

DAILY REPORT

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JAMS Atlanta Resolution Center: Reinventing the Landscape of ADR Through the Lens of Diversity

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Atlanta is a rapidly growing city. In fact, the U.S. Census Bureau has rated Atlanta as the sixth-fastest-growing city in a metropolitan area. Along with this growth, the diversity of employees has increased as well. This diversification is a result of a concerted effort by society and our Atlanta community. With diversity and inclusion being scrutinized within all levels of employment, companies and law firms are focusing on actively seeking and retaining diverse talent.

It is imperative that dispute resolution providers reflect the demographics of the communities they serve. JAMS, the largest private provider of alternative dispute resolution (ADR) services, is steadfast in pursuing diversity among ADR practitioners and is committed to building a diverse panel of neutrals, as well as hiring diverse case managers and staff, within its offices. We recognize the importance of recruiting and retaining qualified neutrals and staff of varied ethnicities, races, genders, religions and sexual orientations.

In 2019, JAMS brought on three esteemed senior judges from the Fulton County Superior Court who all served in the family division—Judge Wendy L. Shoob, Judge Gail S. Tusan and Judge Cynthia D. Wright. These neutrals add diversity of practice area expertise, gender, race and sexual orientation to the Atlanta panel.

Hon. Wendy L. Shoob sat for 24 years on the Fulton County State Court and Superior Court benches. During her two decades on the Fulton County Superior Court, Judge Shoob served as associate chief judge and handled and tried hundreds of civil, criminal and domestic relations motions, as well as jury and non-jury trials. At JAMS, Judge Shoob serves as a mediator, arbitrator and special master in a variety of practice areas, including business/commercial, employment, family law, insurance, personal injury, probate and professional liability.

Hon. Gail S. Tusan brings 35 years of judicial service as a Georgia jurist to her practice at JAMS, concluding with her serving successfully as chief judge for four years. She presided



over civil, criminal and family law bench and jury trials, and served ten years in the family division. Judge Tusan serves as a mediator, arbitrator and special master in a variety of practice areas, including business/commercial, construction, employment, family law, insurance, medical malpractice, personal injury, products liability and premises liability.

Hon. Cynthia D. Wright joined JAMS following two decades on the bench in Fulton County Superior and State courts, including two successful terms as chief judge. Judge Wright heard thousands of civil cases involving civil rights, education, employment, business and governmental entities. She also spent 12 years

in the family law division. Prior to serving in the judiciary, Judge Wright had a diverse legal career in both the public and private sectors. Judge Wright now serves as an arbitrator, mediator and special master in a number of specialized areas, including business/commercial, civil rights, education, employment, insurance, family law, government, intellectual property and professional liability.

Also in 2019, I joined the JAMS team in Atlanta as the industry's first ADR diversity program manager. My goals are to increase gender, age and ethnic diversity on the panel. I have been working to identify target markets and implement the organization's diversity objectives. Additionally, I will work closely with the JAMS diversity committee to create training programs that will lead to increased panel diversity.

JAMS also recently hired John Mezquia as a senior practice development manager and promoted Jessica de Leon to business manager. Mezquia works closely with Atlanta neutrals to develop business strategies to increase visibility for the organization and to generate opportunities to increase revenue. De Leon, who has been with the company for seven years in the San Francisco Resolution Center, relocated to Atlanta to lead the experienced team of case managers there as well as assist with business development in the southern region.

Our Atlanta Resolution Center takes great pride in leading the way for diversity in ADR. Within one year, this office has grown and has made a strategic effort to champion diversity among staff and neutrals. JAMS is re-inventing the landscape of ADR; it is no longer a dialogue, but a call to ac-

tion. We are dedicated not only to internal diversity and inclusion, but we want to set the tone externally as well.

JAMS is continuously developing and facilitating ADR diversity programs. To further our initiatives, JAMS established a diversity and inclusion clause in 2018 to promote inclusivity in terms of gender, ethnicity and sexual orientation. The clause serves as a means to encourage parties to consider diversity when choosing an arbitrator or panel of arbitrators.

It reads as follows:

The parties agree that, wherever practicable, they will seek to appoint a fair representation of diverse arbitrators (considering gender, ethnicity and sexual orientation), and will request administering institutions to include a fair representation of diverse candidates on their rosters and list of potential arbitrator appointees.

To increase adoption of the clause, we have initiated roundtable discussions and firm presentations, which we'll move to a video or teleconference style forum due to the challenging circumstances that COVID-19 has created for our industry, as well as the world. JAMS is actively cultivating strong relationships with bar associations, affinity bar associations and local organizations to promote and educate others on the importance of the diversity and inclusion clause. Widespread adoption of the clause is one of our main goals.

We encourage others to partner with us to bring more diversity to ADR. We invite legal professionals working in law firms, corporations and legal departments to do the following:

- Consider women and ethnically diverse neutrals when evaluating

your case and selecting ADR professionals.

- Consider a career in ADR as a diverse practitioner.

Enhancing diversity in dispute resolution is a crucial element of increasing diversity in the legal community as a whole. Many companies and law firms have made a concerted effort to ensure their legal teams represent diversity. It is essential for dispute resolution providers to follow suit and ensure that the diversity of their panels mirrors that of the communities they serve. Focusing on diversity and inclusion is simply the right thing to do.

Joanne Saint Louis is the Diversity Program Manager at JAMS. JAMS is the first major ADR provider to create a position that is fully dedicated to promoting diversity and inclusion. Her key responsibilities include bringing on high-caliber, diverse neutrals to the JAMS panel and working with law firms, in-house counsel, and affinity bar organizations to diversify the selection of mediators and arbitrators. She has implemented training programs that focus on pipeline development and leadership. She also provides thought leadership internally and externally to the ADR community and affinity bars.

