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Research Agenda

My research agenda reflects issues that will improve the practice of law, access to justice, and civil rights for LGBTQIA persons. With my past publications and in my first year of full-time law school teaching, I have proven my ability to produce quality scholarship, and I look forward to further exploring and advancing a positive evolution for family law, collaborative process, and civil rights.

COLLABORATIVE DISPUTE RESOLUTION

I want to help others better understand and to advance collaborative dispute resolution and its philosophy of cooperative problem-solving. I am a leader in the collaborative process movement, having served for three years as the Florida Academy of Collaborative Professionals' Outreach Committee chairperson and as its recent past-Vice President. Presently, I teach collaborative family law (a simulation course) and serve on the International Academy of Collaborative Professionals ("IACP") Higher Education Task Force. I am also a past-president and past board member of West Florida Collaborative Law, a local consortium of collaborative professionals.

The collaborative process is an alternative dispute resolution method that employs an interdisciplinary team of professionals and neutral experts. Primarily used in family law, the collaborative practice method has recently found a place in other practice areas, such as business transactions and probate. A small number of law schools have added collaborative process courses, and only two law schools host collaborative family law clinics.

Collaborative process scholarship emerged in waves: an introduction in the 1990s and again in the mid-2000s, and now, the light shines on implementation and practical matters. The IACP Higher Education Task Force is working diligently to help scholars develop courses for law schools and other professional schools. Publications have reiterated general overviews, ethics, and development of the Uniform Collaborative Law Act. The UCLA's adoption, as well as the growth of the IACP, state organizations, and local practice groups have led to a recent spike in academic interest. Many issues await more in-depth discussion, such as application in other practice areas, access to justice, and issues of law office management. The topic is so important that the American Bar Association's Section of Dispute Resolution includes a Collaborative Law Committee and a recently formed Task Force on Conflict Prevention Techniques. Yet, the only "research" has been self-conducted by collaborative practice groups via post-case surveys. The movement needs independent research.

Every law school should have a collaborative law course, if not a clinic. Barry University's Dwayne O. Andreas School of Law, in Orlando, offers an excellent example of a commitment to the paradigm shift. Other law schools have recently offered collaborative law courses, including Harvard University, University of Richmond, University of Maryland, University of Miami, and Pace University. Collaborative law courses are essential to professionalism, as I argue in my article, *Florida Family Law Bounds of Advocacy: A Mandate for Collaborative Practice?* 43 Nova L.R. 1 (2019).

In this area, my current work includes teaching collaborative family law at Indiana University Robert H. McKinney School of Law, and I will speak about developing law school collaborative process courses at the IACP 2020 Forum in Toronto. Because collaborative dispute resolution is emerging in other practice areas, I would like to develop and implement a pilot program for collaborative process in education matters, such as for due process requests under the Individuals with Disabilities Education Act and student or teacher disciplinary issues.

DIVERSITY ISSUES AND LEGAL SKILLS

In addition to collaborative dispute resolution, I will prioritize research and writing on diversity in the legal profession (including law schools) and how legal skills or legal process courses might better serve the increasingly diverse student body. I am especially intrigued by recent trends of persons with diverse neurological conditions achieving success in colleges, graduate schools, and the legal industry. For example, the Florida Bar recently admitted a young woman who is within the autism spectrum, but meanwhile, the Florida Bar also this year settled a lawsuit because it treated persons with a history of mental health or substance abuse problems differently from other applicants. The plaintiff was a veteran who suffered from anxiety and depression.

Though the term "neurodiversity" is controversial, the reality is that academia is experiencing a trend of rising numbers of students diagnosed with these sometimes hidden conditions, such as autism, migraine, schizophrenia, major depressive disorder, and ADHD. It is not a stretch to say that few law professors are equipped to manage the variety of accommodations these learners need. Meanwhile, the lack of consensus in definition, along with objections to labels by some neuro-divergent individuals, impedes research and understanding. I would like to study these issues and work with special education professionals to develop new pedagogies for the legal skills classroom. This work would be an excellent opportunity to collaborate with other colleges across a university or even with sister institutions.

