



ADR STRATEGIES

JOAN B. KESSLER, JD, PHD

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

Listening and Comprehension are two of the most critical skills needed by all participants in a mediation.

Recently, I asked some attorneys who I worked with in prior mediations to give me some feedback on this topic. Here are two responses:

1. One attorney said that in a mediation, I encouraged the opposing counsel to listen by repeatedly asking that counsel paraphrase back what the first attorney had said. I kept asking that the paraphrasing be repeated until the original message was comprehended.
2. Another attorney said I encouraged the other side's counsel and parties to listen to this attorney's arguments even though pre-mediation efforts by this attorney had failed to get the other side to listen or comprehend their position.

My goal is to identify issues in dispute and more importantly to encourage the parties to listen to each other and comprehend the message. These are critical steps in resolving disputes.

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 over 25 years of legal practice experience to my alternative dispute resolution practice. I am, also, pleased to serve on the Board of Governors of Loyola Law School and to be Managing Director of **CaseXplorer[®] Arbitration[™] (CXA)**, the innovative online arbitration evaluative tool. Feel free to call me to discuss CXA. To find out more information on CXA, click on the following link: [CaseXplorer Arbitration](#).

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@kesslerandkessler.com.

To schedule a mediation with me, please call my Case Manager Mai Nakazawa at (310) 552-9800 and **WE WILL MAKE IT HAPPEN**. I am, also, available on the USDC Mediation Panel and as an Arbitrator or Mediator through the American Arbitration Association Arbitration and Mediation Panels.

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@kesslerandkessler.com.

© 2015 Joan B. Kessler. All rights reserved.