



ADR STRATEGIES

JOAN B. KESSLER, JD, PHD



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

As this year of challenges continues on, I try to assist parties in settling disputes by just getting **back to basics**. To that end, I suggest the following:

1. Always bring **all relevant parties** to the mediation session. Although I regularly have telephonic participation, in person communication is the best.
2. **Be Flexible**. Sometimes, dramatically new and different information surfaces during the mediation and you have to be able to bend as these "bomb shells" surface.
3. Make sure participants **have authority to settle before** entering mediation. Plaintiffs need authority to accept offers and Defendants need authority to make offers. You may need to adjust and seek additional or different sources of authority as the session or sessions progress. At least start out with a meaningful level of authority.

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. 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 call me at (310) 552-9800 or just send me an email to jkessler@adrservices.org.

© 2009 Joan B. Kessler. All rights reserved.