

PROBLEM SOLVER

Monty McIntyre Finds Possibilities for Parties, Answers for Attorneys and Satisfaction in Solutions

By Jennifer Hadley

For more than 30 years, Monty McIntyre has been a fixture within the San Diego legal community. He's served as President of the San Diego County Bar Association, as a delegate in the American Bar Association House of Delegates, as a member of the Executive Council of the National Conference of Bar Presidents, and currently serves as Vice President of the San Diego Chapter of the American Board of Trial Advocates (ABOTA). As a civil trial lawyer in San Diego, McIntyre has represented both plaintiffs and defendants in business, commercial, construction, insurance, real estate, serious injury, medical malpractice, wrongful death and tort litigation. And with more than 30 civil jury trials tried to conclusion, and more than 100 cases including jury trials, bench trials and arbitrations, suffice to say, McIntyre has had his share of time in front of decision makers.

But what he's more concerned with these days is being a peacemaker. He began serving as a San Diego Superior Court arbitrator in 1985 and was later chosen as "one of a select group of San Diego lawyers who were invited to receive mediation training by the American Arbitration Association in 1993," McIntyre says. The training brought back to mind the reason McIntyre fell in love with the law in the first place. It would ultimately also serve as the catalyst for his gradual transition into full-time mediation, arbitration, and discovery referee work with the opening of The Mediation and Law Office of Monty A. McIntyre in January 2013.

IDENTIFYING PROBLEMS

"I grew up during the Civil Rights Era," McIntyre recalls. "I thought I wanted to go into politics to make better laws and a better society. I decided that, in order to do that, I'd better learn the law." As it turned out, McIntyre loved the law. "I had a passion for it. I also began to see that too little was being accomplished by politicians, so instead I decided I would try to make improvements to society as an attorney," he says.

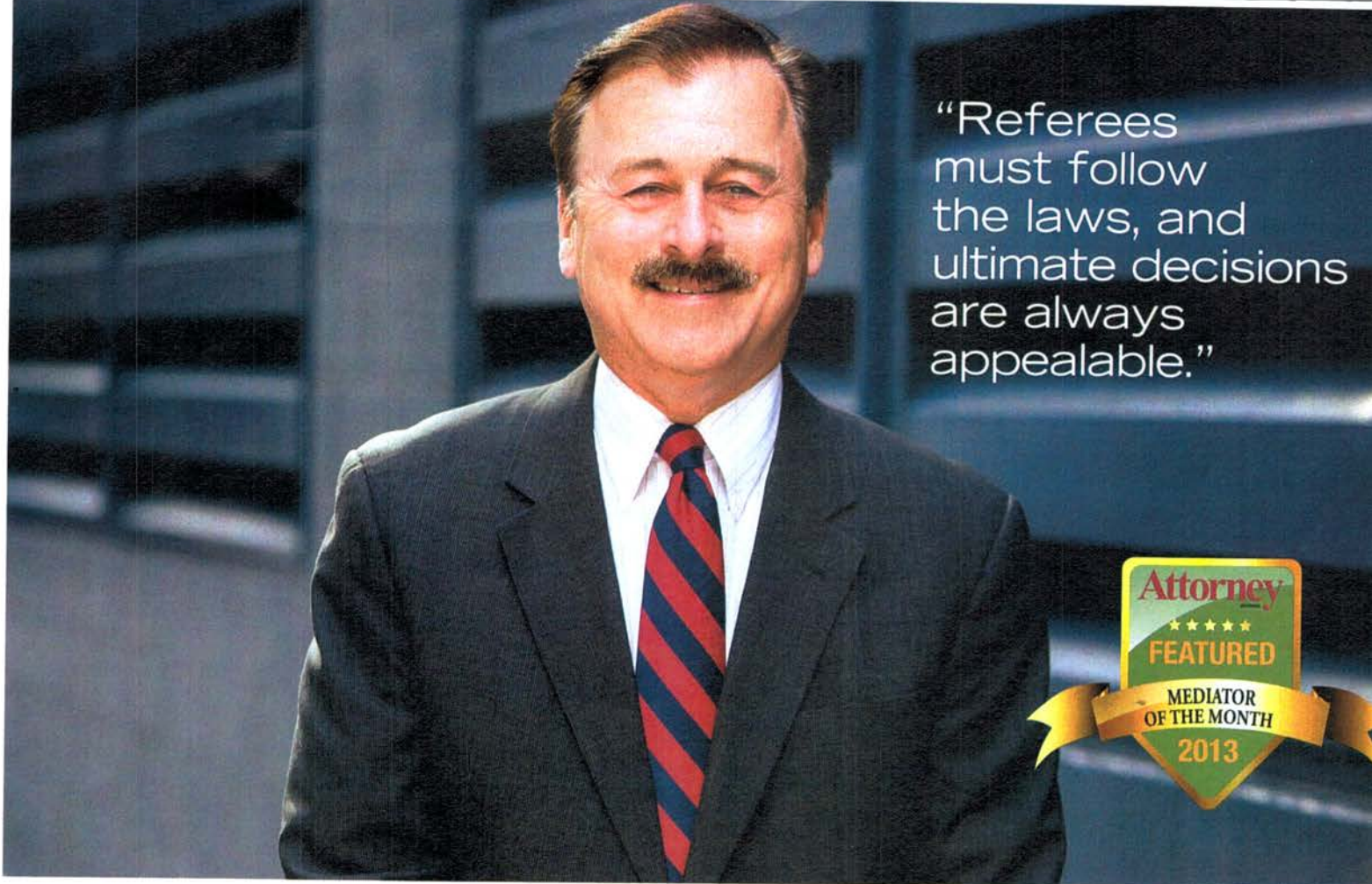
For his countless clients over the years, McIntyre did, indeed, make a difference. For example, he obtained a \$19 million settlement for a girl with a brain injury in a medical malpractice case. He's also obtained millions of dollars in settlements and judgments in first-party, bad faith insurance cases. Yet, he always felt a greater sense of fulfillment through helping parties find closure. "As a mediator, I call upon my extensive civil

