

The Kimball R. and Karen Gatsis Anderson  
Center for Advocacy and Professionalism presents:



# Settlement IN THE 21<sup>st</sup> Century

April 1, 2022



Kimball R. and Karen Gatsis  
**Anderson**Center  
for Advocacy and Professionalism



**College of Law**

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN

**M**ost legal disputes in the U.S. are resolved by agreement, making the study of settlement an urgent project. This conference brings together nationally known legal scholars, lawyers, and judges to focus on the future of civil settlement. The event showcases empirical studies and technological advances. Prominent and experienced mediators offer perspective on settlement practices and emerging trends. The conference is organized by faculty at the University of Illinois College of Law and sponsored by the College's new Kimball R. and Karen Gatsis Anderson Center for Advocacy and Professionalism.

**Join Morning Sessions Via Zoom** (9 a.m. – 12:30 p.m.)

<https://illinois.zoom.us/j/89337395301?pwd=eE43T25nS2hmdGtzTzExbmU1aT-F4Zz09>

**Meeting ID:** 893 3739 5301

**Password:** 620038

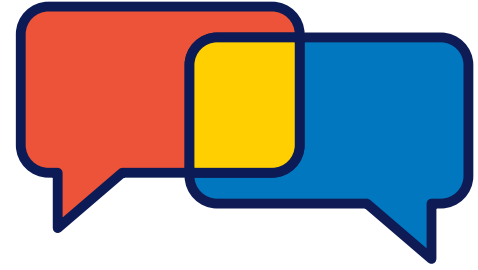
**Join Afternoon Sessions Via Zoom** (12:30 p.m. – 3:00 p.m.)

<https://illinois.zoom.us/j/82992287041?pwd=NzNyTEtaSG01djBiWm1URnA0cSt-PUT09>

**Meeting ID:** 829 9228 7041

**Password:** 454766

## The Agenda



8:00-9:00

### Breakfast

9:00-9:15

### Opening Remarks

Vikram Amar  
Dean, University of Illinois College of Law

9:15-10:15

### SESSION 1: Settlement Across Contexts

Beth Burch, University of Georgia School of Law  
Dan Klerman, USC Gould School of Law  
Nicole Summers, Harvard Law School  
*Moderator: Verity Winship, University of Illinois College of Law*

10:15-11:15

### SESSION 2: Lay Perspectives on Settlement

Gilat Bachar, Villanova University Charles Widger School of Law  
Jessie Bregant, University of Houston Law Center  
Jennifer Robbennolt, University of Illinois College of Law  
Verity Winship, University of Illinois College of Law  
Chris Robertson, Boston University School of Law  
*Moderator: Kenworthy Bilz, University of Illinois College of Law*

11:15-11:30

### Break

11:30-12:30

### SESSION 3: Technology and Settlement

Charlotte Alexander, Georgia State College of Law  
Alyson Carrel, Northwestern Pritzker School of Law  
David Engstrom, Stanford Law School  
*Moderator: Jeremy McClane, University of Illinois College of Law*

12:30-1:45

### LUNCH & KEYNOTE ADDRESS: Why Disputes Don't (But Sometimes Do) End Up in Trial (1.00 hour of Illinois MCLE credit)

Introduction by Kimball Anderson, Partner, Winston & Strawn LLP  
*Keynote Speaker: Shari Diamond, Northwestern Pritzker School of Law*

2:00-3:00

### PRACTITIONER PANEL: The Future of Settlement (1.00 hour of Illinois MCLE credit)

Hon. Karen G. Shields (Ret.), JAMS Mediator  
Cardelle Spangler, Labor & Employment Partner and Chicago Office Managing Partner, Winston & Strawn LLP  
Shawn Kasserman, Founding Member, Tomasik Kotin Kasserman LLP  
*Moderator: Hon. Wayne R. Andersen (Ret.), JAMS Mediator and Arbitrator*

