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**BROADENING HORIZONS:
IS THERE A PLACE FOR PEACE EDUCATION IN THE AMERICAN LEGAL SYSTEM
AND MORE SPECIFICALLY IN FAMILY LAW ?**

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INTRODUCTION

The United States legal system is generally perceived by the public both in the national and international arena in a discouraging light. The perception is that litigation is not only expensive and time consuming, but it also furthers contention between parties. There are other methods, referred to as Alternative Dispute Resolution that are being employed by the court system in order to provide solutions to disputes with a greater focus toward “peace and justice

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simultaneously through the use of a variety of different forms of dialogue, policy-making, rule development, dispute settlement and conflict management.”²

This article asks the question: Since new techniques are being employed by the legal system is there space to reframe legal education through the lens of peace? This article first outlines the United States legal system in a basic way in order to provide a common understanding for this article. It is not meant to be a comprehensive analysis of the legal system, but rather a broad overview to provide a framework for the discussion that follows. Second, the article focuses on family law practice in the United States, specifically within Minnesota. It discusses the traditional practice of family law through litigation and also details some alternative dispute resolution methods that are commonly used in Minnesota. This is not meant to be a comprehensive list of all ADR but rather a sampling of tools used by practitioners in the family law arena to facilitate settlement of cases. Third, the article addresses the current state of legal education within the United States and discussions of Legal Education Reform. Finally, the article discusses the potential for including peace education as a part of legal education.

PART I: BACKGROUND OF THE AMERICAN LEGAL SYSTEM

The American legal system is comprised of the federal and state court systems. Article III of the Constitution invests the judicial power of the United States in the federal court system.³ Section one creates the Supreme Court and allows Congress to create other lower courts.⁴ The ninety-four U.S. District Courts all of which together are the federal court system are organized into the U.S. Court of Appeals.⁵

The State Court system is different within each of the fifty United States.⁶ Each state has its own Constitution and the laws of each state establishes the state courts system.⁷ In each state, there are circuit or district courts (generally the lowest level in the state court system). Court of

² Carrie Menkel-Meadow, *Practicing “In the Interests of Justice” in DISPUTE RESOLUTION: BEYOND THE ADVERSARIAL MODEL 53* (Menkel-Meadow, Love, Schneider & Sternlight ed., 2005).

³ U.S. CONST. art. III§1, available at http://www.archives.gov/exhibits/charters/constitution_transcript.html

⁴ *Id.*

⁵ U.S. COURT OF APPEALS *available at* <http://www.uscourts.gov/courts-of-appeals.html>

⁶ National Center for State Courts, *available at* http://www.ncsconline.org/D_kis/info_court_web_sites.html#State

⁷ MN CONSTI. art VI § 1.

Appeals and one state Supreme Court.⁸ State courts generally handle civil and criminal matters. Generally, a party starts a case in the lowest court and the dissatisfied party can appeal to the next court up. The Supreme Court has the option to hear or turn down a case.

Decisions in legal matters are left to judges. There is a vast difference in the way that judges come into their position depending on the system in which they work. Federal judges are appointed by the President for life and approved by the Senate.⁹ State court judges are either elected or appointed depending on the rules of the state in which they work.¹⁰ The legal decisions rendered by judges are based on a variety of different sources including the court rules, state statutes, federal codes, and case law.

II. FAMILY LAW

A. WHAT IS FAMILY LAW AND WHICH SYSTEM GOVERNS FAMILY DISPUTES?

Family law is practiced within the state court system when there is a conflict within a family and a lawsuit is filed asking the court to resolve the conflict. The umbrella term family law indicates a broad practice of law that includes divorce (marital dissolution), paternity, adoption, and in some cases domestic violence.¹¹

Although the practice is confined to state court,¹² there are both international and national laws that protect the family unit.¹³ On an international level, the family unit receives special

⁸ National Center for State Courts, *available at* http://www.ncsconline.org/D_kis/info_court_web_sites.html#State

⁹ Understanding the Federal Court System, *available at* http://www.uscourts.gov/understand03/content_5_0.html

¹⁰ League of Women Voters, *The State of Democracy, Minnesota*, *available at* http://stateofdemocracymn.org/Judicial_Independence.html#jud2

¹¹ In Minnesota each county is set up a little bit differently. In some counties in Minnesota Domestic violence is dealt with in a separate court system called Harassment Court.

