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CJCR Publishes Volume 24, Issue 2 (Spring 2023)

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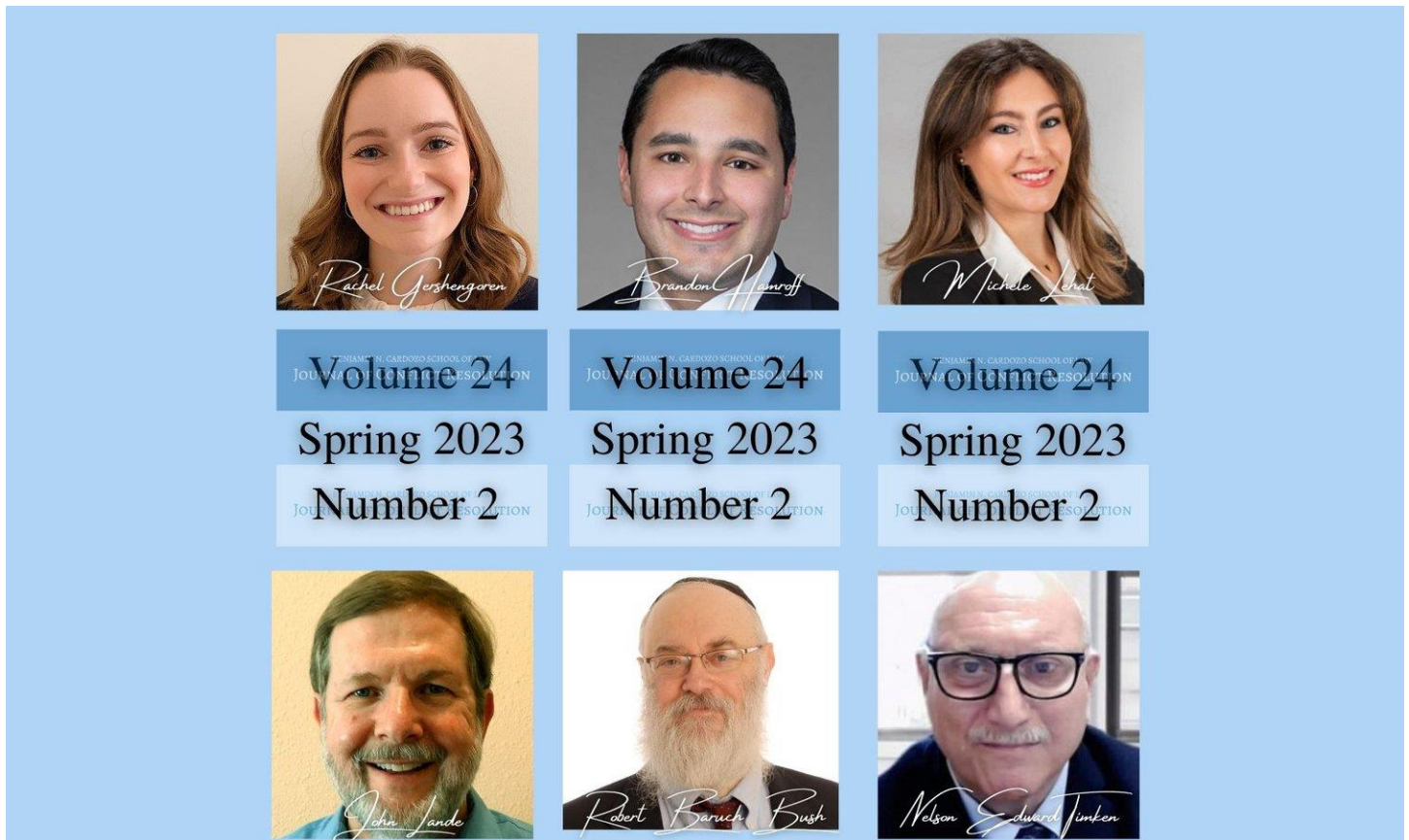


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CJCR Publishes Volume 24, Issue 2 (Spring 2023)

May 10 - Written By [Halle Jaffe](#)

Second of three issues is now available online and in print edition.



Top row, left to right: Rachel Gershengoren, Brandon Hamroff, Michele Lehat
Bottom row, left to right: John Lande, Robert A. Baruch Bush, Nelson Edward Timken

The Cardozo Journal of Conflict Resolution—the country’s preeminent legal journal of arbitration, negotiation, mediation, settlement, and restorative justice—today published the web edition of Volume 24, Issue 2 (Spring 2023). The print edition of the issue has also been released.

Accessible at [Volume 24.2: Spring 2023](#), this issue contains Articles by Robert A. Baruch Bush, Nelson Edward Timken, and John Lande; and Notes by Michele Lehat, Brandon Hamroff, and Rachel Gershengoren.

