



Cross-School Negotiations Enhance Learning for Students in Negotiation Classes

by **Ralph Pais**, Lecturer in Law

We're proud that our Negotiation Program courses not only involve highly interactive, realistic simulations, but also allow for ongoing, personal feedback because class size is capped at 20 students. However, small class size presents some limitations, especially in intensive semester-long classes, where students are likely to both get to know each others' negotiation strengths and weaknesses and to establish norms not widely encountered in big-city practice. In our ongoing effort to give students experiences that efficiently approximate real-life lawyer-client negotiations, we therefore regularly arrange for negotiations between our students and those in other schools. This year our students negotiated problems with students as far away as Bangalore, India, and as nearby as Stanford's own Graduate School of Business (GSB) and School of Engineering.

The simulation we used in our GSB negotiations this year involved the sale of a real estate development project that resulted in a multi-issue, multi-level conflict between the developer and one of the subcontractors on the project. Because the GSB students (on the quarter system) play the roles of developer and contractor, and the SLS students (on the semester schedule) serve as their lawyers, the negotiations always begin with the simple, realistic complexity of scheduling meetings of busy people.

SLS students go on to face the reality that not all business people (or at least business students) are eager for the help of a lawyer, and the SLS students often need to prove that they can not only contribute legal perspective, but also appreciate both the business realities and the need to add value. The GSB students are often surprised at the SLS students' creative

problem-solving skills and ability to communicate effectively in the give and



Gould Team members (from top to bottom, left to right): Ralph Pais, Stephanie Smith, Sim Avila, Ana Maria Ponce, Jan Martinez, Marta Vides de González, Maude Pervere, and Dana Curtis

take of tough negotiations. Students usually struggle over their often quite different ethical expectations and constraints, as well as their choices

— continued on page 4 —

Welcome Back to *News from Gould*

We are pleased to provide you with this second edition of *News from Gould*. The newsletter describes programs and developments related to the work being conducted at the Martin Daniel Gould Center for Conflict Resolution Programs at Stanford Law School.

In these newsletters, we will update you on the courses that we are offering, executive education opportunities and other developments of interest. This newsletter focuses predominantly on research conducted by the Class of 2002 Fellowship in Conflict Resolution winners and special events from the Negotiation seminar courses. ■

CLASS OF 2002 FELLOWSHIP WINNERS REPORT ON RESEARCH AND EXPERIENCES

The Class of 2002 at Stanford Law School, with support from the Law School's alumni, established the Class of 2002 Fellowship in Conflict Resolution as their class gift to the Law School. The fellowship was created to honor the memory of the victims of the September 11 tragedy and the life work of Steve Neustadter, both of which had a significant impact on the class community.

The money available from the fellowship is available as a resource for

those interested in pursuing academic research on hands-on fieldwork in conflict resolution. In an article by Barbara Merz, the first Gould Center newsletter introduced the fellowship and explained it in greater detail.

In this issue the first fellowship recipients write articles on their research. This newsletter contains four articles that describe the projects being worked on by Manuel Gomez, Elizabeth Muli, Peter Lamb, and Mike Woodhouse. ■

Guest Speakers Help Students Connect Theory with Practice

Since the focus of the Gould Negotiation and Mediation Program is the lawyer's role in dispute resolution, bringing in guest speakers to discuss their own experience in negotiation settings helps to connect theory to practice. Giving students the opportunity to hear from guest speakers

also confirms that the approaches taught at Gould are consistent with approaches used by experienced and effective lawyers working in varied negotiation settings. Here are two examples of the guests who visited Gould in 2003-04.

PMA and ILWU Attorneys, Accompanied by a Federal Mediator, Speak at Gould

by **Sim Avila**, Lecturer in Law

On September 27, 2002, the Pacific Maritime Association (PMA) locked out about 10,000 employees represented by the International Longshoremen Workers Union (ILWU). This preemptive management action impacted ports from San Diego to Everett, Washington, and was the culmination of tumultuous contract negotiations between the PMA and the powerful longshore workers' union.

