# ERIN R. ARCHERD

*Associate Professor of Law*
*University of Detroit Mercy School of Law*
651 E. Jefferson Ave., Detroit MI 48226
(313) 596-9834
archerer@udmercy.edu
earcherd@gmail.com


## EDUCATION

Harvard Law School, J.D., 2008
*Editor-in-Chief, Harvard Latino Law Review*
*(now Harvard Latin American Law Review)*

Stanford University, B.A. with Honors in Psychology, 2004
*Phi Beta Kappa*

## COURSES TAUGHT

| | |
|---|---|
| Alternative Dispute Resolution | Law Review Seminar |
| Contracts | Mediation |
| Designing Deals | Negotiation and Mediation Advocacy |
| Dispute Resolution in Employment | Sales |

## LAW REVIEW ARTICLES

*Online Mediation and the Opportunity to Rethink Safety in Mediation,* 52 STETSON L. REV. 307 (2022).

Drawing from ODR and current standards, this article calls for revisions to the Mediator Standards of Conduct to reflect participant safety in online mediation.

*Two Hearts and Brewer/Distributor Conflicts*, 52 U. PAC. L. REV. 803 (2021).
Examining the potential for private law interventions and dispute resolution in the highly regulated beer industry.

*Evaluating Mediation's Future,* 2020 Missouri J. Dispute Res. 31 (2020).
Comparing case evaluation and mediation in Michigan, this article questions the future of mediation as a litigation alternative in Michigan and nationwide.

*Restoring Justice in Schools*, 85 U. Cincinnati L. Rev. 761 (2017).
Argues for a reduction in the use of police in schools and an increased emphasis on restorative practices, particularly in schools that employ police.

*Response to Intervention: A Rising Tide or Leaky Boat?*, 30 Ohio State J. Dispute Res. 233 (2015).
Questions whether the Response to Intervention framework is being used to delay access to special education services and whether it could be used to provide more effective individualized services throughout the student population.

*Dispute Resolution in Special Education* (Symposium Introduction), 30 Ohio State J. Dispute Res. 89 (2014).
Traces the history of the Individuals with Disabilities Education Act and highlights differences in state implementation of dispute resolution under the IDEA.

*An Idea for Improving English Language Learners' Access to Education*, 41 Fordham Urban L.J. 351 (2013).
Argues that more students, particularly English Language Learners (ELLs), should consider applying for individualized services under the IDEA.

*Spanish-Language Test Accommodations: Recommended or Required by NCLB?* (Note), 9 Harv. Latino L. Rev. 163 (2006).
Looks at litigation in California around schools' duties to provide testing accommodations to ELLs.

## BOOK CHAPTERS AND BAR JOURNAL ARTICLES

*The Death of Neutrality in an Era of Explicit Bias*, appearing in Discussion in Dispute Resolution III ((Hinshaw, Schneider, and Cole, eds.) (Oxford Univ. Press forthcoming).

*(Ir)rational Thinking and the Law*, appearing in Discussions in Dispute Resolution: The Coming of Age (Hinshaw, Schneider, and Cole, eds.) (Oxford Univ. Press 2025).

*Book Review – Mediation Ethics: A Practitioner's Guide*. ABA Dispute Resolution Magazine April 2023.

*It's Not the Lawyers We Need to Convince: Commentary on Carrie Menkel-Meadow's Toward Another View of Legal Negotiation (1984)*, appearing in Discussions in Dispute Resolution: The Formative Articles (Hinshaw, Schneider, and Cole, eds.) (Oxford Univ. Press 2020).

*I Don't Know Why You Say Goodbye, I Say Hello*, 29 Michigan Dispute Resolution Journal Vol. 2 (2021).

*It's Not Too Late to Attend the 2020 Annual Meeting,* 28 Michigan Dispute Resolution Journal Vol. 2 (2020).

*New Justices Weigh-In on Arbitration,* 27 Michigan Dispute Resolution Journal Vol. 1 (2019).

*You Think You Know How to Converse?*, 26 Michigan Dispute Resolution Journal Vol. 3 (2018).

