



## David Alan Hoffman

Boston Law Collaborative, LLC  
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### Current Employment:

**Boston Law Collaborative, LLC – Founding Member** (2003 - present). David Hoffman is an attorney, mediator, and arbitrator. He also teaches three courses at Harvard Law School, where he is the John H. Watson, Jr. Lecturer on Law: Mediation; Diversity and Dispute Resolution; and Legal Profession: Collaborative Law.

David's practice is concentrated in

- Dispute resolution, in which he serves as a mediator or arbitrator in a wide range of subjects (commercial, family, employment, construction, personal injury, product liability, professional malpractice, insurance, intellectual property, probate, and other matters), and
- Representing clients in family law, business, and employment cases in negotiations and in Collaborative Law process cases.

As a mediator and arbitrator, he has handled over two thousand cases. David also serves as a case evaluator, master, discovery master, and parenting coordinator.

### Education

- **Harvard Law School**, J.D. 1984, *magna cum laude*; editor, *Harvard Law Review*; Legal Methods instructor (1982); Teaching Assistant, Civil Procedure, under Prof. David Shapiro (1983); Research Assistant for Prof. Laurence Tribe (1984).
- **Cornell University**, M.A. 1974, American Studies; taught undergraduate literature classes (all but dissertation completed toward Ph.D.).
- **Princeton University**, B.A. 1970, *summa cum laude*, English and American literature; Kennedy Prize for best thesis in English Department.

### Previous Employment

- **The New Law Center, LLC**, Cambridge, MA – Member (2002 - 03)
- **Hill & Barlow, P.C.**, Boston, MA – Associate (1985 - 1992) and Member (1992 - 2002)
- **ACLU of Massachusetts** – Staff attorney (1988 - 89 – on leave from Hill & Barlow)
- **U.S. Court of Appeals for the First Circuit** – Clerk for then-Judge Stephen G. Breyer (1984 - 85)
- **Raven Management Associates, NYC** – Business consultant, provided financial analysis and management assistance for women- and minority-owned businesses, under contract with U.S. Small Business Administration (1981)
- **Danby Hardwoods, Inc.**, Ithaca, N.Y. – Founder/owner of woodworking business, supplying giftwares, kitchenware, games, and toys to over 200 stores under the trade name “Knock on Wood” (1974 - 81)

## Professional and Community Activities

- **Harvard Law School** - John H. Watson, Jr. Lecturer on Law, teaching courses on “Mediation” (2008 - present), “Legal Profession: Collaborative Law” (2015 - present), and “Diversity and Dispute Resolution” (2017 - present); previously taught Advanced Mediation and Family Law Practice (1997 – 99)
- **Northeastern University School of Law** - Adjunct Professor (teaching courses on ADR and Negotiation, 1994 - 96)
- **Harvard Negotiation Institute**, Program on Negotiation at Harvard Law School – co-leading five-day “Advanced Mediation” training with Prof. Larry Susskind, Audrey Lee, Susan Podziba, and Samuel Dinnar (2015 - 2021)
- **Harvard Negotiation Insight Initiative**, Program on Negotiation at Harvard Law School – Instructor, teaching “The New Lawyer: Expanding Conceptions of Law Practice,” with Profs. Susan Daicoff and David Hall (Summer 2007)
- **American Bar Association** - Chair, Section of Dispute Resolution (2004 - 05)
- **Collaborative Law Committee** of the ABA Section of Dispute Resolution - Co-chair (2007 – 2016) and co-chair of Ethics Subcommittee (2016 – present)
- **Massachusetts Collaborative Law Council** – Founding member, Board Member (2000 - 08)
- **New England Chapter of the Society of Professionals in Dispute Resolution** - President (1998 - 2000)
- **Massachusetts Supreme Judicial Court Standing Committee on Dispute Resolution** - Member (1994 - 2002)
- **ADR Committee of the Boston Bar Association Litigation Section** - Chairperson (1993 - 95)
- **Boston Bar Association Task Force on the Vanishing Jury Trial** – Member (2005 - 06)
- **Equity and Inclusion Committee of the International Academy of Collaborative Professionals** – Member (2018 - present)
- **Ethics Task Force of the International Academy of Collaborative Professionals** – Member (2007 - 09)
- **International Institute for Conflict Prevention and Resolution, Panel of Distinguished Neutrals and Employment Panel** – Member (1998 - present)
- **The Mediation Group** - Arbitrator, Mediator (2002 – present)
- **Community Dispute Settlement Center** – Mediator (1992 – present)
- **American Bar Association Section of Individual Rights and Responsibilities** - Section Council Member (1991 - 94)
- **Massachusetts Bar Association Section of Individual Rights and Responsibilities** – Chairperson (1988 - 90)
- **Political Asylum/Immigration Representation Project** - Advisory Board (1990 - 2003)
- **Harvard Mediation Program** – Member, Advisory Committee (2009 - present)
- **Massachusetts Council on Family Mediation** – Member, Certification Committee (2003 - present)

