

ART HINSHAW
Sandra Day O'Connor College of Law · Arizona State University
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ACADEMIC APPOINTMENTS

Sandra Day O'Connor College of Law, Arizona State University, Tempe, Az.

Clinical Professor of Law (2008-present)
Associate Clinical Professor of Law (2004-08)
Interim Director, Clinical Program (2007-08; 2011-12)
Director, Lodestar Dispute Resolution Program (2004-present)

Major Committees:

Faculty Advisory Committee, 2014-15
Appointments Committee, 2012-13 (laterals)
Dean Search Committee, 2011-12
Advisory Personnel Committee, 2011-12 (chair), 2015-16
Grading Task Force, 2009 (chair)
Admissions Committee, 2006-07, 2007-08, 2008-09

Hamline University School of Law, St.Paul, Mn.

Visiting Professor of Law (Summers 2011, 2013, 2015)

University of Missouri School of Law, Columbia, Mo.

Senior Fellow, Center for the Study of Dispute Resolution (2010 – present)
Adjunct Professor of Law (1999 – 2004)

Washington University School of Law, St. Louis, Mo.

Adjunct Professor of Law (2003 – 2004)

Academic and Scholarship Interests

Alternative Dispute Resolution (specifically mediation and negotiation)
Courses Taught: Mediation Clinic, Negotiation, Mediation, Conflict Theory Seminar

PUBLICATIONS

The Deceptive Partner

ADVANCED GUIDE FOR MEDIATORS (S. Exon, ed., 2014) (commentary)

Attorneys and Negotiation Ethics – A Material Misunderstanding?

29 NEGOTIATION JOURNAL 265 (2013) (with P. Reilly and A. Schneider) (peer reviewed)

Teaching Negotiation Ethics

63 JOURNAL OF LEGAL EDUCATION 82 (2013) (peer reviewed)

Foreclosure Mediation in Arizona

45 ARIZONA STATE LAW JOURNAL 749 (2013) (with T. Burr)

Gender and Attorney Negotiation Ethics

39 WASHINGTON UNIV. J. OF LAW AND POLICY 145 (2012) (with J. Alberts) (invited symposium)

- *Recognized* 2012 Professional Article Prize Finalist, CPR Institute for Dispute Resolution

Doing the Right Thing: An Empirical Study of Attorney Negotiation Ethics

16 HARVARD NEGOTIATION LAW REVIEW 95 (2011) (with J. Alberts)

- *Recognized* 2011 Professional Article Prize Finalist, CPR Institute for Dispute Resolution
- *Reprinted at* 61 DEFENSE LAW JOURNAL 47 (2012)

Mediators' Reporting Duties for Child Abuse

MEDIATION ETHICS: CASES AND COMMENTARIES (E. Waldman, ed., 2011) (commentary)

Mediators as Mandatory Reporters of Child Abuse: Protecting Mediation's Core Values

34 FLORIDA STATE UNIVERSITY LAW REVIEW 271 (2007)

How Do We Know Mediation Training Works?

12 DISPUTE RESOLUTION MAGAZINE 21 (Fall 2005) (with R. Wissler)

The Challenge of Institutionalizing Alternative Dispute Resolution: Attorney Perspectives on the Effect of Rule 17 on Civil Litigation Practice in Missouri

67 MISSOURI LAW REVIEW 473 (2002) (with B. McAdoo)

Juvenile Diversion: An Alternative to Juvenile Justice

1993 JOURNAL OF DISPUTE RESOLUTION 305 (student comment)

Works in Progress

Regulating Mediators

21 HARVARD NEGOTIATION LAW REVIEW (forthcoming 2016)

Negotiation Ethics and the Law of Bargaining

in THE NEGOTIATION DESK REFERENCE (A. Schneider & C. Honeyman, eds., forthcoming 2016)

DISPUTE RESOLUTION AND LAWYERS, 6th ed. (with L. Riskin, et al) (forthcoming 2017)

Outbursts: An Evolutionary Approach to Emotions in Mediation (with K. Williams)

Learning Negotiation Ethics (with J. Alberts)

