



## ADR STRATEGIES

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You are receiving this communication as a result of your interest in alternative dispute resolution.

There are many comparisons between mediating and arbitrating disputes:

- Both mediations and arbitrations are conducted outside the court system and are more confidential compared to a public court forum.
- Both mediations and arbitrations are more expedited than getting access to a courtroom given all the court cutbacks.
- Mediations provide more certainty in this economic climate than arbitrations.
- If a plaintiff recovers funds, a payment plan may be negotiated in a mediation. Alternatively, in an arbitration the plaintiff may be awarded an amount that is impossible to collect. Defendant would have no payment plan options with an arbitration award.
- If there is a defense arbitration award, no funds are awarded to plaintiff, but in a mediation there might be a compromise with the plaintiff receiving some amount. So a mediation may be more flexible. In fact, many arbitration agreements require mediation first.

As we begin the last 1/3 of the year, I want to thank all of you for your support and for giving me the chance to resolve legal disputes expeditiously with you. 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.

#### THINK ABOUT THIS PRIOR TO YOUR NEXT MEDIATION/ARBITRATION

Please contact me to discuss your next mediation. You may call me on my direct line: (310) 552-9800 or e-mail me on my personal e-mail: [jkessler@adrservices.org](mailto:jkessler@adrservices.org).

To schedule a mediation or arbitration please call my case manager Eve Thorstens at (310) 201-0010 at ADR Services, Inc. If the date you desire is not available please call me on my direct dial number (310) 552-9800 and **WE WILL MAKE IT HAPPEN.**

To set up family business facilitation or to have me serve as a Special Administrator on an estate matter please call me directly at (310) 552-9800. I look forward to working with you.

Please visit my website: [www.joanbkessler.com](http://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](mailto:jkessler@adrservices.org).

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