practice in Oakland, California, so that I could practice mediation. In 1989, I entered a Ph.D. program in sociology so that I could use my knowledge from practice and research to teach and help improve dispute resolution processes. I have been teaching and writing about ADR since 1995 and have been at Missouri since 2000.

What were some of the challenges you had to overcome in your ADR career?

The lack of structure in the dispute resolution field presented challenges and opportunities. When I started to practice in the 1980s, there wasn't an established career structure or market to be a mediator, so people had to create them to a great extent. We were figuring out how to practice and attract people to use the process. That was both scary and exciting.

In the world of legal education, there is ambivalence about ADR. Some faculty appreciate its importance and others doubt its importance or whether it is even "real law."

There are limited opportunities in both ADR practice and teaching. For me, overcoming these challenges has required determination, patience, persistence, openness to unexpected challenges and opportunities, respect for others' perspectives, and good luck.

How did you get involved in the Section?

My friends, Lela Love and Jack Hanna, suggested that I work on the conference planning committee, which I did for two years. I also worked with Jack Cooley and Bruce Meyerson to develop a policy statement on good-faith requirements for mediation, which was the subject of one of my articles. Then I was nominated to serve on the Council and I was an active member of the Task Force on Improving Mediation Quality, chaired by Wayne Thorpe and Rachel Wohl. I have also been active on the Collaborative Law Committee, chaired by David Hoffman and Larry Maxwell.

What is the most valuable advice anyone ever gave you about ADR?

Be open to reality and the complexity of ADR. Have a balanced perspective. Don't be an uncritical cheerleader or relentless critic.

What do you tell law students who are interested in a career in ADR?

First, do a candid analysis of your abilities, interests, and limitations. Then, take a long view, listen to others, volunteer to help in the field, be patient, persistent and open to changing your perspective, and have a sense of humor.

Although the field has grown tremendously since I took my first mediation training in 1982, it is still hard to make one's place in our field because there are a limited number of specifically-designated "dispute resolution" work opportunities. Such opportunities do exist but they typically require extensive education, training, and experience. It's important to recognize that much "alternative" dispute resolution activity is done by people who don't specialize in it, such as lawyers, police, employees in government, business, and non-profit organizations, teachers, etc. People may want to look at the University of Missouri Law School website with frequently asked questions about developing careers in dispute resolution, at <http://law.missouri.edu/csdr/llm/careers.html>.