

ELLEN E. DEASON

The Moritz College of Law
The Ohio State University
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Columbus, Ohio 43210

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EMPLOYMENT

Moritz College of Law
The Ohio State University, Columbus, Ohio

Joanne Wharton Murphy/Classes of 1965 and 1973 Professor in Law	2007 to present
Professor	2003 to present
Faculty Director, LL.M. Program for Foreign Lawyers	2006 to present
Faculty Director, Semester in Oxford Program	2008

College of Law
University of Illinois, Champaign, Illinois

Associate Professor	1998-2003
Assistant Professor	1994-1998

Visiting Scholar, The Ohio State University Moritz College of Law
Arthur I. Vorys Research Institute on Courts and Dispute Resolution

	Summer 1999
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Morrison & Foerster, Washington, D.C.

Litigation Associate with practice before federal and state courts and federal agencies	1989-1994
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Legal Assistant to U.S. Arbitrator Howard M. Holtzmann
Iran-United States Claims Tribunal, The Hague, The Netherlands

	1987-1988
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Law Clerk to Associate Justice Harry A. Blackmun
Supreme Court of the United States

	1986-1987
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Law Clerk to Judge Harry T. Edwards
United States Court of Appeals for the District of Columbia Circuit

	1985-1986
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Wilmer Cutler & Pickering, Washington, D.C.

Summer Associate	Summer 1985
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Marine Resources Specialist
University of Rhode Island Coastal Resources Center

	1981-1982
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Marine Biologist
University of Rhode Island Graduate School of Oceanography

	1975-1981
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EDUCATION

University of Michigan Law School, Ann Arbor, Michigan

J.D. *magna cum laude*, 1985

Order of the Coif

Editor-in-Chief, Michigan Law Review, Volume 83

Henry M. Bates Memorial Award

Abram W. Sempliner Memorial Award

Oregon State University School of Oceanography, Corvallis, Oregon

M.S. Biological Oceanography, 1975

Carleton College, Northfield, Minnesota

B.A. *cum laude*, 1972

Major: Biology

Sigma Xi Honor Society

National Science Foundation Student Originated Studies Grant

PUBLICATIONS

Books

CIVIL PROCEDURE: CASES, PROBLEMS AND EXERCISES (2nd ed. 2008) (with John T. Cross & Leslie W. Abramson).

ALTERNATIVE DISPUTE RESOLUTION: THE ADVOCATE'S PERSPECTIVE (3rd ed. 2006) (with Edward Brunet & Charles B. Craver).

CIVIL PROCEDURE: CASES, PROBLEMS AND EXERCISES (2006) (with John T. Cross & Leslie W. Abramson).

Articles

The Need for Trust as a Justification for Confidentiality in Mediation: A Cross-Disciplinary Approach, 54 KANSAS LAW REVIEW 1387-1418 (2006).

Conjuring Controversy, Book Review of SORCERERS' APPRENTICES: 100 YEARS OF LAW CLERKS AT THE UNITED STATES SUPREME COURT by Artemus Ward & David L. Weiden, 42 TRIAL 61-62, December 2006.

Building Conflict Resolution Institutions: Case Studies in Community-Police Relations, 22 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 1 (2006) (symposium introduction).

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Comparative Considerations: Toward the Global Transfer of Ideas about Dispute System Design, ABA Dispute Resolution Magazine, Spring 2006, at 23-26 (with Amy J. Cohen).

Perspectives on Decisionmaking from the Blackmun Papers: The Cases on Arbitrability of Statutory Claims, 70 UNIVERSITY OF MISSOURI-COLUMBIA LAW REVIEW 1133-1181 (2005).

Uniform Mediation Act Brings Changes to Ohio Law, 3 Mayhew-Hite Report on Dispute Resolution and the Courts (April, 2005).

Procedural Rules for Complementary Systems of Litigation and Mediation—Worldwide, 80 NOTRE DAME LAW REVIEW 553-592 (2005).

Comparing Mediation Practices Around the Globe, Moritz Law Record, Spring 2004, at 5-6.

Uniform Mediation Act: Law Ensures Confidentiality, Neutrality of Process, ABA Dispute Resolution Magazine, Summer 2002, at 7-9.

