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Kukin Program Newsletters

Kukin Program for Conflict Resolution

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Fall 2023

## **Kukin Program Newsletter – Fall 2023**

Kukin Program for Conflict Resolution

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# KUKIN PROGRAM NEWSLETTER

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Our students study Alternative Dispute Resolution with leading faculty and practitioners through Cardozo's renowned clinics and courses. The Program is home to the Cardozo Journal of Conflict Resolution and sponsors an annual symposium on critical issues in domestic and international dispute resolution.

## Letter from Director Andrea K. Schneider

As I start my second year at Cardozo, I am continually delighted to learn more from our alumni, students, and colleagues about the far-reaching impact of the Kukin Program. Our alumni hold positions in state and federal court dispute resolution programs, serve as neutrals with major dispute resolution service providers, teach dispute resolution courses across the country (and the world), and serve as effective advocates and problem solvers - applying dispute resolution skills learned at Cardozo in service of their clients.

The platform for scholarship through the Journal of Conflict Resolution is also wonderful, with our impactful symposium on hybrid warfare last year; and our upcoming symposia on a topic near and dear to me, the multi-door criminal courthouse building (See Negotiating Crime with Cynthia Alkon).

Working in the heart of NYC has its own benefits - opportunities to connect with leading dispute resolution organizations as well as the UN and other international organizations working toward peace. With my recent invitation to join the Council on Foreign Relations, we hope to continue to build upon international research, writing, and opportunities - exemplified by our new course, International Peacemaking, which will take



students to Israel this winter, depending on the circumstances on the ground.

And I would be remiss to not mention a particular highlight of the year in presenting Gloria Steinem with the International Advocate for Peace Award! We also launched the Cardozo Invitational Negotiation in Entertainment, Media, and Art ("CINEMA") which we will host again this fall.

Join us! Stop by for a visit; send an article to our journal; attend the symposium; participate in our competition; come visit me in NYC!!

## Andrea K. Schneider Gives the Keynote Address at Singapore Mediation Week

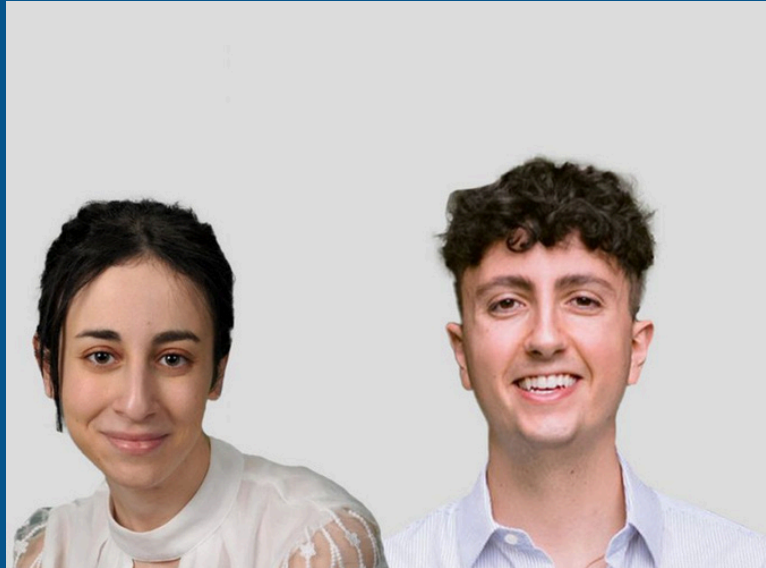
Professor Andrea K. Schneider gave the keynote address at the Singapore Mediation Center on August 31, 2023. Her lecture was entitled *The Next Wave of Effective Dispute Resolution: Developing Emotional and Social Intelligence*. She addressed how emotional intelligence and social intuition get translated into effective negotiation and mediation, how can we make better decisions about the variety of modes of communication, and how can negotiators—and mediators—improve their own skills going forward.