¹² The practice of family law takes place primarily in state court. However in the event of an appeal, it is possible that a family law case could make it up to the U.S. Appellate and or U.S. Supreme Court system.

¹³ The author understands that there are numerous ways to define family and does not necessarily agree with the definition of family drawn forth by the Supreme Court—but nevertheless acknowledges that that is a definition that is a part of U.S. American case law history.

attention as the Universal Declaration of Human Rights states in Article sixteen that “the family is the natural and fundamental group unit of society and is entitled to protection by society and the State” and is further recognized in other International Treaties as well.¹⁴ On the National level, while the United States Constitution does not explicitly refer to “family,”¹⁵ the family unit is defined within case law as “a unit with broad parental authority over minor children.”¹⁶ Therefore, the judiciary has chosen to protect the concept of family by firmly rooting the definition of family within United States case law history.¹⁷ Therefore, both international and national laws carve out special definitions and rules for the family unit.

Further, not only does case law define family, but it also clarifies familial rights including the right to remain free from government interference. In examining case law, the Supreme Court recognized a protected liberty interest “[O]f parents in the care, custody, and control of their children [as] perhaps the oldest of the fundamental liberty [interest].”¹⁸ Because of that interest parents are allotted great range of authority and responsibility under due process rights for their minor children who lack the ability to make certain choices alone. Rights afforded to people under the due process protections of the Constitution, include: right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, establish a home and bring up children, to worship God according to the dictates of his own conscience, and generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men.¹⁹ Many of these 14th Amendment rights are directly tied to how parents choose to raise their children. In order to protect family integrity it is established that the parent-child relationship should be free from governmental

¹⁴ Universal Declaration of Human Rights art. 16(3), G.A.Res. 217A, at 71, U.N. Doc A/810 (Dec. 12, 1948) available at <http://www.unhchr.ch/udhr/lang/eng.htm>; International Covenant of Civil and Political Rights art. 23(1), 999 U.N.T.S. 171 (Dec. 19, 1966), available at http://www.unhchr.ch/html/menu3/b/a_ccpr.htm; See also International Covenant on Economic, Social and Cultural Rights art. 10(1), 999 U.N. U.N.T.S. 3, U.N. Doc. A/6316 (Dec. 16, 1966), available at http://www.unhchr.ch/html/menu3/b/a_cescr.htm.

¹⁵ See David B. Thronson, *Choiceless Choices: Deportation and the Parent-Child Relationship*, 6 NEV. L.J. 1165, 1174 (2006).

¹⁶ *Id.* at 1175 (quoting *Parham v. J.R.* 442, U.S. 584, 602 (1979)).

¹⁷ *Moore v. City of East Cleveland*, 431 U.S. 494, 503-04 (1977); see also *Griswold v. Connecticut*, 381 U.S. 479, 496, (1965) (holding that the state is excluded from the right to family life).

¹⁸ *Troxel v. Granville*, 530 U.S. 57, 65 (2000).

¹⁹ *Meyer v. Nebraska*, 262 U.S. 390, 399 (1923); accord *Pierce v. Soc’y of Sisters*, 268 U.S. 510, 534-535 (1925) (holding that parents and guardians have the right to bring their children up the way they see fit).

interference.²⁰ Therefore, the States' ability to regulate the family unit is limited through case law.²¹

While there is broad protection of the family unit under national and international laws, the State still retains the right to intervene in familial matters where necessary and given the fact that this involves families, the judge has great discretion in that intervention. When parents cannot amicably agree on the basics of how to raise their children and present their dispute to a court the state intervenes through the judiciary. Familial disputes are one of the areas that are most sensitive because of the personal nature of the family unit and broad range of rights afforded to parents in regard to their children.

B. WHAT ROLE DOES THE COURT SYSTEM PLAY IN FAMILY DISPUTES?

In a court system, there are many ways that parties could come to a decision in regard to a family law matter. For example, if parents are involved in a custody dispute and cannot find an amicable settlement, the Minnesota Courts will intervene and provide a custody determination²² in the best interest of the minor child which is the legal standard laid out by the Minnesota legislature to determine custody.²³ The factors that are weighed in determining custody include:

- 1) “the wishes of the child's parent or parents as to custody;
- 2) the reasonable preference of the child, if the Court deems the child to be of sufficient age to express preference;
- 3) the child’s primary caretaker;
- 4) the intimacy of the relationship between each parent and the child;
- 5) the interaction and interrelationship of the child with a parent or parents, siblings, and any other person who may significantly affect the child's best interests;
- 6) the child's adjustment to home, school, and community;
- 7) the length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity;
- 8) the permanence, as a family unit, of the existing or proposed custodial home;
- 9) the mental and physical health of all individuals involved;

²⁰ Thronson, *supra*, note 1 at 1174.