- **Mediation Quality Assurance Task Force of the ABA Section of Dispute Resolution** – Member (2005 – 09)
- **Massachusetts Poverty Law Center** – Member, Board of Trustees (1987 - 89)
- **Human Rights Internet** - Counsel to the Board (1987 - 92)
- **Massachusetts Law Review** – Member, Board of Editors (1987 - 89)
- **American Bar Foundation** - Life Fellow (1996 – present)
- **Massachusetts Bar Foundation** - Life Fellow (1996 – present)
- **Kerem Shalom Congregation**, Concord, Massachusetts – President (2007 - 09)

## Books

- [MEDIATION: A PRACTICE GUIDE FOR MEDIATORS, LAWYERS, AND OTHER PROFESSIONALS](#) (2013) (Massachusetts Continuing Legal Education)
- **MASSACHUSETTS ALTERNATIVE DISPUTE RESOLUTION** (2 vols.) (Michie/Butterworth Legal Publishers, 1994) (with co-author David Matz)
- [BRINGING PEACE INTO THE ROOM: HOW THE PERSONAL QUALITIES OF THE MEDIATOR IMPACT THE PROCESS OF CONFLICT RESOLUTION](#) (with co-editor Daniel Bowling) (Jossey-Bass/Wiley, 2003)

## Book Chapters

- [\*A Mediator's Path\*](#), in *EVOLUTION OF A FIELD: PERSONAL HISTORIES IN CONFLICT RESOLUTION* (H. Gadlin & N. Welsh, eds. 2020)
- [\*Lawyers as Peacemakers. Really?!? Yes, Really\*](#), in *BUILDING A SUCCESSFUL COLLABORATIVE FAMILY LAW PRACTICE* (eds. Forrest S. Mosten and Adam B. Cordover, 2018).
- [\*Mediating Family Business Disputes: A Primer for Clients, Family Business Advisors and Other Professionals\*](#), in *SUSTAINING FAMILY ENTERPRISE* (ed. Richard Narva, 2016)
- [\*Cultural and Diversity Issues in Mediation and Negotiation\*](#), in *THE MASSACHUSETTS GENERAL HOSPITAL GUIDE TO CULTURAL SENSITIVITY AND DIVERSITY IN MENTAL HEALTH* (ed. Ranna Parekh, 2013) (with co-author Katherine Triantafillou)
- [\*The Whistleblower: Mediating an Employment Termination Dispute\*](#), in *STORIES MEDIATORS TELL* (eds. Eric R. Galton & Lela P. Love, 2012)
- [\*Cooperative Negotiation Agreements: Using Contracts to Make a Safe Place for a Difficult Conversation\*](#), in *INNOVATIONS IN FAMILY LAW PRACTICE* (eds. K.B. Olson & N. VerSteegh) (Association of Family and Conciliation Courts, 2008)
- [\*Collaborative Family Law\*](#), in *MCLE FAMILY LAW MANUAL* (with co-author Rita Pollak and commentary by Hon. Eileen Shaevel (ret.)) (2002)
- [\*Collaborative Law and the Use of Settlement Counsel\*](#), in *ALTERNATIVE DISPUTE RESOLUTION PRACTICE GUIDE* (eds. Bette J. Roth, Randall L. Wulff & Charles A. Cooper) (West Publishing (2002) (with co-author Pauline Tesler)
- [\*David Hoffman\*](#), chapter in *ADR Practice in ADR PERSONALITIES AND PRACTICE TIPS* (ABA Press, 1998)
- [\*Alternatives to Litigation\*](#), in *SUPERIOR COURT CIVIL PRACTICE MANUAL* (Massachusetts