## Cardozo Hosts New York Peace Institute Community for Community Circle Event

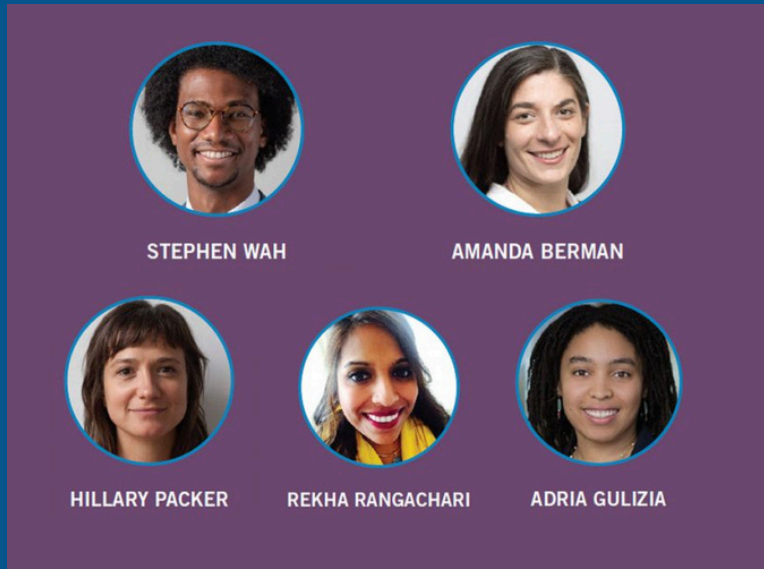


On May 18, 2023, the New York Peace Institute (NYPI), hosted a restorative circle event at Cardozo School of Law. The event, developed by restorative justice practitioners Lynne Echenberg and Kailani Capote, provided attendees an opportunity to engage in a facilitated dialogue designed to rebuild and strengthen community in a post-pandemic world. NYPI is a long-time partner of the Cardozo Law School Mediation Clinic and offers mediation, facilitation, restorative justice, conflict coaching and dispute resolution services to the New York City community.



### **Cardozo Students Present at National Center on Restorative Justice Symposium**

Jordan Stark '23 and Jennifer Grubman '25 participated in The National Center on Restorative Justice's symposium on Restorative Justice in Legal Education as panelists on September 15, 2023. As a part of the panel discussion on Restorative Justice Integration in J.D. Curriculum, Stark discussed incorporating restorative justice into ADR programs and courses, and Grubman discussed incorporating restorative justice into the civil procedure curriculum. During the spring 2023 semester, Stark conducted an independent study project on Restorative Justice and ADR under the supervision of Professors Amanda Berman and Hillary Packer, who teach a course entitled Innovations of Justice at Cardozo. During the summer of 2023, Grubman was awarded James B. Boskey Restorative Justice Fellowship and worked with Nichusak (meaning "my women friends" - women speaking to women in Lenape) and the Cardozo Law Institute in Holocaust and Human Rights working to prevent and adequately responding to the crisis of Missing and Murdered Indigenous Women, Girls and Two-Spirit people (MMIP) in Lenapehoking, the traditional homeland of the Lenape.



## Cardozo Welcomes New Dispute Resolution Adjunct Faculty

JCardozo welcomes new professors Amanda Berman, Adria Gulizia, Hillary Packer, Rekha Rangachari, and Stephen Wah.

Berman is the Deputy Director of Regional Programs at the Center for Justice Innovation (“CJI”) and Packer is the Associate Director of Restorative Practices at CJI. They will be teaching a course entitled Innovations in Justice, which introduces students to the innovative ideas and practices around a justice approach where individual and community building and healing are at the forefront in the wake of dysfunction, calamities and crimes.

Gulizia is the director of court and community programs at the New York Center for Interpersonal Development and will teach ADR in the Workplace. The course is designed to familiarize students with the variety of ADR modalities used to address conflict in the workplace.

Rangachari is the director of the New York International Arbitration Center, and will be teaching International Commercial Arbitration, and Wah, a managing associate at Pasich LLC, will serve as the Faculty Coach for the Cardozo Dispute Resolution Honor Society team members participating in the Willem C. Vis International Commercial Arbitration Moot.



## **New Kukin Program ADR Courses: The Law of Settlement & International Peacemaking: Israel**

This fall, Professor Brian Farkas created a new course called The Law of Settlement. The course focuses on what happens to the 92%-98% of civil cases that are resolved before trial. Why do so many cases settle? When do they settle? And—perhaps most importantly—how can attorneys facilitate settlement in a manner that is most advantageous for their clients? This course considers the full spectrum of processes for resolving civil conflicts and how and when a case settles. The course also explores best practices for crafting settlement agreements, issues with compliance, and rules for professional conduct that guide settlement negotiations and agreements.

