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AALS Workshop on Family Law.

**Plenary Session on Dispute Resolution
Moderator's Outline**

- I. Introduce participants and format of the plenary session
- II. Brief overview of topic and its importance
 - A. Alternative Dispute Resolution (ADR) is not “one thing” and has diversified substantially since 1970- can include:
 1. Mediation in a number of models - facilitative, evaluative and transformative;
 2. Parent education;
 3. Long and short form child custody evaluations;
 4. Hybrids such as parent coordination.
 - B. Can be voluntary or court mandated
 - C. Can be provided at public expense, or requires litigants to pay
 - D. Increasingly professionalized, with standards of practice
 - E. Has spread beyond divorce and custody cases to child protection and status offenses - principal method of resolving family disputes, especially those involving parenting, in many court systems.
 1. Incorporated in case management plans of many family courts- it fits with the philosophy of family court, problem solving courts and unified family courts
 2. Especially important for self represented litigants who are the bulk of family court litigants
 - F. Influence on the practice of family law e.g. the development of collaborative law, the AAML Bounds of Advocacy; FLER Report
- III. Social science research has played and will play a major role in the growth and development of ADR in family law
 - A. Heavy influence on program design, expansion and validation
 - B. Session is designed to give sense of:
 1. What we know about ADR from social science research
 2. Why we know it
 - C. What we need to learn in the future
- IV. Will focus on two particular forms of ADR- parent education and mediation- as case studies
 - A. Have excellent representatives of the social science community to guide us.
 - B. Introduce Sandy and Bob