



## ADR STRATEGIES

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

To bring a mediation to a successful resolution, I employ the following:

- Have counsel submit short briefs with bare bones facts, succinct legal analysis and submission of only key documents.
- Determine what each side really wants. What is really non-negotiable?
- Assess whether the “last and final offer” is really the “last and final” offer after the parties hear their down side risks.
- Avoid getting mired in the factual disputes. It is more about what each side will agree to than what the true facts are. Yet, everyone may need to vent a bit.
- Understand that realistic solutions mean that the parties may not leave happy with the result, but are satisfied with the finality.

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 my 20 years of legal practice experience to my alternative dispute resolution practice.

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

To set up a mediation or arbitration, please call my Case Manager Audra Shackelford at (310) 201-0010 or email her at [audra@adrservices.org](mailto:audra@adrservices.org). To contact me via email use [jkessler@adrservices.org](mailto:jkessler@adrservices.org) or call me on my direct line: (310) 552-9800.

Please visit my website: [www.joanbkessler.com](http://www.joanbkessler.com)

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