



MEDIATION STRATEGIES

JOAN B. KESSLER, JD, PHD



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

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

As the New Year begins, 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 recent mediation, I encouraged the opposing counsel to listen by repeatedly asking that counsel to 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 to get the parties to listen to each other and comprehend the message. That is the first step to 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 my 20 years of legal practice experience to my alternative dispute resolution practice.

Please visit my new website: www.joanbkessler.com

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. To contact me via email use jkessler@adrservices.org or call me at (310) 552-9800.

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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