Professor Andrea K. Schneider will teach a new course entitled International Peacebuilding: Israel. The class will meet over the course of the entire year and is scheduled to travel to Israel to study these issues in person during the second week of the January Winter session, depending on the circumstances on the ground. The case study of Israel will be used for the course focusing on the Israeli-Palestinian conflict, coexistence projects, Israeli Arab relations, and the integration of dispute resolution into the Israeli legal system. The course will also offer students insights into different tools of conflict resolution as applied to external as well as internal disputes and conflicts.



### **Cardozo Students Awarded AAA-ICDR Diversity Scholarship Training Grants**

Caterina Cesario LL.M. '23, Xènia Campàs Gené LL.M. '23 and Alejandro Martínez LL.M. '23 were awarded the American Arbitration Association (AAA) International Center for Dispute Resolution (ICDR) Diversity Scholarship Grants. The scholarship provides diverse law students with financial assistance for their participation and attendance at well-recognized conferences.

Cesario and Campàs Gené attended the 25th Annual ABA Section of Dispute Resolution Spring Conference in Las Vegas. The conference is the largest ADR one in the world and brings together the nation's top dispute resolution professionals, including arbitrators, mediators, negotiators, lawyers, and legal professionals.

Martínez attended the 35th Annual Institute for Transnational Arbitration Workshop and Annual Meeting in Austin, Texas. The event theme was Remedies in International Arbitration: Wielding Arbitral Power for Effective Redress.



### **Hear from Cardozo James B. Boskey Restorative Justice Fellows Jennifer Grubman '25 and Ethan Graham '24**

Established in 2019, the Boskey Restorative Justice Fellowship was founded thanks to a generous grant from the James B. Boskey Memorial Foundation. Each year, Kukin Program faculty competitively select two students to serve as Boskey Restorative Justice Fellows. One fellowship is with Nichusak, the Lenape Center's Working Group on the Missing and Murdered Indigenous Women's Crisis, and the Cardozo Law Institute in Holocaust and Human Rights (CLIHHR). The second fellowship is with the Redhook Community Justice Center. Jennifer Grubman '25 and Ethan Graham '24 were selected as the 2023 Boskey Restorative Justice Fellows.

#### **Jennifer Grubman '25**

As a Boskey Restorative Justice Fellow, I had the honor of working with the Lenape Center and the National Indigenous Women's Resource Center (NIWRC). For the Lenape Center, I worked on a white paper to be released by Nichusak, the Center's working group on the Missing and Murdered Indigenous Persons crisis (MMIP). The white paper will tie together MMIP with the forced removal of Indigenous children (both historical and current-day practices) and will offer restorative-justice driven recommendations for both crises. For NIWRC and its Safe Indigenous Housing Center (STTARS), I contributed to developing a tribal housing law database. A lack of safe housing perpetuates MMIP as it leaves survivors of gender-based violence vulnerable to cycles of re-victimization. Even when accommodations are available, specific policies and practices (e.g., one-strike evictions, nuisance ordinances, and prohibition on pets) are not survivor-friendly. Once complete with housing codes from the 574 federally recognized tribes, NIWRC and STTARS plan not only to make the database available to tribes and domestic violence advocates but also to use it to develop an intersectional, survivor-centric model



tribal housing code. My fellowship was invaluable in that it granted me the privilege of learning from the expertise and learned experience of the brilliant Indigenous individuals working on the frontlines of the MMIP crisis.

### **Ethan Graham '24**

This past summer, I had the opportunity to work as a Boskey Restorative Justice Fellow at the Center for Justice Innovation's Red Hook Community Justice Center (RHCJC). RHCJC, in addition to being the nation's first multi-jurisdictional community court, acts as a one-stop-shop for the Red Hook community when it comes to providing justice, public safety, and a wide array of community projects. Working at RHCJC was a deeply impactful experience, and the opportunity expanded my knowledge and understanding of restorative justice and its trajectory both on a macro level in the United States and on a micro level in Brooklyn. My work for the Center consisted primarily of two projects. The first was to research and write a memo on restorative justice practices for felony-level offenses across the country, as RHCJC is evaluating what it may look like to expand its restorative justice practice. The second project was related to the relationship between discriminatory practices against individuals with arrest and conviction records, housing insecurity, and high rates of recidivism. In addition to the knowledge gained from these projects, the chance to observe court, spend time with and learn from the staff, and participate in community projects showed me the far-reaching impacts of community-centered justice and alternative forms of dispute resolution. After my summer as a Boskey Fellow, I hope to remain involved in Restorative Justice in some capacity throughout the duration of my career.