## Speaker Biographies

Keynote Speaker



**Shari Seidman Diamond** is the Howard J. Trienens Professor of Law and Professor of Psychology at Northwestern University, where she directs the JD/PhD program, and a research professor at the American Bar Foundation. An attorney and social psychologist, she has authored 150 articles in behavioral science journals and legal publications; has taught at the University of Chicago, Harvard, and the U. of Illinois at Chicago; served as editor of the *Law & Society Review*; and was president of the American Psychology-Law Society. She has lectured widely to scholarly and judicial audiences, and has testified in American and Canadian courts on surveys and juries. Her publications have been cited by federal and state courts, including the U.S. Supreme Court. Professor Diamond received the 2010 Harry Kalven, Jr. Award from the Law and Society Association for Contributions to Research in Law and Society, and the 1991 American Psychological Association Award for Distinguished Contributions to Research in Public Policy. She was elected in 2012 to the American Academy of Arts and Sciences. Her PhD in social psychology is from Northwestern University and her JD is from the University of Chicago.



**Charlotte Alexander** holds the Connie D. and Ken McDaniel WomenLead Chair as an Associate Professor of Law and Analytics at the Colleges of Business and Law at Georgia State University. She uses computational methods to study legal text, with a particular focus on understanding how courts process and resolve employment disputes and other types of civil lawsuits. She founded and directs the university's Legal Analytics Lab, which works toward a legal system that embraces data to solve intractable problems and create a more just society. Alexander has published in journals including *Science*, the *N.Y.U. Law Review*, *Texas Law Review*, the *American Business Law Journal*, and the *Harvard Civil Rights-Civil Liberties Law Review*. Her research has been funded by the National Science Foundation, U.S. Department of Labor, and private foundations. She received her J.D. from Harvard Law School.

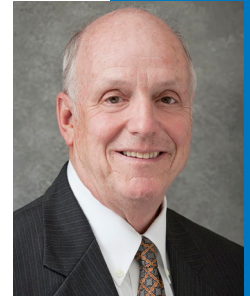


**Vikram Amar** joined the University of Illinois College of Law as its dean in 2015, after having been a professor of law for many years at law schools in the University of California System, most recently the UC Davis School of Law, where he served as Senior Associate Dean for Academic Affairs. Amar is one of the most eminent and frequently cited authorities in constitutional law, federal courts, and civil procedure. He has produced several books and over 60 articles in leading law reviews. He is a co-author (along with Akhil Reed Amar and Steven Calabresi) of the six-volume *Treatise on Constitutional Law* (West Publishing Co., 6th ed. 2021) pioneered by Ron Rotunda and John Nowak, as well as the hardbound and soft-cover one-volume hornbooks that derive from it. He is also a co-author (along with Jonathan Varat) of *Constitutional Law: Cases and Materials* (Foundation Press, 15th ed. 2017), a co-author on multiple volumes of the Wright & Miller *Federal Practice and Procedure Treatise* (West Publishing Co. 2006), and a co-author (along with John Oakley) of a one-volume treatise on *American Civil Procedure* (Kluwer, 2008). He writes a biweekly column on constitutional matters for Justia.com and a monthly column on legal education for [abovethelaw.com](http://abovethelaw.com), is a frequent commentator on local and national radio and TV, and has penned dozens of op-ed pieces for major newspapers and magazines.

Amar earned his bachelor's degree from UC Berkeley and his juris doctor from Yale Law School, where he was an articles editor for the *Yale Law Journal*. He then clerked for Judge William A. Norris of the United States Court of Appeals for the Ninth Circuit and for Justice Harry A. Blackmun of the United States Supreme Court before joining Gibson, Dunn & Crutcher, where he handled a variety of complex civil and white-collar criminal matters.



**The Honorable Wayne R. Andersen** (Ret.) is a 1970 graduate of the University of Illinois College of Law. In 19 years as a United States District Judge, he regularly handled all types of IP cases, including patent, copyright, trademark, and trade secret matters. While he presided over numerous matters through hearings on temporary restraining orders and preliminary injunctions and, while some went to trial, Judge Andersen developed a strong philosophy that these cases were best settled. He was extremely active in settlement negotiations which produced a wide variety of resolutions.



