

VERDICTS & SETTLEMENTS

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Nimble & Knowledgeable

In Scott Dickinson, attorneys say they find balance, expertise, empathy and effective communication.

By Don DeBenedictis

Special to the Daily Journal

There are several reasons many attorneys like to have Scott Dickinson mediate their injury cases. First, Dickinson was an insurance defense attorney for about a decade and a plaintiffs' tort attorney for another decade. He understands what both sides want and need, the lawyers say.

Second, he has a master's degree in physiology, so he understands the medical aspects of cases better than the attorneys usually do.

An even more important reason lawyers give for why they pick Dickinson is his friendly personality and his ability to talk to litigants and put them at ease – even insurance adjusters.

"He's an old-school guy's guy," said plaintiffs' attorney Edward Morgan. "He's like an old-school boxing coach from an '80s Rocky movie that you want to grab a beer with."

Another plaintiffs' attorney, Jeffrey Roberts, said Dickinson has a comfortable demeanor that puts litigants at ease. "He gets to know the clients a little bit" often with "some kind of story he can share" or with "some conversation that isn't case related at the beginning of the day."

He's the same with adjusters, Roberts added. "He doesn't look at them as robots."

Defense attorney Christopher Wesierski said Dickinson is polite and professional. "He treats everyone with courtesy and kindness. He's not abrupt, he lets them tell their story ... [and] air their thoughts," he said.

"He has a wonderful personality, very engaging but also very low key,"



Thomas Kurtz / Special to the Daily Journal

said litigator Ed Susolik. "He has excellent communication skills at every level."

Dickinson responded that litigation and mediation are stressful for clients, so he likes to interject a little levity when he can. To help develop trust, he tries to find common areas of interest between himself and the litigant and between himself and each attorney and adjuster, he said.

"So at the end of the day they can say, 'Hey, it wasn't so bad. We had a good time.'" Echoing Morgan, Dickinson added, "In other words, I'd like to have it where they can say at the end of the mediation, 'I'd

like to go out with that person and have a beer.'"

He compares his general mediation style to the way Bruce Lee described his martial arts style. It's "a style without a style," he said.

"My style changes depending upon the personalities I'm dealing with," Dickinson explained. That means it is open-ended and can change during a mediation.

"I think to be a good mediator you can't be stuck in the mud on one particular style because every case is different, and you're dealing with three or four personalities in one mediation, so you've got to adjust. ... Sometimes I've got to be

Scott J. Dickinson

ADR Services, Inc.
Irvine

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very stern, sometimes I've got to be very laissez-faire."

Other times, Dickinson said he lets the attorneys largely run a mediation session. He may act merely as an umpire by letting the process flow until some decisions are needed.

His style "is very matter of fact," said plaintiffs' attorney Jesse Bablove. "He will talk to the clients about certain issues in the case they might not want to hear." If there are problems, he wants to "confront them head-on."

Dickinson said it is important to establish an honest relationship with counsel and litigators. "Without trust, you're not going to get very far."

Transparency is key. When he asks attorneys whether they want his honest thoughts about their case, "99% of them are going to want to know the truth," he said.

Dickinson also wants transparency from the litigants and attorneys. He wants them to tell him the weaknesses as well as the strengths of their cases. "If they tell me they have no weaknesses or no vulnerabilities, then my thought is maybe there's something there that they're hiding from me."

Dickinson was born and raised in Buffalo, N.Y., one of six brothers. "We were always very competitive athletically."

The family moved to the Whit-tier area, where he went to high school. He won a football scholarship in San Diego but injured his knee in his sophomore year. "I

thought, well, maybe I could become a jet fighter pilot or a rock and roll singer. I was a drummer in a rock and roll band." But those dreams didn't work out.

In college – he went to several, including one in Mexico for a year – he became interested in anatomy and physiology, eventually earning bachelor's and master's degrees in the field from California State University Fullerton in 1997 and 1999.

The field was his passion. He became a cardiac therapist, working especially with patients with cardiac and with movement issues. He also taught classes in community colleges and to nurses.

"But to be honest with you, I wasn't making a lot of money in the physical therapy field," he said. "So I decided that maybe I ought to try law now. So ... I went to law school."

Dickinson earned his law degree from Western State University College of Law in 1985. While in law school, he continued doing cardiac therapy and teaching. He also taught a graduate course in cardiac arrhythmias in Chapman University's sports medicine program. "I was working like three different jobs," he said.

In 1987, he went to work with the insurance defense firm Gilbert, Kelly, Crowley & Jennett. Then in 1991, he switched sides, joining what became the plaintiffs' firm Burge, Strid & Dickinson. "I decided that I wanted to be more well-rounded," he said. With that firm

he handled catastrophic brain injury cases, premises liability cases, landlord-tenant cases, employment cases and even some repressed-memory cases.

In 1999, he rejoined Gilbert Kelly as a partner. Then, in the spring of 2006, after two decades as a practicing attorney and after trying "a ton of cases," Dickinson decided to become a mediator. He took the week-long course at Pepperdine's Straus Institute and signed up with every court-based mediation panel he could find. He joined ADR Services, Inc. a year later.

When he is assigned a case, he asks the attorneys for short mediation briefs without excessive details. "Just a general overview, general facts and what the major issues are. Usually there's three or four issues, and that's all I need to know."

Morgan said Dickinson is "very effective ... I've settled numerous seven-figure cases with him just in the span of a year or so."

Because he has been a plaintiffs' and a defense attorney, "he understands what each side needs," said Roberts. "He can get compromise from the opposing room to meet part of your need. ... He won't get it all for you, but he'll get you something."

He also readily uses mediator's proposals, Roberts added, and Dickinson agreed. "In 2024, I've given more mediator's proposals than I've done in my almost 18 years previously," he said.

Susolik called Dickinson "one of the best mediators I've worked with in the last 20 years. He is an expert on coverage issues and on settling cases in which multiple defendants are at odds. He's a closer," Susolik said.

Several lawyers said Dickinson works hard at trying to resolve cases that haven't settled during a mediation session. "He'll be on the phone multiple times over weeks and months to get the case settled," according to plaintiffs' lawyer Alan Brown.

That may be because he truly enjoys settling cases. "I think it's the best job in the world helping people ... resolve legal disputes that otherwise [would be] going to trial," he said.

"This is kind of like my third profession, and this is going to be my last profession," Dickinson added, "unless somebody calls me and wants me to be a drummer in their rock and roll band."

Here are some attorneys who have used Dickinson's services: Jesse M. Bablove, Kohan & Bablove LLP; Jeffrey S. Behar, Ford, Walker, Haggerty & Behar LLP; Alan C. Brown, Day, Day and Brown; Ted R. Crisler, Law Office of Eric G. Anderson [CNA Ins]; Robert A. Fisher II, MacDonald & Cody LLP; Edward M. Morgan, Downtown LA Law Group; Shaun M. Phillips, Benchmark Injury Law; Jeffrey T. Roberts, Roberts Jeandron; Edward Susolik, Callahan & Blaine; Christopher P. Wesierski, Wesierski & Zurek LLP