

Donald R. Philbin, Jr.

Attorney-Mediator | Thought Leader in Dispute Resolution

Don Philbin is a dynamic mediator known for resolving complex disputes with innovative strategies and relentless tenacity. He has mediated more than 3,000 cases across a broad range of substantive areas. Recognized by peers as a Band 1 Nationwide Mediator (Chambers USA), multi-year Lawyer of the Year (Best Lawyers), Thought Leader (Lexology Index), and Top 50 Central/West Texas Super Lawyer, Don is an elected fellow of the International Academy of Mediators and the American College of Civil Trial Mediators. Teaching at Pepperdine Law's Straus Institute and developing Picture It Settled®, pioneering software akin to "Moneyball" for negotiation, keeps him at the field's forefront.

Education and Academic Roles

- **Adjunct Professor:** Pepperdine University School of Law (**Straus Institute**) (2008–present).
- **Post-Graduate Degrees: LL.M. in Dispute Resolution** (2007) from Pepperdine Law (Straus Institute)(TADRA §154.052(a)), with capstone research published in the Harvard Negotiation Law Review. **M.B.A., Executive Program** (2001) from The University of Texas at San Antonio.
- **Law Degree:** J.D. (1987) – Pepperdine University School of Law: **Pepperdine Law Review**; Moot Court Board
- **Undergraduate:** B.A. in Business Administration (1984), **Trinity University**. Internships: The White House (1984) and the U.S. Senate (1983).

Select Advanced Training and Research

- **Negotiation Training:** Harvard Law School's **Program on Negotiation** for Senior Executives; Dealing with Difficult People and Difficult Situations (2007); Cambridge Executive Enterprises' Senior Executive Training with MIT Professor John J. Donovan (2002).
- **AI Negotiation:** Program on Negotiation **AI Summit** (2025) at Harvard Law and MIT. Convened leading scholars on cutting-edge AI negotiation research at MIT.
- **Advanced Family Mediation Training:** Austin Dispute Resolution Center (2007)(TADRA §154.052(b)).

- **Course Director:** State Bar of Texas CLE on Advanced Mediation (2011); Global Pound Conference Austin (2017: Co-Director).

Fellowships and Leadership

- **Elected Fellowships:** Distinguished Fellow, **International Academy of Mediators** and National Academy of Distinguished Neutrals (since 2010); Fellow, **American Academy of Civil Trial Mediators** (since 2009), Texas Bar Foundation (since 2001), and San Antonio Bar Foundation (since 2007).
- **Bar Leadership:** Past **Chair** of the State Bar of Texas Alternative Dispute Resolution (ADR) Section. **President** of the William S. Sessions American Inn of Court (2012–2013); San Antonio Chapter President (2013–2020), National President's Award (2013), Association of Attorney-Mediators.

Peer Recognition

- **Chambers USA:** Consistently ranked in the **USA Nationwide Mediators** category since 2019, **Band 1** (2023–2025).
- **Best Lawyers in America®:** Recognized for Alternative Dispute Resolution since 2007. Multi-year "**Lawyer of the Year**" recipient in San Antonio for Mediation (5x: 2014, 2016, 2021, 2024, 2026) and Arbitration (2x: 2018, 2019).
- **Super Lawyers:** Named to the **Top 50 Central/West Texas** Super Lawyers list in 2025, with continuous selection to Texas Super Lawyers since 2010.
- **Lexology Index:** Recognized as a **Thought Leader** in USA – Commercial Mediation (2017–2025) and recipient of the **Client Choice** award (2026).
- **Martindale:** Martindale-Hubbell® **AV Preeminent®** (since 1999), and Avvo 10.0 Superb rating.

Select Publications | Research-Driven Practice

Law Reviews and Academic Journals

- **The One Minute Manager Prepares for Mediation:** A Multidisciplinary Approach to Negotiation Preparation, 13 **Harvard Negotiation Law Review** 249 (2008).
Excerpted in Carrie J. Menkel-Meadow et al., Dispute Resolution: Beyond the Adversarial Model (Aspen, 2d ed. 2010).
- Harnessing the Power of Information and Insight to Improve Strategic Decision Making and Choice, 16 Pepperdine Dispute Resolution Law Journal 193 (2016).

- Why Can't They Settle? The Psychology of Relational Disputes, 18 *Cardozo Journal of Conflict Resolution* 311 (2017) (with Harry L. Munsinger).
- **Decisional Errors – On the Field, On the Bench, In Negotiations**, Harvard Negotiation Law Review Online Edition (2009).

Industry and Practice Journals

- **The Value of Economic Analysis in Preparing for Mediation**, 63 *Dispute Resolution Journal* 49 (April 2008). *Reprinted in AAA Handbook on Mediation (2d ed. 2010)*.
- **Deal or No Deal? Or Perhaps a Better Deal? The Impact of Improved Information**, 25 *Alternatives to the High Cost of Litigation* 177 (Dec. 2007).
- **The Future of ADR**, *ADR Handbook of the State Bar of Texas* (2018) (with Justice Frank Evans and Colin Rule).
- **Checkmate: Early Moves Define Negotiation Outcomes**, *News for the Bar* (Texas Bar Litigation Section; Spring 2015).
- **The Psychology of Bad Economic Decisions**, 7 *JAMS Dispute Resolution Alert* 1 (Fall 2007).

Local Research and Court Statistics

- **Bexar County by the Numbers – Updated Trends and Graphs**, *San Antonio Lawyer Magazine* 5 (Jul.–Aug. 2018).
- **Recent Bexar County District Court Statistics**, *San Antonio Lawyer Magazine* 8 (Jul.–Aug. 2016). (This article was a winner of a Stars of Texas Bars Awards).

Community:

- **Volunteer Mediator**, Bexar County Dispute Resolution Center, Hill County Dispute Resolution Center, U.S. District Court for the Western District of Texas.
- **Leadership San Antonio XXIX** (2004)
- **Trinity University**: Alumni President (1993 –1995); Board of Visitors (2004 – 2006; 2009 –2020); Business Advisory Council (1999 – 2018).