

Harold I. Abramson



Professor Harold (Hal) Abramson has been deeply involved in the development and practice of the specialized fields of domestic and international dispute resolution for more than twenty years. He serves actively as a mediator, facilitator, and arbitrator, and contributes regularly as a teacher, trainer, author, and participant on professional committees.

Academic Career and Prior Experience

Professor Abramson is a full-time faculty member at Touro Law Center in New York where he served for nine years as vice dean responsible for academic programs, faculty development, and international programs. He teaches or has taught courses on administrative law, business organizations, dispute resolution methods including mediation representation and international mediation, government regulation of business, remedies, domestic and international sales, and international business and trade. He has been teaching dispute resolution courses at Cardozo Law School since 2000. He publishes extensively in the areas of mediation representation and international mediation.

At Touro, Hal Abramson established the law school's first summer abroad program at Russia's premier university, Moscow State University. As an ABA CEELI Specialist in Russia, he worked on a number of law reform projects when Russia began its transition to democracy. After leaving his vice dean position, he stayed involved in legal education developments by first serving for three years on the Committee for Professional Development (CLE for law professors) of the Association of American Law Schools (AALS) and now as a member of the small AALS Resource Corp that facilitates retreats at law schools.

Prior to joining the Touro faculty, he worked in both private practice and state government for seven years, where he first litigated contract disputes in a civil legal services office and then helped formulate business regulatory policies and litigated complex regulatory cases for a New York State agency.

Mediation Representation

Hal Abramson has been on the forefront of defining and developing the field of mediation representation by researching and formulating materials, publishing articles and a book (treatise), training lawyers, and teaching law students throughout the United States and abroad. He began focusing on mediation representation in January 1994 after teaching dispute resolution courses for more than seven years from the point of view of the neutral. Realizing that advocacy in mediation needed rigorous educational attention, he began researching mediation representation, developing teaching materials, and teaching courses and training lawyers.

He published the first edition of his award-winning book, [*Mediation Representation*](#), in 2004 (the recipient of the 2004 Book Award of the CPR Institute of Dispute Resolution), and the book has been adopted in over thirty-five law schools, including ones outside the U.S., and by NITA (National Institute for Trial Advocacy), the premier trainers of trial lawyers. The second edition was published in 2010 and an edition designed specifically for lawyers outside of North America will be published in Fall, 2011 by Oxford University Press.

Since 2000, he has been regularly training students and litigators on how to effectively represent clients in mediation and has conducted programs throughout the U.S. including at Pepperdine Law School and abroad, in Switzerland, the Netherlands, Hong Kong and China, among other places. He also has been designing training programs, including serving as a consultant to NITA in helping it launch a national program and as a

consultant to a large international insurance company that wanted to train its lawyers and claims professionals.

He also has been deeply involved in formulating mediation representation competitions for law students domestically and internationally. He served as Chair of the Committee for drafting the mediation representation competition rules for the ABA (American Bar Association) Section on Dispute Resolution (received ABA service award) and as a member of the inaugural drafting committee for the ICC's (International Chamber of Commerce) first annual international mediation representation competition. He continues to serve as a judge and mediator in the ABA, Canadian, and ICC competitions.

Neutral Experience and Panels

Hal Abramson's domestic and international neutral experience includes mediating, facilitating, and arbitrating business, organizational, and public policy disputes. He has mediated intellectual property disputes as well as disputes involving employment, partnership, service, licensing, purchase, distribution, and international business contracts. His international mediations have involved parties from Belgium, France, China, Columbia, Egypt, Guinea, India, Israel, Hong Kong, Lebanon, Russia, Slovenia, South Korea, and Venezuela. He has arbitrated business disputes, including professional disciplinary cases for seven years as a member of the New York State Board of Public Accountancy. He also has facilitated the feasibility stage of a "negotiated rulemaking" process and long-term planning processes at law schools.

He serves on various mediation and arbitration rosters including the rosters of the American Arbitration Association, Federal Eastern District Court of New York, CPR Institute for Dispute Resolution, International Chamber of Commerce (ICC), and CCPIT Mediation Center (Beijing). He also serves on the Law School Facilitation Panel of the Association of American Law Schools.

Professional Activities

He is a member of several local and national dispute resolution organizations, including the ADR Section of the NYS Bar Association (former chair) and the ABA Section of Dispute Resolution.

He currently serves as Co-Chair of the IMI (International Mediation Institute) Task Force that is designing an Intercultural Mediator Certification Program and conducting pilot training programs in various locations around the globe. See <http://imimmediation.org/intercultural-certification-criteria>

Trainings and Lectures

Hal Abramson has lectured widely and conducted numerous training programs on domestic and cross-cultural negotiations and mediations, domestic and international arbitration, public policy negotiations, and representing clients in mediations. He has lectured and conducted training programs throughout the United States as well as in Canada, China, France, Germany, Hong Kong, Hungary, Italy, India, Israel, the Netherlands, Russia, Singapore, Switzerland, and Turkey.

