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INTRODUCTION OF THE INCOMING CHAIRMAN

Welcome to the new Bar year!

It is a privilege to be back in a supporting role with the Dispute Resolution Committee as Chairman. Serving as Vice Chair of the Dispute Resolution Committee under Chairman Stair's leadership was my first ABA YLD leadership position. I went on to Chair the Public Contract Law Committee, and to serve as liaison to the Commission on Disability Rights for the past two years. I am a graduate of Ole Miss law school and practice the principles of dispute resolution frequently in my role as the oversight authority for all contracts within one of the largest community college systems in the United States.

Our goals this year are to expand the access to helpful programming, increase member participation, and to include more writing contributions from the group. Please share your articles with me so that your knowledge can be dispersed throughout our ranks . . . and it makes a nice publishing credit as well. I look forward to working with each of you and hope to hear from you soon.

Dietrich M. von Biedenfeld

ARTICLE

The Human Factor

By Dietrich M. von Biedenfeld

How can a person who earns less than $30,000.00 per year, coming from a home where his or her father made an equivalent annual salary, fully appreciate the different perspective of a person who makes millions of dollars per year and whose parents also had millions of dollars? How can a spouse who has worked outside of the home for the duration of a marriage fully appreciate the perspective of the spouse who works within the home? The answer is not as simple as “he or she cannot”; rather it is that it takes work to examine the world through the lens others may see through.

This is meant to highlight the very real difficulty of a wealthy person at fault in an automobile accident appreciating the hardship of a person who lacks the means to purchase another vehicle when his or hers is wrecked, or of a spouse who has worked outside of the home appreciating the labor of the spouse who worked inside the home during a divorce. There are problems of a manager understanding the complaints of a direct report who has less formal education but has more experience with that employing agency, of a lawyer trying to understand the actual desires of a client who has a different value system, or even of the friction caused when a “Type A” person must work with someone with little appreciation of urgency.
How can a person who inherited his or her disability ever fully appreciate the sense of loss experienced by a person who acquires a disability, and vice versa? A small measure of appreciation for circumstances different from one’s own can be found through dialogue. But how do we dialogue about uncomfortable subjects without the listener shutting down, or in a manner opposing vocabularies can translate between each other?

Numerous articles in popular magazines and legal journals have begun to explore a hot topic in hiring that directly relates to client service: the brain. Competency is a key element in legal representation, making an attorney’s appropriate address of intellectual, behavioral, or psychological issues that a participant in the legal process may be experiencing essential to successful and productive advocacy and resolution. Additional work in the area of human resources that is apropos to representation is in the area of personality test results and other forms of assessment that allow for generalized appreciation of ways two parties may perceive conflict, communicate differently, or otherwise engage. Our understanding of our clients and opposing party’s world views and thought processes can vastly improve our collaborative problem solving.

As this committee partners with others serving distinct areas of legal practice, one of the areas we will explore is recent advances in the realm of human resources hiring and team-building to develop our understanding of elements crucial to effective dispute resolution. How people best listen to others is a major facet of successful legal practice, and the ability to put oneself in another’s shoes will facilitate that goal.

_Dietrich M. von Biedenfeld_ is Manager of Contract Administration for the Houston Community College System and alderman for West Columbia, Texas. He holds a Juris Doctor from University of Mississippi School of Law and a Master’s of Diplomacy from Norwich University.

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**NEWS AND ANNOUNCEMENTS**

**Call for Leadership Volunteers**

Please consider volunteering to participate in the leadership of this committee as a committee Vice Chair. Responsibilities of Vice Chairs include:

- Assisting the Chair with completing reports and communicating with committee members,
- Soliciting articles and other information for the quarterly committee newsletter,
- Planning educational opportunities for committee members,
- Assisting the Chair with other committee operations, and
- Participating in monthly telephone conferences with the Chair and other Vice Chairs.
In addition to Vice Chairs, we are in need of a person or two to serve as Content Editor(s) for the Committee. The Content Editor is responsible for obtaining content for the quarterly committee newsletter and drafting committee newsletters on a quarterly basis. Other Vice Chairs and the Chair will assist the Content Editor in these responsibilities.

If you have any ideas on content or programming you would like to learn about, please let us know. We are seeking short articles under 600 words related to trending dispute resolution topics for publication by the committee. If you have a submission you would like us to review, please visit our committee website.