*Will the New CFPB Arbitration Rules Be Enforced?*, 25 Michigan Dispute Resolution Journal Vol. 4 (2017).

## LECTURES, PRESENTATIONS, AND WORKSHOPS

Righting Wrongs through Restoration: Symposium of the Nebraska Law Review, September 26, 2025 (panelist).

Southeastern Association of Law Schools (SEALS) Annual Conference, Amelia Island FL, July 28, 2025, *Discussions in Dispute Resolution Book III* (discussant).

ABA Dispute Resolution Spring Conference, April 25, 2025, *Non-attorney Representation in ADR: Is It a Problem?* (CLE presenter).

AALS ADR Works-in-Progress, October 18, 2024, *What Can Mediation and Restorative Practices Teach Each Other?* (presenter).

ABA Dispute Resolution Spring Conference: Legal Educator's Colloquium, April 13, 2024, *Designing Innovative ADR Courses for a Dynamic Legal Market* (moderator and panelist).

Texas A&M Symposium – The Two Faces of Mediation: Reasons for Worry, Reasons for Hope, February 30, 2024, *Mediation's Lessons for Restorative Justice* (presenter)

Stetson Law Review Symposium, April 1, 2022, *Should Mediation Move Online Permanently? A Mediator's Obligation to Provide a Safe Process and the Benefits of Online Mediation* (presenter).

American Association of Law Schools Annual Meeting, January 7, 2022: *Administrative Law in Higher Education* (moderator).

State Bar of Michigan Alternative Dispute Resolution Section Annual Meeting and Conference, October 9, 2021: *Exploring Strange New Worlds: What Star Trek Teaches Us about Dispute Resolution* (presenter).

Southeastern Association of Law Schools (SEALS) Annual Conference, Amelia Island FL, July 29, 2021, *Is Remote Justice Still Justice? Shifting Dispute Resolution Processes Online* (presenter).

The Law of Beer: A Multidisciplinary Symposium, University of the Pacific Law Review, April 23, 2021 (presenter).

Contracts Conference (KCON), Sacramento CA, February 22, 2020, *Conflict Brewing: Distribution Agreements in the Beer Industry* (presenter).

State Bar of Michigan Alternative Dispute Resolution Section Annual Meeting and Conference, October 12, 2019: *Building a Career in ADR and Mentoring New Practitioners*.

AALS Alternative Dispute Resolution Works-in-Progress Conference, Las Vegas NV, October 4, 2019, *Conflict Brewing: Distribution Agreements in the Beer Industry* (presenter).

American Bar Association Women in Dispute Resolution, *Mediation Ethics Webinar*, October 4, 2019 (webinar speaker).

Appreciating Our Legacy and Engaging the Future, Pepperdine, CA, June 19, 2019: *Technology's Effect on How and What We Teach* (breakout session speaker).

ABA Section on Dispute Resolution Conference, Minneapolis, MN, April 12, 2019: *Mediator Ethics: Who Is the Client?* (panelist).

AALS Alternative Dispute Resolution Works-in-Progress Conference, Baltimore MD, October 6, 2018: *What Case Evaluation Can Tell Us About Mediation's Future* (presenter).

ABA Section on Dispute Resolution Conference, Washington DC, April 6, 2018: *Questioning Ourselves – How to Become a Mediator Who Asks Game Changing Questions* (panelist).

State Bar of Michigan Alternative Dispute Resolution Section Annual Meeting and Conference, October 14, 2017: *The Implicit Association Test and Cognitive Bias*.

Southeastern Association of Law Schools (SEALS) Conference, Boca Raton FL, August 1, 2017: *Discussions in Dispute Resolution – Negotiation* (panelist).

SEALS Conference, Boca Raton FL, August 1, 2017: *Utilizing ADR Competitions to Foster Practical Dispute Resolution Skills* (panelist).

ABA CLE Webinar, July 11, 2017: *Where Mediation's Model Standards Are Failing* (co-presenter).

Indisputably.org, Guest Blogger, June 8, 2017: *Model Standards for Mediator Conduct – Time for a Revision?*

ABA Section on Dispute Resolution Conference, San Francisco CA, April 12, 2017: *Helping Mediators Learn to Have Difficult Conversations* (panelist).

