

The Glenn M. Weaver Institute of Law and Psychiatry
University of Cincinnati College of Law
& The Fetzer Institute
present

Therapeutic Jurisprudence

The Second International Conference

UNIVERSITY OF CINCINNATI
CINCINNATI, OHIO

MAY 3 – 5, 2001

www.law.uc.edu/tj2001

Second International Conference on Therapeutic Jurisprudence

The Glenn Weaver Institute of Law and Psychiatry at the University of Cincinnati College of Law and the Fetzer Institute are pleased to announce the Second International Conference on Therapeutic Jurisprudence to be held May 3–5, 2001, in Cincinnati, Ohio. The conference will provide a forum for lawyers, educators, judges, and other interested persons to explore the many dimensions of the blossoming field of study known as therapeutic jurisprudence (TJ) and to create a dialogue among practitioners and advocates of TJ and related fields.

About Therapeutic Jurisprudence

Therapeutic jurisprudence focuses on the law's distinct impact on emotional life and psychological well-being. TJ recognizes that, know it or not, like it or not, the law itself functions as a therapeutic agent. TJ embraces a multidisciplinary approach to examine the effects of rules of law, legal procedures, and the roles of legal and law-related actors on the psychological well-being of persons impacted by the law.

TJ's multidisciplinary emphasis is reflected in the numerous collaborations among scholars from the fields of criminology, psychology, sociology, philosophy, counseling, psychiatry, social work, and, of course, law. TJ has attracted a wide international audience, and the First International Conference on Therapeutic Jurisprudence was held at the University of Southampton in Winchester, England, in July 1998. Additional information and a complete bibliography of therapeutic jurisprudence scholarship can be found at www.therapeuticjurisprudence.org

About the Glenn Weaver Institute of Law and Psychiatry

Established in 1998 in conjunction with a generous gift from Glenn M. Weaver, M.D., a longtime Adjunct Professor of Law at the College of Law, the Weaver Institute seeks to bring together students and faculty whose interests involve issues at the intersection of law and psychiatry and mental health law generally. Mental health clinicians have long recognized that the terms "mental illness" and "mental health" embrace different conceptions of distinct, yet related, areas of practice and study. However, it was not until the development of therapeutic jurisprudence as a distinct, yet related, field of inquiry from mental health law that legal professionals were able to recognize the applicability of this long-standing clinical distinction in the law. The Weaver Institute is very pleased to sponsor the Second International Conference on Therapeutic Jurisprudence as part of its ongoing effort to promote multidisciplinary collaboration among the mental health professions, the social sciences, and the law.

About the Fetzer Institute

The Fetzer Institute is a nonprofit, private operating foundation that supports research, education, and service programs exploring the integral relationships among body, mind, and spirit. The Institute has a special interest in how individuals and communities are influenced by the interactions among the physical, psychological, social, and spiritual dimensions of life, and how understandings in these areas can improve health, foster growth, and better the human condition. The Fetzer Institute is pleased to sponsor the Second International Conference on Therapeutic Jurisprudence as part of its recent efforts to promote healing through the law.

Conference Offered in Cooperation With

American Judges Association
Canadian Institute for Peace, Justice and Security
Center for Families, Children, and the Courts,
University of Baltimore
Center for Restorative Justice & Peacemaking,
University of Minnesota, School of Social Work
Criminal Justice Program, Western Michigan
University
Humanizing Legal Education Association
Institute of Law, Psychiatry, and Psychology,
University of Miami
International Alliance of Holistic Lawyers
The International Network on Therapeutic
Jurisprudence, University of Puerto Rico
School of Law
Law/Psychology Program, University of Nebraska-
Lincoln
McGill Center for Creative Problem Solving,
California Western School of Law
Mental Health Association of the Cincinnati Area
The MPC of the University of Cincinnati and Xavier
University: A Center for Training and Research in
Serious Mental Illness
National Center for State Courts
School of Public Affairs, American University

Steering Committee

David Carson, *University of Southampton, England*
Pam Casey & David Rottman, *National Center for
State Courts, Virginia*
Caroline S. Cooper and Joseph A. Trotter, Jr.,
American University, Washington, D.C.
Jamie Cooper, *McGill Center for Creative Problem
Solving, California*
Bruce Feldthusen, Dean, *University of Ottawa,
Ontario, Canada*
The Honorable Randall Fritzler, *District Court of
Clark County, Washington*
Paul Ginter, *The Fetzer Institute, Michigan*
The Honorable Peggy Hora, *Alameda County
Superior Court, California*
Ron Kramer, *Western Michigan University*
The Honorable William Schma, *Circuit Judge,
Michigan*
A.J. Stephani, *University of Cincinnati College of
Law, Ohio*
David Wexler, *University of Arizona/University of
Puerto Rico*
Bruce Winick, *University of Miami, Florida*

Keynote Speakers

The Honorable Robert Yazzie and James W. Zion

Navajo Therapeutic Jurisprudence Thursday, May 3 ■ 1:30–2:40 P.M.

Hozhooji naat'aanii, or Navajo peacemaking, is the traditional Navajo approach of dispute resolution, which is related to traditional Navajo healing concepts. It was reinstitutionalized in the judicial system of the Navajo Nation in 1982, and it has evolved to a more consciously-traditional model, which can be adapted to a wide range of social problems, including family violence, drug and alcohol dependence, alcohol-related crime, delinquency, and other problems. This presentation will suggest that indigenous approaches to healing and law are a model for the therapeutic jurisprudence movement.

