



## ADR STRATEGIES

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

As I reflect on my mediations over the recent past, one theme keeps recurring: **THINK OUTSIDE THE BOX**. In these challenging economic times I now ask the participants at many sessions, “What besides money or in addition to money will get the matter settled?” Usually these issues are not readily apparent. For instance:

- Offering a written commendation/plaque to memorialize years of service to someone who is leaving a position and/or employer making an apology to employee without admission of employer’s wrongdoing.
- Having the parties shake hands at the end of a session (not always possible!) Sometimes this is a very valuable act.
- Settling a fee dispute in part by having the user of services agree to use future services with a secured payment plan in addition to a settlement regarding the old obligation.
- Suggesting that warring litigants get back together and work toward some common goal, unrelated to the litigation.
- Focusing on and resolving an old, hurtful issue between the parties that is prohibiting the resolution of a seemingly unrelated dispute.

Many years ago I received a Ph.D. 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)

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](mailto:jkessler@adrservices.org).

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