Measured Lightness

Disaster dispute specialist Scott Snowden makes complex issues palatable.

By Caroline Hart
Daily Journal Staff Writer

S
cott Snowden understands patience.

At Snowden Vineyards in Napa Valley, his family ferments wines in a detailed and delicate process which produces fine beverages from handpruned and harvested vines, with sustainability in mind.

“We grow grapes and about half of them we sell,” Snowden said. “And then the other half we make on our own account.”

Attorney Ken Roye, a sole practitioner, said that the Snowden Cabernet receives high spectator points, and the same could be said for Snowden’s down-to-earth, tenacious style of mediation.

“He has just a very unique brand of being entertaining, and then in a millisecond, going to the heart of the matter,” said attorney Roger Dreyer of Dreyer Babich Buccola Wood Campora LLP. Dreyer said that it is evident that Snowden is passionate about his work at JAMS as a mediator and arbitrator, and that he brings a great amount of enthusiasm to the job.

To oscillate seamlessly between modes of serious inquiry and jovial discourse requires a comprehensive understanding of people and of conflict resolution.

Since Snowden’s interest in the law began at a young age and led to his pursuit of a degree in psychology, it is unsurprising that he should be adept at handling strife.

“There weren’t lawyers in the family, but I do remember being interested in it from a sixth grade level,” Snowden said. “I was intrigued by what must go on in courtrooms and always thought that was what I was going to do, and never really changed my mind. I never regretted it afterwards.”

After graduating from Berkeley High School, where he described himself as a “faculty kid” in the city with a chance to inhabit the University of California grounds because his father worked there as an engineer, he went to Washington and Lee University in Virginia.

Snowden participated in ROTC there and anticipated that he would be posted for a long-term stay during his pre-med studies. However, he went to law school after graduating in 1968, circumventing an immediate draft by taking advantage of an ROTC statute that allowed students to attend graduate school.

He did a few months in the service after law school, and then was hired as an attorney at Coombs & Dunlap LLC in Napa, where he handled a variety of civil cases.

He represented the city of Napa and eventually became the city of Yountville’s attorney.

He also did a substantial amount of work for wineries, which is a large segment of his mediation practice now.

“Problems that grape growers and wineries have can manifest themselves in practically any area of the civil law,” he said. “And so I think the work I did with winemakers and grape growers when I was in civil practice was real central to where things have gone from there.”

At JAMS, Snowden was appointed as a Napa County Municipal Court judge by Gov. Jerry Brown.

“I was lucky to get to be a judge when I was pretty young,” said Snowden, who sat on the bench — later as a superior court judge — for a quarter-century.

“He is able from his many years as a judge to hone in to what’s important to each side — what the trigger points are,” said attorney Jim Wright of Buchalter APC. After retiring from the bench, Snowden continued his legal career at JAMS.

Snowden’s job has allowed him to pursue niche areas of the law.

He said that his first large-scale mediation involved a wildland fire at Chico, which introduced him to the people in the area and the litigation involved. Since then, it has evolved into a specialty.

“Certainly over the last few years, what I call ‘apocalyptic cases’ have been a bigger part of what I do,” he said. “By that, I mean floods and fires.”

Sole practitioner Kenneth Roye said that for the 11 years he ran the Wildland Fire Litigation Conference, Snowden attended each one.

“He is the most knowledgeable mediator in that area,” Roye said.

He added that he feels Snowden handles wildland fire cases very well because he understands the relationships between insurance companies and clients.

Frank Pitre, an attorney with Cotchett, Pitre & McCarthy LLP, attributes Snowden’s talent to “a good sense of people” and “a good sense of the way things work.”

In his own words, Snowden describes his process as adaptive, intuitive and empathetic.

Pitre said that Snowden has consistently demonstrated the ability to resolve disputes even when obstacles initially appeared insurmountable.

“There’s been at least a half dozen times where two hours into this, I said, ‘This is a complete waste of time.’ Pitre recalled. “And then at the end of the day, I said, ‘This is a brilliant result and a fair result.’”

To achieve the best outcome, Snowden said that he starts by speaking with parties separately unless he has a specific reason to hold a joint session. He frequently uses a mediator’s proposal, and rarely assembles a pre-mediation conference.

“I would say his style is conversational, collegial — but always at arm’s length,” Dreyer said. “He doesn’t try to be your friend.”

Colleen Clark, a sole practitioner, said Snowden is “super smart,” “very funny” and “loves Bob Dylan.”

She was not alone in mentioning his admiration of Dylan in a list of important facts about Snowden.

“He knows more about Bob Dylan and fly fishing than any judge that ever lived,” Roye said.

Every attorney interviewed noted Snowden’s love of Dylan or 1960s and 1970s music, and also his unique ability to bring a measured sense of lightness into conflict resolution.

“He has such a great way of taking complex stuff, and sort of distilling it down in a kind of folksy way,” Clark said.

Snowden himself said that he uses Dylan lyrics as a handy tool to make complex or fraught issues digestible.

With Snowden’s vinicultural skill, they might even be considered palatable.

Here are some attorneys who have used Snowden’s services: Jim Wright, Buchalter APC, San Francisco; Richard Van Duzer, Farella Braun & Martel LLP, San Francisco; Kenneth Roye, Law Office of Kenneth Roye, Chico; Frank Pitre, Cotchett, Pitre & McCarthy LLP, Burlingame; Roger Dreyer and Steven Campora, Dreyer Babich Buccola Wood Campora LLP, Sacramento; Ann Asiano, Clark Hill PLC, San Diego; Robert Jackson, Jackson & Parkinson Trial Lawyers, Fallbrook; Kenneth Chiate, Quinn Emanuel Urquhart & Sullivan LLP, Los Angeles; Robert Arns, Arns Law, San Francisco; Irene Yesowitch, Cozen O’Connor, San Francisco; Jeffrey Boozell, Quinn Emanuel Urquhart & Sullivan LLP, Los Angeles.

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