After 29 years working for the New York State Court System as a Principal Law Clerk, and 33 years after getting his JD, **Nelson Edward Timken** went back to law school. He got his LLM in International Dispute Resolution from Fordham Law School in 2022. He is a certified, trained, and experienced mediator, arbitrator, and facilitator. He has mediated and arbitrated attorney-client fee disputes involving some of New York's most prestigious firms, as well as

large claims involving client-broker disputes for FINRA. He is a member of the First Department Grievance Mediation Complaint Panel and Co-Chairs the New York County Lawyers Association Alternative Dispute Resolution Committee. He speaks Spanish, some French and is learning Ukrainian. He penned this article as an independent research course and senior thesis at Fordham.

Robert A. Baruch Bush is the Rains Distinguished Professor of Alternative Dispute Resolution, Maurice A. Deane School of Law at Hofstra University; and Co-Founder and Board Member, Institute for the Study of Conflict Transformation. Professor Bush's scholarship and teaching focuses on mediation and alternative dispute resolution. He is one of the originators of the "Transformative Approach" to mediation, as explained in his best-selling book, *The Promise of Mediation* (1994, 2d ed. 2005), co-authored with Dr. Joseph Folger and translated into six languages. Bush has practiced, taught and written about mediation for over 40 years, authoring five books and more than thirty articles/chapters on mediation and ADR. His latest article is "*Hiding in Plain Sight: Mediation and the Value of Human Agency*," co-authored with Peter F. Miller. In 2017, Bush received (together with co-author and colleague Joseph Folger), the Association of Conflict Resolution's "William Kreidler Award for Distinguished Service to the field of Conflict Resolution." In 2022 Bush was named "Educator of the Year" by the the Southern California Mediators Association.

Brandon Hamroff is a 3L student at Cardozo School of Law. During the 2022-2023 academic year, Brandon served as a Notes Editor for Volume 24 of the *Cardozo Journal of Conflict Resolution*. His Note, "Fight For Your Life: A Study of Fairness in The Ultimate Fighting Championship's Anti-Doping Policy Appeals Process," provides an overview of the UFC's anti-doping policies and the layout of the appeals process for fighters who test positive for performance-enhancing drugs. The Note then discusses proposed changes to make the process more equitable to UFC fighters.

Michele Lehat is a 3L student at Cardozo School of Law. Over the 2022-2023 academic year, Michele served as Executive Editor for Volume 24 of the *Cardozo Journal of Conflict Resolution*. Her Note "The Power of Influence: Standardizing the Influencer Marketing Industry Through Alternative Dispute Resolution" explores the major legal consequences surrounding the lack of cohesive laws governing the influencer marketing industry. Michele's proposal is two pronged: it targets the inequality faced by influencers during the contract stages with brands by proposing mandatory negotiation and mediation, and addresses the FTC's inefficient and ambiguous enforcement power with respect to influencers through dispute system design.

Rachel Gershengoren is a graduating 3L student at Cardozo School of Law. Over the 2022-2023 academic year, Rachel served as Senior Notes Editor for Volume 24 of the *Cardozo Journal of Conflict Resolution*. The prior year, Rachel served as a Staff Editor for Volume 23 of the *Journal*. Her Note, "Arbitrating Social Media Content: A Framework for Banning High-Profile Users Through Third-Party Arbitration," discusses why the existing system of social media content regulation has been inadequate in moderating high-profile users' content and the dangerous affects these users have on social media if left unregulated. The Note proposes an outsourced third-party arbitration system that can be used in conjunction with the current

system to appropriately ban high-profile users, significantly reducing over and under banning. The Note also analyzes other proposed ideas for digital governance and then explores why arbitration—instead of Judicial and Congressional intervention—is the best approach to content regulation.

John Lande is the Isidor Loeb Professor Emeritus at the University of Missouri School of Law and former director of its LLM Program in Dispute Resolution. He earned his J.D. from Hastings College of Law and Ph.D in sociology from the University of Wisconsin-Madison. He began practicing law and mediation in California in 1980 and he directed a child protection mediation clinic in the 1990s. The American Bar Association published his books, *[Lawyering with Planned Early Negotiation: How You Can Get Good Results for Clients and Make Money](#)*, and *[Litigation Interest and Risk Assessment: Help Your Clients Make Good Litigation Decisions](#)* (co-authored with Michaela Keet and Heather Heavin). His website, where you can download his publications, is <https://law.missouri.edu/lande/>.

The Executive Board of the Journal would like to extend its deepest gratitude to each and every Staff Editor and Editorial Board member who worked so diligently on editing the Articles and Notes for this issue.

[Halle Jaffe](#)