The Honorable Robert Yazzie is the Chief Justice of the Navajo Nation. He has a degree in sociology from Oberlin College in Ohio and holds a law degree from the University of New Mexico School of Law. The Chief Justice is noted for his advocacy of the use of traditional Indian Law and Hozhooji Naat' annii. He has formulated a "Healing and Community Justice" policy for the Courts of the Navajo Nation. Chief Justice Yazzie is also an adjunct professor in the Department of Criminal Justice at Northern Arizona University, is on the editorial board of Law & Religion, and is a former member of the Commission on White House Fellows.

James W. Zion is the Solicitor of the Courts of the Navajo Nation and an adjunct professor in the Department of Criminal Justice at Northern Arizona University. He holds a bachelor of arts degree from the University of Saint Thomas, and a Juris Doctor degree from the Columbus School of Law, Catholic University of America. He wrote the original court rules for Navajo peacemaking, and has published many articles on traditional Indian law, substantive aspects of traditional Navajo law, and the international human rights of Indigenous Peoples.



Keynote Speakers



Nathalie Des Rosiers

Using TJ in Law Reform

Friday, May 4 ■ 1:30–2:40 P.M.

It can be argued that a TJ approach is necessary to any enterprise of law reform. Professor DesRosiers will examine law reform questions in criminal law, constitutional law, family law, and social policy to illustrate how law reformers often make unchallenged assumptions about the psychological impact of their proposals. It is often the failure to use a TJ approach and the failure to have explored the indirect effects of law on the lives of people that can explain some past law reform failures. The benefit of TJ is to call into question the assumed psychological knowledge imbedded in law in order to have better evidence, and eventually better law reform. Suggestions as to the possible implications in terms of data gathering and project analysis of recognizing the potential for TJ analysis of law reform efforts will be offered.

Nathalie Des Rosiers is President of the Law Commission of Canada and a Professor of Law at the University of Western Ontario. Her research and teaching interests are in constitutional law, environmental law, tort law, and the area of law and social issues. Professor Des Rosiers is a Past-President of the Association des juristes d'expression française de l'Ontario and of the Canadian Law Teachers Association, as well as member of the Environmental Appeal Board and the Ontario Law Reform Commission. Professor Des Rosiers obtained an LL.B. from the Université de Montréal and an LL.M. from Harvard University. She became a member of the Barreau du Québec in 1982 and the Law Society of Upper Canada in 1987.

John Braithwaite

Restorative Justice and Therapeutic Jurisprudence

Saturday, May 5 ■ 1:30–2:40 P.M.

Therapeutic jurisprudence is about making legal choices that enhance the psychological well-being of individuals without compromising the core values of the justice system. Restorative justice may have a slightly more radical agenda, but in most fundamental ways, restorative justice and therapeutic jurisprudence are compatible. Restorative practices illuminate strategies for achieving therapeutic outcomes. Professor Braithwaite will discuss Thomas Scheff's program of restorative justice and therapeutic jurisprudence, attending to the role of shame acknowledgment and shame displacement in justice processes.

John Braithwaite is a Professor at the Research School of Social Sciences, Australian National University. He works on business regulation and criminal justice, particularly restorative justice, and is a prolific author and winner of several international awards. Professor Braithwaite served as a part-time Commissioner on the Trade Practices Commission, Australia's national antitrust and consumer protection agency and on the Economic Planning Advisory Council, chaired by the Prime Minister. His forthcoming books are Restorative Justice and Responsive Regulation and Shame Management Through Reintegration.



Concurrent Sessions

Sessions may appear under more than one theme. Presentations are indicated by first-named speaker.

TJ and Mental Health Law

Abdool—Thursday, 2:50-4:00
Costello—Thursday, 4:10-5:20
Churgin—Thursday, 4:10-5:20
Jenuwine—Friday, 8:50-10:00
Cichon—Friday, 8:50-10:00
Rose—Friday, 10:10-11:20
Barber—Friday, 10:10-11:20
Drogin—Friday, 11:30-12:10
Perlin—Friday, 2:50-4:00
Staup—Friday, 2:50-4:00
La Fond—Friday, 4:10-5:20
Glaser—Friday, 4:10-5:20
Schopp—Saturday, 8:50-12:10
Coverdale—Saturday, 4:10-4:50

TJ and Criminal Law

Hora II—Friday, 2:50-4:00
Morgan—Friday, 4:10-5:20
Zara—Saturday, 8:50-10:00
Hopkins—Saturday, 2:50-4:00
Cook—Saturday, 2:50-4:00
Hartley—Saturday, 4:10-4:50

The Therapeutic Potential of Problem-Solving Courts

Clark—Friday, 8:50-10:00
Hobler—Friday, 8:50-10:00
Babb—Friday, 10:10-11:20
Hora II—Friday, 2:50-4:00
Staup—Friday, 2:50-4:00
Glass—Saturday, 8:50-10:00
Bajpai—Saturday, 2:50-4:00