The PMA negotiates labor agreements with the ILWU on behalf of domestic and international carriers and stevedores that use the twenty-nine West Coast ports. On an annual basis, they handle about half of all national seaborne commerce, reportedly representing \$300 billion in trade. The negotiations between the PMA and the ILWU became ever more important because the Bush Administration was preparing for war in Iraq and closing the ports could have significantly impacted those plans. President Bush obtained an order under the Taft-Hartley Act to reopen the ports and return the longshoremen to their positions.

On April 15, 2003, Craig Epperson, the attorney for PMA, and Rob Remar, counsel and chief spokesperson for the ILWU, came to speak to students at the Gould Center about their experiences in this important negotiation. Federal Mediator, Commissioner Joel Shaffer, who was involved in the mediation talks long before the PMA locked out its employees, accompanied them. All speakers provided invaluable insight into the world of labor negotiations, dealing with impasses and, very importantly, preparing for strikes or lockouts when the mediation process breaks down. They spoke candidly about the role of attorneys in negotiations and the need to prepare well, early, and effectively for bargaining. The Federal Mediator explained the role of neutrals in the process and, among other things, stated that the mediator's authority and effectiveness is dependent upon the trust the parties place on the individual assisting them to overcome impasse.

The ILWU and PMA reached an historic six-year contract. The attorneys discussed their views of the factors that led to that agreement and explained the importance of maintaining a good relationship between the parties as they began to implement the provisions of the new contract. The agreement addressed the heart of the dispute by giving workers substantial benefits but also allowing the PMA to implement new technologies critical to making the ports more efficient. ■

Mattel Toys, S.F. Giants Representatives Describe Their Negotiation Practices

by **Ralph Pais**, Lecturer in Law

In the fall of 2003, Rosa C. Zeegers, Vice President of Licensing for Mattel Toys for Europe spoke to my class. Prior to her work at Mattel, Rosa was Vice President of Marketing at KLM Royal Dutch Airlines. Rosa spoke to the students about gender and cultural issues in negotiation, particularly from her perspective as a Dutch woman working throughout Europe. She spoke at some length about the negotiations that she had participated in between KLM and Alitalia, regarding a merger once proposed between those two airlines that ultimately did not go forward. She also spoke about her experience working for an American company (Mattel) in Europe and observing the cultural differences between the American style of negotiation and her own European experiences.

In addition to discussing her real-life negotiation experiences, Rosa also spoke about the theoretical work in conflict resolution that she had studied in preparing to work across different cultures. She pointed out to the students that reviewing the research in cross-cultural negotiations can provide an important base for preparing for such negotiations.

I was also fortunate to have Ned Colletti, the Assistant General Manager of the San Francisco Giants, speak to my class late last spring. Ned spoke about his experiences in a management role in major league baseball, particularly in connection with negotiations with baseball players and their agents. Among other negotiations for which he has had primary responsibility, Ned played a leading role in the most recent negotiations to extend the contract for San Francisco superstar, Barry Bonds.

In describing his approach to these negotiations, Ned emphasized the importance of preparation, especially understanding the goals, needs, and concerns of the player and his family. In addition, since many of the players are represented by the same agents, he also discussed the need to develop good working relationships with the agents as almost all are "repeat players."

The students were very interested to hear what Ned had to say, and they were somewhat surprised and pleased to learn that Ned's approach to negotiations is very consistent with the approach they had learned and used in their negotiations during the course of the semester. Again, this presentation validated their own experiences. ■

Advanced Negotiation Students to Become Experts on Idaho in Open Universe Negotiation Simulation

by Mike Woodhouse '03

As a recipient of the Class of 2002 Fellowship in Conflict Resolution, I have been creating a negotiation simulation for use in this spring's Advanced Negotiation class at Stanford Law School. The simulation involves a meeting of the Idaho Senate Resources and Environment Committee, in which students play the roles of committee members, newspaper reporters, and lobbyists trying to move out of committee bills on such topics as anaerobic digesters, access to public lands, state primacy over the National Pollutant Discharge Elimination System, water rights in the Hagerman Valley, and Idaho's Wolf Management Plan.

