

Spotlight on Higher Education



Q&A with Hon. Randa M. Trapp (Ret.)

What brought you to JAMS? Please tell us a little bit about your background and experience.

JAMS was a natural transition for me after recently retiring from the bench. I began my career practicing criminal law in the attorney general's office. I later transitioned to civil practice with a mid-sized law firm, where I specialized in business and construction defect litigation. I then moved in-house with a Fortune 100 utility company, first as a litigator and later as a commercial/transaction attorney. I also gained C-suite experience as the assistant corporate secretary for the two utility companies owned by the parent company. And I taught law school as an adjunct professor for nearly 20 years.

During my last 11 years on the bench at the San Diego Superior Court, I presided over civil cases and was privileged to retire as the supervising judge of the Civil Division. I presided over several cases dealing with faculty disputes, staff misconduct and sexual abuse allegations. As chair of the court's ADR Committee, I reinstated the Settlement Days Program. I was also a strong supporter of ADR, making it a topic of conversation at every case management conference and subsequent hearing. I also set aside time and would adjust my schedule to conduct settlement conferences. I had a successful record of settling the most difficult and contentious cases. With my experience and background, and a strong desire to continue to use my skills and expertise in dispute resolution, JAMS was the perfect fit.

Tell us about your interest in higher education. How do your background and experience lend themselves to this area?

My interest in higher education stems from my nearly 20 years' experience as an adjunct professor at the University of San Diego School of Law. I enjoyed being on campus and interacting with the students and faculty. I gained an appreciation of how institutions of higher education function. My experience as an adjunct professor

overlapped with my time on the bench. On the bench, I presided over a myriad of cases involving schools both directly and indirectly. Some cases involved allegations of emotional and/or physical misconduct. Others involved contract disputes.



Please share an experience during your time as an adjunct professor that had a lasting impact on you.

My time as an adjunct professor was very rewarding. What has had the biggest impact is the fact that three of my former students became colleagues here in San Diego. Two are judges on the San Diego Superior Court, and one is a magistrate judge in the district court. I am tremendously proud of each of them. They both have attributed part of their success to my class and me personally as a role model.

Describe your dispute resolution techniques.

The dispute resolution techniques I use vary depending on the nature of the cases and the dispositions of the parties and attorneys. Generally, however, I aim to listen with an ear toward understanding the root issues, be creative in terms of being open to nontraditional ways to resolve those issues and apply tenacity when it comes to seeing a matter through to resolution.

Why do you feel JAMS is best equipped to help higher education institutions resolve their disputes?

JAMS is best equipped to help education institutions resolve their disputes because of the depth and breadth of experience of its neutrals. JAMS attracts the most dedicated and talented neutrals, and they are

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committed to resolving disputes. JAMS has also invested the time, energy and resources that make it a leader in developing extensive and comprehensive dispute resolution methods geared specifically toward assisting intuitions of higher education to resolve disputes. JAMS understands that disputes involving students, faculty and administrators—and any combination of the three—are different from business, corporate and other types of disputes and thus require a different approach to dispute resolution.

In your opinion, what qualities are required to be an effective Title IX hearing officer?

In my opinion, current knowledge of the relevant rules, policies and procedures, as well as patience, understanding, empathy, respect and, of course, a calm demeanor are all qualities that are essential to be an effective Title IX hearing officer.

Virtual proceedings are more popular than ever. In your experience, what are some best practices to effectively resolve disputes virtually?

Here are some of the best practices that I follow: First, prior to the proceedings, inform the parties how the process works. Answer

questions. Provide assurances regarding privacy and confidentiality as appropriate. Next, try to give the parties an accurate estimate of how long the proceedings will last. Next, suggest that the parties find a comfortable environment with minimal distractions. Next, suggest that the parties become familiar with the videoconferencing technology and have a backup plan in case of technological issues. Finally, be sure to schedule frequent breaks to avoid screen fatigue.

Tell us about the individual, societal and procedural benefits to mediating Title IX cases.

Mediation is less formal, which decreases everyone's anxiety. One of the most beneficial aspects of mediation is that it provides the parties the opportunity to be heard, to craft their own resolution and ultimately to have closure.

A JAMS neutral based in San Diego, Judge Trapp has decades of experience handling civil disputes of all types on the bench and in private practice. She has been trained to serve as a hearing officer or mediator in Title IX matters. View her bio at jamsadr.com/trapp.