Continuing Legal Education 1997) (with co-author Hon. John Cratsley)

- ***Privacy in the Workplace***, in DRAFTING EMPLOYMENT DOCUMENTS IN MASSACHUSETTS (Massachusetts Continuing Legal Education 1996) (with co-authors Peter Katz and Sarah Arnholz)

## Articles

- ***Foreword***, in *Forrest Mosten, Elizabeth Scully & Lara Traum*, EFFECTIVELY REPRESENTING CLIENTS IN FAMILY MEDIATION (2022) (in press)
- **[In Praise of Mediation Observers](#)**, ALTERNATIVES (JUNE 2022)
- **[Law as a Spiritual Practice](#)**, Boston Law Collaborative blog (May 1, 2022)
- **[Should Mediators Draft Settlement Agreements? The Impact of Reid v. Kroll](#)**, MASSACHUSETTS LAWYERS WEEKLY 39 (March 14, 2022)
- **[New Year's Resolution: Combatting Climate Change](#)**, Boston Law Collaborative blog (January 1, 2022)
- **[Teaching Diversity at Harvard Law School, Or: The Education of a Straight, White, Cis-Gender, Able-Bodied, Upper-Middle-Class, Male Lecturer on Law](#)**, 27 ABA DISPUTE RESOLUTION MAGAZINE 24 (Summer 2021)
- **[To Disclose or Not to Disclose: That is the Question in Collaborative Law](#)**, 58 FAM. COURT REV. 83 (2020) (with co-author Andrew Shepard)
- **[Transformation as a Lawyer](#)**, in the OUTLOOK, the journal of the Foundation for Self Leadership (September 2019)
- **[Book Review: Moving Forward: An Ancient Divorce Ritual for the Modern World, by Marilyn Beloff](#)**, 18 COLLABORATIVE REV. 33 (2019)
- **[Opinion: Fair and Square: Helping Divorcing Couples Divide Belongings](#)**, MASSACHUSETTS LAWYERS WEEKLY (November 29, 2018)
- **[Making the Case for Med-Arb](#)**, ACRESOLUTION MAGAZINE (January 2018)
- **[The Computer Heist: How an Unusual Mediation Recovered from its Rocky Beginnings](#)**, 35 ALTERNATIVES 1 (May 2017)
- **[Op-ed: Saying goodbye to the courtroom](#)**, BOSTON GLOBE, August 29, 2016
- **[The Mediator as Village Elder](#)**, ACRESOLUTION MAGAZINE, Summer 2015 (with Danielle Reyes)
- **[What the #@!\\* Are They Fighting About?!? – Reflections on Fairness, Identity, Social Capital, and Peacemaking in Family Conflicts](#)**, 53 FAMILY COURT REVIEW 506 (October 2015)
- **[The Art of Asking Questions](#)**, International Academy of Mediators blog (July 30, 2015)
- **["Divorce Corp" Documentary Takes Unfair Aim at Family Court Judges and Lawyers](#)**, MASSACHUSETTS LAWYERS WEEKLY (January 13, 2014).
- **[The Psychology of Mediation](#)**, 14 CARDOZO JOURNAL OF CONFLICT RESOLUTION 759 (2013) (with co-author Dr. Richard Wolman)
- *Blog Post*, **[The Mediator as Moral Witness](#)**, HARVARD NEGOTIATION LAW REVIEW (2013)
- **[Frank Sander: Mentor to the Field of Dispute Resolution](#)**, 19 DISPUTE RESOLUTION

MAGAZINE 14 (Fall 2012) (with co-author Michael Moffitt)