The educational purpose of the simulation is to provide students with insight into prominent features of multilateral negotiations. For instance, students playing the role of lobbyists will have to frame legislation so that it has a good chance of succeeding. They will also have to manage the tradeoff between giving senators input into the framing process in return for support, without diluting the vigor of the bill.

Other issues they must consider include which senators to approach, in what order, who should make the approach (the lobbyist himself, another senator, a member of the press), what information should be shared with a particular senator, and how to navigate a negotiation through complicated pre-existing rule systems.

The simulation is designed to take place over two weeks of classes, so students will have opportunities for secret one-on-one meetings and caucuses, and the chance to exercise influence through various media. A particularly unique feature of this simulation is that it is "open-universe." In other words, because all the people, rules, and issues in the negotiation are both current and real, students will be required to do outside research in order to prepare for the negotiation rather than just relying upon the facts and presumptions contained in the general and secret instructions. One of the chief



advantages of this type of simulation is that it teaches students the crucial roles that gathering, analyzing, formatting, and presenting information play in negotiation. Rather than accepting "facts," "issues," and "positions" as static givens, students will realize that all of these features of negotiation are subject to strategic shaping and intervention.

Participating in an open-universe simulation, students will also be able to telephone many of the participants in the real-life negotiations. Because all of the issues in the simulation are ongoing or prospective, the "story" of the negotiation still unfolds. Students will learn that even key players may not yet have fully formed opinions. Players may have only general gripes, complaints, and attitudes that the students will need to shape and form into actionable positions. They will also discover that a well-framed bill often cuts across established ideological terrain, leading to surprising coalitions — and unlikely opponents. ■

Dispute Resolution Issues Surround the Dabhol Power Project in Maharashtra, India

by Peter Lamb '05

My project for the Class of 2002 Fellowship involves analysis of the dispute resolution issues surrounding the United States \$3 billion Dabhol Power Project, sponsored by Enron, Bechtel, and GE in the Indian state of Maharashtra. The project constitutes the largest foreign direct investment in India's history. Phase I of the gas-fired power generation facility began operating in May 1999, supplying the region with 770 megawatts of capacity. In October 2000, the Indian state utility defaulted on its payments for electricity owed to Dabhol, contesting the electricity tariff agreement

reached with the project sponsors. The project sponsors mothballed the facility and commenced international arbitration. In the midst of legal wrangling and an attempt at a negotiated settlement between the Indian state government and the remaining sponsors, the project has not operated for over two years. Enron's insolvency only compounded the problems faced by the parties.

I worked in Singapore during the summer of 2003, which afforded me an opportunity on several occasions to interview the partner at White & Case who represented the international creditors to the Dabhol Power Company (DPC), Raj Pande. Raj provided me with

an insider's view of the project and the primary political, legal, and commercial factors that he believes led to the project's ill fate. These factors form an important backdrop to the project.

I also met in Singapore with the former managing director of CSFB's Global Energy Group, Deepa Pasumarty, who served as the lead investment banker on the project for Enron, Bechtel, and GE. This discussion provided me with a unique perspective of the commercial realities during the early negotiations of the Power Purchase Agreement, which set forth the tariff structure for the project.

— continued on page 4 —

Dabhol Power Project

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After meeting with Tom Heller and David Victor in the fall of 2003, I set up a series of interviews for my trip to Mumbai during fly-back week in October. I spent five days in India meeting with the World Bank representatives, the State Electricity Board, and Bechtel's primary person on the project. I also set up a tour of the facility through contacts at White & Case and worked with Arvind Ganesan, who directs the Business and Human Rights program at Human Rights Watch, to structure interviews with local residents on their views of the disputes

Cross-School Negotiations

— continued from page 1 —

about how to use their teamwork to the greatest effect in the face-to-face negotiations themselves.

Our negotiations with students in Stan Christensen's class at the School of Engineering centered on a simulation involving a dispute between the vendor of computer systems (hardware and software) and a dissatisfied customer. In this scenario, our students work with students who may be very much like a different kind of client: extremely technically competent and self-sufficient, but likely less savvy about business. Both the GSB and School of Engineering experiences push our students to negotiate the lawyer-client relationship, to explain their approach to negotiating and what they expect to contribute, and to work in close quarters with clients whose training and expectations are at likely variance with their own.