²¹ Annette Ruth Appell, *Virtual Mothers and the Meaning of Parenthood*, 34 U.MICH. J.L. REFORM 683, 688 (2001).

²² Custody determination is defined as “ a court decision and court orders and instructions providing for the custody of a child, including parenting time, but does not includes a decision relating to child support or any other monetary obligation or services, domestic abuse and paternity.” See MINN. STAT. § 518.003 subdiv.3 (f) (2008).

²³ See MINN. STAT § 518.17 subdiv.1 (2008).

- 10) the capacity and disposition of the parties to give the child love, affection, and guidance, and to continue educating and raising the child in the child's culture and religion or creed, if any;
- 11) the child's cultural background.
- (12) the effect on the child of the actions of an abuser, if related to domestic abuse, as defined in section 518B.01, that has occurred between the parents or between a parent and another individual, whether or not the individual alleged to have committed domestic abuse is or ever was a family or household member of the parent; and
- (13) except in cases in which a finding of domestic abuse as defined in section 518B.01 has been made, the disposition of each parent to encourage and permit frequent and continuing contact by the other parent with the child.”²⁴ Minn. Stat. § 518.17 (2008).

These factors that comprise the legal standard of the best interest of the child were created with the intent of being malleable when applied to each individual situation.

Therefore, if the parents are unable to agree on custody of the children the court will use the best interests of the child to determine which parent should have physical custody²⁵ of the minor child and which parent should have legal custody²⁶ or if the parents should share custody of the minor child. Further, the courts will, in the event that parents cannot determine a parenting time schedule for the minor child or children, determine a schedule for the non-custodial parent to visit the child or children and will determine whether that parenting time should be supervised or unsupervised. This process wherein the court determines custody and parenting time for the parents is part of the process of litigation and would be determined in a court room setting at a bench trial in Minnesota. Thus, parental rights are protected unless it is necessary for the Court to intervene.²⁷ It is necessary for the court to intervene when the parties ask the Court for assistance.

B. ALTERNATIVE DISPUTE RESOLUTION EMPLOYED IN COURTS

There has been an increase in the demands placed on courts making it more difficult to resolve the vast number of disputes. The courts cannot continue to effectively respond to

²⁴ *Id.*

²⁵ The physical custody and residence is defined as “the routine daily care and control and the residence of the child.” *See* MINN. STAT. § 518.003 subdiv. 3 (2008).

²⁶ Legal custody is defined as “the right to determine the child’s upbringing including education, health care, and religious training.” *See* MINN. STAT. § 518.003 subdiv. 3 (a) (2008).

²⁷ Thronson, *supra*, note 1 at 1165.

accelerating demands without alternatives.²⁸ Considering the (1) strains placed on court systems; (2) the uniquely personal nature of family law; and, (3) the serious implications for children and parents, many family courts have tools in place to attempt to settle matters and to avoid litigation.²⁹ While litigation provides one possible solution to the problems facing a family, there are alternative methods that have been utilized by the parties.

Alternative Dispute Resolution (ADR) is an umbrella term that encompasses a number of methods and practices for quickly resolving disputes.³⁰ Some examples of ADR in the family court area include but are not limited to: mediation; Initial Case Management Conferences; Early Neutral Evaluation (ENE); and, Collaborative Law.

Mediation is a process that has been used for thousands of years in many different communities, families and governments.³¹ In the legal process mediation is a process that is voluntary where disputing parties have a neutral third party assist in coming to a settlement. Although under Minnesota law, the judge may require parties to attend mediation. While the parties may be required to attend, they are not required to come to a resolution. Mediation is a confidential process³² and the mediator has no power to come to a resolution for the parties. In fact, the mediator is generally charged with extracting information from both parties and engaging in a dialogue. There are two different styles of mediation employed by different mediators given the circumstances and the mediator's style.³³ There is evaluative mediation, where the mediator renders an opinion in order to facilitate settlement and there is facilitative

²⁸ Frank E. A. Sander, *Varieties of Dispute Processing*, 70 F.R.D. in DISPUTE RESOLUTION: BEYOND THE ADVERSARIAL MODEL 79 (Menkel-Meadow, Love, Schneider & Sternlight, ed., 2005).