- [\*\*Op-ed: Mediators can break political impasse in Washington\*\*](#), CHRISTIAN SCIENCE MONITOR (August 24, 2011)
- [\*\*Mediation and the Art of Shuttle Diplomacy\*\*](#), 27 NEGOTIATION JOURNAL 263 (2011)
- [\*\*Mediation, Multiple Minds, and Managing the Negotiation Within\*\*](#), 16 HARVARD NEGOTIATION LAW REVIEW 297 (2011)
- [\*\*Mediation as a Spiritual Practice\*\*](#) (with co-author Dr. Richard Wolman) (2011) at [www.Mediate.com](http://www.Mediate.com)
- **Foreword**, in Nancy Fishman, SEVEN STEPS TO A GOOD DIVORCE: MAKING SMART DECISIONS (2010).
- [\*\*Regulating Collaborative Law: The Uniform Collaborative Law Act Takes Shape\*\*](#) (with co-author Prof. Andrew Shepard), 17 DISPUTE RESOLUTION MAGAZINE 26 (Fall 2010)
- [\*\*Building Bridges to Resolve Conflict and Overcome the “Prisoner’s Dilemma”: The Vital Role of Professional Relationships in the Collaborative Law Process\*\*](#) (with co-author Dawn Ash) (forthcoming, JOURNAL OF DISPUTE RESOLUTION, Fall 2010)
- [\*\*Op-ed: Divorce is costly – the settlement need not be\*\*](#), CHRISTIAN SCIENCE MONITOR (July 30, 2010)
- **Foreword**, in Pauline Tesler, COLLABORATIVE LAW: ACHIEVING EFFECTIVE RESOLUTION IN DIVORCE WITHOUT LITIGATION (2d ed. 2008)
- [\*\*Op-ed: Microsoft and Yahoo: Where were the mediators? It works for countries and couples – why not businesses?\*\*](#), CHRISTIAN SCIENCE MONITOR (May 12, 2008) (this article won an award for best short article from the International Institute for Conflict Prevention and Resolution, [www.cpradr.org](http://www.cpradr.org))
- [\*\*Leveling the Playing Field for Workplace Neutrals: A Proposal for Achieving Racial and Ethnic Diversity\*\*](#), AMERICAN ARBITRATION ASSOCIATION DISPUTE RESOLUTION JOURNAL (February/April 2008) (with co-author Lamont Stallworth)
- [\*\*Colliding Worlds of Dispute Resolution: Towards a Unified Field Theory of ADR\*\*](#), 2008 JOURNAL OF DISPUTE RESOLUTION 11 (2008)
- [\*\*The Future of ADR: Professionalization, Spirituality, and the Internet\*\*](#), ABA DISPUTE RESOLUTION MAGAZINE 6 (Summer 2008)
- [\*\*Op-ed: A healing approach to the law: Collaborative law does not have to be an oxymoron\*\*](#), CHRISTIAN SCIENCE MONITOR (October 9, 2007)
- [\*\*Exploring the Boundaries and Terrain of ADR Practice: Mediation, Arbitration, and Collaborative Law\*\*](#), 14 ABA DISPUTE RESOLUTION MAGAZINE 6 (Fall 2007)
- [\*\*Communicating Collaboratively in Cyberspace: What Couples Counselors Can Teach Us about Email\*\*](#), MCLC COLLABORATIVE LAW JOURNAL (Fall 2007) and at [www.Mediate.com](http://www.Mediate.com)
- [\*\*The Future of ADR Practice: Three Hopes, Three Fears, and Three Predictions\*\*](#), NEGOTIATION JOURNAL (October 2006)
- [\*\*Book Review: The Blackwell Handbook of Mediation: Bridging Theory, Research, and Practice\*\*](#), ACRESOLUTION MAGAZINE 6-7 (Summer 2006)
- **Up Close and Personal: How Self-Disclosure by the Mediator Impacts the Process of Conflict Resolution**, NEWSLETTER OF THE NEW ENGLAND CHAPTER OF THE ASSOCIATION FOR CONFLICT RESOLUTION (Fall, 2005) (with co-author Richard Wolman)

