

From the Bench to the Mediation Table

JAMS neutral reflects on her career, what inspires her and what brought her back to JAMS after 20 years on the bench

Featuring Hon. Jill Fannin (Ret.)

After serving 20 years on the Contra Costa Superior Court—with much of that time spent as a member (and eventually the supervisor) of the Civil Fast-Track Department—Judge Jill Fannin was ready to step down. Like many judges who hang up their robes, Fannin joined JAMS, in March 2024. For most judges joining JAMS, the move represents a new challenge. But for Fannin, it was more of a homecoming. Fannin—the daughter of one of JAMS’ earliest and most celebrated panelists, Coley Fannin—had worked for JAMS once before, prior to joining the bench. We recently talked with Judge Fannin to learn more about her earlier experience at JAMS, how ADR has changed over the last two decades and how her time on the bench sharpened her conflict-resolution skills.

Q: Tell us about your time at JAMS before you joined the bench.

Judge Fannin: I worked for JAMS for two years, right before I went on the bench, and it was a wonderful experience. Back then, there were few women at JAMS, but they did have this strong mentorship program. I shadowed a variety of practitioners, including my father (Coley Fannin), Danny Weinstein, Rebecca Westerfield, Bill Bettinelli and several others. It was just a fantastic experience.

Q: You were a fast-track civil judge. How do you think your experience in that role will apply now that you’re back at JAMS?

JUDGE FANNIN: Fast-track civil judges are generalists. So, I did everything that came in the door—commercial litigation, employment, personal injury, construction defect, legal malpractice, medical malpractice, insurance bad faith—whatever it was. And two days a week, I had settlement conferences—sometimes two



JILL FANNIN

or three on a day—so I got a lot of experience doing that, which was enjoyable and educational. I think it’s going to translate perfectly.

Q: What have been some of the highlights of your career so far?

JUDGE FANNIN: For me, the highlight is just that I got to do so many different things. I loved the challenge of learning about all those disparate fields. And it was really rewarding to see different slices of life. I feel like it made me more understanding as a human being.

Q: What made you decide to come back to JAMS?

JUDGE FANNIN: I had always wanted to be a judge, and I have had a rewarding career. Handling settlements was always my favorite

part of judging. So, after 20 years on the bench, I knew I wanted to go back to doing mediation. And of course, I wanted to come back to JAMS, because a lot of excellent panelists who are my friends were still here after 20-plus years. Also, the support network at JAMS is unmatched. JAMS has been able to retain all this expertise to build this fantastic organization. I’ve been impressed by how many people at JAMS who were my case manager buddies are now VP of something or another. There’s a whole network of people who have had their careers at JAMS, and it’s really great.

Q: How do you feel ADR has changed since you left JAMS and came back?

JUDGE FANNIN: It has changed a lot. Mediation and arbitration are now robust, nationally and internationally. It’s become so much more professional, sophisticated and standardized. You can be an “ADR professional”—something that didn’t really exist 20-plus years ago.

Q: You mentioned that when you first worked at JAMS, there were few women panelists. Is that different now?

JUDGE FANNIN: My sense is there are many more women. It used to be sort of an anomaly—it seemed like you could count on one hand how many women mediators there were—and now there’s a ton. Because women have been coming up the ranks in law firms and on the bench, it’s no longer a curiosity to have a female mediator. It’s just standard.

Q: What do you like about ADR?

JUDGE FANNIN: I have always preferred when people come up with their own solutions. People feel a sense of relief when they have control over a decision. Whatever they come up with, that’s great; I don’t have a dog in that hunt. And I love that you don’t have a “winner” and a “loser.” There’s a whole spectrum of possible outcomes.

Q: How would you describe your ADR style?

JUDGE FANNIN: I am optimistic, I am persistent, I am prepared and I am very flexible. I will try whatever tool I have in my toolkit to try to keep things going to resolution. People often ask, “Are you facilitative, or are you evaluative?” Or, “Do you do brackets?” And my answer is, yes, yes and yes. I do whatever it takes in the given moment. I do a deep dive into the facts and get to know the lawyers and the parties, and then we just let it roll.

Q: What advice would you give a young attorney just starting out who is interested in mediation?

JUDGE FANNIN: Young attorneys often want to go straight into mediation, but, of course, they can’t. So, I would say they should try to get good at being an advocate in mediation. And they can do that by being very curious

about the other side’s position, by having a thick skin when the other side criticizes them and says how terrible their case is and by being persistent. They have to keep the dialogue going—to keep narrowing the gap—because walking out is silly. And, of course, they have to prepare their client for each of those phases.

Q: Who has had the biggest influence on your legal career?

JUDGE FANNIN: Definitely my father, Coley Fannin. Mediation was like a religion for him. His license plate was MEDEE8. He had quite a reputation as a phenomenal settlement judge on the bench, and then he became an equally phenomenal mediator. It was inculcated in me that helping people resolve conflict—having them come up with their own resolution—really was the best. I completely agree with that, and I was all in.

Q: What do you like to do in your free time?

JUDGE FANNIN: I hike a lot, and I take my dog with me. I love to travel. And I love to read. I go in phases—for a while, I was reading all about the history of Ireland, and then I’ll switch to mysteries or whatever else.

Q: What are some things you want people to know about you?

JUDGE FANNIN: I love helping people resolve conflicts. I find it endlessly fascinating and interesting. I love meeting people from all walks of life and helping them figure out a resolution. It’s just so satisfying. It’s my favorite thing.

Hon. Jill Fannin (Ret.) serves as a mediator, arbitrator, special master/referee and neutral evaluator at JAMS, where she handles business/commercial, breach of contract, personal injury/torts, employment, professional liability, real estate/real property, family law and construction/construction defect cases.