In order to give our students an opportunity to experience cross-cultural negotiation, we have twice conducted negotiation exercises with students at the National Law School in Bangalore, India. We wrote the problem used in this negotiation in collaboration with Sajai Singh, the instructor in the Indian program (who coincidentally uses a similar approach to teaching negotiation to the one we use at Stanford).

over the project and the project's continued effect on their lives.

My paper focuses largely on six ongoing arbitration cases involving the project and the consequences of the Indian court's refusal to recognize the neutral dispute resolution process contemplated in the project documents. Of the six arbitrations, three are against the Maharashtra State Electricity Board, one is against the government of Maharashtra, and the other two involve the central government. The most significant long-term problem arising from Dabhol is that Indian regulators and courts have superimposed *ex post* regulatory regimes to invalidate contracts

and have in tandem refused to cede authority to international arbitral bodies. This has created an investment climate that has driven away many of the infrastructure development sponsors that are needed to meet the demands of India's growing economy. It has also had a clear impact on the dispute resolution process, adding many legal uncertainties and complexities to an already difficult problem. At the end of my research, I plan to propose a series of responses that I believe will provide for a better dispute resolution process without compromising the need for Indian regulatory oversight. ■

opportunities offered by good relationships, and the challenges of worldwide business relationships.

The final debriefing and discussion of this problem takes place by video conference, which is the first opportunity all of our students have to meet and see each other in person. We have observed that merely seeing one another and talking face-to-face has often helped to clarify communication or to alleviate tensions that had arisen during the course of the negotiations.

It has been our experience that these negotiations allow our students to develop a deeper understanding of the lawyer-client relationship, the roles of lawyers, and how clients perceive that role. Having non-law students play clients deepens the significance of this learning for our students and helps them become more effective in collaborating with their clients. While these negotiations stretch our administrative abilities to their limits, they also stretch our students in the direction of real life. We'll be doing more. ■

The simulation involves a joint venture between a U.S. and an Indian company where the U.S. entity is selling off part of its business and the interests of the parties have changed. The parties need to address the changes and determine how they will deal with their joint venture to avoid dispute.

We pair the students so that Indian and U.S. students always work together as well as opposite each other in a negotiation. As a result, this problem allows our students to work with people from a completely different background and educational experience, as well as highlighting the challenges of negotiating a complex problem when counterparts are located more than halfway around the world. The resulting negotiations often take place in the middle of someone's night and most of the negotiations are conducted either by email or instant messaging.

Though students on both sides have access to high-speed computers, they experience enormous frustration in coordinating their communications both within their lawyer-client teams and with their counter-parties. We have observed that SLS students prefer the time for reflection that email provides, while their Indian teammates prefer instant messaging because it involves less discontinuity. In many cases, students use side conversations with local acquaintances to break through difficulties, demonstrating the

Dispute Resolution Mechanisms in Venezuela



by **Manuel Gomez**,
JSD Candidate

Being among the first recipients of the Class of 2002 Fellowship in Conflict Resolution has been very meaningful to me. The fellowship was not only a good source of financial support for a project but also a sign of endorsement by Stanford Law School for the study of international topics in conflict resolution. The fellowship made me feel more integrated into the law school community as an international advanced degree student.

The fellowship funds have helped me to prepare a survey aimed at obtaining valuable information about different conflict resolution mechanisms used by representatives of the Venezuelan business sector (domestic investors) and by foreign investors who conduct business in Venezuela. The survey is being distributed among corporations and executives that are affiliated with the different Venezuelan chambers of commerce and business associations, and the information obtained from it will be of great help in understanding disputants' attitudes.

This survey is embedded in my dissertation project as a doctoral (JSD) candidate here at Stanford Law School in which I intend to explain how commercial disputants deal with their legal conflicts in Venezuela, what fora they use, and the rationale for their

preferences. This particular project is justified by the increasing interest given to the reform of dispute resolution mechanisms in Latin America and by the necessity of systematic efforts to assess disputants' preferences and their actual choices to address their conflicts.