Día de la Mujer, Lansing MI, April 8, 2017: *Negocios y Negociaciones* (co-presenter).

Sharing Scholarship, Building Teachers, Albany NY, February 4, 2017: *De Colores: Organizing Lessons Post-2016 Election Cycle*.

Society of American Law Teachers Conference, Chicago IL, October 1, 2016: *The Pedagogy of Love: Teaching Social Justice at a Catholic Law School* (panelist).

AALS Section on Dispute Resolution Works-in-Progress Conference, Milwaukee WI, September 23, 2016: *Special Education Decisions in New York: Anomaly or Pro-Parent Trend?*

Indisputably.org, Guest Blogger, August 2, 2016: *Neutrals and Social Media*.

ABA Section on Dispute Resolution Conference, New York NY, April 8, 2016: *Heard Not Seen: Internet Radio for the ADR Minded* (panelist).

ABA Section on Dispute Resolution Conference, New York NY, April 7, 2016: *You Too Can Do Empirical Research* (moderator).

AALS Section on Dispute Resolution Works-in-Progress Conference, Fort Worth TX, October 24, 2015: *Making School Resources Officers a Resource* (presenter).

Center for Appropriate Dispute Resolution in Special Education 6th National Symposium, Eugene OR, October 21, 2015: *Workshop on School Resource Officers in Schools* (leader).

Central States Law School Association Scholarship Conference, Toledo OH, October 10, 2015: *Making School Resources Officers a Resource* (presenter).

ABA Section on Dispute Resolution Conference, Seattle WA, April 17, 2015: *Mediation—the New Social Engineering? Has Mediation Expanded Too Far, Or Does It Still Have Room to Grow?* (panelist).

ABA Section on Dispute Resolution Conference, Seattle WA, April 16, 2015: *Drunk, Disorderly, and in Dispute* (panelist).

Society of American Law Teachers Conference, Las Vegas NV, October 10–11, 2014: *Response to Intervention: A Rising Tide or Leaky Boat?*

ABA Section on Dispute Resolution Conference, Miami FL, April 3, 2014: *Calming the Waters: Upstream Dispute System Design Principles and Practices for Smoother Sailing* (panelist/presenter).

Journal on Dispute Resolution Symposium on Dispute Resolution in Special Education, Columbus OH, February 27–28, 2014: *State Practices in Special Education Dispute Resolution Roundtable* (moderator) and *Child Find* (panelist).

Association for Student Conduct Administration, St. Pete FL, February 7, 2014: *10 Tips for Starting a Student Mediation Program*.

Ohio Legal Scholarship Workshop, Ada OH, February 1, 2014: *ELLS & RTI: Promise and Pitfalls*.

Ohio Legal Scholarship Workshop, Dayton OH, June 21, 2013: *Dispute Resolution in Special Education: New Approaches for the 21st Century*.

ABA Section on Dispute Resolution Conference, Chicago IL, April 4, 2013: *Lessons for English Language Learners from Special Education Procedures*.

## EXTERNAL SERVICE AND AWARDS

Administrator of the Year, Detroit Mercy Law 2025

Board Member, Eastern District of Michigan Court Historical Society 2025-present

Board Member, Institute of Continuing Legal Education 2025-present

Board Member, Detroit Bar Association 2024–present

Fellow of the Detroit Bar Association 2024

Chair, State Bar of Michigan ADR Section 2021–2022

Chair, AALS Education Law Section 2020–2021

University of Detroit Mercy Faculty Achievement Award 2020
Prize recognizing exemplary achievement among junior faculty.

Judge, ABA Section on Dispute Res. James Boskey Writing Competition 2017–present
Read and evaluate submitted papers for annual ABA writing competition.

Co-Chair, ABA Section on Dispute Resolution Ethics Committee 2016–2024
Develop content and lead committee discussions around contemporary issues in dispute resolution ethics. Prepare and conduct webinars. Organize panels and presentations for ABA Dispute Resolution Conference.

