

Roselle L. Wissler
Sandra Day O'Connor College of Law
Arizona State University
111 E. Taylor St.
Phoenix, AZ 85004-4467
480-965-0646 rwissler@asu.edu

Education

PhD	Psychology and Social Structure	1986	Boston College
MA	Psychology and Social Structure	1982	Boston College
BA	Psychology major, sociology minor Summa Cum Laude	1979	Indiana University of Pennsylvania

Professional and Research Experience

Research Director, Lodestar Dispute Resolution Center, Sandra Day O'Connor College of Law, Arizona State University (2003 to present)

Research Consultant, Survey of Lawyers' Views of Court-Connected Settlement Procedures, U.S. District Court for the Southern District of Ohio (2009)

Consultant on ADR Program Monitoring and Evaluation, Program for Consultations in Dispute Resolution, Federal Judicial Center (2003-2008)

Research Consultant, An Evaluation of the Arizona Compulsory Arbitration System, The Arizona Supreme Court (2004-2006)

Research Consultant, Project to Assess the Usefulness of Participant Questionnaires for Monitoring Mediator Performance, Office of the Circuit Mediators, U.S. Court of Appeals for the Sixth Circuit (2003)

Research Fellow, Lodestar Mediation Clinic, College of Law, Arizona State University (2000-2003)

Research Consultant, Civil and Domestic Relations Mediation Programs, Office of Dispute Resolution Programs, The Supreme Court of Ohio (2000-2001)

Research Consultant, Lewiston Child Protective Mediation Pilot Project, State of Maine Judicial Department (2000)

Research Consultant, Common Pleas Court Civil/Criminal Pilot Mediation Program, Office of Dispute Resolution Programs, The Supreme Court of Ohio (1997-2000)

Research Consultant, "Trapping the Data" Project on Court-Connected Domestic Relations Mediation, Office of Dispute Resolution Programs, The Supreme Court of Ohio (1998-1999)

Co-Principal Investigator, Project on Noneconomic Damages Decision Making, College of Law and Department of Psychology, University of Iowa (1993-1999)

Adjunct Assistant Professor, Department of Psychology, University of Iowa (1996-1997)

Research Consultant, Supreme Court of Ohio Database Project, The Supreme Court of Ohio Committee on Dispute Resolution and The Socio-Legal Program on Dispute Resolution, Ohio State University (1995-1997)

Director of Research, Libel Dispute Resolution Program, Iowa Libel Research Project, College of Law, University of Iowa (1986-1993)
Statistical and Methodological Consultant to the Editor, JOURNAL OF LEGAL EDUCATION, College of Law, University of Iowa (1988-1992)
Associate Project Director, Noneconomic and Punitive Damages Project, College of Law, University of Iowa (1988-1989)
Mediator, Harvard Mediation Program, Harvard Law School (1984)
Teaching Assistant, Psychology Department, Boston College (1980-1984)
Program Evaluation Specialist, CHARMSS Collaborative, Randolph, MA (1981-1983)
Research Associate, National Demonstration Title II Basic Skills Improvement Project, Cambridge School Department, Cambridge, MA (1981)
Statistical Package Consultant, Computer Center, Boston College (1981)

Publications

- Wissler & Hinshaw, *Mediators' Views of What Can Be Achieved Better in Initial Joint Sessions and in Initial Separate Caucuses*, 70 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 235 (2022)
- Wissler & Hinshaw, *What the Early Stages of Mediation Look Like Today*, 29 DISPUTE RESOLUTION MAGAZINE 7 (January 2023) (abridged and reprinted as part of "The Best Articles Published by the ABA," GP SOLO (March/April 2023))
- Wissler & Hinshaw, *Joint Session or Caucus? Factors Related to How the Initial Mediation Session Begins*, 37 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 391 (2022)
- Wissler & Hinshaw, *What Happens Before the First Mediation Session? An Empirical Study of Pre-Session Communications*, 23 CARDOZO JOURNAL OF CONFLICT RESOLUTION 143 (2022)
- Wissler & Hinshaw, *The Initial Mediation Session: An Empirical Examination*, 27 HARVARD NEGOTIATION LAW REVIEW 1 (2021)
- Wissler & Weiner, *How Do Mediator Actions Affect Mediation Outcomes? The Report of the Section's Task Force on Research on Mediator Techniques Offers a Few Clues*, 24 DISPUTE RESOLUTION MAGAZINE 26 (2017) (reprinted in 7(4) GP SOLO EREPORT (2017))
- Saks, Danvers, Wissler, Voytyuk, Williams, Baker, & Votruba, *Psychological Aspects of Food Biodesign*, 56 JURIMETRICS 165 (2016)
- Wissler, Williams, & Saks, *Dual-Processing Models of Admissibility: How Legal Tests for the Admissibility of Scientific Evidence Resemble Cognitive Science's System 1 and System 2*, 17 VIRGINIA JOURNAL OF LAW & TECHNOLOGY 354 (2013)
- Wissler, *Court-Connected Settlement Procedures: Mediation and Judicial Settlement Conferences*, 26 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 271 (2011). The article won the award for the Outstanding Original Professional Article published in 2011, given by the International Institute for Conflict Prevention & Resolution (CPR), to recognize "an article published by academics and other professionals that advances understanding in the field of ADR."
- Wissler, *Party Participation and Voice in Mediation*, 18 DISPUTE RESOLUTION MAGAZINE 20 (Fall 2011)
- Wissler, *Judicial Settlement Conferences and Staff Mediation: Empirical Research Findings*, 17 DISPUTE RESOLUTION MAGAZINE 18 (Summer 2011)

