This May, we celebrated the achievements of our second graduating class from the Hollinger Program during the 136th Commencement Ceremony at the University of Southern California. Our ADR graduates join our worldwide Trojan Family with more than 375,000 living alumni, including over 11,000 USC Gould alumni.

An essential element of the Hollinger Program is the supportive community created among our students from around the world.

Meet one of our 2019 graduates, Vikram Rajpurohit. In our Q&A below, he shares what made him choose a career in ADR and his most rewarding - and challenging - experiences as a student in the Hollinger Program at USC Gould.

Meet Vikram (LLM in ADR, 2019)

Expanding the Dialogue

USC/JAMS Fourth Annual Symposium
March 13, 2019
The symposium, co-sponsored by the Gould School and JAMS, convened some of the field's leading practitioners, including former USC Gould School Dean Dorothy W. Nelson, who was the only woman on USC's law school faculty when she introduced mediation and arbitration to her courses in 1957.

Panel discussions covered topics ranging from international entertainment and sports law to developments and best practices in construction industry arbitration. Read more here.

USC Gould ADR Admit Day
March 22, 2019
To welcome our admitted students for Fall 2019, USC Gould's Graduate & International Programs held an Admit Day on March 22. Attendees were able to tour the school and campus, hear from professors and students, and participate in a course in ADR taught by Prof. Richard Peterson. Students were able to get a feel for the classroom environment and ADR community at USC Gould. Watch the video here.

USC/SCMA Employment Mediation Institute Program
May 18, 2019
In partnership with SCMA, USC Gould hosted a discussion on the legal developments that have resulted from the #MeToo movement, and their practical impacts on employment mediators.

The half-day program focused on how emotional intelligence and awareness of societal, generational and personal blind spots are key tools for mediators.
UP NEXT:
CIArb Accelerated Route to Fellowship Program
June 7-9, 2019
As one of only three Recognized Course Providers for CIArb in the U.S., USC Gould is proud to co-sponsor the Accelerated Route to Fellowship Program from June 7-9, presented by CIArb, North American Branch, at JAMS in Los Angeles.

The program focuses on applicable laws and procedures for arbitration in complex international cases. Participants will be assessed through exercises that permit the candidate to take the writing examination directly to Fellow level membership.

Register to attend and learn about the program here

Deepening the Education

USC Gould vs. Cornell ADR Scrimmage
March 19, 2019
Professor Jason Marsili’s Mediation Advocacy class at USC Gould sparred with Cornell’s ADR team, via video conference, with an experienced mediator.

An incredible opportunity to put their education, resources and skills to the test, the annual scrimmage enables our students to engage in practical applications of their coursework. Watch a recording of the scrimmage here.

William C. Vis International Commercial Arbitration Moot / Vienna, Austria
April 12-18, 2019
John Garman, who teaches "International Arbitration Competition" at USC Gould, took his team to Vienna from April 12-18 to compete in the 26th Annual Vis International Commercial Arbitration Moot. This year, 376 universities competed from 87 countries.

USC Gould has participated in this moot for the past four years, participating in oral arguments regarding a dispute in an international contract.

"The moot consisted of a week of competing and networking, and was an invaluable opportunity for those who competed," said Taryn McPherson, one of our student representatives.

Furthering Career Development

International Arbitration Career Panel
March 26, 2019
On March 26, on the USC Gould campus, Ambassador (ret). David Huebner and Moderator Marcio Vasconcellos participated in a Career Panel focusing on careers in international conflict resolution.

The pair treated attendees to a fascinating discussion that could have lasted much longer than the scheduled 90 minutes. Mr. Vasconcellos prepared a great list of discussion prompts and questions, though students were delighted as the Ambassador also delivered candid reflections and career advice drawn from more than 25 years as an international arbitrator and advocate.

"Success leaves trails," said Amb. Huebner, recommending that students identify successful professionals in their chosen field, then seek to learn their
habits and history. The Ambassador himself has blazed a trail students would do well to follow. His own journey into international arbitration is one characterized by self-reflection, shrewd assessment of trends in the field, and a willingness to embrace opportunities no matter where they appear.