**Gilat Bachar** is a Visiting Assistant Professor at Villanova University Charles Widger School of Law. Gilat was previously a research fellow with the Stanford Center on the Legal Profession and a Stanford Law School Postgraduate Public Interest Fellow at the Center for Justice & Accountability in San Francisco where she worked on social justice tort litigation in federal courts. Gilat graduated with a JSD from Stanford Law School in 2018, where her research won one national and two school-wide awards, as well as numerous research grants. Prior to coming to Stanford, she clerked for the Israeli Chief Justice, worked as an associate in one of Israel's leading litigation firms, and earned an LL.B. in Law and an M.B.A. in Business Administration, both *summa cum laude*, from the Hebrew University of Jerusalem. Her work, which has been published in journals such as the *Cardozo Law Review*, *Hastings Law Journal*, *SMU Law Review*, *Chicago-Kent Law Review*, and *Chicago Journal of International Law*, uses empirical research methods to investigate how lay people, disputants and lawyers perceive and apply civil justice-related legal concepts like accountability, confidentiality, and deterrence, and how their perceptions inhibit or help produce social change.



**Kenworthy Bilz** focuses her scholarship on how social psychological processes can inform the study of law. Specifically, she is interested in how legal institutions, laws, rules and practices affect perceptions of legitimacy, morality, and justice, which in turn affect behavior. She draws most of her examples from the area of criminal law and evidence, and empirically tests her theories experimentally, using the theories and methods of social psychology. Before entering law teaching, she clerked for the Honorable Frank Easterbrook on the United States Court of Appeals for the Seventh Circuit.



**Jessica Bregant** is an Assistant Professor of Law and Associated Faculty in the Department of Psychology at the University of Houston Law Center. She was most recently the Jerome Hall Postdoctoral Fellow at Indiana University Maurer School of Law and previously served as the Law, Behavior, and Social Science Fellow at the University of Illinois College of Law. She also clerked for the Hon. Rita B. Garman of the Illinois Supreme Court.

Professor Bregant earned her J.D. at the University of Illinois College of Law in 2009 and her Ph.D. from the University of Chicago in 2018. Her scholarship explores the myriad ways in which lay people experience law, drawing on experimental methods from psychology and economics. Among other topics, she has written about the expressive functions of punishment, children's beliefs and expectations about rule-breaking, lay perceptions of settlement, and the intuitive origins of private ownership. She currently teaches in the areas of Property Law, Criminal Procedure, and Alternative Dispute Resolution; previous courses have also included Negotiations, Psychology for Law Practice, and Valuation & Compensation.





**Elizabeth Chamblee Burch** is the Fuller E. Callaway Chair of Law at the University of Georgia. Her teaching and research interests include mass torts, class actions, and civil procedure. She has been a Visiting Professor at Harvard Law School and her scholarship has won several awards including the American Law Institute's prestigious Early Career Scholars Medal for the potential to improve the law governing class actions and multidistrict litigation; the Fred C. Zacharias Memorial Prize for professional responsibility scholarship; and the Mangano Dispute Resolution Advancement Award for groundbreaking scholarship on multidistrict litigation.



**Alyson Carrel** is a clinical professor at Northwestern Pritzker School of Law and the Co-Director of the law school's nationally-ranked Center on Negotiation and Mediation. Until 2019, she led the law school's legal technology & innovation initiatives as the Assistant Dean of Law & Technology. In these roles, she received a grant to purchase wearable cameras for negotiation simulation courses, a fellowship to integrate the A2J Author platform in mediation advocacy courses, launched TEaCH LAW, a faculty instructional technology initiative, and was awarded the student-voted Outstanding Professor of a Small Class. Carrel is currently researching the impact of emerging technology in dispute resolution and developing a new client-driven competency model for the 21st-century legal professional called the Delta Model.



