

Loosening The Straight Laces

Alexander H. Williams III had to shake off his hard-charging military background to learn the listening skills that help him guide mediations to resolution.



Alexander H. Williams III
Age: 65

Affiliation: ADR Services Inc.

Location: Los Angeles

Areas of Specialty: business, employment, entertainment, insurance bad faith, professional malpractice, personal injury, lemon law, real estate

Rate: \$400 per hour

received at Pepperdine University School of Law's Straus Institute for Dispute Resolution, which he said helped him to understand how to listen to people and understand their problems.

He began training, and later teaching, at Straus while still a Los Angeles County Superior Court judge. He retired from the bench in 2008, after 24 years of service, and joined ADR Services Inc., where he mainly does mediations and some arbitrations.

While he sometimes misses the court, Williams said his new career suits him just fine.

"I guess it's like the book says, 'To every time there is a season.' I have loved what I have done, and I love what I do," Williams said. "I found the transition to be marvelously easy.

"I do not wake up craving the touch of virgin polyester robe. I do not miss it."

But, he added, he still sees his court staff regularly and has lunch once a month with

By Susan McRae
Daily Journal Staff Writer

LOS ANGELES - Even though he spent his last three years on the bench as a full-time settlement judge, Alexander H. Williams III insists he's not a natural negotiator or bargainer.

"I am a pretty straight-laced, linear, white male, Southern, Catholic, 30-years-in-the-military, former federal prosecutor kind of guy," said Williams, his Virginia accent still firmly intact.

"Touchy-feely is not what you normally associate with somebody like that," he said.

Williams credits his transformation to the training he

his former court reporter and former clerk.

Dapper and fit, with a flair for suspenders and bow ties - always tied, never clipped-on - the 65-year-old, fourth generation Virginian has an engaging manner that, lawyers say, goes far toward disarming parties and putting them at ease.

"He has a great ability to relate to people, no matter what their circumstances," plaintiffs' attorney John A. Girardi of Girardi & Keese said. "He has a finely tuned sense of humor and is not afraid to make himself the object of it."

Williams also is known to be tenacious in his follow-up. When cases don't settle in the first go-round, his persistence often leads to a later resolution.

Plaintiffs' attorney Lawrence Grassini of Grassini & Wrinkle recently had an exceptionally complex personal injury case with Williams involving a mall shooting, with multiple sets of lawyers for the businesses and security firms. The parties had tried to mediate the case twice before and didn't even come close to settling it, Grassini said.

"He started and just didn't stop," Grassini said. "After the mediation, when everybody walked away and said this case will never settle, he continued with phone calls, pushing, prodding and cajoling, and eventually he was successful."

Defense attorney Craig Roeb of Chapman, Glucksman, Dean, Roeb & Barger, who handles employment and product liability cases, has had 10 mediations with Williams. Eight settled during mediation, he said, and two settled in later follow-ups.

"I like the fact that he's thorough. He reads the papers and is familiar with the facts and the law," Roeb said. "He was thorough on the bench, as well. You could tell throughout oral argument that he was very knowledgeable. He didn't just pick up the research memo and read from it."

As a mediator, Roeb said, Williams will let you know if he thinks you have a good case or one that you need to re-evaluate.

Williams also goes the extra mile to show respect for other people's culture and language.

Los Angeles plaintiffs' lawyer Eric E. Castelblanco has a mainly Spanish-speaking clientele. In a recent landlord-tenant dispute, he said, Williams did a wonderful job talking to his clients in Spanish and including them in the process.

"It went a long way toward getting the case resolved," Castelblanco said. "He's modest about his language skills. He speaks a lot more than he lets on."

Williams said he does see a number of parties from different cultures.

Several weeks ago, he conducted a mediation involving Korean parties. Before arriving, he quickly called his case manager, Christie Woo, who speaks Korean, and asked her how to say hello in the language.

When he walked into the mediation room, Williams greeted the parties in Korean to their surprise and delight.

