

DOUGLAS HURT YARN
Curriculum Vitae

Georgia State University College of Law
P.O. Box 4037, Atlanta, Georgia 30302-4037
404-413-9147, fax 404-413-9092
dyarn@gsu.edu
law.gsu.edu/dyarn/

POSITIONS HELD

Georgia State University, College of Law

Professor (2002-).

Associate Professor (1994-2002), Tenured, 1999.

Executive Director, Consortium on Negotiation and Conflict Resolution (1996 -).

Director, Investor Advocacy Clinic (2013 - 2015).

EDUCATION

University of Cambridge, M.Litt. (1991)

University of Georgia School of Law, J.D., cum laude (1984)

Duke University, B.A. (1976)

Awards, Postgraduate Fellowships, and Special Programs

- Visiting Fellow, Lauterpacht Centre of International Law, University of Cambridge (Lent Term 2017)
- Recipient, Chief Justice Harold G. Clarke Award for outstanding contributions to the field of alternative dispute resolution in Georgia (December 9, 2016)
- Recipient, first annual Patricia T. Morgan Award for Outstanding Faculty Scholarship (2005).
- Lecturer, Program on International and Comparative Dispute Resolution, Johannes Kepler Universitat, Linz, Austria (1995 -).
- Research Fellow, Gruter Institute for Law and Human Behavior (1999-).
- Salzburg Fellow, International Environmental Negotiation, Austria (1990).
- Harvard Law School Program of Instruction for Lawyers, Mediation and Negotiation Workshops (1988).
- ADR Fellow, American Arbitration Association (1987).
- Brussels Seminar on the Law and Institutions of the European Communities, Institute d'Etudes Europeenes, Belgium (1984).

Admissions:

State Bar of Georgia, 1984; Federal District Court (N.D. Ga.); U.S. Court of Appeals for the Federal Circuit (1988); U.S. Court of International Trade (1988).

INSTRUCTION

Courses Taught at GSU:

- Alternative Dispute Resolution: 3-credit introductory course focusing on representation and advocacy.
- ADR Advocacy Skills for Foreign Lawyers: 3-credit course for LLM students.
- Advanced Alternative Dispute Resolution: 3-credit seminar focusing on conflict management systems design.
- Negotiation Seminar: 3-credit seminar on advanced negotiation theory and skills.
- Mediation: 3-credit seminar focusing on mediator skills, law, and theory.
- Professional Responsibility: 2-credit required course on legal ethics, professionalism, and the law of lawyering.
- Coach, ABA Arbitration Representation Competition Team, National Champions (2010-2011).

SCHOLARSHIP

Books:

- Dictionary of Conflict Resolution (Jossey-Bass, 1999).
- Alternative Dispute Resolution: Practice and Procedure in Georgia (2014, 2015, 2016 eds., Thomson/West).
- Alternative Dispute Resolution: Practice and Procedure in Georgia (3rd ed., Thomson/West, 2006 (co-authored with Gregory T. Jones), Supp. 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014).
- Alternative Dispute Resolution: Practice and Procedure in Georgia (2d ed., The Harrison Company Publishers, 1997, Supp. 1998, 1999, 2000 (with Shinji Morokuma), 2001 (with Bonnie Powell), 2002).
- Alternative Dispute Resolution: Practice and Procedure in North Carolina (The Harrison Company Publishers, 1998, Supp. 1998, 1999, 2000, 2001 (with Carolyn Benne)).
- Alternative Dispute Resolution: Practice and Procedure in Georgia (The Harrison Company Publishers, 1992 & Supplements 1993-96).

Book Chapters and Monographs:

- *Mediation in the USA*, in The German Mediation Handbook (C.H. Beck: Munich, 2008) (2d ed. Revision 2015).
- *In Our Bones (or Brains): Biology as a Basis for Understanding*, in The Negotiator's Field Book (Honeyman & A. Schneider, eds. ABA Press 2006 (co-authored with Gregory T. Jones)).
- *Ethical Duties and Best Practices When Engaging a Mediator*, in Ethical Issues in Dispute Resolution (P. Bernard & B. Garth, eds. ABA Press 2002).
- *Law, Love, and Reconciliation: Searching for Natural Conflict Resolution in Homo Sapiens*, in Natural Conflict Resolution (F. Aureli & F.B.M. de Waal, eds. University of Calif. Press: Berkley, 2000).