- [\*\*Book Review - Collaborative Law: A Small Group of Thoughtful, Committed People, but Growing Larger Every Day\*\*](#), ACRESOLUTION MAGAZINE (Association for Conflict Resolution, Fall 2005) (review of N. CAMERON, COLLABORATIVE PRACTICE: DEEPENING THE DIALOGUE AND S. GUTTERMAN, ED., COLLABORATIVE LAW: A NEW MODEL FOR DISPUTE RESOLUTION).
- [\*\*Mediation and the Meaning of Life\*\*](#), ABA DISPUTE RESOLUTION MAGAZINE, Summer 2005
- [\*\*The Uniform Mediation Act: Upgrading Confidentiality in Mediation\*\*](#), MASSACHUSETTS LAWYERS WEEKLY (July 18, 2005) (with co-author Vicki Shemin)
- [\*\*Courts and ADR – A Symbiotic Relationship\*\*](#), ABA DISPUTE RESOLUTION MAGAZINE, Spring 2005
- [\*\*Collaborative Law: A Practitioner’s Perspective\*\*](#), ABA DISPUTE RESOLUTION MAGAZINE, Fall 2005
- [\*\*Why Do We Care About Diversity\*\*](#), ABA DISPUTE RESOLUTION MAGAZINE, Winter 2004
- [\*\*Collaborative Law in the World of Business\*\*](#), IACP COLLABORATIVE REVIEW, Winter 2004
- [\*\*Walking the Talk\*\*](#), ABA DISPUTE RESOLUTION MAGAZINE, Fall 2004
- [\*\*Collaborative Law Agreements for Business Cases\*\*](#), MCLC COLLABORATIVE LAW JOURNAL, Summer 2004 (with co-author Julie Hoyt)
- [\*\*Multidisciplinary Practice: Three-Dimensional Client Service\*\*](#), MASSPSYCH (Mass. Psychological Ass’n quarterly), Summer 2004 (with co-author Richard Wolman)
- [\*\*Introduction to Symposium Issue on the Uniform Mediation Act\*\*](#), JOURNAL OF DISPUTE RESOLUTION, Winter 2003.
- [\*\*Op-ed: Law firm’s demise serves as a wake-up call for profession\*\*](#), BOSTON GLOBE, January 12, 2003 (page E4)
- [\*\*A Sabbatical Journey on the Appalachian Trail\*\*](#), ACRESOLUTION MAGAZINE 40 (Spring 2003)
- [\*\*Paradoxes of Mediation\*\*](#), ABA DISPUTE RESOLUTION MAGAZINE (Fall/Winter 2002)
- [\*\*Book Review of ANITA ROBBOY, AFTERMARRIAGE: THE MYTH OF DIVORCE – UNSPOKEN MARRIAGE AGREEMENTS AND THEIR IMPACT ON DIVORCE\*\*](#), BOSTON LAW TRIBUNE 19 (March 2002)
- [\*\*Collaborative Family Law: Restoring Sanity to the Divorce Process\*\*](#), 45 MASS. PSYCHOLOGICAL ASS’N QUARTERLY 15 (Nov. 2001)
- [\*\*Employers and Employees Square Off Over Arbitration Decision\*\*](#), BOSTON BUSINESS JOURNAL, July 20, 2001 (with co-author Phyllis Segal)
- [\*\*Op-ed: Lawyers Who “Just Say No” to Litigation\*\*](#), BOSTON GLOBE, Focus Section (April 1, 2001) (with co-author James McGuire)
- [\*\*Bringing Peace into the Room: The Personal Qualities of the Mediator and Their Impact on the Mediation\*\*](#), 16 NEGOTIATION JOURNAL 5 (2000) (with co-author Daniel Bowling)
- [\*\*Ten Principles of Mediation Ethics\*\*](#), 18 ALTERNATIVES 147 (September 2000)
- [\*\*Mediation and the Unauthorized Practice of Law: Do Mediators Have a Well-Founded Fear of Prosecution?\*\*](#) 6 ABA DISPUTE RESOLUTION MAGAZINE 20 (2000) (with co-author Natasha Affolder), also at [www.Mediate.com](http://www.Mediate.com)