Predictable Mediation Confidentiality in the U.S. Federal System, 17 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 239-319 (2002).

The Quest for Uniformity in Mediation Confidentiality: Foolish Consistency or Crucial Predictability?, 85 MARQUETTE LAW REVIEW 79-111 (2001).

Enforcing Mediated Settlement Agreements: Contract Law Collides With Confidentiality, 35 UNIVERSITY OF CALIFORNIA DAVIS LAW REVIEW 33-102 (2001).

The Challenges of Human Cloning for Public Policy in Illinois, Institute of Government and Public Affairs, The University of Illinois 1-36 (2001) (with Donald Chambers, Robert McKim, Therese McGuire, Timothy Murphy, & Thomas Ulen).

Report to the Fulton County Courts: Dispute Resolution Opportunities, Arthur I. Vorys Research Institute on Courts and Dispute Resolution 1-167 (2000).

Incompatible Versions of Authority in Law and Science, 13 SOCIAL EPISTEMOLOGY 147-164 (1999).

State Court ADR: Probate, Family, Other Specialized Courts are a Key Source of Innovation, ABA Dispute Resolution Magazine, Fall 1999, at 6-7.

Court-Appointed Expert Witnesses: Scientific Positivism Meets Bias and Deference, 77 OREGON LAW REVIEW 59-156 (1998).

Managing the Managerial Expert, 1998 UNIVERSITY OF ILLINOIS LAW REVIEW 341-411 (1998).
Reprinted in 48 DEFENSE LAW JOURNAL 819-913 (1999).

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Confronting and Embracing Changes in the Practice of Law, 86 ILLINOIS BAR JOURNAL 628-637 (1998).

RCRA-Type Requirements, Europe, 23 ENVIRONMENTAL MANAGEMENT REVIEW 72 (1992) (with Z. Gresham).

Water Pollution Developments in Europe, International Environmental Laws and Regulation 144 (1992) (with Z. Gresham).

Note, *The Self-Critical Analysis Privilege and Discovery of Affirmative Action Plans in Title VII Suits*, 83 MICHIGAN LAW REVIEW 405 (1984).

Book Notice, 82 MICHIGAN LAW REVIEW 849 (1984) (reviewing A.G. Levine, *Love Canal: Science, Politics, and People*).

WORKS IN PROGRESS

Elements of Institutional Design for Conflict Resolution (with Amy J. Cohen).

A Research Agenda for Alternative Dispute Resolution in Courts (with Christopher Fairman, Laural Hooper, & Donna Stienstra).

LECTURES & PRESENTATIONS

Seminar on Alternative Dispute Resolution, Deusto University, Bilbao, Spain (2008).

A Framework for Comparison: Building a Taxonomy of ADR System Analysis and Design, Quinnipiac-Yale Dispute Resolution Workshop, New Haven, Connecticut (2007).

Neutral Court-Appointed Experts, AEI-Brookings Joint Center for Regulatory Studies, Judicial Symposium on Scientific Evidence in the Courts, Washington, D.C. (2007).

Uniform Mediation Act, Third National Conference of Minority Professionals in Alternative Dispute Resolution, Capital University (2007).

Roundtable Moderator, *New Ideas for Building End-of-Life Dispute Resolution Strategies*, Ohio State Journal on Dispute Resolution Symposium: *Alternative Dispute Resolution Strategies in End-of-Life Decisions*, Columbus, Ohio (2007).

Comparative Mediation Processes and Legal Frameworks, Faculty of Law Seminar Series on Implications of Transnational Law, Deusto University, Bilbao, Spain (2006).

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Panelist, *Mediation Privilege: Is it Necessary, Is it Constitutional and, If So, How Should We Ensure Parties and Neutrals Abide by It in Subsequent Proceedings*, ABA Section of Dispute Resolution Annual Conference, Atlanta, Georgia (2006).

Teaching Demonstration (International Arbitration, Advocacy in Dispute Resolution, Choice of Process), EC-US ADR Fellows Dispute Resolution Program, Deusto University, Bilbao, Spain (2006).

Comparative Design of Dispute Resolution Institutions, Ohio State Journal on Dispute Resolution Symposium: *Listening to the World: New Ideas for Resolving Identity-Based Conflict*, Columbus, Ohio (2006) (with Amy J. Cohen).