- *Developing a Comprehensive Internal Dispute Resolution System*, in *Resolving Conflict: Strategies for Local Government* (M. Herrman, ed. ICMA 1994).
- *Mediation* (Chapter 3) in *Manual on Insurance ADR* (Shepards/McGraw-Hill, 1994).
- *Negotiation* (Chapter 13), *Med/Arb* (Chapter 14), *Mini-trials* (Chapter 15), and *Private Judges* (Chapter 16) in *ADR: A Practical Guide to Resolving Construction Disputes* (R.W. Wulff and A.E. Harris eds, 1994).
- *Mini-Trials and Summary Jury Trials* (Chapter 38) in *The Alternative Dispute Resolution Practice Guide* (Lawyers' Cooperative Publishing Co., 1993).
- *The Facility Issues Negotiation Process of the Georgia Comprehensive Solid Waste Management Act: An Evaluation With Recommendations*, Inter-University Consortium on Negotiation and Conflict Resolution (Research Associate in collaboration with Principal Investigator Michael Elliott, Professor, Georgia Institute of Technology, 1994).
- *International Protection of Intellectual Property Rights Under the United States Trade Laws* (Rusk Center Monograph 1986).

Law Review Articles:

- *Designing Arbitration: Biological Substrates and Asymmetry in Risk and Reward*, 12 *Transactions: Tenn. J. Bus. L.* 123 (co-authored with Gregory Jones, 2011).
- *Homogeneity of Degree in Complex Social Networks as a Collective Good*, 24 *GA. ST. U. L. REV.* 929 (2008) (co-authored with Gregory Todd Jones, Reidar Hagtvedt, & Travis Lloyd, 2009 Symposium Issue).
- *A Biological Approach to Understanding Resistance to Apology, Forgiveness, and Reconciliation in Group Conflict*, 72 *L. & CONTEMP. PROB.* 63 (co-authored with Gregory T. Jones, 2009).
- *The Death of ADR: A Cautionary Tale of Isomorphism Through Institutionalization*, 108 *PENN ST. L. REV.* 929 (2004).
- *Evaluative Dispute Resolution under Uncertainty: An Empirical Look at Bayes' Theorem and the Expected Value of Perfect Information*, 2003 *J. DISPUTE RESOLUTION* 427 (co-authored with Gregory Todd Jones).
- *Public Independent Fact-Finding: A Trust-Generating Institution for an Age of Corporate Illegitimacy and Public Mistrust*, 56 *VAND. L. REV.* 101 (co-authored with R. William Ide III., 2003).
- *On Apology and Consilience*, 77 *WASH. L. REV.* 1121 (co-authored with Erin O'Hara, 2002).
- *Lawyer Ethics in ADR and the Recommendations of Ethics 2000 to Revise the Model Rules of Professional Conduct: Considerations for Adoption and State Application*, 54 *ARK. L. REV.* 191 (2001).
- *The Attorney as Duelist's Friend: Lessons from the Code Duello*, 51 *CASE WESTERN RESERVE L. REV.* 70 (2000).
- *The Transfer of Technology and UNCLOS III*, 14 *GA. J. INT'L & COMP. L.* 121 (1984).
- *The Development of Canadian Law on Transborder Data Flows*, 13 *GA. J. INT'L & COMP. L.* 825 (1983).

Professional Journals and Other Periodicals:

Douglas Hurt Yarn / Abbreviated Vitae – February 2, 2017

- *Re-conceptualizing the Work as Something Bigger than Ourselves—Reconciliation*, Mediate.com series on the future of mediation (posted 01/05/15).
- *Designing a Conflict Management System for Higher Education: A Case Study for Design in Integrative Organizations*, 32:1 CONFLICT RESOLUTION QUARTERLY 83-105 (2014) (peer reviewed).
- *Fostering Consent*, Times of London Higher Education Supplement at 24, October 23, 2008.
- *New studies provide insight into how disputants value case evaluation by third parties*, 87 JUDICATURE 3:147 (2003).
- *Exporting ADR: Lessons from a Decade of Foreign Intervention*, 19:3 CONFLICT RESOLUTION QUARTERLY 303 (2002) (peer reviewed).
- *Ethics 2000: The ABA proposes new ethics rules for lawyer-neutrals and attorneys in ADR*, Dispute Resolution (Journal of the ABA Section on Dispute Resolution, Spring 2001).
- *Does a Mediator Have an Affirmative Duty to Assure That Consent to Settle is Truly Informed*, 3 Just Resolutions 8 (newsletter of the ABA Section of Dispute Resolution, Jan. 1998).
- *Environmental Mediation: Great Promise, Some Problems*, Legal Perspective, Water Environment & Technology Magazine (Water Environment Federation, December 1995).
- *Commercial Arbitration in Olde England (602-1698)*, 50 Dispute Resolution J. 68 (1995).

