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ValueSolveADR.org

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## *Joseph L. Daly*

**Professor of ADR Law, Lawyer, Arbitrator, Mediator**

Joseph Daly is the “Robins, Kaplan, Miller & Ciresi Distinguished Professor of Litigation Skills and International Dispute Resolution” at Hamline University School of Law in St. Paul, Minnesota. He was a Fulbright Scholar in ADR at the University of Montevideo, Uruguay for three years.

Before becoming a law professor he was a trial lawyer and a partner in a Minneapolis law firm. His interest in alternative methods to resolve conflict developed when he saw the pain, anguish and cost involved in the entire litigation process. While he understands that sometimes litigation is absolutely necessary, he can still hear one of his clients cry out after “winning” a case in court, “There has to be a better way!” Professor Daly looks for that better way to resolve conflicts by understanding that negotiation, mediation and arbitration can be highly effective, efficient and affordable alternative dispute resolution methods when done in the correct way. His work with ValueSolveADR reflects his desire to provide highly professional, effective and affordable ADR services to the middle-class person.

He is a highly respected practitioner and teacher and a sought-after mediator and arbitrator in commercial, labor, employment, personal injury and insurance disputes. He has arbitrated and mediated more than 800 cases. He is Director of the Mediation Clinic at Hamline University School of Law. Professor Daly has written books and many articles on ADR. He is an arbitrator for the United States Federal Mediation and Conciliation Service (Washington, DC), a commercial arbitrator for the American Arbitration Association, and an arbitrator for State of Minnesota Bureau of Mediation Services and a number of other states including Oregon, Wisconsin, Hawaii and the Virgin Islands. He is a Rule 114 qualified mediator and arbitrator.

Professor Daly is listed in Super Lawyers and Leading American Attorneys as one of the best ADR practitioners. He is a frequent lecturer on “ADR: Negotiation, Mediation and Arbitration” topics in the United States and in countries such as Albania, Hungary, Poland, Azerbaijan, Thailand, Vietnam, Malaysia, Fiji, The Philippines, China, Australia, Norway, England, France, Uruguay, Argentina, Kenya, Cameroon and others. More than 100 of his labor arbitration decisions are published by the Bureau of National Affairs in Labor Arbitration Reports chosen because his opinions set “forth his ... reasoning in a manner that can be clearly understood by persons other than the parties.” (Bureau of National Affairs Policy on Arbitration Awards Selection)

## EDUCATION

- Fellow, University of Mississippi, 1971-72
- J.D., William Mitchell College of Law
- B.A. University of Minnesota

## PROFESSIONAL BACKGROUND

- Tenured Professor of Law, Hamline University School of Law, St. Paul, Minnesota 1974-Present
- Arbitrator/Mediator 1974-Present
- Franke & Daly, Partner 1969-74—Litigation

## SUMMARY OF QUALIFICATIONS

- Since 1974 is an often-selected arbitrator and mediator by judges, lawyers and parties, nationally and internationally. Professor Daly has mediated and arbitrated many types of disputes including: commercial, labor, insurance, equities, water line, condominium, business, international, trade, consumer, educational, automotive, food, and airlines, among others.
- Professor Daly was the Team Leader of an Independent Evaluation Mission to Vietnam for the United Nations Development Program, where he studied the Vietnamese Labor Code for the UN and the Government of Vietnam and reported to the United Nations and the Government of Vietnam on “Strengthening Labor Administration Capacity for Effective Implementation of the Labor Code of Vietnam.”
- He is a permanent arbitrator for the Federal Aviation Administration and Social Security Agencies. He has arbitrated many cases for the City of Los Angeles and for the State of Oregon. He is a permanent arbitrator for the United States Federal Mediation and Conciliation Service. He is a permanent arbitrator for the State of Minnesota Bureau of Mediation Services.
- He is chosen often as a qualified mediator and arbitrator by judges in Minnesota to mediate and arbitrate disputes under Rule 114, the Alternative Dispute Resolution Rule of the Minnesota District Courts.
- He has lectured in many places around the world on such topics as “ADR,” “Legal Structure Necessary for A Market Economy,” “International Commercial Arbitration,” “Negotiation, Mediation and Arbitration,” “How to Mediate” and “Effective Advocacy in the Mediation and Arbitration Processes.”
- He has tried cases in State and Federal courts. And has argued cases in the Minnesota Court of Appeals, the Minnesota Supreme Court, and has represented the Amish in the US Supreme Court.
- At Hamline University School of Law — the US News and World Report second-ranked law school in the United States in Alternative Dispute Resolution — he teaches “Arbitration: Theory & Practice” and “Litigation Practice” and directs the “Employment Discrimination Mediation Representation Clinic.”