Moderator, Conference on Court ADR Research, sponsored by the Federal Judicial Center and Moritz College of Law with funding from the Hewlett Foundation and JAMS Foundation, Washington, D.C. (2005) (with Christopher Fairman, Laural Hooper, & Donna Steinstra).

Justification for Confidentiality in Mediation: A Cross-Disciplinary Approach, Kansas Law Review Symposium: *Secrecy and Transparency in Dispute Resolution*, Lawrence, Kansas (2005).

Comparative Methods for Dispute Resolution, Roundtable Conference on Dispute Resolution System Design, Moritz College of Law (2005) (with Amy J. Cohen).

The Uniform Mediation Act from an Advocate's Perspective, Ohio State Bar Association Annual Meeting (2005).

Understanding How Identity Issues Affect Negotiation, Ohio State Bar Association Annual Meeting (2005).

Teaching Demonstration (Decision tree analysis), EC-US ADR Fellows Dispute Resolution Program, University of Rome La Sapienza, Rome, Italy (2005).

Theoretical Insights into the Role of Identity in Negotiation and Mediation, Supreme Court of Ohio Judicial College Program on Mediation and Negotiation for Magistrates (2005).

Panelist, *Totenberg on Blackmun, A Journalist Takes Questions From His Clerks*, Moritz College of Law (2005).

Arbitrability of Statutory Claims, Moritz Law Faculty Workshop Series (2005).

Perspectives on Decisionmaking from the Blackmun Papers: The Cases on Arbitrability of Statutory Claims, University of Missouri-Columbia School of Law Symposium: *Reflections on Judging: A Discussion Following the Release of the Blackmun Papers*, Columbia, Missouri (2005).

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A Comparative Perspective on International Dispute Resolution, International Law Colloquium Series, Wittenberg University, Springfield, Ohio (2005).

Moderator, *Avoiding Ethical Pitfalls*, Ohio State Journal on Dispute Resolution Symposium, The Collision of Two Ideals: Legal Ethics and the World of Alternative Dispute Resolution (2005).

Scientific Information and Governmental Decision Making, Department of Biochemistry Graduate Seminar, The Ohio State University (2004).

Panelist, *Choice of Court Convention and Revisions to the Service and Evidence Conventions*, The American Branch of the International Law Association, International Law Weekend 2004, New York (2004).

Conflict and Conflict Theory, Advanced Child Protection Mediation Training Program, Supreme Court of Ohio Judicial and Court Services Division (with A. Lloyd and M. Green Camp) (2004).

Moderator, *Transitional Justice Mechanisms*, Winning the Peace: Post-Conflict Dispute Resolution and Nation-Building, Ohio State Journal on Dispute Resolution Symposium (2004).

Panelist, *Competing or Complementary Rule Systems? Adjudication, Arbitration, and the Procedural World of the Future*, Joint Program of Sections on Alternative Dispute Resolution and Civil Procedure, Association of American Law Schools Annual Meeting, Atlanta, Georgia (2004).

The Role of the Science Neutral in Mediation of International Scientific Disputes, Biodiversity, Biotechnology, & Conflict Resolution Conference, The Einstein Institute for Science, Health and the Courts, St. Louis, Missouri (2003).

Mediation in the Regulatory Context, Workshop on Alternative Dispute Resolution and Regulatory Procedures, Sri Lanka Public Utilities Commission, Negombo, Sri Lanka (2003).

Mediation of Dental Disputes, Mediation and Peer Review Program, Illinois State Dental Society and Chicago Dental Society (2002).

Confidentiality and Trust in Mediation, The Ohio State University Michael E. Moritz College of Law (2002).

Panelist, *Challenges for Spinal Cord Injury Repair*, University of Illinois College of Medicine at Urbana-Champaign Research Symposium (2002)

Regulatory Restraint on Research: Cloning, Stem Cells, & Xenotransplantation, Symposium on "Health Care Reform: Where are we? Where are we going?," University of Illinois College of Medicine at Urbana-Champaign, College of Law, Nursing Institute and Institute for Government and Policy Analysis (2002)

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Panelist, *Forum on Critical Issues: Stem Cells*, Center for Advanced Study, University of Illinois at Urbana-Champaign (2001).