- [\*\*"Collaborative Law" Looks to Avoid Litigation\*\*](#), 28 MASSACHUSETTS LAWYERS WEEKLY 1989 (May 8, 2000) (with co-author Rita Pollak)
- [\*\*Being Peace\*\*](#), Newsletter of the New England Chapter of the Society of Professionals in Dispute Resolution (May 2000)
- [\*\*Coaching from the Sidelines: Effective Advocacy in Divorce Mediation\*\*](#), 17 MASSACHUSETTS FAMILY LAW JOURNAL 85 (1999) (with co-author Karen Tosh)
- [\*\*Is There a Niche for Lawyers in the Field of Mediation?\*\*](#) 15 NEGOTIATION JOURNAL 107 (1999)
- [\*\*Fork in the Road: Why a Lawyer-ADR Provider May Want to Stay with the Firm\*\*](#), ABA DISPUTE RESOLUTION MAGAZINE 20 (Spring 1999)
- [\*\*Infidelity and Divorce: Should Conduct Count?\*\*](#) MASSACHUSETTS LAWYERS WEEKLY, April 26, 1999 (with co-author Karen Tosh)
- [\*\*The Use of Apology in Employment Cases\*\*](#), 1 PRACTICAL DISPUTE RESOLUTION No. 2 (1999)
- [\*\*Confessions of a Problem-Solving Mediator\*\*](#), 23 SOCIETY OF PROFESSIONALS IN DISPUTE RESOLUTION NEWS 1 (Summer 1999)
- [\*\*Work of the Heart\*\*](#), Newsletter of the New England Chapter of the Society of Professionals in Dispute Resolution (July 1999)
- [\*\*Confidentiality in Family Law Mediation\*\*](#), NIDR NEWS 7 (February/March 1998)
- [\*\*Tools of the Trade: A Manual for the Settlement-Oriented Mediator\*\*](#), 2 HARVARD NEGOTIATION LAW REVIEW 229 (1997) (review of DWIGHT GOLANN, MEDIATING LEGAL DISPUTES)
- [\*\*Certifying ADR Providers\*\*](#), BOSTON BAR JOURNAL (March 1996)
- [\*\*The Use of Arbitration to Resolve Employment Disputes\*\*](#), in ADR IN EMPLOYMENT CASES (Massachusetts Continuing Legal Education 1996) (with co-authors Michael Greco and Janet Viggiani)
- [\*\*How to Keep Your Company Out of Court\*\*](#), DIRECTORSHIP (February 1996)
- [\*\*How to Keep Your Clients Out of Court: New Methods of Dispute Resolution\*\*](#), MASSACHUSETTS CPA REVIEW 13 (Spring 1995)
- [\*\*Op-ed: The Death Penalty is Not a Solution\*\*](#), BOSTON SUNDAY GLOBE (June 4, 1995) (reprinted in 141 CONGRESSIONAL RECORD H1 (August 2, 1995))
- [\*\*Protecting Confidentiality in Mediation\*\*](#), 23 MASSACHUSETTS LAWYERS WEEKLY 1553, B2 (April 17 & May 8, 1995)
- [\*\*ADR: An Opportunity to Broaden the Shadow of the Law\*\*](#), 21 HUMAN RIGHTS 20 (Winter 1994)
- [\*\*Drafting ADR Contract Provisions: A Checklist and Sample Clauses\*\*](#), 22 MASSACHUSETTS LAWYERS WEEKLY 921, 1133 (Jan. 10 & Feb. 7, 1994)
- [\*\*The ABCs of ADR: A Glossary of Dispute Resolution Methods\*\*](#), 21 MASSACHUSETTS LAWYERS WEEKLY 5 (Sept. 6, 1993, Special Section)
- [\*\*Op-ed: A New Idea in Housing Might Lead to Racial Harmony Here and Elsewhere\*\*](#), BOSTON SUNDAY GLOBE (NORTH WEST WEEKLY) 1 (May 23, 1993)
- [\*\*Op-ed: Death Penalty Carries Moral, Fiscal Burdens\*\*](#), BOSTON HERALD 30 (March 14,

1993)