trial experience in a number of areas. I've tried a lot of cases with great outcomes, but I feel like I'm helping more through mediation. I thoroughly enjoy guiding people to a successful resolution," he explains.

PROVIDING ALL POSSIBLE SOLUTIONS

For McIntyre, part of providing solutions means offering all possible avenues available to settle disputes. And with 20 years of experience as a mediator, McIntyre knows that "some cases need more of an evaluative approach, others need more of a facilitative approach," he says. "It's important to get a sense of who you're dealing with and figure out what is going to work best for the parties involved."

As much as he refuses to abide by a one-size-fits-all approach to mediation, or to exclusively offer mediation services, he is happy to provide arbitration services as well as discovery referee services. In fact, he predicts that discovery referee services will become increasingly popular over time as more and more attorneys see that "court funding problems will result in continued delays," he says. "I don't think the budget cuts are going to go away even when the economy gets better. I think, over time, attorneys will be willing to pay for faster results. Instead of waiting four or five months to have a motion heard, they can be decided in 20-30 days," he explains. "It's a much more efficient process, and it is a tool that should probably be used more often." Moreover,



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attorneys like the fact that, unlike an arbitration which leaves very little room for appeal, “referees must follow the law, and their decisions are appealable,” he adds.

McIntyre has also found a way to distinguish himself in the mediation arena. With his Midnight Mediation™, McIntyre provides a new option for attorneys and their clients. This service is a “last-ditch effort before trial,” and McIntyre is happy to offer these spontaneous services which are scheduled from 9 a.m. to 5 p.m. on Saturday and Sunday. Part of the reason for offering this unique, last-minute service is due to McIntyre’s inherently positive outlook and belief that it’s never too late to settle a case. “As a mediator, I believe my job is to be a Relentless Optimist™,” he says. In fact, he felt so strongly about this concept that he trademarked the phrase.

ANSWERS FOR ATTORNEYS

McIntyre’s lifelong goal of providing solutions to society and its problems mandates that he keep current with California case law. As a challenge to himself last summer, he decided to summarize all civil cases in California every two weeks. “It keeps me current and disciplined,” he says. However, he wasn’t happy keeping his work to himself. On the contrary, he found a way to provide educational resources, including MCLE credits for fellow attorneys. “*McIntyre’s California Civil Law Update* provides succinct and organized summaries of all civil cases,” he says. Delivered free of charge every two weeks via email, it allows California attorneys to keep up with new civil cases

including those in their specialty practice areas.

For fellow attorneys looking to keep up with new civil cases while also earning their required California MCLE credits, *McIntyre’s California Civil Law Update* is also available as an audio version. For \$180 per year, *McIntyre’s California Civil Law Update* provides attorney subscribers 7 California Participatory MCLE Credits each year. “Attorneys can download and listen to the summaries whenever and wherever they want to, on their computer, iPhone, iPad, or Android phone. By listening to the summaries, you will get great ideas for your cases. Plus, you will get all of your required general MCLE credits over three years,” McIntyre says.

In regards to the future, McIntyre plans to continue to focus on solutions. While his passion for law keeps him practicing as an attorney, he intends to move towards mediation, arbitration and referee work full time. Consequently, it’s not surprising that this Relentless Optimist™ has positive expectations for his future work. “I love being creative, I love growing and learning, and I really love ultimately finding a solution to seemingly irresolvable disputes. It’s good for parties, and it’s good for me,” he says. ■

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