My area of interest has been particularly focused on Venezuela, where I acquired teaching and work experience for several years before coming to



Stanford Law School as a master's (SPILS) candidate.

I have spent the last three years at Stanford Law School conducting research and writing about dispute resolution processes in Latin America, and since day one have had the enormous fortune of being involved in many activities at Gould.

In 2001, I conducted exploratory research about the use of mediation by Venezuelan business lawyers.¹ This

study helped me to understand how lawyers viewed mediation, and why they didn't use it in spite of the general assumption that ADR was a desire of legal professionals who were "tired" of the malfunctioning courts. Instead, Venezuelan lawyers showed a preference for using the courts and social networks for the resolution of commercial conflicts.

In 2002, I conducted a study about the obstacles that have affected the development of international arbitration in Latin America² and another project about the involvement of the World Bank in the promotion of ADR within judicial reform agendas in Latin America.³

More recently, I analyzed the use of debt collection agencies as alternative means to enforce contracts,⁴ and conducted a study of a complex case involving Latin American claimants in the U.S.⁵ The purpose of this last work was to analyze the factors taken into account by foreign plaintiffs filing lawsuits in the U.S. and conversely, the reasons why American corporations prefer to litigate certain types of cases in Latin America, in spite of the perception that those countries represent inadequate fora.

Most of my training in this field I owe to Gould. The Negotiation, Mediation and Conflict Resolution Systems Design seminars, as well as the Mediation Advocacy workshop I took last summer, have been valuable resources and wonderful learning opportunities for me. But, perhaps more importantly, I also owe Gould the kindness and friendship of its people; the

— continued on page 8 —

Gould Center Seeks Experienced Lawyer to Join Negotiation Teaching Team

This summer we're recruiting a new member of our Gould Negotiation and Mediation Teaching Team at Stanford Law School's Gould Center for Dispute Resolution Programs. The new member will be trained over the Fall 2004 semester to teach one section of the Negotiation Seminar each year, starting in the Spring of 2005.

Participation on Gould's Teaching Team involves preparing and teaching a 5-hour seminar each week and

participating in monthly team seminars designed to provide continuous improvement to our program.

We're seeking a lawyer with substantial negotiating experience in any field of practice. We'd especially like to find a candidate with a diverse background, and government or public policy experience. However, we always hire the best overall applicant.

If you are interested, or know someone else who might be, please

contact Maude Pervere at mpervere@stanford.edu. All applications should include a resume (formatted in Word) with at least the following information: Clearly delineated legal negotiating experience (5 years, min.); teaching experience, if any; and two references. Applications will be accepted until July 4, 2004. Candidates will be interviewed during the month of July, and selections will be made by August 2, 2004. ■

Truth Commissions As Conflict Management Systems: A Case Study of the Commission of Inquiry in Kenya



by **Elizabeth Muli**,
JSD Candidate

In April 2003, I attended a talk in Berkeley given by a Kenyan Member of Parliament who is at the forefront of calls for the establishment of a Truth and Reconciliation Commission in Kenya, himself having been tortured and detained for many years. Whilst there, I had the opportunity to meet several fellow Kenyans. One professor introduced himself, quickly reassuring me that despite his name, he is not a member of a tribe in Kenya which is perceived to be hostile to my tribe and others sharing similar cultural backgrounds. His apologetic introduction saddened me enormously, because we now distinguish between “Us” and the “Other” based on existing stereotypes of what the “Other” stands for in Kenya.

Later the same month, my Peace Studies group was discussing ways in which actors could move from perceiving each *other* as enemies and instead identify a mutual concern on which to focus their attention such as poverty, terrorism, employee education and training, workplace safety, etc. However, when one student mentioned the war on drugs as one such issue, the discussion quickly degenerated into a “debate” on racial oppression. It took me twenty minutes to even begin to understand what was going on! Why? Ironically whilst I and most of the world perceive Americans as one people, Americans themselves do not. They too see “Us” and “Them.” I realized there was need to see more deeply “cultural diversity” not only in everyday life but at the negotiating table. No one individual can be representative of her entire group nor does being a member of a group mean

that the individual fits the mode. Not all Africans are “corrupt,” Americans “aggressive”, Japanese “shifty” and Chinese “difficult.” Probably the majority do not bear these characteristics and these stereotypes may in fact jeopardize negotiations.

