



## ADR STRATEGIES

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

The legal press recently described in detail how the recession has changed the face of litigation. They say that, with the exception of employment law and bankruptcy law, there has been a decline in litigation. Many corporate counsel are trying to resolve matters internally rather than incur costly litigation by sending the case to outside counsel.

Mediation of disputes **prior to filing suit** has become more prevalent. For example, try using mediation **before** a suit is filed:

- To resolve fee disputes to prevent escalation of costs.
- To resolve emotional family disputes over estate/trust matters to attempt to repair family ties rather than worsen the rifts and increase the costs through expensive litigation.
- To resolve neighbor lot line disputes which take on a life of their own as costly litigation is instituted.
- To resolve real estate matters where pre-litigation mediation may be contractually required.

Sometimes litigation is unavoidable and pre-litigation mediation is not viable. In these challenging times we are all trying creative settlement strategies which may include pre-litigation mediation.

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)

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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