

VERDICTS & SETTLEMENTS

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Empathetic Approach

Neutral Jeanne Behling uses patience and understanding to resolve disputes, attorneys say.

By Shane Nelson

Special to the Daily Journal

Mediator Jeanne M. Behling has some firsthand experience with tough jobs.

"I worked really hard as a kid," Behling said, adding that she grew up in the San Joaquin Valley. "To help myself during college, I canned tomatoes, and I technically was a member of the Teamsters union. ... One summer, I worked in the warehouse from 2:45 in the afternoons to 10:45 at night, lifting boxes of canned tomatoes onto pallets."

Behling insisted she's still not afraid to roll up her sleeves and get dirty – although she noted there's much less of that required in work she does these days as a mediator for ADR Services, Inc. But Behling said her experience in that Central Valley tomato cannery can sometimes be useful when working with litigants to resolve employment disputes.

"I've been there," Behling explained. "Growing up in a small town, working in a not so pleasant job, I may really resonate with some of their life experience."

A 1988 graduate of UC Hastings School of Law – now UC Law San Francisco – Behling worked for five years at the Los Angeles County District Attorney's Office before moving into private practice. She focused regularly on both plaintiffs' and defense personal injury representation, employment and business litigation for more than two decades.

Behling joined ADR Services, Inc. this June, but she started working full time as a private neutral in 2016 and said she has since mediated some 600 cases. Personal injury and employment disputes make up the bulk of the work she's handling



Thomas Kurtz / Special to the Daily Journal

today, but Behling noted she's also resolved family law and probate cases.

"If you really need a mediator who can connect with somebody – the plaintiff or the defendant or both – those are the cases I like," she explained, "especially when the issue is one of understanding the relationships and the dynamics in the dispute."

Newport Beach plaintiffs' attorney Suzanne B. Leslie said she's used Behling more than 10 times over several years to resolve personal injury disputes, and she said the neutral really cares about litigants and makes a genuine effort to understand their stories.

"What I appreciate about Jeanne is she really takes the time to get to know my client, understand what they've been through, what their medical treatment has been, how it affected their life," Leslie said. "She really wants to get to know them, and I appreciate that because a lot of mediators don't do that. And she really advocates on their behalf with the insurance companies on the other side."

Behling noted that she likes to receive briefs at least a week before a mediation, and she would prefer to speak over the phone beforehand with attorneys but understands timing doesn't always allow for that.

Jeanne M. Behling

ADR Services, Inc.
Irvine

Areas of Specialty:

Employment
Personal Injury
Business/Commercial
Sexual Harassment

“And I don’t mind getting lots of medical records,” Behling said of personal injury matters. “I’m not inviting thousands of pages, but maybe an MRI or some of the highlights of the medical records because I find that it can be really important to know the source material in addition to the mediation brief.”

Behling said listening and working to build trust with litigants, while also acknowledging the genuinely difficult circumstances of their stories, is key at the start of her mediations. And while she agreed a more evaluative approach is almost always necessary, Behling said timing is critical.

“You have to understand a little bit about the person and who they are and what happened and what you’re talking about,” she explained. “And they have to feel comfortable with you before you can say, ‘Well, there are some problems or issues that might come up.’”

La Jolla defense attorney Matthew Soleimanpour has used Behling to resolve employment and personal injury disputes, and described her as very patient and straightforward.

“She doesn’t let the emotions of

the case dictate her own thoughts on the matter,” Soleimanpour said. “Some attorneys can get a little impatient during the process, but I’ve never seen her rattled before – as far as coming back into the room after talking to the other side. She’s very methodical in how she goes about her business.”

Soleimanpour said the value of the disputes he handles can range from four or five figures to eight or nine, and he said Behling approaches mediation for large and smaller cases with the same patience and focus.

“She’s never told me something’s not worth her time,” he explained. “She understands that sometimes smaller cases can be a little more troublesome because you don’t have a lot of wiggle room when the numbers are smaller and people get dug in. ... I’ve had retired judges we’ve used for mediation on smaller cases get impatient and be like, ‘Hey guys, come on. This is like a \$20,000 difference. What are you doing?’ She doesn’t do that, and that’s important because that’s not how you settle those types of cases – by getting angry.”

Mission Viejo plaintiffs’ attorney Ali Razavi used Behling recently to resolve a six-figure personal injury case, and he said she was terrifically empathetic and understanding.

“I think a lot of mediators would have just wrote us off and wrote off our argument,” Razavi said. “But she really took the time to listen and talk about the reality of the case. ... She’s willing to be a sounding board, she’s willing to listen, and she’s willing to work with both sides. But you’ve got to know the details of your case because she asked some tough questions. She’s a straight shooter and definitely tells you exactly how it is.”

Pasadena plaintiffs’ attorney Ivy B. Grigoryan has used Behling to settle three personal injury cases, and she agreed the mediator isn’t afraid to address challenges.

“She has no qualms about saying, ‘Look, these are the problems you’re going to have,’” Grigoryan said. “But she doesn’t spend a lot of time emphasizing that, which I appreciate because I already know the weaknesses in my case, and talking about them for an hour to a plaintiffs’ attorney is kind of a

waste of time. So I appreciate that she acknowledges them and uses them to guide the mediation, but she doesn’t spend a significant amount of time beating a dead horse. She understands that I realize what my weaknesses are, and she’s not there to scare me out of my case.”

And like Leslie, Grigoryan said she really values the connection Behling works hard to make with clients.

“She’s really good at empathizing with them and talking to them about what they’ve been through in their case in a way in which I perceive that they really appreciate,” Grigoryan explained. “And I think that really allows them to feel heard in their case. Otherwise, they’re just up against some insurance company who doesn’t really care about them. Jeanne always takes time to speak with my clients and empathize with them.”

Here are some attorneys who have used Behling’s services: Ali Razavi, Razavi Law Group; Suzanne B. Leslie, Allen Flatt Ballidis & Leslie; Matthew Soleimanpour, Soleiman APC; S. Henslee Smith, Law Office of S. Henslee Smith; Ivy B. Grigoryan, Grigoryan Blum & Grigoryan.