TJ and Children's Issues

Brooks I—Thursday, 2:50-5:20
Grover—Thursday, 2:50-4:00
Costello—Thursday, 4:10-5:20
Jenuwine—Friday, 8:50-10:00
Cichon—Friday, 8:50-10:00
Youngblood—Friday, 8:50-10:00
Sturgis—Friday, 4:10-5:20
Finley—Saturday, 8:50-10:00
Zara—Saturday, 8:50-10:00
Bajpai—Saturday, 2:50-4:00

TJ and Legal Education

Thompson I—Thursday, 2:50-4:00
Pagliocca—Thursday, 2:50-4:00
Brooks II—Friday, 2:50-4:00
Krieger—Saturday, 8:50-12:10, 2:50-4:00
Faulkner—Saturday, 4:10-4:50

TJ and Health Care

Dauer—Thursday, 2:50-4:00
Cerminara—Thursday, 4:10-5:20
Kapp I—Saturday, 8:50-10:00
Kapp II—Saturday, 4:10-4:50

TJ and Domestic Relations

Baldini—Friday, 8:50-10:00
Portwood—Friday, 10:10-11:20
Babb—Friday, 10:10-11:20
Thompson II—Friday, 10:10-12:10
Erlin I—Friday, 4:10-5:20
Jackson—Friday, 4:10-5:20
Glass—Saturday, 8:50-10:00
Erlin II—Saturday, 2:50-4:00
Hartley—Saturday, 4:10-4:50

The Practice of Judging Therapeutically

Little—Thursday, 2:50-4:00
Hora I—Thursday, 2:50-4:00
Petrucci—Friday, 4:10-5:20

TJ and Social Work

Madden—Friday, 2:50-4:00
Brooks II—Friday, 2:50-4:00

TJ and Nursing

Kjervik—Friday, 2:50-4:00
Hutchinson—Friday, 2:50-4:00

Emotional Responses in the Law

Little—Thursday, 2:50-4:00
Shuman—Friday, 8:50-10:00
Silver—Friday, 10:10-11:20
Freshman—Friday, 11:30-12:10
Davis—Friday, 4:10-5:20
Petrucci—Friday, 4:10-5:20
Hopkins—Saturday, 2:50-4:00

TJ's Allied Movements in the Law

Daicoff—Thursday, 2:50-5:20
Levine—Friday, 8:50-10:00
Thompson II—Friday, 10:10-12:10
Paquin—Friday, 11:30-12:10
Drogin—Friday, 11:30-12:10
Hora II—Friday, 2:50-4:00
Morgan—Friday, 4:10-5:20
Krieger—Saturday, 8:50-12:10, 2:50-4:00
Brookbanks—Saturday, 2:50-4:00

Concurrent Sessions, cont. (sessions may appear under more than one theme)

Ethical Concerns and TJ

Grover—Thursday, 2:50-4:00
Erlin I—Friday, 4:10-5:20
Glaser—Friday, 4:10-5:20
Zatzman—Saturday, 2:50-4:00

TJ and Legal Practice

Thompson I—Thursday, 2:50-4:00
Grover—Thursday, 2:50-4:00
Halpert—Thursday, 4:10-5:20
Stolle—Friday, 10:10-12:10
Silver—Friday, 10:10-11:20
Freshman—Friday, 11:30-12:10
Brooks II—Friday, 2:50-4:00
Sturgis—Friday, 4:10-5:20
Davis—Friday, 4:10-5:20
Petrucci—Friday, 4:10-5:20
Zatzman—Saturday, 2:50-4:00

TJ and Policing Practices

Sullivan—Friday, 2:50-4:00
Pfeiffer—Friday, 2:50-4:00

The Frontiers of TJ

Lippel—Thursday, 4:10-5:20
Howard—Thursday, 4:10-5:20
Martin—Friday, 8:50-10:00
Flies-Away—Friday, 10:10-11:20
LaFond—Friday, 4:10-5:20
Des Rosiers—Friday, 4:10-5:20
Schopp—Saturday, 8:50-12:10
Finley—Saturday, 8:50-10:00
Connolly—Saturday, 8:50-10:00
Feldman—Saturday, 8:50-10:00
Wexler—Saturday, 2:50-4:00
Rodriguez—Saturday, 2:50-4:00
Brookbanks—Saturday, 2:50-4:00

Open Space Session

On Saturday, May 5, a two-hour block of time has been designated from 10:10 A.M. to 12:10 P.M. as “Open Space.” The concept of Open Space reflects our belief that all conference participants represent a rich resource of knowledge, skills, and experience. The Open Space process allows conference participants to share these resources with others and to join together in a dialogue that interests them.

The flexible nature of the process is conducive to less structured and formal discussions than those in concurrent sessions, and the open-ended nature of the process allows for strands of discourse and investigation that were perhaps not anticipated at the beginning of the conference. Participants might, for instance, convene a group to further explore a keynote address or concurrent session presentation, or choose a topic or dilemma not addressed at other points in the conference. Poster session presentations are encouraged during this time period as well.

Open Space provides a structure within which the needs and wants of each participant are valued, as each person is encouraged to become an active participant in those conversations and dialogues which are of greatest interest to them. As you attend the conference presentations, please consider specific questions or issues related to TJ that you might wish to explore.

TJ Film Festival

Throughout the conference, we will be screening a number of videos and films that are related to TJ or offer TJ-related insights. Some of the films are documentaries describing TJ or TJ-inspired programs; others are full-length feature films used by legal educators to illuminate the law’s impact on our psychological well-being. A moderator will be present for many of these video presentations to discuss the themes in the film and to answer any questions that might arise. The videos will run during the concurrent sessions for the conference. A complete schedule will be made available on the Web site.

