



Richard Birke

Trainer, Teacher, Mediator and Facilitator

Richard Birke is the executive director of the JAMS Institute, the internal teaching and training arm of JAMS. Mr. Birke leads a team of educators and professionals committed to providing JAMS neutrals with exceptional training, starting with new panelists and continuing with the nation's most experienced practitioners. In addition, in his role as Vice President & Executive Director, JAMS Institute, he provides JAMS' clients with an array of ADR services, both domestically and internationally.

Prior to joining JAMS, Mr. Birke was associate director of the Stanford Center on Conflict and Negotiation and a lecturer in law at Stanford Law School. He was also a law professor at Willamette University and director of its Center for Dispute Resolution. Among other roles, Mr. Birke served as a consultant, trainer and mediator for the Oregon Court of Appeals Settlement Program; trainer and training designer for the California Courts of Appeal settlement programs (First, Second and Third districts); and assistant district attorney for the Middlesex County District Attorney's Office in Massachusetts.

In addition to his teaching and writing, Mr. Birke is an active mediator, trainer and facilitator. He has worked with state and federal agencies, multinational corporations, school systems, law firms, charities and international dispute resolution providers. As a mediator, he has settled everything from two-party partnership disputes to disputes involving thousands of acres of public land with dozens of stakeholders and hundreds of participants.

Mr. Birke's academic specialties are decision-making in law, business, government, medicine and consumer choice. He incorporates insights from ADR, psychology, economics, law, game theory, interpersonal communications, cross-cultural competency, dispute systems design, negotiation analysis and neuroscience into every aspect of his teaching, writing and training.

Career ADR Experience

Mr. Birke has been teaching dispute resolution since 1992, first at Stanford Law School and then at Willamette University College of Law, directing the Center for Dispute Resolution (CDR). Under his leadership, the CDR enjoyed a top-five national ranking among academic dispute resolution centers in the U.S.

Mr. Birke is a two-time award-winning author in the field of dispute resolution and is deeply involved in the practice of ADR.

Training and Speaking Engagements

Mr. Birke has lectured and taught in substantive fields as varied as family, criminal, environmental, commercial and banking law. He has trained individuals from a prestigious list of firms and organizations, and has given lectures at Harvard University, Stanford University, Northwestern University, UCLA, Hamline University, the University of Oregon, the University of Washington, the University of Chicago, the University of Arizona, Marquette University, Duke University, Oregon Health & Science University and elsewhere.

Facilitation and Systems Design Experience

Mr. Birke has been involved in the hands-on resolution of complex disputes for more than 30 years. Clients have included governmental entities at the local, state and national levels; academic institutions, from high schools to graduate schools; medical institutions; and a wide variety of businesses. His work typically involves the assessment, design and execution of custom pro-

cesses to facilitate resolution in complex, multiparty matters. He generally assembles and oversees interdisciplinary and diverse teams of talented colleagues, providing clients with a cross-section of expertise. He has been involved in the largest civil rights case in U.S. history, the resolution of the largest fire catastrophe in the nation, preservation of natural areas, prisoners' rights cases, and national and international energy company issues, among others.

Selected Law Journal Publications

- "Neuroscience and Settlement: An Examination of Scientific Innovations and Practical Applications," *25 Ohio State Journal of Dispute Resolution* 477 (2010)
- "Law of the Body," Symposium Introduction, *45 Willamette Law Review* 1 (2008)
- "U.S. Mediation in 2001: The Path That Brought America to Uniform Laws and Mediation in Cyberspace," *50 American Journal of Comparative Law* 181 (with Louise Ellen Teitz) (2002)
- "Evaluation and Facilitation: Moving Past Either/Or," *2000 Journal of Dispute Resolution* 309 (2000)
- *Folberg and Golann: Dispute Resolution* (2005; 2d ed., 2010, *Psychology and Dispute Resolution*)
- "Settlement Psychology: When Decision-Making Processes Fail: 18 Alternatives to the High Cost of Litigation" (December 2000)
- *ABA Training Manual for High School Peer Mediators*, ABA Press (1997)
- "Two Views: Is Alternative Dispute Resolution Preventative?" (with Ed Dauer), *15 Preventative Law Reporter* 31 (1996)

Note: Mr. Birke has written dozens of shorter pieces, blog posts and commentaries, most more recent than those listed above.

Honors, Memberships and Professional Activities

- CPR Institute national award for best article of 2010: "Neuroscience and Settlement: An Examination of Scientific Innovations and Practical Applications," *25 Ohio State Journal of Dispute Resolution* 477 (2010)
- Mr. Birke's pro bono work resulted in a national pro bono award from the ABA for Project Out-Reach, a lawyer-driven peer mediation program with sites in 26 states.
- Society for Judgment and Decision Making
- American Bar Association (including the Dispute Resolution Section)

Background and Education

- LL.M. (conferred), Harvard Law School
- J.D., New England School of Law
- B.A., Tulane University