Ethnic conflict presents an extreme case of identity-based conflict, involving loss of life, property and trust. By examining such conflicts, I hoped to increase appreciation of focusing not on stereotypes or group identities, but what motivates the behavior of individual actors. How can we respect the perceptions of individuals on all sides, and still help them to reach a solution?

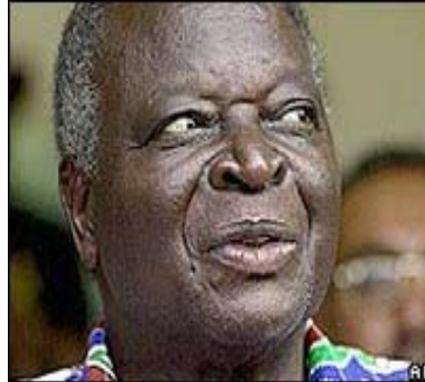
My research examined the role of truth commissions as conflict management systems using the Commission of Inquiry into ethnic conflict in Kenya as a case study. The South African Truth and Reconciliation Commission received international limelight as a “Miracle.” Miracles are wonderful things, but they are also the exception to the rule. Through critical examination of the Commission’s process, product, and impact, the study sought to contribute to the understanding of the management of identity-based conflicts involving many actors with different goals and multiple issues. The objective was not to judge the success or failure of the Commission but to determine what its goals were and the extent to which they were achieved. The findings revealed that there was a real need to articulate and integrate different types of goals within single projects and

analyze such goals within wider social contexts, in order to better define the complexity of “success” and its achievement.

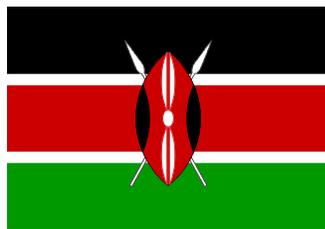
The Class of 2002 Fellowship assisted me to complete my paper over the spring and summer of 2003 and afforded me the opportunity to attend the 2003 Annual Law & Society Meeting held in Pittsburgh, Pennsylvania from June 5 to 8, 2003. The conference was the first academic conference I had attended in the U.S., and I had the opportunity to meet and network with other scholars working on al-

ternative dispute resolution issues and restorative justice in particular. I was exposed to current trends in research in diverse fields and made useful contacts for future mentorship in career development. The 2002 Class Fellowship could not have been established at a more opportune time, given the current state of world peace, and it is my hope that it will continue to support research and scholarship that will bring us closer to understanding and finding lasting solutions to identity-based conflicts.

As a result of her experience at last year’s Law and Society Association meeting, Elizabeth Muli is participating in this year’s 40th Anniversary Law and Society Association meeting on a paper panel entitled “Family Law and Domestic Violence around the World.” She will be presenting her paper on “Kiamas: Informal Justice Processes and Domestic Violence in Kenya.” ■



Kenyan President Mwai Kibaki took office in 2002 and in April 2004 announced that a Truth, Justice and Reconciliation Commission would be formed before the end of the year.



10 Questions with David Kovick, 2003-04 Gouldie of the Year*

Drew Olejnik, 2003-04 research assistant for the Gould Center, conducted this interview with David.



Q: Where are you from?

A: I call Boston home. Boston sports teams are the ones I root for.

Q: What were you doing before you came to law school?

A: I was working for five years with the National Democratic Institute for International Affairs (NDI) in Zimbabwe and Southeast Asia, working with political

parties, elections, anti-corruption, etc.

Q: What has been your favorite class in law school?

A: Advanced Negotiation with Maude.

Q: Do you have a favorite case from one of your classes?

A: What?! I don't read cases.

Q: What about your favorite negotiation?

