



AAA Mediation.org™

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Evanston, Illinois



Current Employer-Title DePaul University College of Law - Emeritus Associate Professor of Law

Work History Emeritus Associate Professor of Law, 2014-present
Associate Professor of Law, 1978-2014
Assistant Professor of Law, 1974-1978
Associate Dean/Acting Dean, DePaul University College of Law, 1974-1979
Director, DePaul Center for Dispute Resolution, 1988–2010
Counsel, Wildman, Harrold, Allen & Dixon, 1981-1991
Counsel, Overton Schwartz & Fritts, 1979-1991
Associate, Overton Schwartz & Fritts, 1972-1974.

Mediator Experience The largest number of cases mediated has involved disputed issues in a business context, including corporations, partnerships and family businesses. The next largest group of mediated cases has included real estate matters such as disputes over boundaries, title insurance, broker-customer, property damage and construction. The mediation of institutional cases such as universities, religious organizations, governmental agencies, health care providers and other non-profit groups make up a large number of cases. Also mediated have been cases involving individuals with issues in insurance coverage, professional liability, healthcare, clergy-abuse, personal injury, wrongful death, estate planning and settlements. The amounts in dispute have ranged from over \$50,000,000.00 to under \$10,000.00.

In addition to mediating since 1985, other mediation activities have been conducting mediation training programs for attorneys, judges, business executives, school administrators, human resource and other managers.

Representative Issues Handled as a Mediator Corporations with breach of contract issues, management and succession issues in family-owned businesses, reorganization and dissolution issues in partnerships, real estate developers and construction contractors, condominium association disputes between owners and boards, commercial and residential landlord-tenant disputes over lease provisions, franchisor-franchisee disputes over terms of franchise agreements, trade associations disputes with members, universities and faculty members, religious organizations and property matters.

individuals with issues in professional liability, insurance coverage, disability and healthcare matters, consumer disputes, personal injuries, wrongful death claims, clergy-abuse cases, estate planning and estate settlements.

Mediator Style & Process Preferences At the conclusion of a mediation conference, the parties must decide whether to accept the proposed terms of settlement or pursue a binding award in arbitration or a judgment in court. A successful mediation is one in which the parties and their attorneys acquire sufficient information to make this an informed choice. This necessitates the exploration of business solutions suggested by the parties as well as potential legal remedies analyzed by the attorneys.

To acquire this information, the mediation conference needs to be designed after the mediator has explored with the attorneys and the parties the reasons they have been unable to reach a negotiated agreement. Experience has shown that thoughtful design and thorough preparation by the parties, attorneys and the mediator, including the exchange of necessary documents and statements describing the dispute, will raise the likelihood of settlement significantly.

During the mediation conference the mediator needs to do whatever is helpful for the parties and their attorneys. It is not always clear prior to the mediation conference what style of mediation will be most appropriate. The mediator needs to be able to move in and out of facilitative and evaluative styles throughout the process as required by the facts of the case and the persons participating. Proposed terms of settlement arrived at through intense mutual participation and an adequate understanding of the likely outcome in arbitration or court are necessary so that the decision whether to settle or pursue a binding process can be appropriately made.

Education North Central College (BA-1960);
DePaul University College of Law (JD-1972);
University of Chicago (MA-2007).

Professional Licenses Admitted to the Bar, Illinois, 1972.

Professional Associations Chicago Bar Association and Chicago Bar Association Dispute Resolution Committee

Locations Where Parties Will Not be Charged for Travel Expenses Chicago, IL

Mediation Rate \$400 Per Hour

Languages English

Citizenship United States of America

Locale Evanston, IL

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.