

VERDICTS & SETTLEMENTS

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‘Help me help you’

Mediator Susan Lopez-Giss tells feuding families she must know their issues to be effective.

By Shane Nelson

Special to the Daily Journal

In her work as an ADR Services Inc. neutral, retired family law judge Susan Lopez-Giss often makes use of that other famous line from the film “Jerry Maguire.”

“Help me help you,” she said with a chuckle. “Most of the attorneys who appear in front of me genuinely want to help their clients resolve their issues. ... And the more information they give me with respect to issues, the more information they give me with respect to finances, the more information they give me with respect to the problems they’ve had, the more effective I can be. And in the end, that helps them be a hero to their client.”

Lopez-Giss retired last spring from the Los Angeles County Superior Court, where she spent 15 years overseeing a family law calendar. She said she loved her bench assignment, but wanted to spend more time with her grand kids, and the opportunity to set her own schedule while working as a mediator and private judge for ADR Services, Inc. seemed like a terrific fit. All the matters she’s worked on since then have involved family law, a practice area that she said isn’t for everyone.

“Family law is incredibly emotional,” Lopez-Giss explained. “People are really upset, and it’s hard to listen to because most people have had an experience in their own life — or with someone close to them — and it dredges up really bad memories.”

Lopez-Giss practiced for 30 years as an attorney before she became a judge, and she spent a sizable chunk of her career as a lawyer pro-



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secuting domestic violence cases along with child abuse and child molestation charges.

“And I thought if I ever became a judge, I want to do family law because of what I saw in those domestic violence cases,” Lopez-Giss recalled. “I wanted to do family law because I don’t like what many people do to their children when they go through a dissolution or a custody fight.”

Before a mediation, Lopez-Giss said she likes to receive briefs from both sides, and she will typically

speak over the phone individually with the attorneys. But she also likes to receive a joint statement of disputed facts.

“I need to know what the issues are,” Lopez-Giss said. “There could be five issues. There could be one issue. There could be 10, but at least get them to agree on what they’re fighting over.”

The retired judge said she usually likes to begin with everybody together in a joint session, during which she lays out a framework for the mediation and discusses the

Susan Lopez-Giss

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Areas of Specialty:
Family Law

positives possible through settlement versus the risks inherent in further litigation and trial.

Encino family law attorney Carol S. Sternberg appeared several times before Lopez-Giss on the bench and used her recently to resolve a difficult case through mediation. Sternberg said she appreciated that Lopez-Giss started the day off with all the parties and attorneys together.

“She doesn’t make anybody reveal any information,” Sternberg explained. “She just makes sure that each party together, and jointly, hears the information she’s sharing. So there’s no confusion as to what her process is and no confusion about what typically will happen, including the emotional and financial strain of litigation if settlement is not reached. It’s helpful that day because the parties clearly know they better give it their all. World War III hasn’t really started yet because that really happens when you’re in litigation and then the emotional and financial strain is huge.”

Lopez-Giss said she will then typically separate parties, and it’s in this phase where she puts tremendous effort into listening.

“I’ve learned that once a party has felt they’re heard, you’re pretty well on the road to getting them to

start thinking about how to move forward,” she explained. “But if they don’t think they’ve been heard, it’s almost impossible to get people to get into a position where they’re willing to listen and compromise.”

Beverly Hills family law attorney Jonathan Pakravan has used Lopez-Giss to successfully resolve cases, and he said she does a terrific job of connecting with clients and making sure they feel understood.

“She knows when to let them talk and hear them out,” Pakravan said. “And then I think she also knows when to shut them down if they’re going in a direction that is a losing direction. She’s not afraid to tell them that, which is really important, because if you let clients down into a fantasy world of what they can get, then you’re never going to settle. So she hears them out, and she connects with them, but she’s also very willing to call them out when necessary.”

Lopez-Giss also noted that she will sometimes make use of mediator’s proposals when progress slows.

“Sometimes when I think I’ve hit a dam, or a brick wall, I’ll throw out a number, and I’m like, ‘Will this work?’” she explained. “When I feel like I’m getting nowhere, and both sides just don’t want

to give a number, then I throw a number out because sometimes it just breaks the ice.”

Los Angeles family law attorney Jennifer M. Riemer used Lopez-Giss last June to resolve a difficult custody case, and she described the neutral “as incredibly smart and intuitive.”

“She just understands the dynamics in these really difficult custody cases,” Riemer said. “With very little information given to her at the beginning of the mediation, she just immediately had a read on where the issues were. I’ve worked with many different neutrals in the past, and it kind of blew me away how quickly she understood.”

Sternberg, Pakravan and Riemer all agreed that Lopez-Giss operates frequently with a no-nonsense approach, but they each noted that she also makes use of a tremendously empathetic manner in her mediations.

“Family law is a weird place,” Sternberg said. “You start with really good people who are going through a really bad time — a couple that once loved each other enough to get married who now can no longer agree on the time of day. So it takes a special personality to help them get to the same

place again. She doesn’t try to make people like each other, just to resolve their differences so they can move on.”

Lopez-Giss said shortly after she left the bench and made her decision to begin working as a private neutral, she wondered if she’d be happy in her new role.

“And I love it,” she explained. “People want to be here. When you’re on the bench, there’s a mandatory settlement conference under the statutes, where they have to come. But that doesn’t mean they want to settle. Anybody who’s coming in private, they want a settlement. Otherwise, they wouldn’t show up. ... And that’s really why I want to do settlements. I’m not interested in the war. I’m interested in the resolution and ending the war.”

Here are some attorneys who have used Lopez-Giss’ services: Lynda Sheridan, Law Offices of Lynda Sheridan; James T. Neavitt, Law Offices of James T. Neavitt; Jonathan Pakravan, Law Offices of Jonathan Pakravan; Jennifer M. Riemer, Wasser, Cooperman & Mandles PC; Carol S. Sternberg, Sternberg Family Law

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