A: Any of the negotiations in which I could use both negotiation and facilitation skills

Q: What do you like most about Gould?

A: The atmosphere. It's really comfortable and you get to know your classmates better than in any other law school classes. The teachers and staff here are absolutely wonderful as well and have made my experience great.

Q: How do you feel about being selected as the 2003-04 Gouldie?

A: I'm honored. It is the greatest Law School award that anyone could have bestowed upon me. Law Review...no thanks. Moot Court champion...no thanks.

Q: Do you have any advice for 1Ls and 2Ls who want to become a Gouldie?

A: Take as many of the Gould Center classes as you can. And when you have taken them all, make up your own.

Q: What are your plans for after graduation?

A: (shrugs shoulders and smiles) I don't know yet. I would like to do something in the field of conflict resolution and use what I have learned here at Gould.

Q: Finally, where's your favorite place in California to spend a weekend?

A: Backpacking along the Lost Coast.

* A Gouldie is a Stanford Law Student who is committed to the study and practice of Conflict Resolution and who spends a lot of time at the Gould Center in classes or meetings with Gould faculty and staff. When asked how to recognize a Gouldie, one SLS student explained "Gouldies are students who you don't see around the Law School very much because they spend so much time at Gould. They also tend to be happier than most other law students." ■

Marta Vides Finishes PhD, Appointed to Full-Time Faculty Position in New Jersey

The Gould Center faculty and staff would like to congratulate Marta Vides de González on completing her PhD from the Graduate Theological Union in Ethics and Social Theory and launching a new, full-time academic pursuit in New Jersey. Marta has accepted an appointment as Assistant Professor in the School of Social Science and Human Services at Ramapo College of New Jersey. In addition to advising senior theses, Marta will be teaching courses in the Crime and Social Justice program including Criminology, Criminal Law, and Juvenile Justice.



Marta completed her dissertation entitled "By What Authority: On the Relationship Between Restorative Justice and the Legal Practice of Juvenile Court Waiver" in October 2003.

From the time Marta arrived at the Gould Center in 1996, she has inspired the faculty, staff, and students with her passion for ethical issues and social justice. Her unique perspectives from her theological and gender background brought an element to the classroom experience that would otherwise have been sorely missed.

"Marta's gifts to the development of the Gould Negotiation and Mediation Teaching Team have been many," reflected Maude Pervere, Director of the program at Gould. "She guided us through the philosophical underpinnings of legal ethics, and then helped us to flesh out our approaches to teaching the ethics of advising and negotiating on behalf of clients, and the ethics of the teaching itself. She was key in our struggle to find more effective ways to teach the ubiquitous cross-cultural issues our work raises. Marta also pushed us all to walk our talk in our own interactions. The program has benefited from her energy, vision, and willingness to engage in conflict."

Before bringing her gifts and talents to the Gould team, Marta served as the Interim Director of the Center for Women & Religion at the Graduate Theological Union teaching feminist theology. Since being at Gould, Marta has involved herself with several projects outside of the Gould Negotiation and Mediation Program including serving as Coordinator of the Legal Education Program, Building

— continued on page 8 —

Venezuela

— continued from page 5 —

human touch that makes learning a fun and pleasant experience.

1 Gomez, M. (2002). The use of institutional mediation by Venezuelan business lawyers. Stanford, California.

2 Gomez, M. (2002). Development and Barriers of International Arbitration in the U.S. and Latin America. Stanford, California

3 Gomez, M. (2003). Shooting First, and Finding Out Later? The Inclusion of ADR within the World Bank's Judicial Reform Agendas in Latin America. Stanford, California.

4 Gomez, M. (2003). You have an Appointment with the Devil: Debt Collection Agencies as Alternative Means to Enforce Contracts in Latin America. Stanford, California.

5 Gomez, M. (2003). Dealing with Foreign Claimants in Complex Litigation: A study of the Ford-Firestone Rollover cases. Stanford, California. ■

What is Gould?