Editor, Michigan Dispute Resolution Journal 2017–2021
Solicit and edit articles for the State Bar of Michigan's quarterly ADR journal.

Executive Council Member, State Bar of Michigan ADR Section 2017–2021
Plan trainings and conferences for, develop policy recommendations, and lobby on behalf of Michigan ADR practitioners.

State Bar of Michigan ADR Section: Hero of ADR Award 2019 & 2018
Recognition for significant contributions to the ADR Section.

## WORK EXPERIENCE

University of Detroit Mercy School of Law
*Associate Professor of Law* 2018–present
*Associate Dean of Academic Affairs* 2025-2026
*Assistant Professor of Law* 2015–2018

Teach doctrinal courses in Commercial Law and Alternative Dispute Resolution to first-year and upper-level law students. Advise the Law Review. Serve(d) on Admissions Committee (Chair), Faculty Recruiting Committee (Chair), McElroy Law & Religion Lecture Committee, Curriculum Committee, Orientation Committee (Chair), Petitions Committee, and Professionalism Task Force. Advise Hispanic/Latino Law Students Association, Law Review, and Women's Law Society. Member of University Disability and Accessibility Support Advisory Board, Center for Excellence in Teaching and Learning Advisory Group, and University Faculty Development Team.

The Ohio State University Moritz College of Law
*Langdon Fellow in Dispute Resolution* 2012–2015

Taught ADR courses and ran Mediation Clinic. Trained and observed student mediators in criminal matters, small-claims, and campus disputes. Coached teams for negotiation and mediation competitions. Coordinated events, publications, and certifications for Program on Dispute Resolution.

Humanities for Everybody
*Program Coordinator* 2011–2012

Coordinated recruiting, community relations, grant applications and academic content for an education course for low-income adults in conjunction with Western Michigan University. Served as scholastic coach to class members.

Covington & Burling LLP
*San Francisco Associate* 2008–2011

Worked as corporate associate with specialties in business transactions, including technology licensing and corporate integrations. Worked on several amicus briefs including *Horne v. Flores* (SCOTUS case on English Language Learners) and SB1070 (Arizona anti-immigration bill). Taught Commercial Leasing and Business Incorporation workshops for the San Francisco Small Business Administration.

Harvard Mediation Program
*Mediator, Court Coordinator, Advanced Training Director* 2005–2008

Served as a mediator in courts throughout Boston area, supervised and evaluated other mediators, and organized specialized trainings for HMP members.

Harvard College
*Assistant Head Teaching Fellow* 2007–2008

Taught two course sections and oversaw grading and examinations of 1,000+ undergraduate students for Prof. Michael Sandel's Justice course at Harvard College

Legal Services for Children of San Francisco
*Legal Intern* Summer 2007

Performed intake and referrals for LSC client-base. Participated in client-counseling, including detained minors.

Education Law Center of Pennsylvania
*Legal Intern* Summer 2006

Drafted regulations and researched legal issues regarding NCLB and the IDEA. Assisted education lobbyists and helped parents bringing due-process claims.

Hewlett Foundation
*Intern* 2004–2005

Coordinated meetings and maintained grants in Conflict Resolution Program with Terry Amsler. Researched ways to engage citizens in local government.

Stanford Dep't of Psychology & Law School
*Research Assistant* 2002–2004

Researched deliberative decision-making. Ran and analyzed data from human-subjects trials. Developed and implemented protocols for study on distributive justice with Prof. Deborah Hensler. Served as TA for Prof. Phil Zimbardo's Introduction to Psychology.

Stanford Residential Education & Writing Center
*Tutor and Resident Assistant* 2001–2004

Designed programming for Spanish-language theme dorm. Through the Stanford Writing Center, taught Stanford students to analyze and compose strong arguments and support those arguments through their own research.

## BAR ADMISSIONS AND PROFESSIONAL CERTIFICATIONS

Restorative Facilitator Certificate, University of San Diego Center for Restorative Justice, 2022

Michigan Bar, 2021

California Bar, 2008 (inactive)

Civil Mediation Certificate, Harvard Mediation Program, 2006