

VERDICTS & SETTLEMENTS

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Mediation Pioneer Keys In on Easing Hostilities

By Greg Katz
Daily Journal Staff Writer

LOS ANGELES — Caroline Vincent started building her alternative dispute resolution career 21 years ago, long before the lawyer-to-mediator path became a trend.

Beginning as a part-time community mediator in the 1980s, while still practicing law, Vincent joined up with JAMS in 1994, when she decided to switch to full-time neutral work.

After 10 years at JAMS, Vincent jumped to ADR Services four years

ADR Profile

ago. She said that she finds her new home much to her liking, particularly because the company was started by a woman.

ADR Services founder Lucie Baron, an entrepreneur and nonlawyer, was one of the first to capitalize on the now-booming ADR business.

"It's nice to have a woman owning the business," Vincent, 58, said. "That's not why I came here, but I really admire Lucie for that."

If there's a hint of feminism in the remark, it might be intentional. Vincent believes there are distinct differences in how male and female mediators approach cases.

"Comparing men to women, everybody has within them qualities, and women tend to have more qualities [like] paying attention to relationships, making people comfortable and relaxed," Vincent said.

"Everybody that is a mediator — a good mediator — has those qualities and brings them to bear," Vincent added. "[But] I think, for women, it's more natural."

A Los Angeles native, Vincent received her undergraduate degree in anthropology in 1971 from Tulane University. After spending two years in a marriage that fell



ROBERT LEVINS / Daily Journal

"Probably my favorite kinds of cases are cases where you don't just settle a lawsuit and somebody pays money, but you resolve a case by putting a deal back together or helping people recreate a relationship and move forward together," said Caroline Vincent, a neutral with ADR Services in Los Angeles.

apart, she began her law career in Louisiana as a paralegal.

She quickly realized that she understood cases as well as the lawyers at the firm, she said. So decided to go to law school back in her hometown.

After graduating from USC Gould School of Law in 1978, Vincent was scooped up quickly by big firms: first Morrison & Foerster, then Rogers & Wells, which has since merged with Clifford Chance.

"For my first two years of practice I worked in those two large law firms, and I did very high-end transactional work," Vincent said. "Because they were branch offices, I was able to do more sophisticated work — and also because of my

paralegal background — than normally a one- or two-year associate would be able to do."

Vincent said she began mediating in 1983, at the suggestion of colleagues and ADR pioneers Joel Edelman and Bonnie Newman, at the Los Angeles Neighborhood Justice Center, now the Los Angeles County Bar Association Dispute Resolution Services. She took to community mediation immediately and became deeply involved in the organization.

"I did school peer mediation training, and I helped write standards and ethics for the operating committee," Vincent said.

Despite her immediate love of mediating, Vincent said her law

practice remained her focus until she was approached by JAMS to become a full-time neutral.

Vincent said she believes it is her range of experiences that has been the most important factor in shaping her ability to handle a wide variety of cases, including those involving very complex legal issues.

"I have that skill and expertise from all my big firm work and JAMS and all that," she said. "Sometimes the lawyers will say, 'Hey, this is really an interpersonal dispute. Can you help us with that?' Sometimes they'll even step out of the room, and I just deal with the [parties]."

That happened in a recent case involving two sisters, Vincent said.

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One sister lived in California and the other in Florida, while taking care of their elderly mother. The sister in Florida had started making home improvements out of the two sisters' inheritance, leading the California sister to retrieve their mother from Florida and take her to a nursing home in Los Angeles. The Florida sister filed a kidnapping charge in California.

"The lawyers called me ... and they said, 'You know, it would really be great, Caroline, if you would just work with our clients, and we won't even come.' I said, 'Oh goody!'" Vincent recalled.

When the women came to the mediation, Vincent said, all they could talk about was how the other sister was mismanaging the money and how all the money was going to be gone.

Vincent said she decided to focus the sisters' attention on their mother's well-being by hanging their mother's picture on the wall.

After that, the other problems cleared up quickly, Vincent said.

Lawyer Pat Barrera of Los Angeles-based Barrera & Associates found in a recent case that Vincent had a knack for spotting the root of a conflict.

"I had a mediation with her where I had this lawyer who's been practicing for 50 years. He's as stubborn as they come. Here's a guy who said, 'Not gonna move. I'm entrenched in my position.'" Barrera said.

"By the end of the mediation, she had him softening up and rethinking his position," Barrera continued. "We're still talking. We had not



Caroline Vincent

Location: Los Angeles

Affiliation: ADR Services

Areas of specialty: Complex business, real estate, employment, probate/trusts/elder law, family business, personal injury, professional liability

Rate: \$400 an hour

Age: 58

been talking to the other side prior to that mediation."

Vincent recalled another favorite case, which centered on the collapse of a real estate deal between two neighbors.

"Individually, I was able to help the people understand, going back, that their relationship had breakdowns in communication," Vincent said.

She said she was able to get them to focus on their relationship issues, and the deal took care of itself.

"Probably my favorite kinds of cases are cases where you don't just settle a lawsuit and somebody pays money, but you resolve a case by putting a deal back together or helping people recreate a relationship and move forward together," Vincent said.

Lawyers who have worked with Vincent find she is adept at that.

"I keep her [curriculum vitae] on a short list of mediators that I like,"

said Paul Bickenbach, of the Manhattan Beach-based Law Offices of Paul Bickenbach.

"She's not hard-handed. She has a personality where she always gets people to go along with the game, so to speak," he said.

Vincent received similar praise from Chris L. Campbell, a sole practitioner in Los Angeles.

"Hands-down best neutral ever," Campbell enthused.

"In one case, which could be characterized as a family dispute involving intense emotions, she was able to deal with that situation far more effectively than most people, including a retired judicial officer who had attempted to mediate the case previously," he said.

There is, of course, more to the self-described "complex" Vincent than just a knack for mediating.

She retains her interest in anthropology and has traveled extensively,

exploring the customs of various native cultures.

"One of the things that I have always found fascinating is the way Native Americans have dealt with conflict and also politics," Vincent said. "They honored all those different voices — 'Let's hear from the warriors. What do the children think? What do the mothers, the women, think? What do the men think?'"

"[They would] intake all the different viewpoints, and try to come up with a wise decision that considered everything," she said.

Vincent said she tries to apply that ethic of consensus building to her mediations.

"Participatory decision-making is not only what we do in conflict resolution, but it's how our democracy works," she said.

Some of the lawyers who have used Vincent's services are:

Chris L. Campbell, Law Offices of Chris L. Campbell, Los Angeles; Paul H. Bickenbach, Law Offices of Paul Bickenbach, Manhattan Beach; Pat Barrera, Barrera & Associates, Manhattan Beach; Vicki Freimann, Carroll, Burdick & McDonough, Los Angeles; Matthew J. Geragos, Geragos Law Group, Pasadena; Dolores Y. Leal, Allred, Maroko & Goldberg, Los Angeles; Terry C. Leuin, Cotkin & Collins, Los Angeles; Edward Zappia, Jackson Lewis, Los Angeles; Steven R. Young, Law Offices of Steven R. Young, Irvine; and Larry Slade, Slade & Associates, Los Angeles