Session Titles and Presenters

Thursday, May 3

2:50 – 4:00 P.M.

Session 1: (double session—ends at 5:20 P.M.)

The Comprehensive Law Movement: New Directions in Therapeutic Lawyering

Susan Daicoff, Associate Professor of Law, Florida Coastal School of Law; *Baruch Bush*, Distinguished Professor of Arbitration and Alternative Dispute Settlement, Hofstra School of Law, New York; *David Wexler*, Lyons Professor of Law and Professor of Psychology, University of Arizona, and Professor of Law and Director, International Network of Therapeutic Jurisprudence, University of Puerto Rico; *Bruce Winick*, Professor of Law, University of Miami School of Law, Florida; *Stu Webb*, Collaborative Family Law Attorney, Private Practice, Minnesota; *Edward Dauer*, Professor of Law, University of Denver, Colorado; *Tom Porter*, Melick and Porter, Massachusetts; *Thomas Barton*, Professor and Director, Louis M. Brown Program in Preventive Law, California Western School of Law, USA; and *John Braithwaite*, Professor, Law Program, Research School of Social Sciences, Australian National University

Session 2: (double session—ends at 5:20 P.M.)

TJ and Child Welfare Proceedings: Innovative Approaches to the Roles of Courts, Agencies, and Advocates

Susan Brooks, Professor, Vanderbilt Legal Clinic, Tennessee; *The Honorable Richard Fitzgerald*, Jefferson County Family Court, Kentucky; *Mark Hardin*, Director, Child Welfare, ABA Center on Children and the Law, Washington, DC; *The Honorable Jeri Cohen*, Circuit Judge, Eleventh Judicial Circuit, Juvenile Dependency Division, Florida; and *The Honorable Kathleen Kearney*, Secretary, Department of Children and Families, Florida, USA

Session 3:

Is the Renewed Focus on Patients' Rights a Shot in the Foot for Some Rights Holders?

Steve Abdool, Bioethicist and Research Scholar, and *Wilson Lit*, Consultant Psychiatrist and Director of Research, Homewood Health Centre, Ontario, Canada

The Impact of Health Law on the Relationships of Health Care

Edward Dauer, Professor of Law, University of Denver, Colorado, USA

Session 4:

Adjudication and Emotion

Laura Little, Professor of Law, Temple University, Beasley School of Law, Pennsylvania, USA

Further Implications of TJ for Judicial Satisfaction

The Honorable Peggy Fulton Hora, Presiding Judge, and *Deborah Chase*, Family Law Facilitator, Alameda County Superior Court, California, USA

Session 5:

TJ in the Classroom: A Roundtable Discussion

Pauline Pagliocca, Assistant Professor, Department of Psychology, University of South Carolina; *Sharon Portwood*, Assistant Professor of Psychology, and Director, Women's and Gender Studies, University of Missouri-Kansas City; *Alan Tomkins*, Professor, and Director of Public Policy Center, University of Nebraska-Lincoln; and *David Wexler*, Lyons Professor of Law and Professor of Psychology, University of Arizona, and Professor of Law and Director, International Network of Therapeutic Jurisprudence, University of Puerto Rico

Session 6:

Impact of Cultural Variables in TJ: A Fuller Context for Addressing Psycholegal Softspots

Delores Thompson, Assistant Professor, Seton Hall University, New Jersey, USA

The Psychologist as Child Advocate: Ethical and Legal Issues in the Clinical Context

Sonja Grover, Senior Practitioner, Community, Child, Adolescent, and Family Service, Auckland, New Zealand

4:10 – 5:20 P.M.

Session 1: (double session—continued from 2:50 P.M.)

The Comprehensive Law Movement: New Directions in Therapeutic Lawyering—*Susan Daicoff and Panel*

Session 2: (double session—continued from 2:50 P.M.)

TJ and Child Welfare Proceedings: Innovative Approaches to the Roles of Courts, Agencies, and Advocates—*Susan Brooks and Panel*

Session 3:

Presenting the Practical Side: What We Hope to Accomplish With Therapeutic Lawyering and the Results
Richard Halpert, Trial Attorney, Halpert, Weston, Wuori & Sawusch, P.C., and Paul Ginter, Program Officer, The Fetzer Institute, Michigan, USA

Session 4:

Therapeutic and Anti-Therapeutic Consequences of No-Fault Compensation Schemes: Current Canadian Models and Alternatives From the Netherlands and New Zealand

Katherine Lippel, Faculté de science politique et droit, Département des sciences juridiques, Université du Québec à Montréal, Canada

TJ and Claims of Depression in the Social Security Disability System

Anne Howard, Law Student, University of Cincinnati College of Law, Ohio, USA

Session 5:

Can Kids “Just Say No” (or Yes) to Psychotropic Medication? A TJ Approach to Mature Minors’ Involvement in Mental Health Care Decisions

Jan Costello, Professor, Loyola Marymount University, California, USA

Persons With Severe Personality Disorder: The English Consider Legislation to Identify the Dangerous Ones and Lock Them Up

Michael Churgin, Raybourne Thompson Centennial Professor, University of Texas School of Law, USA

Session 6:

A TJ Look at Issues in Health and Public Health Law: Is Trust an Important Value and What Is Its Therapeutic Importance?