- **Op-ed: *Lawyer-Bashing, Litigation Costs, and ADR***, 21 MASSACHUSETTS LAWYERS WEEKLY 563 (Dec. 14, 1992)
- **[Dispositive Motions in Arbitration Proceedings](#)**, ARBITRATION JOURNAL 51 (March 1992) (with co-author Carl Sapers)
- ***The Massachusetts Civil Rights Act: Recent Developments***, MASSACHUSETTS GOVERNMENTAL LIABILITY REPORTER 78 (December 1989)
- **[Attorney Subpoenas and Massachusetts Rule PF 15](#)** (with co-authors David Kelston and David Shaughnessy), MASSACHUSETTS LAW REVIEW 95 (Summer 1989)
- **[Op-ed: A Muddle Over Drug Testing: Uncertainty Over Laws Leaves Employers Confused, Workers Disillusioned](#)**, BOSTON SUNDAY GLOBE (July 9, 1989)
- **[Promises to Keep: The Right to Effective Assistance of Counsel](#)**, MASSACHUSETTS LAW REVIEW 28 (Spring 1989)
- **Op-ed: *ACLU Policies Neither Left nor Right***, BOSTON HERALD (November 1, 1988)
- **[Op-ed: Bush's Cramped Mainstream](#)**, BOSTON SUNDAY GLOBE (October 2, 1988)
- **[Privileged Informers: The Attorney-Subpoena Problem and a Proposal for Reform](#)**, 136 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1783 (1988) (with co-author Max Stern)
- **[Book Review, The Politics Of Lawyering](#)** (review of Arthur Kinoy, RIGHTS ON TRIAL: THE ODYSSEY OF A PEOPLE'S LAWYER), 20 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW, No. 1 (Winter 1985)
- **[Challenge to Single-Sex Schools Under Equal Protection: Mississippi University For Women v. Hogan](#)**, 6 HARVARD WOMEN'S LAW JOURNAL 163, 173 (1983)
- **[Book Note](#)**, Review of CYNTHIA FUCHS EPSTEIN, WOMEN IN LAW, 97 HARVARD LAW REVIEW 2001 (1983)
- **[Case Comment, Standing to Seek Equitable Relief: City of Los Angeles v. Lyons](#)**, 97 HARVARD LAW REVIEW 215 (1983)
- **[Note, Protecting Employees at Will Against Wrongful Discharge: The Public Policy Exception](#)**, 96 HARVARD LAW REVIEW 1931 (1983)
- **[Book Note](#)**, Review of ARYEH NEIER, ONLY JUDGMENT: THE LIMITS OF LITIGATION IN SOCIAL CHANGE, 96 HARVARD LAW REVIEW 1167 (1983)

## Videos (partial list)

- **["Breach of Warranty."](#)** a 55-minute simulation of a product liability mediation, produced by Profs. Marjorie Aaron and Dwight Golann, and available from the Program on Negotiation at Harvard Law School
- **["Lawyers as Peacemakers. Really?!? Yes, Really"](#)** TEDxNIU, April 23, 2016
- **[Interview with David Hoffman](#)** by Mediate.com
- **["Managing the Negotiation Within: The Internal Family Systems Model"](#)** (Program on Negotiation at Harvard Law School, 2020)
- **["Implicit Bias 101"](#)** (a webinar for the American Bar Association, with Audrey Lee and Matt Thompson, 2019)



## Honors

- [Boston's "Lawyer of the Year" for 2022 in Arbitration](#) – awarded by the book *Best Lawyers in America* and U.S. News & World Report
- [Boston Magazine's Top Lawyers for 2021](#) (inaugural listing)
- [Boston's "Lawyer of the Year" for 2021 in Collaborative Family Law](#) – awarded by the book *Best Lawyers in America* and U.S. News & World Report
- [Massachusetts Collaborative Law Council Founders Award](#) (2021)
- [Boston's "Lawyer of the Year" for 2020 in Mediation](#) – awarded by the book *Best Lawyers in America* and U.S. News & World Report
- [Massachusetts Lawyers Weekly Award for Excellence in the Law](#) (2019)
- [Professor Frank E.A. Sander Award in Dispute Resolution](#) – inaugural award by the Massachusetts Bar Association (2018)
- [Boston's "Lawyer of the Year" for 2018 in Arbitration](#) – awarded by the book *Best Lawyers in America* and U.S. News & World Report
- [Boston's "Lawyer of the Year" for 2016 in Mediation](#) – awarded by the book *Best Lawyers in America* and U.S. News & World Report
- [D'Alemberte-Raven Award](#) for service in dispute resolution from the ABA Section of Dispute Resolution (2015)
- [Lifetime Achievement Award](#) from the American College of Civil Trial Mediators (2014)
- [Massachusetts Continuing Legal Education – Scholar-Mentor Award](#) (2014)
- [Boston's "Lawyer of the Year" for 2014 in Collaborative Family Law](#) – awarded by the book *Best Lawyers in America* and U.S. News & World Report
- [John Adams Fiske Award for Excellence in Mediation](#), Massachusetts Council on Family Mediation (2011)
- [Law Firm Award for Excellence in ADR](#) - received, on behalf of Boston Law Collaborative, from the International Institute for Conflict Prevention and Resolution (2010)
- [Lawyer as Problem Solver Award](#) - received, on behalf of Boston Law Collaborative, from the American Bar Association Section of Dispute Resolution (2009)
- **Peacemaker Award** of the Community Dispute Settlement Center, Cambridge, Massachusetts (2005)
- [The Best Lawyers in America](#) – book published annually (listed annually 2005 – present; currently listed in five categories: Mediation, Arbitration, Family Mediation, and Collaborative Law: Family, and Collaborative Law: Civil)
- [Massachusetts Super Lawyers Magazine](#), published in *Boston Magazine* (listed in 2004 - present) (top 5% of lawyers in Massachusetts); named one of the "Top 100 Lawyers" in Massachusetts in November 2004 edition.
- [Martindale-Hubbell Directory of Lawyers](#) - AV-rated (top rating) since 1997
- [Who's Who in American Law; Who's Who in America, Who's Who in the World, and Who's Who Legal](#)
- [Avvo.com](#) - Rated 10/10 ("superb") by [www.Avvo.com](http://www.Avvo.com) lawyer rating service