## AREAS OF EXPERIENCE

- Teaching of Mediation and Arbitration — Director of the Mediation Clinic at Hamline University School of Law; Teaches “Arbitration: Theory & Practice” at Hamline; Coach of the Hamline Moot Arbitration Team, which competes in Hong Kong and Vienna in the “Vis International Commercial Arbitration Moot.”
- Arbitrator for a number of Agencies — US Federal Mediation and Conciliation Service (Labor); American Arbitration Association (Labor, Commercial, No-Fault Insurance); State of Minnesota Bureau of Mediation Services (Labor); Qualified Mediator and Arbitrator under Rule 114 of the Minnesota General Rules of Practice — District Courts; State of Oregon; State of Iowa; State of Wisconsin; State of Pennsylvania; City of Los Angeles; State of Hawaii; Virgin Islands; and others.
- Mediation — Mediates cases before the Equal Employment Opportunity Commission, the State of Minnesota Department of Human Rights, the City of Minneapolis Civil Rights Department, and court appointed mediation cases under Rule 114.
- Legal Experience — Arbitration Law, Mediation Law, Labor Law, Employment Law, Education Law, Personal Injury Law, Contract Law, Criminal Law, International Law, Constitutional Law, Business Law, Litigation Law, Legal Ethics Law.

## BAR AND COURT ADMISSIONS

- Minnesota Supreme Court
- United States Supreme Court
- 8th Circuit Court of Appeals
- US Court of Appeals for District Court of Columbia

## PROFESSIONAL ASSOCIATIONS

- American Bar Association
- Minnesota State Bar Association
- Hennepin County Bar Association

## RECOGNITION

- Fulbright Scholar in ADR
- *Super Lawyer* — ADR and Employment Law
- *Leading American Attorney* — Employment Law
- *Who's Who in the World*
- *Who's Who in America*
- *Who's Who in American Law*
- *Who's Who in American Education*

## SELECTED PUBLICATIONS

- Joseph L. Daly, Michael S. Maza, & Colleen M. Daly, “Gray Touch: Professional Issues in the Uncertain Zone Between Good Touch and Bad Touch,” 11:2 *Marquette Elder’s Advisor* 223 (Spring 2010)
- Joseph L. Daly & Suzanne M. Scheller, “Strengthening Arbitration by Facing Its Challenges,” 28:1 *Quinnipac University Law Review* 67 (2009)
- Joseph L. Daly, “Arbitration: The Basics,” 5:1 *The Journal of American Arbitration* 1 (2006)
- Joseph L. Daly, “International Commercial Negotiation and Arbitration,” 22:2 *Hamline Journal of Public Law & Policy* 217 (2001)
- Joseph L. Daly, “Why I Am A Lawyer,” 35 *San Diego L. Rev.* 1111 (1998)

## SOME RECENT LECTURES

- “How to be a More Effective and Efficient Advocate” in Labor Arbitration, American Arbitration Association University, December 2, 2010
- “Labor Relations Issues in a Jobless Recovery,” with others, 37th Annual Labor & Employment Law Institute, November 18, 2010
- “2010 Update on Arbitration Law,” 14th Annual ADR Institute, Minnesota State Bar Association Continuing Legal Education, October 29, 2010
- “Effective Advocacy in Labor and Employment Arbitration,” San Francisco Bar Association, October 28, 2010
- “International Commercial Arbitration: Theory and Practice,” University of Montevideo, Uruguay, August 9-13, 2010
- “Negotiation, Mediation and Arbitration in the International Arena,” University of Hanoi, Vietnam, May 25-29, 2009

## CITIZENSHIP

United States of America

## LOCALE

Minnesota — Minneapolis/St. Paul

Willing to travel locally, statewide, nationally and internationally to offer ADR services