Kathy Cerminara, Assistant Professor, Shepard Broad Law Center, Nova Southeastern University, Florida; Edward Richards, Professor, University of Missouri-Kansas City School of Law; William Sage, Associate Professor, Columbia University School of Law, New York; and Mark Hall, Professor, Wake Forest University School of Law, North Carolina, USA

Friday, May 4

8:50 – 10:00 A.M.

Session 1:

Teaching a TJ Approach to Domestic Violence and Sexual Assault Cases

Roberta Maria Baldini, Project Attorney, National Judicial Education Program, NOW Legal Defense and Education Fund, New York; Deborah Dorfman, Staff Attorney III, Washington Protection and Advocacy System, Washington; and Keri Gould, Professor, St. Johns University School of Law, New York, USA

Session 2:

The Role of Apology Across the Law

Daniel Shuman, Professor, School of Law, Southern Methodist University, Texas; Steven Keeva, Assistant Managing Editor, ABA Journal, Illinois; Carrie Petrucci, Ph.D. Candidate, UCLA, Department of Social Welfare, School of Public Policy and Social Research, California; and Jonathan Cohen, Assistant Professor of Law, University of Florida, Levin College of Law, USA

Session 3:

TJ: Bridging Mental Health and Juvenile Justice Systems

Michael Jenuwine, Postdoctoral Fellow, Mental Health Services and Policy Program, Northwestern University, and Eugene Griffin, Chief, Juvenile Forensic Services, Office of Mental Health, Department of Human Services, Illinois, USA

Session 4:

Increasing Your Therapeutic Approach: Helping Drug Court Teams to Become Change-Focused

Michael Clark, Co-Director, Center for Strengths in Juvenile Justice, Michigan, USA

Drug Treatment Court: The Making of Judicial Capital—Collaborative, Therapeutic, and Preventive Practices

David Stevens Hobler, Attorney at Law and Director, Fit In Recovery, California, USA

Session 5:

Shaping the Law to Improve Mental Health Services for Children and Their Families

Dennis Cichon, Professor, Thomas M. Cooley Law School, Michigan, USA

Help the System and Help the Child

Joseph Youngblood, Researcher, University of Rhode Island, USA

Session 6:

Establishing the Place for Religion in the Military

Earl Martin, Associate Professor of Law, Texas Wesleyan University School of Law, USA

Introducing the Ombudsman: An Independent, Impartial, and Confidential Function Examining and Resolving Individual and Institutional Problems

Sharan Levine, Shareholder, Levine & Levine, Michigan, USA

10:10 – 11:20 A.M.

Session 1: (double session—ends at 12:10 P.M.)

TJ in Litigation

Dennis Stolle, Attorney at Law, Barnes & Thornburg, Indiana; David Glass and Stephen Anderer, Family Law Department, Schnader Harrison Segal & Lewis LLP, Pennsylvania, USA; and David Carson, Law Faculty, University of Southampton, UK

Session 2:

Outpatient Commitment in New York City: A Forensic Perspective

Deborah Rose, Deputy Director, Assisted Outpatient Treatment Program, and Robert Berger, Director, Forensic Psychiatry Service, Department of Psychiatry, Bellevue Hospital Center, New York, USA

United Nations Principles for the Protection of Persons With Mental Illness Care

Neville Barber, President, Mental Health Review Board of Western Australia

Session 3:

Using TJ to Formulate Responses to Domestic Violence

Sharon Portwood, Assistant Professor of Psychology and Director, Women's and Gender Studies, John La Fond, Professor of Law, School of Law, and Kelly Kinnison, Doctoral Student, Community Psychology, University of Missouri-Kansas City; Lenore Simon, Professor; and Bruce Winick, Professor of Law, University of Miami School of Law, Florida, USA

Session 4: (double session—ends at 12:10 P.M.)

Collaborative Law: A Therapeutic Approach to Divorce, Family, and Other Areas of Civil Law

Peggy Thompson, Co-Director, Collaborative Divorce Trainings, and Co-Director, International Academy of Collaborative Professionals, California; Pauline Tesler, Family Law Specialist, Tesler, Sandmann and Fishman, and Co-Director, International Academy of Collaborative Professionals, California; Stu Webb, Collaborative Family Law Attorney, Private Practice, Minnesota; Amy Ronner, Professor, St. Thomas University School of Law, Florida; Rodney Nurse, Family Psychological Services and Collaborative Divorce; Robert Rack, Chief Circuit Mediator, U.S. Court of Appeals for the Sixth Circuit, and President, Collaborative Law Center, Ohio; and Bea Larsen, Mediator, Cincinnati Center for the Resolution of Disputes, and Vice President, Collaborative Law Center, Ohio, USA

Session 5: (double session—ends at 12:10 P.M.)

Unified Family Courts as a Therapeutic Approach to Family Law Decision-Making

Barbara Babb, Professor, and Jeffrey Kuhn, Senior Fellow, Center for Families, Children, and the Courts, University of Baltimore School of Law, Maryland; The Honorable Michael Town, First Circuit Court, Hawaii; and Judith Moran, The Children's Aid Society, Office of Public Policy and Client Advocacy, New York, USA

Session 6:

Emotional Competence, Multicultural Lawyering, and Race

Marjorie Silver, Professor of Law, Touro College Law Center, New York, USA

Warrior of Law

Joseph Thomas Flies-Away, Tribal Judge, Hualapai Tribe, Arizona, USA

11:30 A.M. – 12:10 P.M.