**David Freeman Engstrom** is the LSVF Professor in Law and Co-Director of the Center on the Legal Profession at Stanford Law School. His current work focuses on law and artificial intelligence, particularly the use of machine learning tools by litigants in the civil justice system and government agencies. He has published numerous articles on the implications of emerging legal tech tools for litigation systems and is the editor of the forthcoming volume, *Legal Tech and the Future of Civil Justice* (Cambridge Univ. Press 2022). He is also currently serving as an appointee to the State Bar of California's Closing the Justice Gap Working Group, tasked with proposing reforms to foster innovative legal services delivery models. From 2018-2020, he served as a principal advisor to the Administrative Conference of the United States on a project titled *Government by Algorithm: Artificial Intelligence in Federal Administrative Agencies*. Engstrom is an elected member of the American Law Institute, an appointed member of the Administrative Conference of the United States, a fellow of the American Bar Foundation, and a faculty affiliate at CodeX: The Stanford Center for Legal Informatics and the Stanford Institute for Human-Centered Artificial Intelligence, where he also chairs the Technology Policy Governance committee. He has a J.D. from Stanford Law School, an M.Sc. from Oxford University, and a Ph.D. in political science from Yale University. Before joining Stanford's faculty, he practiced at what is now Kellogg Hansen Todd Figel & Frederick, representing clients before the U.S. Supreme Court and many other courts and agencies.



**Shawn Kasserman** is a founding member of Tomasik Kotin Kasserman, LLC. Prior to founding TKK, Shawn was a partner with the Chicago Personal Injury law firm of Corboy and Demetrio.

Shawn's success as a leading Chicago personal injury attorney has earned him many honors and great recognition. Shawn has been named one of the Top 100 Super Lawyers in Illinois on multiple occasions, and in 2009, was the youngest of only 17 personal injury lawyers to be named to the list of the Top 100 Super Lawyers. In 2013 Shawn was inducted as Fellow into the American College of Trial Lawyers. Fellowship into the College is by invitation only and Membership is limited to one percent of the total lawyer population of the state in which the lawyer practices. Shawn received his J.D. from DePaul University College of Law.

**Daniel Klerman** is the Edward G. Lewis Professor of Law and History at the University of Southern California Law School. His scholarship focuses on empirical and economic analysis of procedure, comparative law, and legal history. He has been Co-President of the Society for Empirical Legal Studies, served on the Board of Directors of the American Law & Economics Association, and is a member of the American Law Institute. Dan received his B.A. *summa cum laude* from Yale University and a J.D. and a Ph.D. in History from the University of Chicago. He clerked for Judge Richard Posner and Justice John Paul Stevens, and has taught at Harvard, Stanford, the University of Chicago, Caltech, and Tel Aviv University. Recent work has focused on empirical analysis of litigation and comparative law, with publications including “Inferences from Litigated Cases” (JLS) and “Legal Origin or Colonial History?” (JLA).



**Jeremy McClane** is a legal scholar whose research focuses on corporate and commercial transactions. His work combines empirical methods and systems analysis to study the impact of law on transactional outcomes. Previously, he was a professor at the University of Connecticut School of Law, and a clinical instructor and lecturer at Harvard Law School. Prior to his teaching career, he practiced in the International Capital Markets Group of the law firm of Allen & Overy in London and Paris, and Goldman Sachs International in London, where he conducted negotiations for a variety of international financial transactions involving securities, hedge funds and derivatives. He also served as in-house counsel for the London office of MFS Investment Management. McClane is a graduate of Harvard Law School and Michigan State University. In addition to his private practice experience, he served as a law clerk for Judge Richard Cardamone of the United States Court of Appeals for the Second Circuit and Judge Thomas Penfield Jackson of the United States District Court for the District of Columbia. In addition, he has been a Fulbright Scholar, studying economic and business development in the former Soviet Union.



