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Introduction

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INTRODUCTION

LEONARD L. RISKIN*

Lawyers need to know more about how to prevent and resolve disputes, for their own good and for the good of their clients and society. That need inspired the faculty and Dean of the School of Law and the Chancellor of the University of Missouri-Columbia to create the Center for the Study of Dispute Resolution. The Center will respond to that need by sponsoring research and educational programs, fostering the inclusion of alternative methods of preventing and processing disputes in law school curricula, and publishing this Journal in conjunction with the Missouri Law Review.

This premier issue of the Journal is the first tangible product of this law school's strong commitment to the study of alternative methods of preventing and resolving disputes. The Journal will focus on articles of special relevance to lawyers, legal scholars, and social science and humanities scholars who are concerned with what lawyers do and should do. The Journal will have a broad scope, and articles on the periphery of this central focus are both welcome and encouraged.

Scholars in several disciplines are examining the kind of impact lawyers have on alternative processes for preventing and resolving disputes and the persons involved in those processes. Some have gloomily suggested that lawyers inevitably defeat the informality of alternative processes by "legalizing" them. Others caution that lawyers sap the strength and integrity of their profession by getting involved in such "soft" activities as mediation. Still others, myself among them, see a need to integrate the adversarial and relation perspectives.

The Journal will be open to various forms of articles. This issue includes five representative forms: first, pieces dealing with the philosophical, political, or practical aspects of dispute processing, such as those by U.S. Attorney General William French Smith, Jeffrey Hartje and John Murray; second, articles based on empirical research dealing with how we actually resolve disputes, such as the articles by James Wall and John Drotning and their colleagues; third, essays such as Frederick Snyder's; fourth, articles concerning teaching of dispute resolution and prevention, such as Paul Tractenberg's; fifth, writings that concentrate on legal aspects of a given process, such as the casenote and survey in this issue. In future issues, we will include case studies which analyze individual disputes and transactions in detail, and book reviews.

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