Pre-Appointment Publications on Request

Other Works:

- Manual 2.0: A Guidebook for the Board of Regents' Initiative and Policy Direction on Conflict Resolution (with Carolyn Lambert, 2016)
- Arbitration in Africa: Laws, Rules, and Treaties (Posted 11-3-2014 in conjunction with the Africa-Atlanta Arbitration Conference <https://arbitrationinafrica.com/>)
- Georgia International Arbitration Code (enacted 2012 as O.C.G.A. §§ 9-9-20 et seq.).
- Wrote, Directed, and Co-produced DVD on "Mediation in Higher Education" (2008).
- Co-produced DVD on "Academic Dishonesty Procedures at UGA." (2004).
- Manual for Campus Liaisons on the Implementation of the Regents' Initiative on Conflict Resolution (January 1996).
- Resource Directory for the Regents' Initiative on Conflict Resolution (January 1996).
- Trouble in the Lab: A Mediation in Higher Education (film, writer and director - March 1996).

Pre-Appointment

- Training Manual for Lemon Law Arbitrators in Georgia (1992).
- Lemon Law Arbitration: An Educational Film for Consumers (1993 - writer and director for the Governor's Office of Consumer Affairs).
- Georgia Arbitration Code (enacted 1988 as O.C.G.A. Sections 9-9-1 et seq.).

Have made numerous presentations at academic conferences and workshops.

SERVICE

Significant Committee Service - College of Law:

- Ad hoc LL.M. Committee (2012 - 2016); drafted proposal and obtained approval from Board of Regents for new degree program; assisted new degree program director in implementing program.
- Co-Chair, Building Committee (2005 - 2016); overseeing planning and construction of new building.
- Chair, Curriculum Committee (2008 - 2010) and member, Ad Hoc Working Group on Curricular Reform (2007 – 08); oversaw major evaluation and reform effort in response to the Carnegie Report.
- Chair, Dean Search Committee (2003 - 05); oversaw successful multi-year effort to select a new dean.
- ABA Self-Study Committee (2006 - 07).
- Chair, Strategic Planning Committee (2000 - 2005).

Significant University Service:

- Committee to Redraft the University P&T Document (2011).
- Advisory Committee, Center for School Safety, School Climate, and Classroom Management, College of Education (2007 - 2017).
- Institutional Review Board for Human Subject Research (1995 – 2003).
- Advisory Committee to the Peer Mediation Center (1994-99).

Significant University System Service:

- Board of Regents of the University System of Georgia, Advisory Committee to the Chancellor on Conflict Resolution (1995- 2017).
- Ad Hoc Committee on Sexual Harassment, University of Georgia (2010 – 2011).

Professional Service:

- Atlanta Center for International Arbitration and Mediation, Founder and organizer (2015).
- Atlanta International Arbitration Society, Board of Directors (2011 -).
- Atlanta International Commercial Arbitration Initiative, Legislation and Building Committees (2010 - 2013).
- Southern Truth and Reconciliation Board Member (2008 - 09).
- UK Higher Education Conflict Resolution Steering Committee (2007 - 09).
- Advisory Board, Georgia Council on Restorative Justice (2006 - 2016).
- Editorial Board, CONFLICT RESOLUTION QUARTERLY (one of two interdisciplinary scholarly journals in the field) (2001-2008).
- State Bar of Georgia, Committee on Multi-Disciplinary Practice (2000-01).
- Usery Center, Georgia State University, Ad Hoc Committee on Ethics (2000).

- American Bar Association, Section on Dispute Resolution, Subcommittee on Lawyer/Neutral Ethics (1998 - 2005).
- Member by appointment of the Georgia Supreme Court on the Commission on Dispute Resolution (1996-2002).
 - Committee on Long-Range Planning (1997-98).
 - Committee on Evaluation, Chair (1998 -2002).
 - Committee on Ethics and Ethics Review Board (1998 -2002).
- Arbitrator, U.S. Olympic Committee Code of Conduct Arbitration (1996-99).
- Roster of Neutrals, American Arbitration Association (1995- 2000).
- American Arbitration Association, Advisory Committee on Dispute Review Boards and Partnering (1994-99).
- Advisory Committee, The Democracy Project and The Democracy Forum (1994-97).
- American Bar Association, Section on Dispute Resolution (1993-).
- Panel of Neutrals, Georgia Department of Community Affairs (1992- 2016).
- Board of Foreign Correspondents, Arbitration and Dispute Resolution Law Journal, Lloyd's of London Press (1991- 99).
- Consortium on Negotiation and Conflict Resolution, Executive Board (1993-).
- International Environmental Negotiation Network, Salzburg (1990-).
- Georgia Institute of Technology, College of Architecture, City Planning Department - Senior Associate of the Southeast Negotiation Network providing facilitation, mediation, and consensus-building in public policy and development disputes (1989-97).
- National Panel of Neutrals, American Arbitration Association (1987- 95).