Regulating Negotiation Conduct with Norms

SELECTED PRESENTATIONS

Academic Presentations

ADR in Faculty Governance and Change: What Works – If Anything – and What Doesn't
Southeast Association of Law Schools Conference, July 2015

The “New Normal” of Dispute Resolution: Pedagogical Lessons and Secrets from Mediation Clinics

AALS Clinical Conference, Panelist, May 2015

Learning Negotiation Ethics (or Not)

Negotiation Workshop, Northwestern University Law School, October 2014

Learning and Understanding Attorney Negotiation Ethics

Lawrence Negotiation Lecture, Moritz College of Law at the Ohio State University, September 2013

Legal Conflict: From Procedural Rules to Professional Ethics

Law & Society Conference, Panelist, May 2013

The Changing Face of Clinical Legal Education: Models, Pedagogies, and Opportunities for Transfer

AALS Clinical Conference, Plenary Panelist, April 2013

Teaching the Unteachable: Empathy, Morality, and Social Intuition

ABA Dispute Resolution Section Meeting, Legal Educators’ Colloquium, Organizer and Panelist, April 2013

Learning Attorney Negotiation Ethics?

UCLA Negotiation and Conflict Resolution Colloquium, UCLA School of Law, Feb. 2013

Regulating the Rogue Mediator

AALS Works-in-Progress Conference, Ohio State University College of Law, Nov. 2012

Law Students, Lawyers, and Negotiation Ethics

University of Missouri School of Law, September 2012

Gender and Negotiation Ethics

New Directions in Negotiation and ADR, Washington Univ. (St. Louis), Dec. 2011

Lying in Negotiation

Teaching ADR in Law Schools, Pepperdine University Law School, Panelist, June 2011

Fitting ADR into Your Law School Curriculum

Teaching ADR in Law Schools, Pepperdine University Law School, Moderator, June 2011

Lead Them into Temptation: Negotiation Ethics and the First Year of Law School,

ABA Dispute Resolution Section Meeting, Legal Educators’ Colloquium, Panelist, April 2011

Attorney Negotiation Ethics: An Empirical Assessment

Yale Law School, March 2010

Regulating Attorney Negotiation Ethics through Norms

Southwest-West Junior Faculty Conference, March 2010

Overcoming the Difficulties of Teaching Negotiation Ethics
AALS Annual Conference, Organizer and Panelist, January 2010

Doing the Right Thing: An Empirical Study of Attorney Negotiation Ethics
Conference on Empirical Legal Studies, October 2009

Legal Educators' Forum: Mediation Shop Talk
ABA Dispute Resolution Section Meeting, Legal Educators' Colloquium,
Organizer and Presenter, April 2009

Doing the Right Thing: A Study of Attorney Negotiation Ethics
AALS Works-in-Progress Conference, October 2008

Attorney Negotiation Ethics: An Empirical Study
University of Missouri School of Law, September 2008

Negotiation Ethics: A Material Misunderstanding?
UNLV Boyd School of Law, November 2007

Multidisciplinary Theories and Practices: Conflict Studies at Arizona State University
Association of Conflict Resolution Annual Meeting, October 2007

Teaching the Future Lawyer: Balancing the Teaching of Neutrality and Advocacy in Mediation and Arbitration Courses
ABA Dispute Resolution Section Meeting, Legal Educators Colloquium, Panelist, April 2007

Understanding Mediation in Ethnic and Religious Conflicts, June 2006

- State Institute of Islamic Studies – Bandar Lampung, Indonesia
- State Institute of Islamic Studies - Lombok, Indonesia
- State Institute of Islamic Studies - Semarang, Indonesia
- Satya Wacana Christian University – Salatiga, Indonesia

Organizational Change Consultation and Mediation: Employment Discrimination
University of Missouri School of Law, Panelist, April 2002

The State of ADR and Mediation in Missouri
Washington University (St. Louis) School of Law, April 2001

Professional Presentations

Understanding Negotiation Ethics and Putting Them in Context
Maricopa County Attorney's Office, May 2015

Change, Uncertainty, and the Unknown
Florida Dispute Resolution Center Annual Conference, Keynote, August 2014