Keeping Confidence: Exploring Best Practices in Agency ADR, A Symposium sponsored by the ABA Ad Hoc Committee on Federal Government ADR Confidentiality, the Federal Interagency Dispute Resolution Steering Committee, the Policy Consensus Initiative, and the Association for Conflict Resolution, Washington, D.C. (2001).

Research on Learning: What Does it Mean for Law Schools? University of Illinois College of Law, Faculty Workshop Series (2001) (report on Association of American Law Schools teaching conference).

Panelist, *Developing the Perspective of "Lawyer as Problem Solver,"* Legal Educator's Colloquium, American Bar Association Dispute Resolution Section Annual Meeting, Washington, D.C. (2001).

Mediation in Practice, East Central Illinois Women Attorneys Association (2001).

Mediation Confidentiality in a Federal System, University of Illinois College of Law, Faculty Workshop Series (2001).

Achieving the Promise of Mediation, Illinois State Dental Society Peer Review Committee (2001).

Confidentiality in Mediation: An Exploration of the Problems and Approaches, Federal Judicial Center Workshop for Circuit Mediators and Appellate Conference Attorneys, Atlanta, Georgia (2001).

Mediation Confidentiality in the Federal Courts, Presentation to the Uniform Mediation Act Joint Drafting Committees of the National Conference of Commissioners on Uniform State Laws and the American Bar Association, Washington, D.C. (1999).

Arbitration of Statutory Claims, Thirty-fifth Anniversary Conference on Labor Law, National Labor Relations Board Region 33, Peoria, Illinois (1999).

A Coordinated Approach to Confidentiality in Mediation, The Ohio State University Moritz College of Law, Summer Seminar Series (1999).

Panel Chair, *Securing Human Rights Through the "Rule of Law"*, Human Rights and Development in Africa -- Establishing the "Rule of Law," Center for African Studies and College of Law, University of Illinois at Urbana-Champaign (1999).

Mediation as an Alternative to Litigation, University of Illinois Psychology Department Clinical Lecture Series (1999).

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ADR -- Benefits and Costs, Alternative Dispute Resolution Seminar, Illinois State Bar Association and University of Illinois College of Law (1998).

Celebrating the Successes; Tackling the Challenges, Myra Bradwell Association Symposium (1998).

Panelist, *Scanning the Horizon: The Clash Between Mediation and the Unauthorized Practice of Law*, Mediation Council of Illinois Annual Meeting (1996).

SCIENTIFIC PUBLICATIONS

Nitrogen dynamics in lower Narragansett Bay. II. Phytoplankton uptake, depletion rates of nitrogenous nutrient pools, and estimates of ecosystem remineralization. *Journal of Plankton Research* 8: 755-769 (1986) (with M.J. Furnas & T.J. Smayda).

Mnemiopsis leidyi (Ctenophora) in Narragansett Bay, 1975-1979: Abundance, Size Composition and Estimation of Grazing. *Estuarine, Coastal and Shelf Science* 15: 121-134 (1982).

The Influence of Grazing by Two *Acartia* Species on *Olisthodiscus luteus* Carter. *Marine Ecology* 2: 215-221 (1982) (with C.R. Tomas).

Ctenophore-Zooplankton-Phytoplankton Interactions in Narragansett Bay, Rhode Island, USA, during 1972-1977. *Journal of Plankton Research* 4: 203-217 (1982) (with T.J. Smayda).

Experimental Evaluation of Herbivory in the Ctenophore *Mnemiopsis leidyi* Relevant to Ctenophore-Zooplankton-Phytoplankton Interactions in Narragansett Bay, Rhode Island, USA. *Journal of Plankton Research* 4: 219-236 (1982) (with T.J. Smayda).

Potential Effects of Phytoplankton Colony Breakage on the Calculation of Zooplankton Filtration Rates. *Marine Biology* 57: 279-286 (1980).

Grazing of *Acartia hudsonica* (*A. clausi*) on *Skeletonema costatum* in Narragansett Bay (USA): Influence of Food Concentration and Temperature. *Marine Biology* 60: 101-113 (1980).