## Recent & Forthcoming Scholarship

- ▶ Myriam Gilles, *The Private Attorney General in a Time of Hyper-Polarized Politics*, 65 *Ariz. L. Rev.* 337 (2023).
- ▶ Myriam Gilles, *A Force Created: The U.S. Chamber of Commerce and the Politics of Corporate Immunity*, 72 *DePaul L. Rev.* 139-170 (2022-2023).
- ▶ Andrea Schneider & Carrie Menkel-Meadow, *International Conflict Resolution*, Carolina Academic Press (Forthcoming).
- ▶ Andrea Schneider & Brian Farkas, *Clarifying the Conflict in the FAA's Conflict of Interest Requirements: What and When Must Arbitrators Disclose? The Federal Arbitration Act: Successes, Failures and a Roadmap for Reform* editors Rick Bales and Jill Gross; Cambridge University Press (Forthcoming).
- ▶ Robyn Weinstein, *What's Going On? DEI Dispute Resolution Initiatives Across the U.S.*, *Wash. U. J.L. & Pol'y* (Forthcoming).

## Alumni Spotlight



**Hally Anolik '11** was hired to Direct the Mediation Clinic at New York Law School.



**Xènia Campàs Gené LL.M. '23** was hired as a London case manager at Sports Resolutions, an organization offering arbitration, mediation and other alternative processes to court-based litigation for sports-related disputes.



**Caterina Cesario LL.M. '23** was hired as an intern with the Mediation Unit Office of the Ombudsman for United Nations Funds and Programmes.



**Mylene Chan, LL.M. '22** was appointed as a Visiting Faculty Member at Peking University School of Transactional Law and will be teaching a course on mediation.

## Alumni Spotlight



**Brian Farkas '13** received the Best Adjunct Professor Award at the 2023 Cardozo graduation ceremony.



**Simone Lechuk '10** was appointed the claims administrator of the Deutsche Bank \$75 million fund and the JP Morgan \$290 million fund for the benefit of the Epstein survivors.



**Jed Melnick '99** is a mediator at JAMS, and was ranked as a Mediator in Chambers & Partners USA.



### **Meet the 2023-24 Kukin Program Fellows**

**Yonatan Raskin '24, Caterina Cesario LL.M. '23, and Xènia Campàs Gené LL.M. '23** were selected to serve as Student and LL.M. Fellows for the Kukin Program for Conflict Resolution.

Raskin (photo: middle) will serve as the Clinical Kukin Program Fellow, assisting the director of the Cardozo Mediation Clinic. Raskin completed the mediation clinic in the spring of 2023 and is a Staff Editor for the Cardozo ADR Competition Honor Society. He worked as a Summer Associate at Cori A. Robinson PLLC, a law firm specializing in Trusts and Estates and Elder Law, and has a strong interest in International Commercial Arbitration.

Cesario (photo: right) and Campàs Gené (photo: left) will serve as Kukin Program LL.M. Fellows, and assist the Kukin Program team to further develop the LL.M. in Dispute Resolution and Advocacy. While at Cardozo, Campàs Gené pursued her interest in Dispute Resolution and Sports Law and is now an International Case Manager for Sport Resolutions, an international organization specializing in offering independent dispute resolution services for sports-related disputes. Campàs Gené pursued her legal education at the ESADE University in Barcelona. Cesario studied mediation, dispute resolution design, and conflict resolution theory.

Cesario is currently an intern for the Mediation Unit of the Office of the Ombudsman for United Nations Funds and Programmes, and an intern for the Mediation Office of the Southern District of New York. Cesario obtained her law degrees from the University of Florence and Panthéon-Sorbonne University of Paris.