

As a civil litigation and mediation attorney who has settled hundreds and hundreds of cases without the expense and time involved in trial, and who has settled these cases for amounts that clients were very pleased with, I tell other attorneys that there are a number of steps that bring this success, none more important than using mediation to your advantage.

If you need legal assistance for a mediation or arbitration in California visit our law firm website at <http://www.sebastiangibsonlaw.com> for more information and call us at any of the numbers easily found on our website.

Whether your case is in San Diego, Orange County, Palm Springs, or Palm Desert or even if your case is an international one, there are good mediators available who can be invaluable to winning your case.

The most important step an attorney can take when a case won't settle for whatever the reason, is to convince the other attorney and your client to go to mediation. Once the parties have agreed to go to mediation, the key is choosing the right mediator.

Many states have legal newspapers that are published daily and many of those newspapers have annual lists of the best mediators. This is one good source for finding a neutral mediator that will take the time to both understand the issues and wrangle with the parties until a settlement is achieved.

Another good source for mediators that are evenhanded and conscientious are other attorneys. You can almost always count on the opposing attorney to recommend a mediation service that has scores of mediators, each with their own specialty. This type of mediator is hit or miss.

If you are a plaintiff's attorney, you want a mediator that is 1) Recommended by other plaintiff attorneys, 2) Acceptable to defense attorneys, 3) Known to read mediation briefs, 4) Known to have a slight persuasion toward Plaintiffs, 5) Knowledgeable in the subject of the lawsuit, and 6) Known to stay as long as it takes to settle a case.

If you are a defense attorney, you want a mediator that is 1) Recommended by other defense attorneys, 2) Acceptable to plaintiff attorneys, 3) Known to read mediation briefs, 4) Known to have a slight persuasion toward being conservative, 5) Knowledgeable in the subject of the lawsuit, and 6) Known to stay as long as it takes to settle a case.

The second most important step an attorney can take to have a case settle for a figure that the client will accept is to prepare a well thought out and organized mediation brief. The difference between a short argumentative brief and a well-reasoned and more substantial brief with exhibits attached is the difference between winning and losing.

The third most important step is to prepare the client. The client needs to be prepared for what questions you, the other attorney or the mediator may ask. And the client needs to be prepared as to the process of the mediation and how long it may take. If possible, the client

should also be prepared as to what his bottom line is, i.e. what he or she will be prepared to take or to pay.

If these steps are taken, there is a good chance your case will be settled in the mediation. If you don't take these steps, you may very well be wasting your half of the mediator's hourly rates which, for a good mediator, are \$400/hr and up.

If you need an attorney for a mediation or for litigation that should be settled rather than taken to trial, visit our law firm website at <http://www.sebastiangibsonlaw.com> and call the law firm of Sebastian Gibson today.