

Feinsinger's Conference Seeks New Methods of Dispute Settlement

A wide-ranging Conference on Studies in Disputes Settlement—the Role of Academic and other Institutions—sponsored by the Center for Teaching and Research in Disputes Settlement drew many notables from many fields of disputes settlement to the Wisconsin Center on October 30 and 31. Responsibility for the Conference was undertaken by Profs. Nathan P. Feinsinger and Eleanore Roe, who serve as Director and Associate Director of the Center.

The Conference sought to learn what other organizations and institutions—public or private, academic or otherwise—have an active interest in disputes settlement and to exchange helpful and relevant information among those interested.

The theme which recurred through the many presentations and discussions was that of *transferability*. Can the techniques of settlement including mediation, fact-finding, arbitration, and conciliation be transferred from the field of labor-management relations to the settlement of the many new types of controversy in an increasingly complex society? Can the attributes of an able and experienced labor-management mediator, or arbitrator, be transferred to community leaders, University administrators and others who are becoming increasingly embroiled in disputes within their institutions?

Prof. Alan I. Widiss, College of Law, University of Iowa, presented, as a starting point for the Conference, the preliminary results of his effort to list all centers, courses, etc. in institutions, Government agencies, etc., which are now engaged in the settlement of disputes, such as the Columbia University Project for Effective Justice, the many courses and seminars in Negotiations and Conflict Resolution, and various Research Centers in Industrial Relations.

Many of the Government Agencies mentioned in the Widiss report, such as the Community Relations



Profs. Eleanore Roe and Nate Feinsinger with Pres. Robben Fleming. (Class of 1941)

Service (now in the Department of Justice), the Federal Mediation and Conciliation Service and the National Mediation Board were represented at the Conference. In addition, the National Center for Dispute Settlement of the American Arbitration Association was represented by its Director, Willoughby Abner.

Other participants included Prof. W. Ellison Chalmers, Director of the Racial Negotiations Project of the University of Michigan Institute of Industrial Relations; the Vice Presidents for Industrial Relations of both Pan American Airlines (Mr. Everett Goulard) and American Smelting and Refining Co. (Mr. Douglas Soutar, Class of 1944).

Discussants of the subject of student-faculty-administrative disputes included Earl Cheit, Executive Vice-Chancellor, University of California at Berkeley; Edward L. Cushman, Executive Vice-President, Wayne State University; Frederic Freilicher, Professor, New York State School of Industrial and Labor Relations at Cornell; Prof. Michael Sovern, Columbia Law School, and Dean L. Reed Tripp, Lehigh University.

Leading the discussion on techniques developed in public employee disputes was Arvid Anderson (Class of 1948), Chairman of the Office of Collective Bargaining, New York City. Among those who participated in this discussion were three additional Law School Alumni, Zel Rice II (1950), member of the Wisconsin Employment Relations Commission; John Shiels

(LLB, 1933, SJD, 1934), Chairman, Wisconsin Personnel Board; and John Lawton (1942) prominent Madison Labor Attorney.

Racial and community disputes were discussed in separate, but related discussions. Representatives of the Community Relations Service (Richard Salem, Regional Director, Chicago; and Donald Jones, Regional Director, Atlanta) described the techniques which they have developed and are constantly seeking to improve, to assist many communities in the settlement of many difficult and abrasive controversies.

There were descriptions by Lawrence Schultz, Director of Planning and Development, Federal Mediation and Conciliation Service, of methods used to screen and train the 250 federal mediators.

While there seemed to be agreement among many of the Conferees that successful mediators are "born not made," it was also contended that proper training can improve their effectiveness.

The use of mediation by Judges was a hotly disputed subject at the final session of the Conference entitled "The Bench, The Bar and Mediation." The participants included Dean Spencer L. Kimball, University of Wisconsin Law School; Edwin Wilkie, Administrative Director of Court System, Madison; John G. Buchen, Judge, County Court, Sheboygan; Gilbert Cornfield, Labor Attorney, Public Employment Disputes, Chicago; John Decker, Circuit Judge, Milwaukee; James Doyle, U.S. District Judge, Western