Session 1: (double session—continued from 10:10 A.M.)

Practicing TJ in Depositions—*Dennis Stolle and Panel*

Session 2:

Jurisprudent Therapy

Eric Drogin, Associate Clinical Professor, University of Louisville School of Medicine, Kentucky, and Mark Howard, Adjunct Professor, Franklin Pierce Law Center, New Hampshire, USA

Session 3:

TJ, Transformative and Narrative Mediation: A Natural Consolidation

Gary Paquin, Associate Professor of Social Work, University of Cincinnati, Ohio, and Linda Harvey, Executive Director, Transformation House, Kentucky, USA

Session 4: (double session—continued from 10:10 A.M.)

Collaborative Law: A Therapeutic Approach to Divorce, Family, and Other Areas of Civil Law—

Peggy Thompson and Panel

Session 5: (double session—continued from 10:10 A.M.)

Unified Family Courts as a Therapeutic Approach to Family Law Decision-Making—*Barbara Babb and Panel*

Session 6:

The Lawyer-Negotiator as Mood Manager: Lessons and Questions From Two Cognitive Sciences

Clark Freshman, Professor, School of Law, and Adele Hayes, Associate Professor, Department of Psychology, University of Miami, Florida, USA

2:50 – 4:00 P.M.

Session 1:

Theoretical Concepts From Social Work: Constructing a Normative Theory for TJ

Robert Madden, Professor of Social Work, St. Joseph College, Connecticut, and Raymie Wayne, Community Projects Manager, Northwestern Connecticut Area Health Education Center, USA

Practicing TJ: Importing Clinical Social Work Principles and Techniques Into Clinical Legal Education

Susan Brooks, Associate Professor, Practice of Law, Vanderbilt Law School, Tennessee, USA

Session 2:

Outpatient Commitment and TJ: Kendra's Law as Case Study

Michael Perlin, Professor, New York Law School, USA

Session 3:

TJ and Policing

Mary Sullivan, Police Officer, New York City Police Department, USA

Policing and TJ: Examining the Relationship Between Practitioners, Researchers, and Target Communities

Jeffrey Pfeifer, Director, Canadian Institute for Peace, Justice, and Security and Associate Professor, Psychology, University of Regina, Canada

Session 4:

TJ Issues in Criminal Law

The Honorable Peggy Fulton Hora, Presiding Judge, Alameda County Superior Court, California; Frederick Gay, Polk County Attorney's Office, Iowa; John Rosenthal, Michigan; and Michael Judge, Public Defender, California, USA

Session 5:

TJ and Nursing

Diane Kjervik, Professor of Nursing, and Director, Carolina Women's Center, University of North Carolina at Chapel Hill, USA

Liasion With the Forensic Nurse Examiner

Kim Hutchinson, Associate Professor of Nursing, Winston-Salem State University, North Carolina, USA

Session 6:

Implementing an Integrated Treatment Program Within a Drug Court for Persons With Co-Occurring Substance Abuse and Mental Illness Disorders

John Staup, Executive Director, Butler County Mental Health Board; The Honorable Michael Sage, Bulter County Common Pleas Court; Kenneth Tepe, Medical Director, Center for Forensic Psychiatry; Brian Harrison, Chief Planner, Butler County Mental Health Board; and Julie Payton, Director, Clinical and Program Development, Butler County Alcohol and Drug Addiction Services Board, Ohio, USA

4:10 – 5:20 P.M.

Session 1:

The Ethics of Punishment: A Better Paradigm for Codes of Practice in Sex Offender Treatment Programs

William Glaser, Visiting Fellow, Departments of Criminology and Psychology, University of Melbourne, and Consultant Psychiatrist, Psychosexual Treatment Program, Victorian Institute of Forensic Mental Health, Australia

Majority-Minority Conflicts: Testing a TJ Approach

Nathalie Des Rosiers, Professor, Faculty of Law, and Kim Holas, Student-at-Law, University of Western Ontario, Canada

Session 2:

Enhancing Interviewer Effectiveness

Barbara Sturgis, Psychologist, Center on Children, Families, and the Law, University of Nebraska-Lincoln, USA

Legal Ethics and Family Law: A TJ Perspective

Carrie Erlin, Attorney at Law and Doctoral Student, Sociology Department, University of Notre Dame, Indiana, USA

Session 3:

Principles and Practice of TJ in High-Conflict Custody Case Resolution

Linda Elrod, Distinguished Professor of Law, Washburn University, Kansas; Risa Garon, Director of the Children of Separation and Divorce Center, Maryland; Suzanne Jackson, Clinical Fellow, Family Law Clinic, University of Baltimore, Maryland; and Sarah Ramsey, Professor of Law, Syracuse University, New York, USA

Session 4:

Risk Assessment and Risk Management

Bruce Winick, Professor of Law, University of Miami School of Law, Florida; John La Fond, Professor of Law, University of Missouri-Kansas City School of Law; The Honorable Randall Fritzler, Clark County District Court, Washington, USA; and David Carson, Faculty of Law, University of Southampton, UK

Session 5:

Resolve to Stop the Violence Project at the San Francisco County Jail

The Honorable Mary Morgan, San Francisco Superior Court (retired), California, USA

Session 6:

Empathy Education for Lawyers—Possible?