Academic Credentials

His academic degrees are in business administration (BBA, University of Michigan), public administration (MPA, Harvard University), and law (JD, Syracuse University and LLM, Harvard University).

Publications

Abramson has written extensively in the areas of mediation representation, international mediation, and dispute resolution.

BOOKS

[Mediation Representation](#) (2nd Edition, for Outside of North America, Oxford University Press, projected publication for Fall, 2011)

[Mediation Representation-Advocating as a Problem-Solver in Any Country or Culture](#) (2nd edition, NITA, 2010).

International Conflict Resolution-Consensual ADR Processes, co-author (West Group, 2005).

[Mediation Representation](#) – Advocating In A Problem-Solving Process (NITA, 2004) (Recipient of 2004 Book Award of the CPR Institute for Dispute Resolution).

ARTICLES AND BOOK CHAPTERS

[Mediation Representation: Representing Clients Anywhere in ADR](#) in *BUSINESS-Volume II, Chapter 14* (Editor-Arnold Ingen-Housz, Wolters Kluwer, 2011).

[Outward Bound to Other Cultures: Seven Guidelines for U.S. Dispute Resolution Trainers](#)⁹ Pepperdine Dispute Resolution Law Journal 437 (2009)

Rethinking Negotiation Teaching (Editors-James Coben, Giuseppe DePalo, and Christopher Honeyman, Hamline University, to be published Sp. 2009)

[Crossing Borders into New Ethical Territory: Ethical Challenges When Mediating Cross-Culturally](#) 49 S.Tex. L.R. 921 (2008)(ADR Ethics Symposium Issue) and Commentary in *Mediating Multiculturally: Culture and the Ethical Mediator*, Mediation Ethics-Cases and Commentaries (Ellen Waldman, Editor, 2011).

Forward in Manon Schonewille, *Toolkit: Mediation Advocacy* (2007) (book published in the Netherlands in Dutch).

[The Culturally Suitable Mediator](#) in Schneider and Honeyman, *NEGOTIATOR'S FIELDBOOK* (ABA, 2006) and expanded version entitled [Selecting Mediators and Representing Clients in Cross-Cultural Disputes](#), 7 *Cardozo J. of Confl. Resol.* 253 (2006).

[Final Offer Arbitration](#) in Cooley, *CREATIVE PROBLEM SOLVER'S HANDBOOK FOR NEGOTIATORS AND MEDIATORS* (ABA, December, 2005).

[Problem-Solving Advocacy in Mediations: A Model of Client Representation](#), 10 Harv. Neg. L.R. 103 (Sp. 2005) and republished in *THE AFFECTIVE ASSISTANCE OF COUNSEL*, Marjorie Silver (2007).

[Mining Mediation Rules for Representation Opportunities and Obstacles](#), 1 *J. of Intl. Dis. Res.* 40 (Germany, 2004) and 15 *Am. Rev. of Intl. Arb.* 103 (Sp. 2005).

Problem-Solving Advocacy in Mediations, DISPUTE RESOLUTION JOURNAL 56 (AAA, Aug. – Oct. 2004).

International Dispute Resolution in Rau, Sherman, and Peppet, PROCESSES OF DISPUTE RESOLUTION (3rd edition, law school textbook, 2002).

International Mediation Basics and Representing Clients in International Mediations in PRACTITIONER'S GUIDE TO INTERNATIONAL ARBITRATION AND MEDIATION (Editors-Chernick, Kolkey, Rhoades, 2002).

The Alternative Dispute Resolution Movement: Twenty Years Later, THE TOURO LAWYER (Alumni magazine) 12 (Sp. 2001).

[Protocols for International Arbitrators Who Dare to Settle Cases](#), 10 Am. Rev. of Intl. Arb. 1 (1999).

[Guidelines for Working with Interpreters in Mediations](#) (1999, updated 2008).

COMPARING SETTLEMENT CONFERENCES AND MEDIATIONS, co-author (Videotape and Instructors Manual, NYS Bar Association, 1999).

Time to Try Mediation of International Commercial Disputes, 4 ILSA J. of Intl. & Comp.L 323 (1998).

Transnational Litigation: International Arbitration and Alternatives, Opportunities and Pitfalls, 10 International Law Practicum 74, 84 (International Law and Practice Section, NYS Bar Association, 1997) (transcript of simulated negotiation of ADR Clause)