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**FN-4048110 MN-4048110 LN-4048110,
Esq.**

Hopewell, New Jersey

Current Employer-Title Rosemarie R Williams J.S.C.(Retired) Dispute Resolution Services

Profession Retired Trial and General Equity Presiding Judge, Arbitrator, Educator, Mediator

Work History ADR and law practice 2007 – Present; Professor, Seton Hall University School of Law teaching Dispute Resolution and Trial Skills, 2007 – Present; Superior Court Judge & Presiding General Equity Judge, State of New Jersey Judiciary, 1993 – 2007; Deputy Attorney General/Section Chief, Section Chief State of New Jersey Attorney General's Office (Litigation Section) 1981 – 1993.

Experience Represented all agencies of the State of New Jersey including New Jersey Transit for personal injury to clients and employees; NJ State Police for constitutional violations, negligence, employment issues including retaliation and qualifications for employment. Represented the State Police in appropriateness of physical requirements for female troopers. Represented the New Jersey Spill Compensation Fund and defended environmental violations brought against the State of New Jersey's institutions. As a DEP attorney, represented DEP in Cost Recovery Actions against private entities. As litigator, represented the Department of Transportation in cases involving the safety of its roads in both construction and subsequent repair. As Section Chief of the Litigation section, managed all attorneys and support staff who represented the State in defense of its agencies and advised other attorneys on trial strategy and evaluating cases for settlement, including outside counsel for the University of Medicine and Dentistry in Medical Malpractice Actions.

As Superior Court Trial and Presiding Chancery Judge, managed and resolved all types of civil matters for settlement and trial, including contract, employment discrimination, construction litigation, personal injury, products liability, constitutional violations brought by employees including parties such as the City Police Departments. As the designated Environmental Judge for Vicinage 13, which encompassed three counties, resolved significant environmental cases. When promoted to the position of Presiding General Equity judge, dealt with issues such as business dissolutions, shareholder actions, litigation regarding partnership agreements, labor-related disputes, applicability of non-compete agreements, Commercial Property contracts, foreclosure, rescission and reformation of contracts. Additionally, was assigned the Probate matters.

Over the past 14 years, handled numerous Civil Arbitrations both as a single arbitrator and on a panel covering all civil topics. Resolved hundreds of cases through mediation. See more details under employment resume.

Mediator Experience Mediations have been successfully resolved in cases involving numerous areas, with particular concentration on Employment Law. Cases handled included constructive discharge, Title VII & LAD cases of all types, sexual harassment, sexual assault and whistle blower actions. Cases brought by individuals included all types of defendants such as a Retail Toy Chain, a trucking company, various school boards and their employees, car dealerships and clothing manufacturers. Recently a case was brought against a municipality's police chief and the town by a number of officers alleging a hostile work environment and sexual discrimination.

Other civil matters mediated were of the personal injury type and included slip and falls with significant orthopedic injuries often resulting in various types of treatment including surgical intervention. These cases required an expertise in orthopedic injuries and appropriate treatment modalities. Many nursing home cases involved allegations of medical malpractice. The personal injury cases included clients such as a burger franchise and utility companies.

Also mediated construction litigation cases including one brought by a condo association against a developer. There were alleged problems involving concrete work, EIFS, insulation of pipes, fire egress, a lack of pilings causing areas to sink and finances. Damages were alleged to be in the hundreds of thousands of dollars. The hybrid med-arb process was utilized.

Amounts in controversy varied greatly from employment cases which might be settled for nuisance value because of the fee shifting provisions or cases settling for just under a million dollars because of significant personal injuries.

Representative Issues Handled as a Mediator

All types of employment cases including sexual harassment, sexual assault, discrimination, constructive discharge, whistle blower actions and the amount of damages due to the litigants. (See more detail under employment resume)

Personal injury cases involve medical malpractice, slip and fall, numerous car accidents, trucking safety, orthopedic damages, surgical intervention for treatment, construction litigation including safety regulations on construction sites, OSHA violations and industry standards. Legal malpractice claims have also been successfully mediated. General equity matters have also been resolved.

Additionally, contract cases of all types have been resolved.

Mediator Style & Process Preferences

I believe mediation is a powerful tool for dispute resolution and has helped lawyers and parties greatly as it has expanded in use. However, it is important that everyone come to the table with the same goals in mind. If one of the parties is not ready or does not have faith that the case is resolvable then it may be doomed to failure. The goals of mediation should be to encourage the exchange of information, provide new information which may not have been realized through discovery and help the parties understand each other's views. Sometimes one person may not understand what is motivating their adversary to make certain demands. The mediator can assist with this by explaining during a caucus the information which may not be comfortable for the party to explain face to face. The mediator can also brainstorm with the parties in search of acceptable solutions. In many cases the mediator can act as a sounding board for the parties by allowing a productive level of emotional expression. The mediator can also validate the parties' feelings and concerns and paraphrase and re-frame any negative information which needs to be conveyed. In this regard it is often the mediator's job to tell the parties why their case may have problems if it proceeded to trial. The mediator should encourage flexibility and be creative in suggesting ideas for settling the matter. From my perspective I really do care if the case settles and will keep trying even though it may look like it is not going to work out. Sometimes keeping everyone from getting discouraged and getting them back on track will ultimately result in settlement.

Education

Villanova University School of Law (JD-1981); The College of New Jersey (B.A. Summa Cum Laude - 1978).

Professional Licenses

Admitted to the Bar: New Jersey (1981); U.S. District Court: District of New Jersey (1981). Approved State Court Arbitrator and Mediator; Approved Federal Court Mediator.

Professional Associations

American Bar Association (Fellow)
Somerset County Bar Association
Mercer County Bar Association and Arbitration Committee
Middlesex County Bar Association and Civil Practice Committee
Retired Judges Association Trustee and Employment Committee.
NJ State Bar Association
Board member NJ State Bar Association Dispute Resolution Section.

Recent Publications & Speaking Engagements

2017 Speaker Middlesex County Bar Association - Litigating Public Entity Cases
2016 Speaker Richard J. Hughes Inn of Court - Alternate Dispute Resolution
2015 Speaker Middlesex County Bar Association - Getting Your Best Results with ADR, ,

Construction Litigation

For the past 14 Years Professor at Seton Hall University School of Law teaching Dispute Resolution Processes with emphasis on negotiation, mediation and arbitration.

Mediation Rate \$600 Per Hour

Languages English

Citizenship United States of America

Locale Hopewell, NJ

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.