²⁹ This article addresses ways in which the court system handles disputes that have already occurred. However there is an acknowledgement that perhaps the best ways to avoid litigation would be a greater emphasis on alternative dispute resolution.

³⁰ Center for Public Resources, *The ABC's Of ADR: A Dispute Resolution Glossary in DISPUTE RESOLUTION: BEYOND THE ADVERSARIAL MODEL* 42 (Menkel-Meadow, Love, Schneider & Sternlight, ed., 2005).

³¹ Carrie Menkel- Meadow, *Mediation: Theory, Practice and Policy in DISPUTE RESOLUTION: BEYOND THE ADVERSARIAL MODEL* (Menkel-Meadow, Love, Schneider & Sternlight, ed., 2005).

³² This means that the parties may not use information discovered or procured through mediation in a later court action. The idea is to promote an open and honest conversation without the concern of creating future problems by disclosing information.

³³ Center for Public Resources, *supra* at 44.

mediation where the mediator does not render an opinion on any issue but works to facilitate the parties coming to their own resolution of the issues.³⁴ The concept is that if the parties come to a resolution on their own, then they have a greater probability of upholding that agreement and retaining a workable relationship. This is particularly important in family law because frequently the negotiation involves the children and it is important the parties are able to continue to communicate with one another as they co-parent their children.

Some of the advantages to mediation include avoiding litigation. Litigation may be expensive, cause undue delay, create the risk of adjudication whereas mediation allows for the participants voices to be heard and allows for the generation of creative ideas to solve the problem. Mediation can be a more holistic process because it creates a setting where part of the conflict and dispute may be addressing the underlying feelings behind it.

Initial Case Management Conferences³⁵ are the opportunity to sit down with the judicial officer assigned to the case. It allows the parties to tell the judge the contested issues within a case and it provides the opportunity for the judge to suggest a case go through an additional Alternative Dispute Resolution process prior to litigation.

Early Neutral Evaluation (ENE) is another tool that is frequently utilized in family court systems to procure a settlement from parties. In ENE, a neutral evaluator, who may be a private attorney or may be a trained social worker holds a session with both parties early on in the dispute. The evaluator listens to both parties and obtains their perspectives on the issues at hand. The ENE may have a specific focus depending on the situation. For example in a divorce, the ENE may be focused toward financial issues, or the ENE may be focused toward parenting and custody issues. The evaluator listens to the facts presented by the parties or by their attorneys and then identifies the weaknesses and strengths of the parties' positions. Further, the evaluator makes a recommendation based on the information that has been provided. The parties have the option of adopting the position of the evaluator or of continuing on to litigation.

Collaborative Law is yet another process that provides for an alternative to litigation. In collaborative law the parties retain attorneys to represent their interest throughout the divorce process but agree that the case will not go to litigation. Collaborative law may draw on professionals from a variety of different fields to assist the parties in coming to a solution to the dispute. Some of the professional that may be drawn into the discussion include: mental health

³⁴ Murray S. Levin, *"The Propriety of Evaluative Mediation: Concerns About the Nature and Quality of an Evaluative Opinion,"* in DISPUTE RESOLUTION: BEYOND THE ADVERSARIAL MODEL 53 (Menkel-Meadow, Love, Schneider & Sternlight ed., 2005).

³⁵ Initial Case Management Conferences are only used in counties that have a one case one judge policy. In many counties throughout Minnesota each time the parties go to court there is a different judge. However, in a few counties the parties retain the same judge throughout the proceeding which allows the judge to become familiar with the facts of the case and to get to know the parties a little bit better.

professionals; financial professionals; and, mediators who all work together to attempt to find a solution for the parties in the dispute.³⁶ The concept is that the parties exchange their financial information so that each party has a well-informed decision. Confidentiality is the cornerstone of the process so that each party can express their feelings and so that emotions can be addressed as well. Finally, the parties authorize the attorneys to use the written parties' agreement to obtain a final court decree. In the event that the parties decide to pursue litigation, the attorneys that they worked with throughout the collaborative law process are disqualified—therefore, there is a financial incentive for both parties to settle outside of the litigation process.³⁷

In short, there are numerous tools that are available to potentially reach a settlement on issues within a dispute. Mediation, Initial Case Management, Early Neutral Evaluation and Collaborative Law are just a few tools available to practitioners and clients who determine that litigation is not the right option based on the facts and circumstances of the case.

