

## > CLASS NOTES

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**Barbara (Goodwin) Van Nortwick** is spending her retirement years on Cape Cod, Mass., and in Nokomis, Fla. She ended her professional career as director of the

New York State Legislative Law Library in 2002. She would like to hear from classmates at BVAN-NORT@aol.com.

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**David R. Segal** is a professor of sociology and director of the Cen-

ter for Research on Military Organization at the University of Maryland. He received the 2008 Distinguished Former Faculty Award from the United States Military Academy at West Point, where he was a distinguished visiting professor in 1988–89. Segal also received the 2008 American Sociological

Association Award for Public Understanding of Sociology.

**Norman Spector** received his master's degree in economics from The New School. After 10 years of working for The Travelers, he became a marketing research consultant. He opened several focus-group facilities

## > PROFILE

# Settling out of court, for the good of all

**BARRY SCHNEIDER '64** and his wife, Willa, didn't get the best introduction to the area they've called home for more than 30 years. After totaling their car en route to Phoenix, they limped into town on a Greyhound bus.

Fortunately, the inauspicious beginning was just a small bump in the road. Schneider joined a respected Phoenix legal firm and later became a Maricopa County superior court judge. At Homecoming 2008, the Binghamton University Alumni Association honored him with the Edward Weisband Award for Public Service and Contributions to Public Affairs for his work in pioneering alternative dispute resolution (ADR), a way to settle disagreements peacefully outside the courtroom.

"One case in particular really boggled my mind because the lawyers and the clients were so invested in this warrior-like approach to the case," Schneider recalls. "They wouldn't surrender. They were incapable of seeing the wisdom of stepping outside the machismo kind of approach. I didn't understand that, and felt as a judge that I had a role to play in the process."

In the mid-1980s, Schneider was one of the first judges in Arizona to take part in a program that required litigants in civil cases to attend settlement conferences. The pilot program was so successful that ADR is now firmly entrenched in Arizona's legal process; contracts specify that parties must pursue mediation before filing a lawsuit.

Schneider believes that making mediation less of a competitive exercise is key to resolving cases expeditiously. "It's wrong to approach it with the idea of winning the mediation," says Schneider, who started a private mediation firm after stepping down from the bench. "If one side is happy with a mediation, something must be wrong, because it's supposed to be a compromise."



Barry Schneider '64 receives the Alumni Association's Weisband Award from Binghamton President Lois B. DeFleur.

Although pleased with progress in the legal system, he's now concerned that ADR has been too successful, a trend he calls the "vanishing trial." A 2004 study by Marc Galanter, a law professor at the University of Wisconsin, based on statistics available from 21 states, found the number of civil jury trials had fallen 40 percent since 1976.

"The fact that people go to trial and establish precedents helps the mediation process," Schneider explains. "We need to have a training ground for lawyers to be skilled in trials. The skills needed in depositions are dissimilar to those needed to win over a jury."