LGBTQIA ISSUES

As an attorney, I was the “go-to” attorney in Northwest Florida for LGBTQIA issues. I was fortunate to represent my community on a broad range of issues, such as school matters and family disputes. Though many assume that the equality battle has subsided, since the affirmation of marriage equality, much work remains undone. For many years to come, scholars and activists must continue to fight for employment, housing, and family equality. The universe of academic voices, so necessary to explain strategy and case outcomes, is small in the broader scope of jurisprudence, and I am proud to be among those scholars.

I am developing my expertise in the area of transgender educational experiences. My first publication considered Section 504 of the Rehabilitation Act of 1973 as a vehicle to protect transgender students. Coming out in Spring 2020, I am publishing a piece with New York University’s Review of Law and Social Change about transgender equity under Title IX. My next piece will examine how the Diagnostic and Statistical Manual V has led to legal disparities for transgender persons.

Meanwhile, my work also includes hands-on engagement with the LGBTQIA community through my service on the AALS Section on Sexual Orientation and Gender Identity and my role as the advisor to IU McKinney’s Lambda Law Society. These volunteer experiences, as well as my collaborative law volunteerism, are important, as scholarship goes beyond a professor’s desk. Frequent and meaningful dialogue with colleagues helps scholars brainstorm and develop ideas. I will continue a scholarly agenda that balances research and writing with professional development.

WORKS IN PROGRESS OR PLANNED FOR NEAR FUTURE

Change the Rhetoric, Change the Profession

The Association of Legal Writing Directors and the Legal Writing Institute recently awarded me a Scholarship Grant to help with the research for this project. The paper considers past, present, and future law student, attorney, and public perceptions about the legal industry, as it has evolved under typical narratives. I propose that narrative psychology concepts could prove useful to improve law student and attorney well-being and improve public opinions about the legal industry.

Legal Writing for Document Accessibility: Why We Must Do It and Why We Must Teach It

I have presented this discussion at the New England Consortium of Legal Writing Teachers and at the Iowa University School of Law's One Day Legal Writing Conference. Though it is a pragmatic piece, teaching basic document production to ensure accessibility, I also discuss universal design theory, the Americans with Disability Act, and the potential consequences when professors and attorneys fail to design accessible documents.

Gender Identity is Not a Disability: A Call to Amend the DSM-V and Strike the Gender Dysphoria Diagnosis

In 2010, I published a piece suggesting that students with “gender identity disorder” under the DSM-IV could use Section 504 of the Rehabilitation Act to demand services and a safety plan at school. I noted that to do so was a double-edged sword – on the one hand, necessary to gain substantive equity on campus, but on the other hand, it concedes that the gender identity is a mental health disorder. In 2013, the DSM was republished as DSM-V, changing the criteria for diagnosis and the label to “gender dysphoria.” I argue that it is time to, once and for all, strike gender identity as a disorder and that such a diagnosis violates civil rights statutes.

PUBLISHED AND FORTHCOMING

QR Codes in the Classroom, forthcoming fall 2020 in the Legal Writing Institute's Second Draft.

Title IX's Substantive Equity Mandate for Transgender Persons in American Law Schools, 44.3 NYU Rev. L. & Soc. Change 401 (Spring 2020).

Presented at the AALS 2020 Annual Conference, Legal Writing, Reasoning, and Research New Scholars Showcase.

Florida Family Law Bounds of Advocacy: A Mandate for Collaborative Practice?, 43 Nova L.R. 1 (2019).

Section 504 of the Rehabilitation Act of 1973: A Doubled-Edged Sword for the Protection of Students with Gender Identity Disorder, 25:2 Wisc. J.L. Gender & Soc'y 353 (2010).