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1984

Preface by the Dean

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Recommended Citation

Dale A. Whitman, Preface by the Dean, 1984 Mo. J. Disp. Resol. 3 (1984).

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PREFACE BY THE DEAN

DALE A. WHITMAN*

It will no surprise to readers of this Journal that in recent years there has been an enormous increase of interest by lawyers in non-litigious methods of resolving disputes. We have seen a vast proliferation of newsletters, magazines, bar association committees, and other organs.

Nor is it difficult to understand the reasons for the popularity of this topic. They lie in the continuing dissatisfaction among both lawyers and their clients with the standard judicial process, and with the sense that something better must be found. The main complaints relate to the cost and delay of litigation. There is a remarkable consensus among rich and poor, businesses and consumers, liberals and conservatives, civil and criminal litigants.

It will not be easy to resolve these complaints, and it would be foolish to suppose that any academic journal, or any other combination of academic enterprises, will provide easy solutions. The problems are extraordinarily convoluted, and there are many people who believe their own self-interest lies in resisting change or reform. Effective development of new dispute resolution tools will require decades.

Nonetheless, we believe that the law schools, and the University of Missouri-Columbia Law School in particular, have an important role to play. This is the reason we have established the Center for the Study of Dispute Resolution. We have been fortunate to attract as director Professor Leonard Riskin, already nationally recognized for his pioneering research in dispute settlement. A number of other members of the law faculty are interested in researching various phases of this topic, as are several non-law faculty in other departments on the UMC campus.

The Center will be involved in many activities: encouraging research, especially of an empirical and interdisciplinary nature; development of curricular materials; the attraction of grant and contract funding; and provision of courses for law students, lawyers, and others in the field. Its twin goals will be advancing the state of our knowledge about dispute resolution, and disseminating that knowledge through programs and publications.

This new Journal is one phase of the effort to meet those goals. We think it is unique, notwithstanding the number of publications about dispute resolution which have arisen recently. It has a national, rather than a local or regional focus. It will concentrate on legal, as opposed to social science, issues in dispute resolution, although we expect that a good deal of supporting social

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science research will be reported in these pages. It will be broadly based, dealing with the full range of dispute resolution techniques, rather than only arbitration or negotiation, for example. Finally, it will focus on research, and will serve as a vehicle for reporting that research to its audience.

We are enthusiastic about this new publication effort. As you examine its pages, you will see that many of the intellectual leaders of the dispute resolution movement are represented. This first issue is exciting, and you will find much here to stimulate your thinking. As new ideas are developed in the future, we hope this Journal will be in the forefront in presenting them. If you, as our reader, are also an active researcher and writer in the field, we encourage you to submit manuscripts to our editors. We intend to provide a forum for the best thinking on ways of creating and fine-tuning a system of dispute resolution which responds well to society's needs.