- Wissler, *Representation in Mediation: What We Know from Empirical Research*, 37 FORDHAM URBAN L. J. 419 (2010)
- Wissler, *Alternative Dispute Resolution*, ENCYCLOPEDIA OF PSYCHOLOGY AND LAW (B. Cutler, Ed.) (2008)
- Wissler & Dauber, *Court-Connected Arbitration in the Superior Court of Arizona: A Study of Its Performance and Proposed Rule Changes*, 2007 JOURNAL OF DISPUTE RESOLUTION 65 (2007)
- Wissler & Dauber, *Court-Related Arbitration: Access, If Not Efficiency*, 13 DISPUTE RESOLUTION MAGAZINE 35 (Summer 2007)
- Wissler & Dauber, *Compulsory Arbitration Changes Proposed: Time to Comment*, 43 ARIZONA ATTORNEY 26 (March 2007)
- Wissler & Dauber, *The Effects of an ADR "Confer and Report" Rule*, 12 DISPUTE RESOLUTION MAGAZINE 27 (Summer 2006)
- Wissler, *The Role of Antecedent and Procedural Characteristics in Mediation: A Review of the Research*, in THE BLACKWELL HANDBOOK OF MEDIATION: BRIDGING THEORY, RESEARCH, AND PRACTICE 129 (M. Herrman, Ed.) (2006)
- Wissler & Dauber, *Leading Horses to Water: The Impact of an ADR "Confer and Report" Rule on Settlement and ADR Use*, 26 JUSTICE SYSTEM JOURNAL 253 (2005)
- Hinshaw & Wissler, *How Do We Know that Mediation Training Works?* 12 DISPUTE RESOLUTION MAGAZINE 21 (Fall 2005)
- Wissler & Dauber, *Mandatory Arbitration in Arizona: Structure and Performance*, 42 ARIZONA ATTORNEY 18 (October 2005)
- Dauber & Wissler, *Lawyer Views on Mandatory Arbitration*, 41 ARIZONA ATTORNEY 32 (July/August 2005)
- Wissler, *The Effectiveness of Court-Connected Dispute Resolution in Civil Cases*, 22 CONFLICT RESOLUTION QUARTERLY, 55 (2004)
- Wissler & Rack, Jr., *Assessing Mediator Performance: The Usefulness of Participant Questionnaires*, 2004 JOURNAL OF DISPUTE RESOLUTION 229 (2004). Portions reprinted in Alfani et al., MEDIATION THEORY AND PRACTICE (2006)
- Wissler, *Barriers to Attorneys' Discussion and Use of ADR*, 19 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 459 (2004). Portions reprinted in Riskin et al., DISPUTE RESOLUTION AND LAWYERS (2005, 2009)
- Wissler & Rack, Jr., *Using Participant Questionnaires to Assess Mediator Performance*, 11 DISPUTE RESOLUTION MAGAZINE 33 (2004)
- Wissler, *Barriers to Attorneys' Discussion and Use of ADR*, 10 DISPUTE RESOLUTION MAGAZINE 27 (Fall 2003)
- McAdoo, Welsh, & Wissler, *Institutionalization: What Do Empirical Studies Tell Us About Court Mediation?* 9 DISPUTE RESOLUTION MAGAZINE 8 (Winter 2003). Abridged and reprinted as part of "The Best Articles Published by the ABA," 21 GP SOLO 34 (2004). Portions reprinted in Riskin et al., DISPUTE RESOLUTION AND LAWYERS (2005, 2009) and in Alfani et al., MEDIATION THEORY AND PRACTICE (2006)
- Wissler, *Court-Connected Mediation in General Civil Cases: What We Know from Empirical Research*, 17 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 641 (2002)