**Jennifer Robbennolt**, J.D., Ph.D, is the Associate Dean for Research, the Alice Curtis Campbell Professor of Law, Professor of Psychology, and Co-Director of the Illinois Program on Law, Behavior and Social Science at the University of Illinois College of Law. Professor Robbennolt is an expert in the areas of psychology and law, torts, and dispute resolution. Her research integrates psychological theory and methods into the study of law, legal institutions, and legal practice, focusing primarily on legal decision making and the use of empirical research methodology in law. She is co-author of several books, including *The Psychology of Tort Law*; *Psychology for Lawyers: Understanding the Human Factors in Negotiation, Litigation, and Decision Making*; *Dispute Resolution and Lawyers*; and *Empirical Methods in Law*.



**Christopher Robertson** is the N. Neal Pike Scholar and Professor of Law at Boston University, where he also serves as Associate Dean for Graduate and International Programs. Robertson previously served as Associate Dean for Research and Innovation at University of Arizona, and has visited at Harvard, NYU, and the London School of Economics. He is cofounder of Hugo Analytics, which provides data-driven insights into jury behavior and trial strategy.

Robertson’s work has been funded by the National Institutes of Health, Robert Wood Johnson Foundation, and Greenwall Foundation. Robertson’s more than 50 scholarly articles in leading journals has also been featured in the Wall Street Journal, NBC News, NPR, and the Washington Post. Robertson has co-edited three books, and in 2019 Harvard University Press published, *Exposed: Why Our Health Insurance is Incomplete and What Can Be Done About It*.

Robertson is a consultant with the California State Bar, working to reduce racial disparities in the attorney discipline system. Robertson is leading the development of JD-Next, a national program with 24 law schools aiming to reduce disparities in preparation for law school and to provide a more reliable predictor of student success. Previously, with ETS, Robertson conducted the first major study of the validity of the GRE as an admissions test for JD programs. The test is now used by 80 schools nationwide. Robertson has also pioneered legal education for undergraduates and non-lawyer professionals.

Robertson graduated *magna cum laude* from Harvard Law School and earned a doctorate in Philosophy at Washington University in St. Louis.







**The Honorable Karen G. Shields** (Ret.) has considerable expertise in all aspects of family law practice, including custody and parenting time, distribution of assets and debts, contributions between marital and non-marital estates, prenuptial and postnuptial agreements, family support and maintenance, college contribution, and valuations of real estate, businesses and art.

Judge Shields has focused her practice on family law since 1991, first as an attorney in private practice and later as a Judge of the Circuit Court of Cook County, Domestic Relations Division, where she was a member of the Special Supreme Court Committee on Child Custody Issues and the Illinois Judicial Conference Study Committee on Juvenile Justice. She is currently a JAMS Family Law Mediator & Arbitrator. While on the bench, she was recognized as one of the Lawdragon 500 leading judges in America.



**Cardelle Spangler** is the managing partner of Winston & Strawn's Chicago office. She has represented clients in complex class action, collective action, multi-plaintiff, and single plaintiff employment litigation. Cardelle has substantial trial experience before state and federal courts, as well as arbitrators. She has successfully defended collective action lawsuits brought under the Fair Labor Standards Act; class action lawsuits brought under ERISA alleging breaches of fiduciary duties against corporate and individual defendants; claims brought under ERISA for denial of benefits and discrimination; claims brought under various state and federal statutes for age, race, sex, color, religion, and disability discrimination and/or harassment; and common law and/or statutory claims for unfair competition, misappropriation of trade secrets, and various torts. Cardelle has also conducted harassment and other investigations, drafted employment and independent contractor agreements, and conducted labor and employment training. She received her J.D. from Washington University School of Law.



**Nicole Summers** is a Lecturer on Law and Clinical Instructor at Harvard Law School and a Research Affiliate at the NYU Furman Center. In 2021-2022, Nicole is also an American Bar Foundation Access to Justice Faculty Scholar. Nicole's scholarship focuses on eviction, fair housing, and other housing law topics, as well as access to justice in lower-level state courts. Her work has appeared or is forthcoming in the *University of Chicago Law Review*, *Northwestern Law Review*, *North Carolina Law Review*, *Boston College Law Review*, *University of Pennsylvania Journal of Law and Social Change*, *ABA Journal of Affordable Housing & Community Development*, *Harvard Human Rights Journal*, and *Political and Legal Anthropology Review*.