- [International Academy of Mediators](#) (Distinguished Fellow, 2006 - present)
- [Massachusetts Council on Family Mediation](#) - Certified Mediator (2002 - present)
- [Association for Conflict Resolution](#) - Advanced Practitioner Member (1999 - present)

## Bar Admissions and Representative Cases

- Admitted in Massachusetts (all courts); U.S. Court of Appeals for the First Circuit, Third Circuit, and Fifth Circuit; and U.S. Supreme Court
- *Ash v. Attorney General*, 418 Mass. 344 (1994)
- *Starr v. Fordham*, 420 Mass. 178 (1995)
- *Webster v. Motorola, Inc.*, 418 Mass. 415 (1995)
- *Thomas Lee Ward v. Whitley*, 21 F.3d 1355 (5<sup>th</sup> Cir. 1994)

## Lectures and Trainings

David has lectured on dispute resolution in Australia, Brazil, Canada, Israel, Italy, New Zealand, the United Kingdom, and throughout the United States, and has lectured or provided dispute resolution training for the following (partial list):

- United Nations, Mediation Office
- American Bar Association
- American Arbitration Association
- Australia Fair Work Commission
- U.S. Court of Appeals – Circuit Mediators Conference
- State and Local Bar Associations and mediation organizations: Alabama, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New York, North Carolina, North Dakota, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, Wisconsin
- Community Dispute Settlement Center, Cambridge, MA
- Harvard Mediation Program, Harvard Law School, Cambridge, MA
- Harvard Medical School, Harvard School of Public Health, and Program on Negotiation at Harvard Law School
- Harvard Negotiation Institute, Program on Negotiation at Harvard Law School
- International Academy of Collaborative Professionals
- Family Firm Institute
- Young Presidents' Organization
- Law Schools: Boston College School of Law, Boston University School of Law, Cardozo School of Law, Fordham Law School, Franklin Pierce Law School, Harvard Law School, Hofstra Law School, Northeastern University School of Law, Ohio State University Law School, Quinnipiac Law School, Suffolk University School of Law, Touro School of Law, University of Missouri School of Law, Yale Law School
- Massachusetts Collaborative Law Council
- Massachusetts Continuing Legal Education (family mediation and civil mediation)

- Massachusetts Council on Family Mediation
- Mediation Works, Incorporated, Boston, MA
- New England Labor Council
- Society of Professionals in Dispute Resolution
- The Mediation Group, Brookline, MA
- Lead trainer for Family Mediation Trainings sponsored by American Bar Association Section of Family Law, ABA Section of Dispute Resolution, and Boston Law Collaborative, LLC (2009, 2011, and 2012)

## **Personal Information**

**Date of birth:** January 3, 1947

**Married:** Leslie Reed Warner

**Children:** Jessica (age 51); Jacob (age 41); Lily (age 35)

*[Updated – May 25, 2022]*