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Dispute Resolution and Legal Education: A Bibliography

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I. INTRODUCTION

This selected bibliography is designed to act as a resource to assist in the ongoing, collaborative development of dispute resolution initiatives and programs in legal education and research in North America and abroad. Further, the particular focus of this bibliography, in addition to the teaching and research of dispute

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1 Osgoode Hall Law School, York University, tfarrow@law.osgoode.yorku.ca. This bibliography has been influenced by the research collected for a report that I prepared for the University of Alberta, Faculty of Law on the topic of teaching and researching dispute resolution. That report benefited from significant research support from the John V. Decore Fund and the University of Alberta, Faculty of Law. I am grateful to Ian Smith for extensive and excellent research assistance; to Diana J. Lowe, Executive Director, and Michael Lines, Law Librarian and Information Coordinator, both of the Canadian Forum on Civil Justice for research assistance and comments; and to Michaela Keet for helpful comments on a draft of this bibliography.

2 For purposes of this bibliography, I have used the term "dispute resolution" in its broad sense, to include both traditional civil litigation-type processes as well as alternative dispute resolution (ADR) processes.

3 For a discussion of these teaching and research initiatives, see Dispute Resolution, Access to Civil Justice and Legal Education, supra note 1. See also Trevor C.W. Farrow, Thinking About
resolution generally,\textsuperscript{4} is the emphasis that law reform initiatives\textsuperscript{5} are putting on dispute resolution processes as potentially useful\textsuperscript{6} tools for increasing access to systems of civil justice around the common law world.\textsuperscript{7}

II. BIBLIOGRAPHY

A. Academic Books and Articles


\textsuperscript{4} In addition to the significant amount of work that is being done in the development of dispute resolution research and teaching programs, there is also a large body of Canadian and American research that has been done over the past 20 years in the area of program evaluation. While that research is beyond the scope of this bibliography, the recent evaluative work of Julie Macfarlane and Michaela Keet, see infra Part II(B), is an example of that research. I am grateful to Michaela Keet for bringing this body of research to my attention.


\textsuperscript{6} I say "potentially useful" because – as I acknowledge (and in fact argue) elsewhere – ADR is certainly not for all cases and all people. Further, it certainly is not, particularly by itself, going to eliminate all current barriers to meaningful access to justice. Finally, I am also very concerned about the increasing democratic deficit resulting from current trends of privatizing large portions of our civil justice system through the use of ADR. See, e.g., Dispute Resolution, Access to Civil Justice and Legal Education, supra note 1, at 797, n. 365; Trevor C.W. Farrow, Privatizing our Public Civil Justice System, 9 News and Views, Spring 2006, at 16, available at http://www.cfcj-fcjc.org/issue_9/CFCJ%20(eng)%20spring%202006-Privatizing.pdf; Trevor C.W. Farrow, Re-Framing the Sharia Arbitration Debate, 15:2 Constitutional Forum (forthcoming 2006).

\textsuperscript{7} See generally id.


9. Margaret Martin Barry et al., Clinical Education for this Millennium: The Third Wave, 7 Clinical L. Rev. 1 (2000).

10. Intercultural Dispute Resolution in Aboriginal Contexts (Catherine E. Bell & David Kahane eds., 2004).


32. Brian Dickson, *Excerpts from the Speech Delivered at the Closing Dinner of the Conference on Legal Education*, in *


46. Trevor C.W. Farrow, *Thinking About Dispute Resolution*, 41 *Alta. L. Rev.* 559, (reviewing *Dispute Resolution:*...
Readings and Case Studies (Julie MacFarlane et al., 2d ed. 2003)).


144. Lea B. Vaughn, *Integrating Alternative Dispute Resolution (ADR) into the Curriculum at the University of Washington*


B. Reports


6. Section on Legal Education and Admissions to the Bar, Law Schools and Professional Education: Report and
Recommendations of the Special Committee for a Study of Legal Education of the American Bar Association (1980).


15. Committee Responding to Recommendation 49 of the Systems of Civil Justice Task Force Report, Attitudes—Skills—Knowledge: Proposals for Legal Ed-
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19. David Hancock, Message from Alberta’s Minister of Justice and Attorney General, in Alberta Justice’s Consultation on Court-Annexed Mediation 16 (2001).


C. Manuscripts


D. Conference Materials


E. Case Law


F. News Reports


G. Academic Dispute Resolution Centres and Programs


H. Other Online Materials

1. ADR Institute of Canada, Inc., *Links*, http://www.adrinsti-


4. Department of Justice, DR Centre for Excellence, DRS Pro-
