



MEDIATION STRATEGIES

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You are receiving this communication as a result of your interest in resolving disputes through mediation.

Recently I spoke at a seminar held at Pepperdine Law School on Mediation Expertise: What Does It Take. There was a debate regarding whether mediators need a law degree or need to have practiced law to be effective. My view is that both legal experience and effective communication skills are critical for a mediator. A mediator needs:

- To understand the key legal issues of the case at hand.
- To have the ability through legal experience to be able to evaluate what might happen in court in front of a judge and/ or jury in view of the legal issues, facts and the parties involved.
- To have insight into interpersonal communication: Identification of what people mean not just what they say and to use Empathetic Listening to make sure there is an accurate understanding of what is actually said to avoid misunderstood messages between parties.
- To resolve and diminish disputes as the facts and issues in dispute unfold.

Therefore, an understanding of and experience with the substantive legal theories and conflict resolution skills are both necessary for a mediator to successfully resolve complex and contentious matters.

35 years ago I received a Ph.D. from the University of Michigan in Communications. For the 15 years before I went to law school in 1983 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 in my mediation practice.

THINK ABOUT THIS PRIOR TO YOUR NEXT MEDIATION

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

Please visit my new website: www.joanbkessler.com

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

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