

Hamline University School of Law
Dispute Resolution and Health Law Institutes



Innovative Programs at home & abroad

Theme Leader Biographies

The Fall 2007 Biennial Symposium on Conflict Resolution:
An Intentional Conversation About Conflict Resolution in Health Care
November 8-10, 2007 Saint Paul, Minnesota

James Coben. James Coben is a Professor of Law and Director of the Dispute Resolution Institute at Hamline University School of Law. He teaches civil procedure and a variety of law school dispute resolution courses and directs Hamline's international ADR programs in Rome, London, and Budapest. He has published numerous ADR related articles and currently is the domestic mediation editor for the *World Arbitration & Mediation Review*, and is co-authoring the third edition of *MEDIATION: LAW POLICY & PRACTICE* (West Group, forthcoming late 2008). Together with Professor Peter N. Thompson, he has created the Mediation Case Law Project – a systematic attempt to catalogue litigation trends about mediation, as well as produce and distribute innovative teaching videos, and other resources to ADR academics, practitioners, and trainers. Between 1999 and 2005, Professor Coben was a member of the Minnesota Supreme Court's ADR Review Board, charged with regulating the performance of court-appointed neutrals. He also is a past chair of the ADR Section of the Association of American Law Schools.

John Conbere. John Conbere, Ed.D., is Associate Professor and Chair, Department of Organization Learning and Development at University of St. Thomas. His teaching and consulting interests include conflict management, cross-cultural conflict, integrated conflict management systems, mediation, and managing organizational change. His research has involved the design and implementation of governmental conflict management systems, studies of educational programs that create transformational learning for physician leaders, and the effects of culture on organizational conflict and change in Ukraine. With variety of scholarly publications behind him, he is also member of the Academy of Human Resource Development, the Academy of Management and the Organization Development Network, and he was on the board of Directors of the Association for Conflict Resolution. Prior to his work in academia, he served as Deputy Director of the Conflict Prevention and Resolution Center at the U.S. Department of Agriculture. Each year he teaches a course on conflict management at National University Kyiv-Mohyla Academy in Kiev, Ukraine. He is on the Fulbright Senior Specialist roster.

Mary Foarde. Mary P. Foarde, JD, is the general counsel and corporate secretary of Allina Hospitals & Clinics. Prior to her appointment as general counsel in February 2003, Foarde served Allina as vice president and deputy general counsel for seven years. She has been with Allina or one of its predecessors since 1989. Prior to her employment with Allina, she was a partner in the Minneapolis law firm of Maslon, Edelman, Borman & Brand. She is an active member of both the Health Law Section of the Minnesota State Bar Association and the American Health Lawyers Association, and has been a frequent lecturer at continuing legal education seminars on various health law topics. Foarde earned a juris doctor (JD) cum laude from the University of Minnesota School of Law and a bachelor of arts from Creighton University, Omaha, Nebraska.

Kenneth Fox. Ken Fox Directs Hamline University's graduate and undergraduate conflict studies programs. He is also a Senior Fellow in the Dispute Resolution Institute at Hamline University School of Law. Professor Fox teaches a range of conflict theory and theory-to-practice courses to undergraduate, graduate and law students and has worked extensively exploring and applying alternative theoretical frameworks to conflict analysis and response. Professor Fox is an associate of the Institute for the Study of Conflict Transformation, a past president of the Minnesota Chapter of the Association for Conflict Resolution (ACR), ethics and standards of practice chair of the Minnesota State Bar Association Dispute Resolution Section and former chair of an ACR International workgroup on advanced mediation practitioner qualifications. Internationally, Professor Fox has taught in England, France, Italy, Northern Ireland, and served as a Fulbright Senior Specialist in Latvia, where he taught mediation and conflict theory to students from Estonia, Latvia and Lithuania. Since 2001, he has been part of four different and ongoing U. S. State Department- funded projects working with Palestinian, Israeli, Lebanese and Jordanian educators to develop civic education, tolerance, and conflict transformation curricula for middle and high schools in their respective communities.

Debra Gerardi. Debra Gerardi is Chair of the Program on Healthcare Collaboration and Conflict Resolution in the Werner Institute for Negotiation and Dispute Resolution at Creighton University School of Law, where she also serves as an Adjunct Professor of Law. Professor Gerardi is a registered nurse with 25 years of experience in healthcare. She maintains a private consulting practice providing mediation/ facilitation services, systems design and conflict management training programs for healthcare organizations internationally. Her mediation experience includes complex multi-party disputes, organizational mediation, civic dialogue facilitation and community mediation. She has trained over 5000 professionals in conflict management, negotiation, creativity and communication skills. Her clients include the World Health Organization, the American Medical Association, Kaiser Permanente, UCSF Medical Center, Stanford Hospital and Clinics, the Oregon Patient Safety Commission, the American Medical Group Management Association and the Association of Critical Care Nurses. As a professional improvisational comedienne, Professor Gerardi has performed at various venues including the Comedy Store and the Upfront Comedy Club in Los Angeles and the Bay Front Comedy Theater in San Francisco. She has trained performers and non-performers in creativity, team-building and conflict management.