Carol Davis, Associate Professor and Associate Director, Curriculum, University of Miami School of Medicine, Florida, USA

Respect as a Component in the Judge-Defendant Interaction in a Specialized Court That Utilizes TJ

Carrie Petrucci, Ph.D. Candidate, UCLA, Department of Social Welfare, School of Public Policy and Social Research, California, USA

Saturday, May 5

8:50 – 10:00 A.M.

Session 1: (double session—ends at 12:10 P.M.)

A Therapeutic Dimension for Legal Education: Fostering Health and Human Development in Law Students (Part I)

Lawrence Krieger, Clinical Professor, Florida State University, and Susan Daicoff, Associate Professor of Law, Florida Coastal School of Law, USA

Session 2: (double session—ends at 12:10 P.M.)

TJ and Sexual Predator Commitment: Therapeutic and Contratherapeutic Effects

Robert Schopp, Professor of Law and Psychology, University of Nebraska College of Law; John La Fond, Professor of Law, University of Missouri-Kansas City School of Law; Leonore Simon, Associate Professor of Criminal Justice and Criminology, East Tennessee State University; and Eric Janus, Professor of Law, William Mitchell College of Law, Minnesota, USA

Session 3:

Student Privacy Rights in Public Schools: Implications for Student Well-Being

Laura Finley, Social Studies Teacher, Hastings High School, Michigan, USA

TJ as an Integrative Approach to Understanding the Socio-Psychological Reality of Young Offenders

Georgia Zara, Ph.D. Candidate, Criminal and Social Psychology, University of Sunderland School of Humanities and Social Sciences, Sunderland, UK

Session 4:

Developing a Scholarship Agenda in TJ and Aging

Marshall Kapp, Frederick A. White Distinguished Professor of Service, Wright State University School of Medicine, Ohio, USA

Session 5:

Constructing a Model Child Custody Court

David Glass and Stephen Anderer, Family Law Department, Schnader Harrison Segal & Lewis LLP, Pennsylvania, USA

Session 6:

Homes for Birds and Bunnies vs. Jobs for Welfare Moms: Assessing Environmental Disputes and Transactions Using a TJ Framework

Kim Diana Connolly, Assistant Professor, University of South Carolina School of Law, USA

Control or Security—Exploring the Ideal Amount of Freedom in Contract Theory From a Social Psychological Perspective

Yuval Feldman, Doctoral Student, Jurisprudence and Social Policy Program, University of California, Berkeley, USA

10:10 A.M. – 12:10 P.M.

Session 1: (double session—continued from 8:50 A.M.)

A Therapeutic Dimension for Legal Education: Fostering Health and Human Development in Law Students (Part II)

Kathy Hessler, Associate Professor of Law, Case Western Reserve University, Ohio; Barbara Glesner-Fines, Associate Professor, University of Missouri-Kansas City; Ann Iijma, Professor of Law, William Mitchell College of Law, Minnesota; Laurie Morin, Assistant Professor, University of the District of Columbia School of Law; and Bob Shuwerk, Professor of Law, University of Houston, Texas, USA

Session 2: (double session—continued from 8:50 A.M.)

TJ and Sexual Predator Commitment: Therapeutic and Contratherapeutic Effects—Robert Schopp & Panel

Open Space Session

See page 6 for description.

2:50 – 4:00 P.M.

Session 1:

Law and Spirituality as a Course: Helping Students Become Competent, Healthy Lawyers

Charlie Senger, Professor of Law, Thomas M. Cooley Law School, Michigan; Cheryl Conner, Director, Internship Program and Adjunct Professor, Suffolk University Law School, Massachusetts; Calvin Pang, Associate Professor, University of Hawaii; and Bruce Winick, Professor of Law, University of Miami School of Law, Florida, USA

Session 2:

Lowering the Volume Through Legal Doctrine

David Wexler, Lyons Professor of Law and Professor of Psychology, University of Arizona, and Professor of Law and Director, International Network of Therapeutic Jurisprudence, University of Puerto Rico

In Search of a TJ Framework for the Puerto Rican Judicial System

Jose Rodriguez-Olmeda, Professor, Justices Systems, University of Sacred Heart, Puerto Rico

Session 3:

Integration of TJ in Children's Courts

Asha Bajpai, Professor, Tata Institute of Social Sciences, India

Interparental Conflict Outcomes on Child Support and Visitation

Carrie Erlin, Attorney at Law and Doctoral Student, Sociology Department, University of Notre Dame, Indiana, USA

Session 4:

Why We Can't Play a New Game Using the Old Rules: The Inherent Destructiveness in the Rules for Ethical Conduct and Professional Behavior

Cindy Lenoff Zatzman, Associate Attorney, Cindy Lenoff Zatzman, P.A., Florida, USA

TJ: Conceiving an Ethical Framework

Warren Brookbanks, Associate Professor of Law, University of Auckland, New Zealand

Session 5:

Public Truth-Telling and the Law

C. Quince Hopkins, Assistant Professor of Law, Washington and Lee University School of Law, Virginia, USA

The Art of Redemption: On Prisoners, Paradox, and Pedagogy

Nancy Cook, Senior Lecturer and Staff Attorney, Cornell University Law School, New York, USA

4:10 – 4:50 P.M.