Real World Mediation Ethics
Florida Dispute Resolution Center Annual Conference, August 2014

Cosmetologists Are Regulated; Why Aren't Mediators
ABA Dispute Resolution Section Conference, Panelist, April 2014

The Honesty Conundrum: Negotiation Ethics and the Business of Lawyering
North Carolina Bar Association, Annual Professionalism Program, December 2013

Mediation Ethics and the Bad Apple Problem
Arizona Bar ADR Section, October 2013

Deception in Dispute Resolution
ABA Dispute Resolution Section Teleconference, March 2013

Design-Build Dispute Resolution: Designing and Implementing Foreclosure Mediation Programs
ABA Dispute Resolution Section Conference, Panelist, April 2011

Current Issues in Mediation
Arizona Conflict Summit, Panelist, April 2011

Mediation Struggles and Challenges across the Profession
Arizona Assoc. of Family and Conciliation Courts, January 2011

Understanding Negotiation Ethics
Arizona Bar, Small Firm – Sole Practitioner Section, September 2010

Conducting Ethical Negotiations
UNLV Law School CLE, June 2010

Attorney Negotiation Ethics in the Real World
ABA Dispute Resolution Section Conference, Panelist, April 2010

Negotiation Ethics
Arizona District Court Conference, February 2010

The Elephant in the Room: A Look at Attorney Negotiation Ethics
Oregon Mediation Association Conference, November 2009

The Good, the Bad, and the Ugly: Lawyers Ethical Choices in Negotiation
Arizona Association of Conflict Resolution May 2009

Using Negotiation Tools to Create Agreement
Arizona Facilitators' Association, February 2009

Advanced Mediation Skills
Arizona Association of Conflict Resolution, Panelist, January 2009

From Stalemate to Breakthrough: Using Mediation Tools to Create Agreement
Arizona Association of Conflict Resolution, September 2008

Rethinking Conflict: What's Really at Stake?

Arizona School Boards Association, Keynote, August 2008

Responding to Conflict Constructively

Arizona School Boards Association, Workshop, August 2008

Mastering the Conundrum of Mediator Ethics: The Good, the Bad and the Ugly

Association of Conflict Resolution Annual Meeting, Panelist, October 2007

Apologies in Employment Mediation, Panelist

Arizona Bar CLE program, September 2007

Understanding Power Imbalances in Negotiation and Mediation

City of Phoenix, Chiefs of Staff for City Council Members, August 2007

Win-Win Negotiation

Arizona League of Cities and Towns, Keynote, August 2007

Overcoming Power Differentials in Negotiation

Women's Law Student Association CLE Program, February 2007

The Ethics Hotseat – Mediation

Arizona Association of Conflict Resolution, Panelist, October 2006

Celebrating 10 Years of Mediation, Shaping the Next 10 Years

ASU College of Law and the Equal Employment Opportunity Commission, Organizer and Moderator, September 2006

Best Practices for Mediators

Maricopa County Superior Courts ADR Department, September 2006

The South African Truth and Reconciliation Commission

Arizona Association of Conflict Resolution, January 2006

Child Abuse and Mediation, What's a Mediator to Do?,

Maricopa County Association of Family Mediators, April 2005

Good Faith Participation in Mediation

Yavapai County (AZ) Mediation Association, February 2005

Mediation Principles for Workers Compensation Judges

Missouri Workers' Compensation Judges Conference, October 2003

Workplace Mediation

American Association for Affirmative Action, Region VII Conference, September 2003

The View from the Bench: the State Court Experience

Missouri Bar Association ADR Section Meeting, Panelist, September 2002

HONORS AND AWARDS

CPR Award for Professional Achievement (Foreclosure Mediation Unit, ASU College of Law),
International Institute of Conflict Prevention and Resolution, 2012

Outstanding Faculty Note and Comment Editor, ASU Law Journal, 2008

Ninth Circuit ADR in Education Award (ASU College of Law), 2005

Faculty Support Award, University of Missouri Law School Board of Advocates, 2004

OTHER ACADEMIC ACTIVITIES

Contributor, *Indisputably – The ADR Prof Blog* (2008 – present)