Michele Goodwin. Michele Bratcher Goodwin is the Everett Fraser Professor of Law at the University of Minnesota Law School. She holds joint appointments in the Medical School and the School of Public Health. During the 2007-08 academic year, she is serving as a visiting professor at the University of Chicago Law School, where she is editing her forthcoming book, *Baby Markets*. She is also serving as one of the distinguished Meador Lecturers at the University of Alabama during the 2007-08 academic year. Professor Goodwin began her teaching career in 2001 at DePaul University College of Law where she was the Wicklander Chair in Ethics and a professor of law. She directed the Health Law Institute and founded the Center for the Study of Race & Bioethics. At DePaul, Goodwin earned the Faculty Achievement Award, Outstanding Scholarship Award, the Humanities Fellowship, and was honored by the university president who selected her book as one of the two top publications of 2006

Barbara Hartwick. Barbara Hartwick is Director of Health and Welfare Benefits for Xcel Energy. She brings 27 years of experience in human resources, which have largely been spent in health, welfare, retirement, and compensation programs. Among other accomplishments, she has put in place several nation-wide programs for over 10,000 employees and over 8,000 retirees across the company's 10-state territory. Before she joined Xcel Energy in 2002, Ms. Hartwick served as director of employee benefits at Minnesota-based Allina Health System.

Diane Hoffman. Diane Hoffmann has been on the faculty at University of Maryland since 1987. Her research interests include issues at the intersection of law, health care, ethics and public policy such as advance directives, pain treatment, termination of life support, genetics, regulation of research, and of managed care. She was a primary author of Maryland's Health Care Decisions Act dealing with advance directives, surrogate decision-making and guardianship for individuals lacking health care decision-making capacity. She has served as a member of a number of ethics committees including those at University of Maryland Medical Systems, the National Institutes of Health in Bethesda, and the VA Medical Center in Baltimore and is author of *A Handbook for Nursing Home Ethics Committees* published by the American Association of Homes & Services for the Aging (AAHSA). Her current research includes a study of the use of health related genetic tests in the court room and an article on the criminal prosecution of physicians for prescription of opioids.

James Jacobson. Jim Jacobson is Senior Vice President and General Counsel of Medica Health Plans with responsibility for Medica's legal affairs, compliance, government relations and public policy. Before joining Medica, Jim served for two years as Chief Deputy County Attorney for Hennepin County Attorney Amy Klobuchar. Jim supervised all civil litigation and other civil matters in that office, including representation of the Hennepin County Board and the Hennepin County Medical Center. Jim also has an extensive regulatory background, having worked for 13 years at the Minnesota Attorney General's Office. Jim served as manager of the Health Licensing Division, where he represented the Board of Medical Practice and other health licensing boards, and manager of the Commerce Division, supervising legal services provided to the Department of Commerce. Before joining the AG's Office, Jim clerked for three years for a federal district judge in Cleveland. He earned his JD from the University of Michigan Law School in 1984 and his undergraduate degree from Northwestern University in 1980.

Lucinda Jesson. Lucinda Jesson joined Hamline University School of Law in 2006 as an associate professor of law and director of the Health Law Institute. She teaches Health Law Organizations and Finance; Comparative Health Law; Food and Drug Law; Public Health Law and Health Law Quality and Liability. In private practice, before joining Hamline University School of Law, Professor Jesson represented hospitals, clinics and health care professionals through her practice, Jesson & Pust, P.A. Professor Jesson also served as a frequent arbitrator and hearing officer in health care disputes. Prior to the start of Jesson & Pust, Jesson served as Chief Deputy Hennepin County Attorney (1999-2000), Minnesota Deputy Attorney General responsible for Health and Licensing (1993-1998) and as a partner with the national law firm of Oppenheimer Wolff and Donnelly LLP (1983-1993). While Deputy Attorney General she represented health care agencies and directed Health Care Public Policy for the Attorney General's office.

