

JAMES A. ROBERTS

PRIVATE DISPUTE RESOLUTION

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Private Dispute Resolution: Mediation and Arbitration

On January 1, 2016, Jim will begin his 17th year as a full-time mediator. He has mediated over 2,000 cases, presided over 3,000 mediation sessions, and handled several dozen large arbitrations. During his career as a mediator, he has averaged a 95% success rate. Jim is regularly on everyone's "short list" for resolution of insurance coverage, professional liability and construction cases.

Evaluative Mediation

Jim Roberts is a strong believer in evaluative mediation. Your case will be carefully explored through his close scrutiny of the briefing materials and exhibits and attentive listening to the needs and concerns of the parties. He invests a high level of energy and effort in all sessions and follows up with the parties between sessions whenever it may be useful in helping to resolve the matter. He applies the creative deal-making skills he developed as a lawyer handling complex cases to help the parties resolve challenging issues in mediation.

Case Management

In complex cases, Jim works closely with the parties to handle case management issues so that key issues can be resolved more cost-effectively. Parties in many large cases have found this very helpful and have stipulated to his continuing involvement as both a mediator and discovery referee, despite the new statutory framework that would ordinarily promote separation of the two functions.

Legal Skills

Jim Roberts retired from the practice of law in 1999 after twenty-three years. During that time, he successfully resolved over \$1 billion of claims and tried several dozen cases. Jim has consistently predicted the outcome at trial of the small percentage of mediated cases that did not settle. Parties have also said that his arbitration rulings closely approximated their private assessments of the strengths and weaknesses of their case.

As a mediator and discovery referee, fewer than 1% of Jim Roberts' recommendations have been disputed in the trial court by any of the often-numerous parties to major cases. In one of the rare instances where his recommendation was not followed, the Fourth District Court of Appeal recently reversed the trial court and agreed with him in a landmark published opinion upholding the attorney-client privilege relating to homeowner association litigation meetings: *Seahaus La Jolla Owners Association v. Superior Court* (2014) 224 Cal.App.4th 754.

Scheduling

Your scheduling needs, particularly on time-sensitive matters, are important, and Jim adjusts his schedule to fit them whenever possible. He does not over book, so your matter will receive the attention it requires. It will be handled on time, efficiently, and effectively.

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Jim Roberts welcomes new mediations and arbitrations. For more information or to schedule an appointment, please call his assistant, Michelle Westerlund, at (619) 239-8494. You may also reach Jim Roberts at the same number.