



Q&A WITH **Hon. Gail S. Tusan** SENIOR JUDGE

Please provide a snapshot of your legal career prior to joining JAMS.

I served as a general jurisdiction trial judge in Georgia for almost 30 years on the municipal, state and superior court benches. Prior to my judicial service, I practiced law for 10 years. My legal career began as an intellectual property litigation associate in Atlanta with the predecessor firm of Kilpatrick Townsend. I subsequently practiced with two other firms, one specializing in franchise litigation, and the other was a community-based general practice.

How did you become interested in alternative dispute resolution (ADR)?

I attribute my interest in ADR to my early judicial training at the National Judicial College. The training emphasized the importance of judges actively encouraging parties to settle their disputes and the valuable role judges can play in the process of evaluating claims and probable outcomes if cases are litigated.

How would you describe your arbitration and mediation style?

I approach each arbitration or mediation with the goal of assisting the parties in reaching a fair and reasonable result. Before we dive into the issues at hand, it is important that the parties understand the process and feel comfortable that I am prepared to hear them out. This requires me to be relaxed in my demeanor and flexible in how the session evolves in terms of the evidence presented and patient with their presentations.

What do you enjoy the most about mediating?

I enjoy getting to know my clients and their counsel, identifying the true source of the problem, finding bases for common ground and working together to achieve resolution of their disputes. I enjoy sitting down with parties to assist

in resolving their differences so that each side walks away with dignity intact and the ability to move forward.

Are there any practice areas that you are particularly interested in developing at JAMS?

Building on my years of experience presiding over family law cases, small business dissolutions, health care matters and employment contract disputes, I would like to develop my ADR practice in family law, employment, health care and commercial law. In addition, because I have more than 10 years of experience in intellectual property and contract law, I am also interested in developing a sports and entertainment practice.

Why is diversity important in ADR?

Our diverse experiences and perspectives are valuable assets to be leveraged in the process of dispute resolution. Our clients and the clients they represent are diverse in background, thought and experience, and we need to be able to connect with them throughout the ADR process.

Tell me about your involvement with the Georgia Association of Black Women Attorneys (GABWA). How has the organization grown?

I became involved with GABWA at the very beginning of my career. As a young African American female attorney new

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to Atlanta, I was thrilled to discover a group of women with similar interests and backgrounds. Our goal was to establish an organization dedicated to our mission as founding members to support each other as we developed professionally and to work together to advocate on behalf of the African American community. I served as GABWA's second president. During my tenure, we created an award-winning community-access cable television show, "Legally Speaking." We also established the GABWA Foundation, which raises funds to sponsor programs benefitting statewide community service projects and providing scholarships for African American law students.

How can we improve diversity and inclusion in ADR?

We need a concerted effort by law firms and corporate counsel to increase their regular and repeated use of minority and female mediators and arbitrators.

If you could meet any person throughout history, living or not, who would that be and why?

Michelle Obama. I would love to explore much of what she shared about her experience as FLOTUS in her memoir, *Becoming*. I greatly admire her humility, courage, conviction and resilience.

What has been your favorite pastime during these challenging times?

I have been spending a little more time in the kitchen trying out new recipes.

To schedule an in-person or virtual mediation or arbitration with Judge Tusan, visit jamsadr.com/tusan or call 404.566.2154.

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