Session 1:

“He Said, She Said.” The Defense Attack of Credibility in Domestic Violence Felony Trials

Carolyn Coppins Hartley, Assistant Professor, University of Iowa, USA

Session 2:

Legal Influences on End-of-Life Care in Nursing Homes: Does the Law Make Dying Hard?

Marshall Kapp, Frederick A. White Distinguished Professor of Service, Wright State University School of Medicine, Ohio, USA

Session 3:

Partners in Legal Education: Asking Non-Lawyers to Assist in the Professional Education of Law Students

Cindy Faulkner, Assistant Professor, Thomas M. Cooley Law School, Michigan, USA

Session 4:

Procedural Justice in Civil Commitment

John Coverdale, Associate Professor, University of Auckland, New Zealand, and Assistant Professor, Baylor College of Medicine, Texas

Conference-at-a-Glance

Thursday, May 3

11:00 A.M.	Registration
1:00 P.M.	Welcome and Introductions
1:30-2:40	Keynote Presentation: Chief Justice Robert Yazzie and Jim Zion
2:50-4:00	Concurrent Sessions I
4:10-5:20	Concurrent Sessions II
5:30-8:00	Happy Hour and Buffet Dinner

Friday, May 4

7:30-8:50 A.M.	Breakfast
8:50-10:00	Concurrent Sessions III
10:10-11:20	Concurrent Sessions IV
11:30 A.M.-12:10 P.M.	Concurrent Sessions V
12:10-1:30	Lunch
1:30-2:40	Keynote Presentation: Nathalie Des Rosiers
2:50-4:00	Concurrent Sessions VI
4:10-4:20	Concurrent Sessions VII
6:00	Dinner at Cincinnati Zoo

Saturday, May 5

7:30-8:50 A.M.	Breakfast
8:50-10:00	Concurrent Sessions VIII
10:10 A.M.-12:10 P.M.	Open Space
1:30-2:40	Keynote Presentation: John Braithwaite
2:50-4:00	Concurrent Sessions IX
4:10-4:50	Concurrent Sessions X
5:00	Adjourn

General Information

Cincinnati is a charming city with many of the attributes of a large city combined with the friendliness and accessibility of a smaller city. There is a wide variety of museums and galleries, performing arts presentation, and fine dining. The weather in May is pleasant, with temperatures ranging between 70–85°F (21–30°C). Cincinnati is served by several international airlines, and direct flights are available from major European cities and Japan. Additionally, you may want to explore flight arrangements in and out of Dayton, a 50-minute drive from Cincinnati.



The Conference will be held at the Marriott Kingsgate Conference Center, 151 Goodman Drive, located just 3 miles from downtown Cincinnati on the campus of the University of Cincinnati. A block of rooms has been reserved at Kingsgate Conference Center at a special conference rate of \$87 plus tax, single or double. Please make your reservation by calling 888.720.1299 or 513.487.3800 and identify yourself as a participant of the Therapeutic Jurisprudence Conference. After April 12, rooms will be available on a space and rate available basis. Kingsgate is a 25-minute drive (non rush hour) from the

Greater Cincinnati/Northern Kentucky International Airport. Transportation information will be sent with the registration confirmation letter.

Fees

The conference registration fee is \$295 and includes conference materials, continental breakfast and lunch on Friday and Saturday, dinner on Thursday, and dinner at the Cincinnati Zoo on Friday. One day registration fees are available as follows: \$95 Thursday, \$150 Friday, \$150 Saturday. One day fees do not include dinner. All fees must be paid in U.S. funds only.

Refund Policy

If you register for the conference and find you cannot attend, you will receive a full refund by calling 513.558.1810 or e-mailing univconf@ucmail.uc.edu by April 25, 2001. No refunds will be processed after this date. Substitutions may be made at any time.

Continuing Legal Education

Application has been submitted for 10.5 hours (Thursday–2.5 hours, Friday–5.25 hours, Saturday–3 hours) of CLE credit in Ohio for the TJ Conference. Questions concerning Ohio CLE credit should be directed to Peggy Ramey, Dean's office, University of Cincinnati College of Law (513.556.0063). Persons wishing to receive CLE Credit for other states should forward proof of attendance and conference materials to their state bar associations. The requirements and number of CLE credit hours for other states may vary, and participants should consult their state bar association. If you wish to request CLE credit, please indicate on the registration form.

For Further Information:

Second International Conference on TJ

University of Cincinnati
PO Box 210031
Cincinnati OH 45221-0031 USA

513.558.1810
Fax: 513.558.0385
Email: univconf@ucmail.uc.edu
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THE SECOND INTERNATIONAL CONFERENCE ON THERAPEUTIC JURISPRUDENCE

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Organization _____

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FEES

- Full Conference \$295
- Presenters \$225
- Thursday \$95
- Friday \$150
- Saturday \$150
- Student Full Conference \$195
- Student Thursday \$60
- Student Friday \$95
- Student Saturday \$95

To register as a student, please enclose a copy of your student ID or other proof of student status.

Guest Tickets

- Opening Dinner \$22
- Dinner at Zoo \$50
- I have special needs to accommodate a disability. *(Please call 513.558.1810 by April 20, 2001.)*

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Complete registration information and travel and accommodation details will be made available in the coming months at the Conference Web site at www.law.uc.edu/tj2001

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