- Wissler, *When Does Familiarity Breed Content? A Study of the Role of Different Forms of ADR Education and Experience in Attorneys' ADR Recommendations*, 2 PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL 199 (2002)
- McEwen & Wissler, *Finding Out If It Is True: Comparing Mediation and Negotiation Through Research*, 2002 JOURNAL OF DISPUTE RESOLUTION 131 (2002)
- Cialdini, Wissler, & Schweitzer, *The Science of Influence: Using Six Principles of Persuasion to Negotiate and Mediate More Effectively*, 9 DISPUTE RESOLUTION MAGAZINE 20 (Fall 2002). Abridged and reprinted as part of "The Best Articles Published by the ABA," 20 GP SOLO 36 (2003)
- Wissler, *Civil Mediation: Which Cases Will Settle?*, 8 DISPUTE RESOLUTION MAGAZINE 28 (Summer 2002)
- Wissler, *Court-Connected Mediation*, 8 DISPUTE RESOLUTION MAGAZINE 30 (Spring 2002)
- Wissler, Rector, & Saks, *The Impact of Jury Instructions on the Fusion of Liability and Compensatory Damages*, 25 LAW AND HUMAN BEHAVIOR 125 (2001)
- Wissler, *To Evaluate or Facilitate? Parties' Perceptions of Mediation Affected by Mediator Style*, 7 DISPUTE RESOLUTION MAGAZINE 35 (2001)
- Wissler, Kuehn, & Saks, *Instructing Jurors on General Damages in Personal Injury Cases: Problems and Possibilities*, 6 PSYCHOLOGY, PUBLIC POLICY, AND LAW 712 (2000)
- Wissler, *Attorneys' Use of ADR Is Crucial to Their Willingness to Recommend it to Clients*, 6 DISPUTE RESOLUTION MAGAZINE 36 (2000)
- Marti & Wissler, *Be Careful What You Ask For: The Effect of Anchors on Personal Injury Damages Awards*, 6 JOURNAL OF EXPERIMENTAL PSYCHOLOGY-APPLIED 91 (2000)
- Wissler, Hart, & Saks, *Decisionmaking About General Damages: A Comparison of Jurors, Judges, and Lawyers*, 98 MICHIGAN LAW REVIEW 751(1999). Reprinted in THE RIGHT TO A FAIR TRIAL, a volume of THE INTERNATIONAL LIBRARY OF ESSAYS ON RIGHTS (Tom Brooks, ed., 2009)
- Wissler, *Family Law Mediation*, 6 DISPUTE RESOLUTION MAGAZINE 29 (1999)
- Wissler, *A Closer Look at Settlement Week*, 4 DISPUTE RESOLUTION MAGAZINE 28 (1998)
- Wissler, *The Effects of Mandatory Mediation: Empirical Research on the Experience of Small Claims and Common Pleas Courts*, 33 WILLAMETTE LAW REVIEW 565 (1997). Portions reprinted in Menkel-Meadow, Love, Schneider, & Sternlight, DISPUTE RESOLUTION: BEYOND THE ADVERSARIAL MODEL (2005)
- Wissler, Evans, Hart, Morry, & Saks, *Explaining "Pain and Suffering" Awards: The Role of Injury Characteristics and Fault Attributions*, 21 LAW AND HUMAN BEHAVIOR 181(1997)
- Hart, Evans, Wissler, Feehan, & Saks, *Injuries, Prior Beliefs, and Damage Awards*, 15 BEHAVIORAL SCIENCES AND THE LAW 63 (1997)
- Saks, Hollinger, Wissler, Evans, & Hart, *Reducing Variability in Civil Jury Awards*, 21 LAW AND HUMAN BEHAVIOR 243 (1997). Reprinted in PSYCHOLOGY AND LAW VOL. II - CRIMINAL AND CIVIL PERSPECTIVES (Ronald Roesch & Kaitlyn Thomsen, Eds.) (2007)
- Hart, Wissler, & Saks, *Multidimensional Perceptions of Illness and Injury*, 2(4) CURRENT RESEARCH IN SOCIAL PSYCHOLOGY 30 (1997)