“Gould” is The Martin Daniel Gould Center for Conflict Resolution Programs, the heart of dispute resolution programs at Stanford University. A historic landmark at Stanford, the Gould Center was remodeled in 1998 thanks to a generous donation from Joseph B. Gould. It now houses classrooms and meeting rooms, offices and an expansive garden that provide an ideal forum for integrating theory and practice in conflict resolution.

In addition to providing classroom and meeting space for most of the dispute-resolution programs at Stanford, the Gould Center houses two dispute resolution programs at Stanford Law School: the Gould Negotiation and Mediation Teaching Program, and the Stanford Center on Conflict and Negotiation (SCCN).

The Gould Negotiation and Mediation Teaching Program offers small, highly interactive seminars in Negotiation, Mediation, Advanced Negotiation, and Dispute Resolution Systems Design to more than 200 Stanford Law School students annually. The SCCN is an interdisciplinary center for the study of conflict and conflict resolution that brings together students and faculty from all parts of the University who share an interest in conflict resolution theory and practice in domestic and international domains.

Lecturer Appointed to Ramapo Faculty

— continued from page 7 —

Legal Capacity in Latin America Project of the Centro de Investigación y Docencia Económicas (CIDE) since 2002.

As Coordinator of Legal Education, Marta facilitated many opportunities for CIDE. CIDE faculty met SLS and Stanford University faculty with insight into designing curriculum using participatory learning tools. The CIDE faculty were then better able to include critical thinking and problem solving as core legal skills. This work has been successful, as earlier this year in New York, CIDE was awarded the 2004 CPR Institute for Dispute Resolution “Problem Solving in the Law School Curriculum Award” for the use of innovative methodology in its curriculum. ■

Gould Center Faculty and Staff

Maude Pervere: Director, Gould Negotiation and Mediation Program at Stanford Law School and Senior Lecturer in Law. Maude teaches Conflict Management Systems Design, Advanced Negotiation, and the Negotiation Seminar. Maude has designed and directed programs in dispute resolution for 25 years. She also practiced law for seven years with the Alameda County Public Defender.

Simão Ávila: Senior Labor and Employment Lawyer in the Office of the General Counsel, University of California. Sim was formerly the managing partner of Littler Mendelson's San Jose and Oakland Offices. He specializes in workplace conflict resolution and labor negotiation. Sim teaches the Negotiation Seminar.

Dana Curtis: Recently named by the *L.A. Daily Journal* as one of California's “Top 50” neutrals, Dana is a mediator in private practice and former Circuit Mediator for the U.S. Court of Appeals for the Ninth Circuit in San Francisco. In addition, she designs and conducts mediation training for judges and lawyers nationwide. Before becoming a mediator, Dana practiced commercial and employment litigation with McCutchen, Doyle, Brown & Enersen in San Francisco. Dana teaches the Mediation Seminar.

Jan Martinez: MPA from the Kennedy School of Government at Harvard University; PhD candidate in Public Policy, 2004 at MIT. At Harvard, Jan taught in the Program on Negotiation at the Law School and at the Kennedy School of Government, and managed and taught in the Business School's extensive negotiation program. Jan formerly practiced law in the general counsel's office of McKesson Corporation and now facilitates complex multiparty international disputes. She teaches the Negotiation and Advanced Negotiation Seminars.

Ralph Pais: One of two managing partners at Fenwick & West, a leading Silicon Valley firm, Ralph specializes in negotiating life, science, and technology transactions worldwide. He has been teaching negotiation to lawyers, clients, and students for the past 20 years. He teaches the Negotiation Seminar.

Stephanie Smith: Founding Director of the U.S. District Court for the Northern District of California's ADR Programs and consultant to the Hewlett and Compton Foundations. Stephanie was formerly a partner at the law firm of Jackson, Tufts, Cole, & Black. Stephanie teaches Systems Design and the Negotiation Seminar.

Marta Vides de González, PhD: Longtime civil rights attorney and theologian, Marta has served for the past two and a half years as Coordinator of the Legal Education Program, Building Legal Capacity in Latin America Program—a joint project of CIDE (Centro de Investigación y Docencia Economicas in Mexico City) and Universidad Diego Portales in Chile. Marta has taught the Negotiation Seminar at SLS.

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