III. IS THERE SPACE FOR PEACE EDUCATION IN THE LEGAL PROFESSION?

A. DOESN'T A PARADIGM SHIFT IN PRACTICE REQUIRE A PARADIGM SHIFT IN EDUCATION?

Given the fact that there are so many different forms of Alternative Dispute Resolution available to practitioners, legal education and lawyers have been far too single sighted in resolving disputes.³⁸ “The work of the lawyer as a conflict resolver is to explore not only legal, but also other ends and interest of the parties (including economic, social, psychological, political, religious, moral and ethical concerns).”³⁹ The shift from litigation to Alternative Dispute Resolution requires attorneys to use different skill sets. Litigation requires a strategizing hard-nosed approach so that the other side does not use bullying techniques. These newer forms of Alternative Dispute Resolution may put attorneys in unfamiliar territory. With ADR there is a shift in focus from the battle plan to win the case to a more collective—how can we solve the problem while I advocate for your rights?

³⁶ Steven S. Yagur, *Collaborative Practice: Non Adversarial Issue Resolution*, THE HENNEPIN LAWYER, 14, 32 (May 2007).

³⁷ Collaborative Practice: Resolving Disputes Respectively, *available at* <http://www.collaborativelaw.org/index.cfm/hurl/obj=aboutCollaborativeLaw/aboutCollaborativeLaw.cfm>

³⁸ Sander, *supra* at 79.

³⁹ Carrie Menkel-Meadow, *Practicing “In the Interests of Justice” in DISPUTE RESOLUTION: BEYOND THE ADVERSARIAL MODEL* 53 (Menkel-Meadow, Love, Schneider & Sternlight ed., 2005).

Alternative Dispute Resolution requires a shift in mindset for the advocate. ADR is a more collaborative style of solving a dispute and it is not successful if both attorneys are not able to make a paradigm shift from litigation to collaboration. The shift in family law practices by incorporating more Alternative Dispute Resolution into the field begs the question—shouldn't there be a shift in pedagogy to adequately prepare law students for this legal arena?

B. WHAT KIND OF TEACHING METHODS ARE UTILIED IN LAW SCHOOLS?

Most traditional legal education is structured in such a way that Socratic dialogue is utilized. A typical class requires students to read numerous cases and brief the cases by providing the facts of the case, the procedural posture of the case, the analysis of the court and finally the decision rendered or rule of law. Frequently professors use the technique of cold calling students rather than requesting participation. The theory is that this will prepare students for questions from the judge and require students to think on their feet. While this method does ensure preparedness by the vast majority of students, it also creates a culture of individualism in law schools rather than a culture of collaboration. One idea is to reach beyond the traditional bounds of legal pedagogy and to try different methods and tools to engage students in a different way.

C. WHAT IS PEACE EDUCATION?

Peace education is difficult to define because it is multi-disciplinary in nature. "Peace education is the transmission of knowledge about requirement of, the obstacle to and possibilities for achieving and maintaining peace, training in skills for interpreting the knowledge, and the development of reflective and participatory capacities for applying the knowledge to overcoming problems and achieving possibilities."⁴⁰ Although it is currently a marginalized field, it represents the culmination of subjects which all began independently across the world but has cohered into a study we now call peace education. While the polygenesis of the field makes it difficult to define, peace education is unanimous in its goals: a more humane, peaceful, caring and non-violent society. This is created through a transformation in the critical consciousness of society.⁴¹ Peace education works toward that transformation by encompassing and focusing on the following disciplines: war prevention; non-violence; world order studies; nuclear education; comprehensive peace education; and, ecological and cooperative education.⁴² Although that sounds quite narrow in scope, there are many forms of education that fall under the umbrella of peace education. Some of them include: international education; multicultural education; environmental education; human rights education; and conflict resolution education. Regardless of the kind of peace education used, the discipline is founded on the belief that it is possible to

⁴⁰ Betty A. Reardon, *Title*, PUBLICATION, 6 (1999).

⁴¹ Betty A. Reardon, *Comprehensive Peace Education*, TEACHERS COLLEGE PRESS, x (1988).