"Plot the path, not just the next job," said Amb. Huebner. He proceeded to offer specific recommendations and tips to the aspiring international arbitrators in attendance.

Finally, Amb. Huebner encouraged the crowd to utilize their networks. "Use alumni networks mercilessly," he ordered. To be sure, the group of USC Gould students assembled had heard this message before. In closing, ambassador congratulated them on their choice, acknowledging the value of the Trojan Family will bring to their careers.

From the Director

Hard Lessons Learned in the Fields of Litigation Dreams:
The Barry Bonds 73rd Home Run Baseball Dispute
Richard Peterson, Director of the Judge Judith O. Hollinger Program in Alternative Dispute Resolution

Summertime means many of us will be out enjoying baseball games, cheering on our favorite teams. This reminds me of a memorable dispute that arose over a record-breaking home run at the end of the 2001 Major League Baseball season.

San Francisco's Pac Bell Park was buzzing with anticipation at the prospect of the Giants', Barry Bonds, breaking the all-time season home run record that evening and the outfield stands were packed with eager fans hoping for a chance at catching the record-breaking ball. Based in part of the sale of Mark McGwire's 70th home run ball, it was widely anticipated that Bonds' 73rd home run ball would be worth over one million dollars and commentators speculated that, if the home run was hit during this game, one lucky fan would become a millionaire.

When Barry Bonds slammed his historic home run over the outfield wall, TV cameras captured the chaotic clamoring of frantic fans scrambling for the ball. Moments later, Patrick Hayashi emerged with the ball in his hand and was quickly whisked away to a private office by major league baseball personnel. Immediately thereafter another fan, Alex Popov, emerged claiming that he had caught the ball first and had it torn away from him as he was pushed to the ground by the crowd.

The ensuing legal battle between Popov and Hayashi played itself out in a very public and contentious display of legal posturing. As the case progressed toward trial, both Popov and Hayashi and their respective attorneys remained confidently convinced they would prevail in court; so confident in fact, that each side rejected any proposal that would have given the other party more than $100,000 in settlement. The fifteen-day trial featured legal scholars, experts, and numerous witnesses testifying on both sides of the issue. When the decision was read in open court a month later, both litigants appeared stunned as the judge ordered the ball sold and proceeds divided equally between the parties. The ball was sold at auction in 2003 for $450,000, substantially less than previously expected, while attorney's fees and costs exceeded the proceeds of the sale. Popov's attorneys eventually sued him for $473,000 in fees and Popov never saw a penny from his claim to the ball.

This case is unique because it involved a Major League Baseball home-run record-breaking event witnessed by thousands on television, and then fed a media frenzy following the parties and their lawyers throughout the legal process. However, this case is not unique in the tragedy of its outcome, an outcome witnessed daily in courts throughout the nation. In these litigation “fields of dreams,” participants learn hard lessons about the dangers of over-confidence and the difficulty in predicting judicial outcomes. This case provides important
insight into the psychological traps and emotional forces that too frequently lead people in conflict to exercise poor judgement and make unwise decisions in pursuing resolution of their disputes.

Most attorneys are familiar with Abraham Lincoln’s advice about resolving disputes:

"Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser — in fees, expenses, and waste of time. As a peacemaker the lawyer has a superior opportunity of being a good [person]. There will still be business enough."

Although given more than 150 years ago, only during recent decades have law schools and other institutions of higher education developed curriculum embracing Lincoln’s advice. The Judge Judith O. Hollinger Program in Alternative Dispute Resolution at the USC Gould School of Law is an example of educational programming designed to empower students to facilitate conflict resolution.

So, while we are all enjoying baseball and other summer activities, we here at USC Gould are also preparing for the arrival of our incoming Fall 2019 class who will embark upon this important course of study and develop skills necessary to avoid unfortunate legal outcomes such as occurred in the Bonds’ home run baseball nightmare.