James Boskey Dispute Resolution Essay Competition, Judge (2007-present)

ADR Casenotes – Arizona Bar Dispute Resolution Section Newsletter (2007-10)

Organizer, 2nd Annual AALS Dispute Resolution Section's Works-in-Progress Conference (2008)

Organizer, The Science of Consensus, conference co-hosted by the ASU College of Law and the
Arizona Science Center (2008)

Hernandez v. Middleton Construction and *Stewart Road Apartments*, role-play scenarios published
in *MEDIATION: PRACTICE, POLICY, AND ETHICS, TEACHER'S MANUAL*, Carrie Menkel-Meadow, Lela
P. Love, and Andrea K. Schneider (2006); *Stewart Road Apartments*, also appears in *NEGOTIATION:
PROCESSES FOR PROBLEM SOLVING, TEACHER'S MANUAL*, Carrie Menkel-Meadow, Andrea K.
Schneider, and Lela P. Love (2006)

Regional Host, ABA Representation in Mediation Competition (2006, 2009, 2013)

Coach, ASU and Missouri ABA Representation in Mediation Competition Teams
National Champion Teams, 2000 and 2006

EDUCATION

University of Missouri School of Law

LL.M. (Dispute Resolution): 2000 (4.0 gpa)
J.D.: 1993 (top 15%)

Washington University (St. Louis)

A.B. History: 1988

NON-ACADEMIC PROFESSIONAL EXPERIENCE

University of Missouri , Columbia, Mo. Director, Campus Mediation Service, and Training Coordinator for Dispute Resolution, School of Law	2001 - 2004
Missouri Labor and Industrial Relations Commission , Jefferson City, Mo. Mediator, Division of Workers' Compensation	2000 - 2001
Husch & Eppenberger, LLC , Kansas City, Mo. (now Blackwell Husch LLP)	1997 – 1999
Armstrong Teasdale, LLP , Kansas City, Mo.	1996 –1997
Watson & Marshall, L.C. , Kansas City, Mo. (defunct)	1993 –1996
Bar Memberships Arizona, Missouri (inactive), Kansas (inactive)	

PROFESSIONAL ACTIVITIES

Maricopa County Superior Court Pro-Tem Judge, 2015 - present	
Arizona Commission on Judicial Conduct Member, 2013 – present	
AALS, Alternative Dispute Resolution Section Chair, 2010 Chair Elect, 2009 Ex-Officio and Executive Committee, 2011 – 2014	
ABA Dispute Resolution Section Task Force on Dispute Resolution Education, Co-Chair, 2014 - present Standing Committee on Ethical Guidance for Mediators, 2011 – present Nomination Committee, 2013 Annual Spring Conference, Program Co-Chair, 2009 - 2012 Legal Education Committee Chair, 2007 - 2009 Representation in Mediation Competition Subcommittee Co-Chair, 2005-2007, Problem Drafting Committee, 2001 - 2002 Planning Committee Legal Educators' Colloquium, 2005- 2006, 2008 - 2014 Spring Conference Special Committee, 2011	
Project Civil Discourse, Arizona Humanities Council Steering Committee, 2007 - 2011	
Arizona Bar Dispute Resolution Section, Board of Directors Treasurer, 2007 - 2010	

Arizona Association of Conflict Resolution, Board of Directors
Member at Large, 2005 - 2010

Arizona Justice Project
Volunteer Attorney, 2005 - 2009

The Missouri Bar, Complaint Resolution Program
Mediator, 2001 – 2004

The Missouri Bar, Young Lawyers' Section
YLS Council, 1997 - 1999

MEDIA APPEARANCES

Indiana Lawyer, *Dealing with Differing Perceptions of Reality*, September 24, 2014 (discussing factual disagreements, deception, and lying in mediation)

KTAR radio (Phoenix), *The Think Tank*, October 20, 2013 (discussing negotiation strategies associated with the federal government shutdown)

KJZZ radio (Phoenix NPR affiliate), *The Show*, August 2, 2013 (discussing negotiation strategies associated with a bus driver strike)

REFERENCES

Available upon Request