Nicole received a bachelor's degree, *magna cum laude* and Phi Beta Kappa, from Brown University; a Masters of Arts in Law and Diplomacy from The Fletcher School at Tufts University; and a law degree from Harvard Law School. Prior to attending graduate school, Nicole was a Fulbright Scholar in Nicaragua.



**Verity Winship** is a Professor of Law and the Associate Dean for Academic Affairs at the University of Illinois College of Law. Her academic interests are in the area of business law and complex litigation and her research focuses on corporate litigation, securities enforcement, and disputes that cross legal systems. Her articles have appeared in such journals as the *Vanderbilt Law Review*, *Boston University Law Review*, the *Delaware Journal of Corporate Law*, and the *Stanford Journal of Complex Litigation*. Professor Winship is former chair of the AALS securities regulation section (2016-17) and is on the executive committee of the AALS civil procedure section.

Professor Winship is an honors graduate of Harvard College and Harvard Law School, where she served as an executive editor of the Harvard Law Review. After graduating, she clerked for Judge Lewis A. Kaplan, United States District Court for the Southern District of New York, and then for Judge Marjorie O. Rendell, United States Court of Appeals for the Third Circuit. She also practiced law with WilmerHale in New York City in the area of securities enforcement and litigation.

Professor Winship began her academic career as a visiting assistant professor at Fordham and Cardozo law schools. She joined the University of Illinois College of Law faculty in the fall of 2010.







Kimball R. and Karen Gatsis  
**AndersonCenter**  
for Advocacy and Professionalism





**Kimball and Karen Gatsis Anderson**

**A**s the heart of the trial advocacy program at Illinois, the **Kimball R. and Karen Gatsis Anderson Center for Advocacy and Professionalism** aims to provide “best in class” training to College of Law students in two distinct areas.

First, the Center offers training in a wide variety of advocacy skills, including trial advocacy, appellate advocacy, negotiations, and alternative dispute resolution. Second, the Center provides College of Law students with innovative classes and programs relating to the professional responsibility obligations attendant to client advocacy. Especially in today’s highly charged and politicized environment, students must have the ability to advocate in a professionally responsible manner. This professional responsibility component, already part of the College of Law’s advocacy-training culture, is an important aspect that distinguishes the Anderson Center from other advocacy programs in American legal education.

**The Center focuses its efforts in the following areas:**

- Advocacy and Professionalism Coursework
- Trial Team and Moot Court Competitions
- Scholarship and Training for Academics and Practicing Attorneys

The Center was founded through the generosity of Kimball R. Anderson and Karen Gatsis Anderson, who received their bachelors’ degrees from the University of Illinois in 1974 and their Juris Doctor degrees from the College of Law in 1977. The Andersons are longtime benefactors of the College of Law, having launched a number of initiatives at the College, including the College’s public interest fellowship program and the construction of the Anderson Courtroom in the College of Law main Champaign-based campus.

In addition to the Anderson Courtroom, the Center utilizes the Prentice H. Marshall Advocacy Suite for a number of its various activities. The Advocacy Suite provides a multipurpose learning environment, easily adapted for use as a courtroom, a traditional classroom, and for a variety of practice-based exercises. The Advocacy Suite is equipped with the latest in courtroom technology and legal practice software.

The Anderson Center is led by its Director who has world-class experience in both advocacy and professional ethics and is supported by an array of faculty and administrators at the College of Law. The Center also benefits from the energy and expertise of notable practicing attorneys around the nation who serve on the Anderson Center Advisory Board.



**Learn more about the Anderson Center at**  
[law.illinois.edu/andersoncenter](http://law.illinois.edu/andersoncenter)





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