



ADR STRATEGIES

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You are receiving this communication as a result of your interest in alternative dispute resolution. Over this year, I have repeatedly seen in mediations that miscommunication of information may impact the chance of settlement. Consider the following:

Mediation 101 - A Crash Course

- **Is the litigant being realistic about the possible case outcome? Can the attorney, in conjunction with the mediator, help the litigant be more realistic?**
- **Is there anything in addition to money that will resolve the dispute? Is the mediator able to get the parties and counsel to think outside the box?**
- **Have emotions clouded the litigants' ability to make informed business decisions about settlement? Can counsel and the mediator help focus the parties on the settlement objectives and reduce the emotional component?**
- **Is the mediator able to effectively communicate with all parties/counsel?**

These issues regularly come up at a mediation and reinforce the importance of effective communication skills in resolving conflict. Many years ago I received a Ph.D. from the University of Michigan in Communications. Before I went to law school I taught interpersonal relations, group interaction, conflict resolution, intercultural communication courses and served as a jury consultant. I apply the communication issues and solutions I taught, coupled with 25 years of legal practice experience to my alternative dispute resolution practice. My proudest moment this year was when I was honored to be invited to participate as a civilian at the U.S. Army War College National Security Seminar.

THINK ABOUT THIS PRIOR TO YOUR NEXT MEDIATION/ARBITRATION

To set up a mediation or arbitration, please call my **new Case Manager Eve Thorstens** at (310) 201-0010 or email her at eve@adrservices.org. To contact me via email use jkessler@adrservices.org or call me on my direct line: (310) 552-9800.

Please visit my website: www.joanbkessler.com

To change your address or remove your name from my list call me at (310) 552-9800 or just send me an email to jkessler@adrservices.org.

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