David Matz. David E. Matz is the founder and Director of the Graduate Programs in Dispute Resolution at UMass Boston. He is also an active dispute intervener. Professor Matz has focused his work on the techniques of mediation and negotiation, and on the relationship of these to the workings of organizations and courts. He has done this primarily in the United States and Israel. In the United States, he has led in the development and use of assessment tools for court mediators, trained mediators, judges, and engineers. In Israel, he was central in developing policy and practice for the Israeli Ministry of Justice and Supreme Court in integrating mediation into the judicial system. He has also applied these approaches to the peace talks between the Israelis and the Palestinians and he has worked extensively with Arab and Jewish groups, here and abroad.

Charity Scott. Charity Scott is Professor of Law with a joint appointment in Georgia State University's College of Law and J. Mack Robinson College of Business, Institute of Health Administration. She is also the Director of the Center for Law, Health & Society at the College of Law. Professor Scott teaches various courses on health care law and policy, bioethics, and tort law. She is a Faculty Fellow in Health Law with Emory University's Center for Ethics. Professor Scott serves on the Board of Directors of the Public Health Law Association as well as on the American Bar Association's Special Committee on Bioethics and the Law. She has served as Chair of the ABA Health Law Section's Interest Group on Medical Research, Biotechnology, and Clinical Ethics and as Chair of the Health Law Section of the State Bar of Georgia. She has published on a variety of health law issues, including antitrust and the health care field, medical ethics and the law, medical privacy, dispute resolution, and health policy.

Martin Stillman. Martin Stillman, MD, JD, FCLM, is a national educator of medico legal issues. He delivers continuing education programs for healthcare providers (CME), lawyers (CLE), and other organizations such as the American College of Healthcare Executives and American Society for Healthcare Risk Management. Dr. Stillman currently practices internal medicine at Hennepin County Medical Center and is Assistant Professor of Medicine at the University of Minnesota Medical School. He graduated from the University of Minnesota Law School in 1993 and the University of Minnesota Medical School in 1997. Dr. Stillman brings his knowledge and expertise to both local and national organizations. He currently serves as President of the Minnesota Medical Alumni Society and co-chairs the Health and Safety Committee for the Herzl Camp Board of Directors. As a Board member of the American College

of Legal Medicine (ACLM), he serves as chair of both the Membership and Young Leadership Committees. In 2001, Dr. Stillman developed and implemented the annual professional development luncheon conference at the ACLM annual meeting to formally enhance the development of those with training in law and medicine. In 2005, he was honored with an annual ACLM award for outstanding service to the College.

James Thompson. James N. Thompson, MD, is the President and Chief Executive Officer of the Federation of State Medical Boards (FSMB) and a clinical professor of otolaryngology at the University of Texas Southwestern Medical Center. Prior to joining FSMB he served as dean and university vice president at Wake Forest University School of Medicine. Dr. Thompson is a graduate of the Ohio State University College of Medicine and Public Health and is certified by the American Board of Otolaryngology.

Ellen Waldman. Ellen Waldman is a Professor of Law at the Thomas Jefferson School of Law. Professor Waldman founded and supervises the school's mediation program, which affords students an opportunity to mediate disputes in small claims court. Additionally, she directs a government-sponsored grant that provides for student exposure to Alternative Dispute Resolution techniques and mentoring within the ADR community. She is a former Fellow at the Institute of Law, Psychiatry, and Public Policy in Charlottesville, Virginia and a Fellow in the medical ethics department at the University of Virginia Medical School where she directed a grant awarded by the Virginia Institute for the Humanities to educate hospital staff and patients about patient rights and principles of biomedical ethics. Professor Waldman speaks, trains and publishes in the areas of mediation and medical ethics.

Eben Weitzman. Professor Weitzman is an Associate Professor in the Graduate Program in Dispute Resolution and an adjunct faculty member in its sister program, the Master of Science in Public Affairs (MSPA). Weitzman is a social and organizational psychologist specializing in the study of conflict. His work focuses on conflict within and between groups, with emphases on organizational conflict, cross-cultural conflict, and inter-group relations. He works with a wide variety of organizations in both the public and private sectors, including organizations in education, government, law enforcement, social services, business, and the courts. Professor Weitzman also does extensive work on research methodology, and is Reviews Editor for the journal, *Field Methods*.

William Winslade. Dr. Winslade is the James Wade Rockwell Professor of Philosophy of Medicine in the Institute for the Medical Humanities at the University of Texas Medical Branch. He holds a Ph.D. in Philosophy from Northwestern University, a J.D. from the University of California at Los Angeles and a Ph.D., Psychoanalysis from the Southern California Psychoanalytic Institute. His special interests and expertise include brain injury, health care policy, medical ethics, medical law and neuro-ethics.