Pre-Appointment Service on Request

Community Service: Have made numerous presentations for CLE programs.

Consultation (including background studies and drafting):

- Consultation with the State Bar and other partner entities and testimony before various committees of the Georgia General Assembly on proposed anti-Sharia law legislation (Jan – Mar 2014).
- Consultation with the Georgia Administrative Office of the Courts on evaluating the court-connected ADR programs in the State (Jan – May 2014).
- Consultation and presentations in Scotland on Conflict Management in Higher Education for the Scottish University and College Union and Scottish Education Ministry (Edinburgh, March 2008).
- Consultation with the Georgia Supreme Court Commission on Dispute Resolution on reorganization and strategic planning (Jan – Dec, 2007).
- Consultation with the Georgia Supreme Court Commission on Dispute Resolution on new legislation for computation of child support and drafting of new ethical standards for divorce mediators (Oct- Nov, 2006).
- Consultation and presentations at Warsaw University, Poland, on the establishment of a “sister” program on higher education dispute resolution (Warsaw, Poland from April 22 –

- 27, 2006; follow up, March 3 – 8, 2008).
- Consultation with Oxford University Higher Education studies program on HEFCE grant application for dispute resolution in English Universities (Oxford, England from April 1-5, 2006) (grant received Jan. 2007).
 - Consultation with the Permanent Court of Arbitration, The Hague, on the development of rules for arbitration of international environmental disputes (in The Hague from Feb. 18-20 and May 17-20, 2001).
 - U.S. Department of Education, Fund for Improvement in Post-Secondary Education: Review and recommendations regarding grant proposals (May-June, 2000).
 - USAID and The Asia Foundation: Consultation on the Development of Domestic Commercial Arbitration in Sri Lanka (1998- 99).
 - Board of Regents, State of Georgia: Consultation on models of conflict management in institutions of higher education (1994-).
 - Task Force on ADR, National Association of College and University Attorneys: Consultation on incorporating dispute resolution processes into institutions (1994-96).
 - United Nations Development Program and The Carter Center: Designing system for resolving land tenure disputes in Nicaragua (1994-95).

Pre-appointment Consultations on Request

MANAGERIAL

Executive Director, Consortium on Negotiation and Conflict Resolution (1996 -).

PROFESSIONAL EXPERIENCE

Facilitation and Mediation:

Conducted several hundred mediations, several hundred conciliations, dozens of large-scale public policy facilitations, and numerous binding and non-binding arbitrations on private commercial disputes, personal injury claims, and divorce issues (private, voluntary references by agreement) (1987-).

Mediator Training Experience and Curricula Development:

Developed and conducted 50+ mediator training courses and workshops for public and private entities. List on request.

Previous Positions:

- In-house mediator, trainer, and counsel for the American Arbitration Association, Atlanta Regional Office, Atlanta, GA (1987-94).
- Adjunct Professor, Georgia State University, College of Law, Atlanta, GA (1993-94).
- Adjunct Professor, University of Georgia, School of Law, Athens, GA (1991-94).
- Adjunct Professor, Emory University, School of Law, Atlanta, GA (1994).
- Adjunct Professor, Graduate Studies, Department of Civil Engineering, Georgia Institute of Technology, Atlanta, GA (1989-92).
- Executive Director, AAA Center for International Commercial Disputes (1987-88).
- Sole Practitioner, Atlanta and Athens, GA, Representation of private non-U.S. entities

Douglas Hurt Yarn / Abbreviated Vitae – February 2, 2017

- (1986-92).
- In-House Counsel, Oppenheimer & Assoc., Inc., Kansas City, MO, Investment Banking (1986).
 - Associate Attorney, Webb & Daniel, Atlanta, GA, Complex Civil Litigation and Municipal Government Representation (1984-86).

References on request.