

**The Institute for Advanced Study
and Center for Law, Society, and Culture**

present

Prof. Nancy A. Welsh

Spring 2016 Visiting Fellow at the Institute for Advanced Study



Federal Magistrate Judges, Settlement and Procedural Justice

Mediation is the dominant “ADR” process used in the federal district courts, but federal magistrate judges also regularly conduct settlement sessions. Indeed, this process often is called “judicial mediation,” and judges serve as mediators in many federal courts’ ADR programs. This presentation will examine how magistrate judges interact with district judges and mediators to achieve settlements, how magistrate judges use caucuses and other “mediative” techniques in their settlement sessions, how lawyers compare judicial settlement sessions to mediations, and whether these settlement sessions are consistent with the socio-psychological literature regarding procedural justice. The presentation will then propose certain structural changes, greater transparency regarding the use and effects of settlement sessions and mediation, and a means to permit litigants and lawyers to provide feedback to judges in order to enhance their “experience of justice.”

Thursday, March 24, 2016

4:00 PM - 5:00 PM

Law School Room 335

Professor’s Welsh’s talk is open to the IU community and the general public.

Attendees are requested to RSVP to ias@indiana.edu by Tuesday, March 22.

Nancy A. Welsh is the William Trickett Faculty Scholar and a Professor of Law at Penn State University, Dickinson School of Law. An internationally recognized scholar and leader in dispute resolution and procedural law, she has written over 60 articles and chapters, is the co-author of a leading textbook, and conducted research in the Netherlands as a Fulbright Scholar. Professor Welsh is the Chair-Elect of the ABA Dispute Resolution Section. Previously, she directed a dispute resolution organization, was appointed by the Minnesota Supreme Court to its ADR Review Board, and practiced corporate litigation with Leonard, Street and Deinard. She earned her B.A. *magna cum laude* from Allegheny College and her J.D. from Harvard Law School.

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