- Wissler, *Mediation and Adjudication in Small Claims Court: The Effects of Process and Case Characteristics*, 29 LAW & SOCIETY REVIEW 323 (1995). Reprinted in PROCEDURAL JUSTICE, VOLUME 1 OF THE INTERNATIONAL LIBRARY OF ESSAYS IN LAW AND SOCIETY (Tom R. Tyler, Ed.) (2005)
- Murchison, Soloski, Bezanson, Cranberg, & Wissler, *Sullivan's Paradox: The Emergence of Judicial Standards of Journalism*, 73 NORTH CAROLINA LAW REVIEW 7 (1994). Reprinted in FIRST AMENDMENT LAW HANDBOOK (1995)
- Wissler, Bezanson, Cranberg, Soloski, & Murchison, *Resolving Libel Disputes Out of Court: The Libel Dispute Resolution Program*, in REFORMING LIBEL LAW 286 (Soloski & Bezanson, eds., 1992)
- Wissler, Cranberg, Soloski, Murchison, & Bezanson, *Resolving Libel Cases out of Court: How Attorneys View the Libel Dispute Resolution Program*, 75 JUDICATURE 329 (1992)
- Soloski & Wissler, *The Libel Dispute Resolution Program: A Way to Resolve Disputes Out of Court*, in BEYOND THE COURTROOM: ALTERNATIVES FOR RESOLVING PRESS DISPUTES 83 (Kaplar, ed., 1991)
- Wissler, *Media Libel Litigation: A Search for More Effective Dispute Resolution*, 14 LAW AND HUMAN BEHAVIOR 469 (1990)
- Wissler, Bezanson, Cranberg, & Soloski, *An Alternative Solution to the Problems of Libel Litigation*, in 1988 ENTERTAINMENT, PUBLISHING, AND THE ARTS HANDBOOK 99 (Viera & Thorne, eds., 1988)
- Wissler, Bezanson, Cranberg, & Soloski, *Why Current Libel Law Doesn't Work and What Judges Can Do About It*, 27 JUDGES' JOURNAL 29 (1988)
- Wissler, Bezanson, Cranberg, & Soloski, *Resolving Libel Cases out of Court*, 71 JUDICATURE 197 (1988)
- Wissler, Bezanson, Cranberg, & Soloski, *Alternative Strategies for Resolving Libel Claims Quickly*, 5 COMMUNICATIONS LAWYER 8 (1987)
- Wissler & Saks, *On the Inefficacy of Limiting Instructions: When Jurors Use Prior Conviction Evidence to Decide on Guilt*, 9 LAW AND HUMAN BEHAVIOR 37 (1985). Reprinted in INSTRUCTIONS, VERDICTS, AND JUDICIAL BEHAVIOR (VOL. 4) (Krivoshey, ed., 1994)
- Saks & Wissler, *Legal and Psychological Bases of Expert Testimony: Surveys of the Law and of Jurors*, 2 BEHAVIORAL SCIENCES AND THE LAW 435 (1984)

Selected Unpublished Technical Reports and Presentations

- Report of the American Bar Association Section of Dispute Resolution Task Force on Research on Mediator Techniques* (principal author) (June 2017); available online at https://www.americanbar.org/content/dam/aba/administrative/dispute_resolution/2019-mediation-research-task-force-report.pdf.
- A Study of Court-Connected Arbitration in the Superior Courts of Arizona* (with B. Dauber). Report to the Administrative Office of the Courts, The Supreme Court of Arizona (July 2005); available online at www.law.asu.edu/LodestarDisputeResolution/ArbitrationStudy2005.

Report on the Implementation and Effects of Rule 16(g)(2) for Civil Cases in Arizona (with B. Dauber). Report to the Supreme Court of Arizona, on behalf of the Court's ADR Advisory Committee (September 2005).

An Analysis of Attorneys' Views of the Sixth Circuit Appellate Mediation Program and the Potential Usefulness of Attorney Questionnaires for Monitoring Mediator Performance. Report to the Sixth Circuit Appellate Mediation Program (July 2003).

Selected Professional Service

Member, American Bar Association Section of Dispute Resolution, Task Force on Research on Mediator Techniques

Reviewer, National Science Foundation, Law and Social Sciences Program

Reviewer, JOURNAL OF APPLIED SOCIAL PSYCHOLOGY

Reviewer, JURIMETRICS

Reviewer, LAW AND HUMAN BEHAVIOR

Reviewer, LAW AND SOCIETY REVIEW

Reviewer, PSYCHOLOGY, PUBLIC POLICY, AND LAW

Advisory Board Member, Federal Judicial Center, Study of ADR in Federal Courts

Advisory Board Member, Resource Center for Court ADR Project, Center for Analysis of Alternative Dispute Resolution Systems

Advisory Board Member, Maryland Judiciary Administrative Office of the Courts, Court Research and Development, Project to Analyze the Cost, Benefit, and Effectiveness of ADR in Maryland

Advisory Board Member, Florida Mediation Training Assessment Project, Florida Dispute Resolution Center

Honors and Awards

Outstanding Original Professional Article published in 2011, International Institute for Conflict Prevention & Resolution (CPR), 2012

Dissertation Award First Place Winner, American Psychology-Law Society, 1987

Dissertation Award Finalist, Society for the Psychological Study of Social Issues, 1987

Doctoral Dissertation Grant, American Judicature Society, 1985

Grant-In-Aid for dissertation research, American Psychology-Law Society, 1985

Grant-In-Aid for dissertation research, Society for the Psychological Study of Social Issues, 1985

University Fellowship, Boston College, 1980, 1982, 1984

Pi Gamma Mu, National Social Science Honor Society, 1978

Psi Chi, National Honor Society in Psychology, 1977