⁴² Betty A. Reardon, *Peace Education: A Review and Projection*, PEACE EDUCATION REPORTS, 17, 17 (1999).

stop the cyclical violence in society through education, and that education holds peace as the ideal.⁴³ Betty Reardon, the founder of the field, defines peace as “possible when society agrees that the overarching purpose of public policies is the achievement and maintenance of mutually beneficial circumstances that enhance the life possibilities of all.”⁴⁴ There are two categories that peace education can fit into: negative peace and positive peace. Negative peace is defined as a “conceptual category encompassing research and education about wars, arms races and violent conflict.”⁴⁵ This negative peace is instituted after the dispute or conflict and is implemented to resolved problems after they have occurred. On the other hand, positive peace is a proactive kind of peace education that works ahead of the conflict. In positive peace there is forethought in prevention of negative conflict. Reardon provides a definition of positive peace as “the reduction or elimination of poverty, disease, illiteracy, marginalization and other conditions that lower the economic and material quality of life for the poor and oppressed of the world.”⁴⁶ Positive peace works toward upholding human rights standards—civil and political, economic and social.

In order to enhance the possibilities of all and strive toward the aforementioned goals, there is a fundamental need for a universal respect for human rights. The concept of human rights is one of the most important components of peace education because it provides the concrete international standards that apply universally to all people. Some of the documented standards include *The Universal Declaration of Human Rights (UDHR)*, *The Convention on the Rights of the Child (CRC)*, and *The Convention on the Elimination of Discrimination Against Women (CEDAW)*. The most important document is the UDHR because it encompasses all people—regardless of race, sexual orientation or gender—and provides people with equitable rights for human dignity in the civil, political, economic and social capacities.

Aside from the concrete standards, peace education uses tools that are essential to creating a non-violent society. These tools are care, empathy, envisioning, gender awareness, holism, and conflict resolution. Most peace educators believe in the introduction of comprehensive peace education which takes place at all levels through an interdisciplinary approach of formal education.⁴⁷

⁴³ Betty A. Reardon, *Comprehensive Peace Education*, TEACHERS COLLEGE PRESS, x (1988).

⁴⁴ Betty A. Reardon, *Peace Education: A Review and Projection*, PEACE EDUCATION REPORTS, 5 (1999).

⁴⁵ Betty A. Reardon, *Comprehensive Peace Education*, TEACHERS COLLEGE PRESS, 6 (1988).

⁴⁶ *Id.* at 6-7.

⁴⁷ *Id.* at xi.

D. CAN PEACE EDUCATION BE USED IN THE LEGAL CLASSROOM?

This conversation has already started amongst practitioners within the family law field. While it has not been heralded as infusing peace education pedagogy into the legal classroom, the center principles described are the same in essence.

In 2004 various professionals and family law professors came together to discuss how family law is practiced and whether traditional legal education adequately fits the way in which schools prepare students to practice family law. Family Law Education Reform Project (FLER) determined that in fact one of the primary concerns was that family law teaching within law schools was not reflective of family law practice. FLER set out three primary goals in their Reform Project including: (1) teaching law students about the interdisciplinary nature of family law; (2) emphasizing alternative dispute resolution processes and treating litigation as an alternative rather than the only way; and (3) continued grounding in the law with a greater focus on competence and skills.⁴⁸

While each professor addresses the concept of family law in a different and unique way based on their own experiences and scholarly interests, the FLER report indicates that certain basic “methodologies and content dominated but fail to capture the reality of contemporary family laws.”⁴⁹ Most of family law is taught by analyzing case law that has reached some of the higher courts in the land, which lends itself to coloring students’ perceptions that family law is primarily litigation and not primarily settlement based.⁵⁰ FLER also indicates that the interdisciplinary nature of family law that draws professionals from the mental health field, parent educators, custody evaluators, parenting consultants, guardian ad litem as well as the multiplicity of processes available render a field that requires new pedagogical techniques.⁵¹

Peace education provides a pedagogy that encompasses conflict resolution and takes an interdisciplinary approach to learning. By infusing peace education principles into legal education, a practitioner could better understand the human rights issues clients are facing and empathetically engage clients in restorative dialogue that may partially repair broken relationships such that people can more adeptly co-parent.

⁴⁸ Mary E. O’Connell and J. Herbie DiFonzo, *The Family Law Education Reform Project Final Report*, 44 FAMILY COURT REVIEW, 524 525 (2006).

⁴⁹ *Id.* at 527.

⁵⁰ *Id.* at 528.

⁵¹ *Id.*

V. CONCLUSION

Peace Education is a holistic human rights based education that needs to be infused into the practice of law. By teaching legal professionals, in particular family law students, to work collaboratively, practice dialoging and teaching them to listen and engage professionals, law schools would better prepare future lawyers and serve future clients.