"So, we had a laughing relationship for the entire day because I made that one simple gesture," Williams said. "I wasn't attempting to be fluent. I simply was making it clear that it mattered to me to be respectful of culture.

"I guess that underscores one of the things I love about this work. It brings out qualities in me that I really like, and I think are the best side of me. My job is to help people put on the other side's glasses. And when I am successful, it's really cool."

Most of his mediations are completed in either four- or eight-hour sessions. He likes both. It depends on what the parties want. On one hand, the four-hour sessions force him to really focus. With the eight-hour sessions, particularly if strong emotions are involved, he has more time to listen and help people relax.

He makes sure the parties know up front how much time they have, not that he will quit on them, he said. But as a matter of personal integrity, he feels obligated to tell them that if they go over the limit he will have to charge. Follow-up by phone is free, he said, but not as effective.

Williams said he never gets between the client and his or her attorney. His job is to help the lawyer listen to the client and the client listen to the lawyer. He asks questions both to get and to impart information. For example, he'll ask a lawyer to tell him about his client's business. Then, he'll ask the lawyer how he plans to get around a hearsay problem, or does he see a hearsay problem? That way, he's not telling anyone what to do but has got them thinking about the situation.

Williams is a big proponent of choice. It marks the difference between the court's mandatory settlement conferences and mediation, he said. The parties have chosen to be in mediation, and they've chosen him. They're also paying for his time, he noted, so it's likely they will be more invested in the process than if it were a typical settlement conference.

Even as a settlement judge, Williams said, he would try to turn the mandatory conferences into a voluntary process. He'd tell the parties they were in his courtroom because a judge ordered them to be there. By taking that action, they had fulfilled the requirement. Then, he'd say, let's talk about what you choose to do.

Listening to Williams now, it's hard to believe he once, by his own description, was a hard-driving trial judge with little patience.

Appointed to the bench in 1984 by Gov. George Deukmejian, Williams, a University of

Virginia School of Law graduate, former Navy JAG officer and former federal prosecutor, served eight years as a criminal courts judge. In 1992, he was reassigned to the new, standing-room-only, fast-track court, designed to reduce the huge backlog of civil cases. Eventually, the stress got to him, culminating in an outburst in a courtroom hallway, in which he swore at litigants and made an obscene gesture.

The incident earned him a public admonishment in 1997 from the Commission on Judicial Performance. It also marked a turning point, he said, when he learned to stop worrying about numbers and start worrying about process.

Designing a process is a concept that is very important to Williams. He uses it in arbitrations and always includes lawyers in its development. It helps narrow the issues and civilize the dialogue. There is no one-size-fits-all. It's an art and depends on each case how it happens, he said.

"The first rule is to listen," he said. "I do not expect anybody to listen to me until I've listened to them. I'm always going to be the Johnny-come-lately to the conversation. I will always know less than everybody else does about the dispute. Therefore, I need their help in persuading the other side of the merits of their case."

Designing a process also carries over to his personal life.

Williams, who is married to Doris Weitz, a former court interpreter, has two daughters by a previous marriage. One is getting married soon and has asked him to do two things: walk her down the aisle and to perform the ceremony.

"So, I've got to figure out how to do that," Williams said. "We will design a process, I'm sure. My only concern is that I don't cry too much."

Here are some of the lawyers who have used Williams' ADR services: John A. Girardi, Girardi & Keese, Los Angeles; Lawrence Grassini, Grassini & Wrinkle, Woodland Hills; Eric E. Castelblanco, Los Angeles; Maryann Gallagher, Los Angeles; Scott Myer, Los Angeles; Debra Meppen, Gordon & Rees, Los Angeles; Craig Roeb, Chapman, Glucksman, Dean, Roeb & Barger, Los Angeles; Dana Fox, Lewis Brisbois Bisgaard & Smith, Los Angeles; Eskel Solomon, Los Angeles city attorney's office.