



2018

An **ALM** Publication

THE NATIONAL LAW JOURNAL

JUNE, 2018

HON. REBECCA WESTERFIELD (RET.)

JAMS



CHAMPIONSHIP PEDIGREE Rebecca Westerfield was a circuit judge in Kentucky when she decided to move to California. "ADR was just getting off the ground." Once there, she visited Danny Weinstein, one of the founders of JAMS, and he offered her a job. "I realized I would have to retool myself and went to a lot of programs with thought leaders, which led to the start of my career as a neutral."

EXPERIENCE & EXPERTISE Westerfield considers herself a generalist. "Generalists are a dying breed. I enjoy working with complex, substantive issues as well as cases that are complex in terms of people. The accomplishment is getting people and companies out of the mire of litigation, so they can get on to what they do well. Most satisfying is where emotional content is high, such as family disputes or catastrophic cases." Westerfield believes that ADR complements the court system. "I'm a big believer and supporter of an independent judiciary, and there are cases that do need to be tried." This belief has taken her to India, where she works with the Foundation for Sustainable Rule of Law. "The notion is not to create ADR programs that compete with the courts, but those that are cooperative. We've done training programs for the Supreme Court of India in Delhi and Bangalore to help lawyers understand the benefits of ADR and support court programs."

FUTURE VISION With economic globalization, cross-cultural competencies are needed. "It requires travel, study, sensitivity and the energy to make something happen or to move things and people toward resolution respectfully." Social media presents another issue. "We will see more conflict over miscommunication." The growing understanding of the neuroscience of conflicts will also impact the field. "We need to get parties out of fight-flight-freeze reactions to a place where they feel safe enough to work on creative resolutions."

