



Jeane Struck, Esq.

Specialties

Business/Commercial
Construction Defect
Governmental/Public Agency
Insurance
Personal Injury/Torts
Professional Liability
Real Property

Q. How does your prior experience as a litigator impact your work as a full-time neutral?

A. As a litigator I most enjoyed handling a wide range of cases and working with knowledgeable opposing counsel. I liked the puzzle of litigation: ascertaining the facts and developing a theory of the case. As a neutral I now have the opportunity to jump right in and see how those pieces, developed by the lawyers involved, fit together in new and interesting ways.

Q. How would you describe your style? Do you have a philosophy behind that style?

A. I learned early in my career as a litigator that I could be an advocate for my defendant clients, while being respectful and fair to the plaintiff. And, because I always worked hard to see both sides of the case in order to evaluate the claims for the carrier, explaining both the pros and cons, the defenses and liabilities, I generally got along well with opposing counsel. I take pride in the fact that during my former career as a litigator, and new career as a neutral, it is not at all uncommon to have a plaintiff hug me after a mediation. No case is the same, every story is different, and I want the parties to feel like they are being heard.

Q. What methods do you use to prep for a case?

A. I like to receive briefs a few days before the mediation, and then I will conduct pre-mediation calls to see if there is any additional information that I will want to be aware of going in to the session. Oftentimes counsel will otherwise bring up issues at the end of the session which should ideally have been addressed at the outset. Or, there may be issues which will benefit from some emotional hand holding of one of the parties, which is not something that is generally included in the briefs.

I think that walking into a session with an understanding of the facts, claims and defenses, and having discussed at the outset any unusual conditions to an eventual written settlement, will go a long way towards having a productive day.

Q. If a matter doesn't settle the day-of mediation, what do you do to follow up?

A. I routinely make follow up calls, sometimes over a period of weeks. If I learned at the mediation that there was pending discovery that could change the evaluation of either party (an exam by a treating doctor, deposition of an expert) I will calendar that event and use that information to facilitate further negotiations.

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For more information or to set a case, please contact
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JAMS NEUTRAL spotlight

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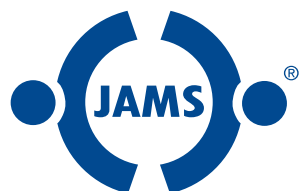
Q. If we were to ask your clients about what traits make you a successful neutral, what do you think they would say?

A. I think that my clients would say that I work hard but I also make the process enjoyable. I am sensitive to the fact that it can be a long and difficult day for those involved. I listen and- when asked-I offer things to think about, suggest possible solutions to an impasse in negotiations. I try to be mindful of what I learned as an attorney who participated in countless mediations; I never liked to be told what to do, and much preferred to have the mediator suggest alternative ways to look at the case. And, since I have litigated so many different types of cases over a period of 35 years, I truly have lots of experience from which to draw. I also understand the relationships between defense counsel, the insured and the carrier representative, and I am very aware of the unspoken dynamics in each room.

Since the process requires a commitment of the parties, it is my job to do my best to get the case settled. If we do not have a written agreement at the end of the day, I will take the initiative to follow up.

Q. What do you enjoy most about being a JAMS neutral?

A. It is just so much fun. I love the people that I get to work with, including the staff and other neutrals. I get to see attorneys I previously worked with, meet new attorneys, and I have the opportunity to help settle someone else's case- which is incredibly satisfying.



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