SANTA MONICA — During an especially tense mediation session, JAMS neutral George D. Calkins II dusted off a technique he uses at home to pacify his four grandchildren — a noise machine that mimics the sounds of waves gently hitting the beach.

“I did bring it in once [to a mediation] and said, ‘Everybody needs to chill,’” Calkins recalled. “Everyone thought it was hilarious,” he said. “We settled an hour later.”

A well-timed sense of humor comes with Calkins’ thorough knowledge of construction litigation, strong work ethic and quiet relentlessness toward settling suits.

The former police officer describes his mediation philosophy as one built on the faith.

“I know there is going to be a settlement,” he said. “The percentages are on your side. Over 95 percent of the cases in my area settle. The parties want it. The lawyers very often want it to be that way. If there is a desire for resolution, you’ll find a pathway to get there.”

Calkins, who teaches alternative dispute resolution at UCLA, USC and Pepperdine, recently joined JAMS as a full-time neutral after 30 years as a litigator and part-time mediator. He is regarded as an expert in construction law.

“He knows the statutes, regulations and rules that revolve around public works,” said 2nd District Court of Appeal Justice Victoria G. Chaney, who worked with Calkins on a complex hotel construction defect case while she was on the Los Angeles County Superior Court.

Calkins knows when to balance sympathy for the parties and toughness — something he likely learned during his days in the Los Angeles Police Department, Chaney said.

“He is very good at glaring down at somebody who is not cooperating and encourage them by his demeanor to get in the mood,” she said.

Other times, he will level with the parties about the worth of their case, lawyers said.

Kevin P. Carter of Loewenthal, Hillscher & Rosen, said Calkins — unlike some mediators — told him and his opposing counsel to take their case to trial, and told Carter a jury was likely to give his client a much higher sum than his opponent’s settlement offer.

“He was right,” Carter said.

Joseph P. Potocki of Balestrieri, Pendleton & Potocki called Calkins a creative mediator who is not afraid to tell it like he sees it.

“He is really on the short list of maybe three or four mediators we suggest for use in our construction litigation and surety litigation matters,” said Ali Salamirad of Salamirad Morrow.

“George goes into the details of the case to the point he is discussing the specifics with the clients,” Salamirad said. “In construction litigation, that’s not an easy thing to do.”

“George is one of a handful of mediators and arbitrators that understands the elements of construction law,” said Thomas Palffy of Hunt Ortmann Palffy Nieves Lubka Darling & Mah.

Calkins was born in Dayton, Ohio, in 1946. Thirteen years later, his family moved to Los Angeles, settling in Woodland Hills. He earned a bachelor’s degree in political science from UCLA in 1968.

He worked as an administrative officer for the LAPD, which was followed by a job as a personnel analyst at the California Department of Public Works.

In 1970, Calkins started night classes at Loyola Law School and became a full-time student after his first year. After earning his degree three years later, Calkins worked at the insurance defense
Making Waves In Construction Cases

David M. Huff of Orbach, Huff & Suarez first met Calkins as an opposing counsel, but since has used him in mediations.

“I found him to be an extraordinarily effective opposing counsel, not only as an advocate as an opposing client, but my ability to work with him,” Huff said.

“He can materially assess a case,” the attorney said. “He reads the papers thoroughly. He asks poignant questions. He is not afraid to tell you what he thinks about your case whether it’s good or bad.”

Here are some attorneys who have used Calkins’ services:

- Thomas Palffy, Hunt Ortmann Palffy Nieves Lubka Darling & Mah, Pasadena
- Kenneth S. Kasdan, Kasdan Simonds Riley & Vaughan, Irvine
- Kevin P. Carter, Loewenthal, Hillshafer & Rosen, Sherman Oaks
- Ali Salamirad, Salamirad Morrow, Irvine
- William J. Ingalsbe, Monteleone & McCrory, Santa Ana
- Laurence P. Nokes, Nokes & Quinn, Laguna Beach
- Colin E. Barr and David M. Huff, Orbach, Huff & Suarez, Los Angeles
- Gregory M. Bergman, Bergman & Dacey, Los Angeles
- Joseph P. Potocki, Balestreri, Pendleton & Potocki, San Diego
- Bjorn C. Green, Demler Armstrong & Rowland, Long Beach

George D. Calkins II

JAMS
Age: 64
Areas of specialty: Construction, business, complex cases

Law firm Spray, Gould & Bowers. He focused on real estate and construction litigation.

In 1976, he moved to Cox, Castle & Nicholson, where he remained for 34 years. He became a partner in 1980 and sat on the firm’s executive committee.

His deep roots in ADR go back to 1980, when he joined the American Arbitration Association and started volunteering as a neutral through the ADR program at Los Angeles County Superior Court.

He also has been a member of the California Public Works Arbitration Panel that handles disputes between state entities and contractors.

Gradually Calkins’ practice evolved from litigation to where mediation and arbitration were taking up a majority of his practice at Cox Castle.

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