COURSES (*2008-2009)

Advanced Issues in Dispute Resolution
Alternative Dispute Resolution
Civil Procedure I
Civil Procedure II: Choice of Law and Forum
Comparative Dispute Resolution
Comparative Privacy Law

International Commercial Arbitration

*Dispute Resolution Processes: Theory and Practice

Law & Genetics

Law & Science Seminar

Legal Writing and Analysis

*Mediation Practicum

Multi-Party Mediation Practicum

*The U.S. Legal System and Legal Traditions

PROFESSIONAL ACTIVITIES AS A FACULTY MEMBER

Reporter, National Conference of Commissioners on Uniform State Law, Misuse of Genetic Information in Employment and Insurance Act (2005-present).

Planning Committee, ABA Section on Dispute Resolution, 2006 Annual Conference, ADR On My Mind in Georgia (2005-2006).

Executive Committee, Association of American Law Schools Alternative Dispute Resolution Section (2003 - present).

Ohio Supreme Court Committee on Dispute Resolution, Workgroup on Best Practices for Court-Connected Mediation (2004-2005).

Scientific Advisor, National Conference of Commissioners on Uniform State Law, Workgroup on Use of Genetic Information (2004-2005).

Testimony before the Illinois House Judiciary Committee on the Uniform Mediation Act (2003).

Einstein Institute for Science, Health & the Courts, Washington, D.C., Committee on United Nations Industrial Development Organization Biotechnology Forum (2002-2004).

Comments on proposed Model Confidentiality Rule, Ninth Circuit ADR Program (1999).

Comments on proposed Uniform Mediation Act (1999).

Reporter, Advisory Committee for the U.S. District Court for the Central District of Illinois (1999- 2003).

Reporter, Illinois State Bar Association, Allerton Conference (1998).

As Of Counsel, co-authored briefs to the U.S. Supreme Court and the U.S. Court of Appeals for the Federal Circuit in a challenge to the constitutionality of extending social security deductions to sitting federal judges.

United States v. Hatter, 121 S. Ct. 1782 (2001).

United States v. Hatter, 121 S. Ct. 338 (2000).

Hatter v. United States, 203 F.3d 795 (2000).

Hatter v. United States, 185 F.3d 1356 (1999).

United States v. Hatter, 519 U.S. 801 (1996).

Hatter v. United States, 64 F.3d 647 (1995).

FACULTY COMMITTEES AND ADMINISTRATION

The Ohio State University Moritz College of Law

Faculty Director, LL.M. Program, 2006-present
Faculty Director, 2008 Semester in Oxford
LL.M. Committee, Chair, 2005 to present
Faculty Advisor, Journal on Dispute Resolution, 2007 to present
Faculty Advisor, Dispute Resolution Association, 2006 to present
Search Committee for Langdon Fellow, 2007
EU-US ADR Fellows Program, Co-Director 2003-2007
Search Committee for Assistant Dean for Graduate and International Programs, Chair 2006
Admissions Committee 2003-2004, 2004-2005
Career Services Committee, Chair 2004-2005, 2007-2008 (fall)
Search Committee for Director of Career Services 2005
Faculty Advisor, ABA Representation in Mediation Competition 2003-2005

University of Illinois at Urbana-Champaign

Ad hoc Investigatory Committee (appointed by the Chancellor) 2002-2003
Admissions Committee 1999-2000, 2000-2001
Criminal History Case Review Committee 1999-2000
Faculty Advisory Committee (elected for 3-year term) served 2002-2003

University of Illinois College of Law

Admissions and Scholarship Committee 1997-1998, 2001-2002, Chair 1998-1999
Appointments Committee 1999-2000
Centennial Committee 1996-1997, 1997-1998
Disciplinary Committee 2002-2003
Executive Committee (elected) 1998-1999
Faculty Advisor, ABA Negotiation Competition 1995-1996, 1996-1997
Faculty Advisor, ABA Client Counseling Competition 1994-1995
Judicial Clerkship and Career Services Committee 1994-1995, 1995-1996, 2002-2003
Lectures Committee 2000-2001
Library Committee 1994-1995, Chair 1995-1996
Technology Committee 2000-2001, Chair 1999-2000, 2001-2002

CERTIFICATIONS

Center for Analysis of Alternative Dispute Resolution Systems, Civil Litigation Mediation
Training 2000
Admitted to Law Practice, District of Columbia Bar 1989

Current: July 2008

