Twenty years since the first edition of Complete Guide to Mediation!

The last 20 years have sped by, characterized by growing acceptance and use of mediation within the family law field—in no small part due to this book written in 1994–1995 and published by the ABA Family Law Section in 1997.

Many of Woody Mosten’s cutting-edge ideas in the first edition—unbundling, mediation in the courts, and the lawyer’s role in representing clients—were groundbreaking foundations for establishing statutory and judicial reforms and changing family law practices nationally and internationally.

In 1994, I was serving on the ABA Section of Family Law’s Publication Board when one of our members, Frieda Gordon, told us about the innovations and robust mediation practice of a Los Angeles Family Lawyer, Forrest (Woody) Mosten. Many of us on the Pub Board were familiar with Woody’s articles and teachings, but he had never before authored a book. After approaching Woody, Frieda reported that he was willing to take on this project within our time frame.

Woody’s book surpassed all of our expectations. As the Pub Board member who was responsible for the manuscript, I was impressed by Woody’s comprehensive, forward-looking approach presented in an accessible, friendly style. The quality of the book was so good that the immediate past ABA President, Rita Cooper Ramo, put her prestige on the line by writing the Preface and endorsing it on the book cover. The list of other leaders in both family law and mediation who endorsed the book paved the way for its success.

I’m pleased to now have the honor of writing this preface to the second edition, and I must say that this is not really a second edition at all. It is a brand new book with fresh ideas and complete updates for 2015. Due to mediation’s development since 1994, Woody and his co-author, Elizabeth Potter Scully, have chosen to focus the book exclusively on the role and practice of family lawyers. This makes sense for two reasons. First, since 1994, there have been a plethora of superb books on mediation, many of them building on the first edition. Second, although there are good books for the role of commercial lawyers in mediation, Woody and Liz’s second edition addresses the use of mediation in the context of family law. They provide a multitude of strategies and resources for family lawyers to put to immediate use in their practices.
The book also benefits from Woody’s growth in the last 20 years as a national leader in family law and Liz’s fresh look at the subject. Since the first edition, Woody has received two ABA prestigious awards—Lawyer as Problem Solver and Lifetime Legal Access Award—and has published three additional books in the field. In addition to teaching mediation at UCLA School of Law, his reputation as an international trainer and conference keynote speaker to lawyers and mediators has been unparalleled in our field. Most importantly, he has an additional 20 years of practical experience as a mediator and peacemaking lawyer who never goes to court. Woody generously shares this experience on every page.

Liz’s full involvement in this book offers to the profession’s next generation her perspective and insight about the lawyer’s role in mediation. A magna cum laude Classics graduate of Harvard, Liz adds her clarity and nuance of writing with a keen wit that makes the book even more readable and useful for professionals. It is one of life’s evolutionary coincidences that Liz’s law partner, Jeffrey Jacobson, was acknowledged in the First Edition for research contributions he made while still a law student prior to establishing himself in his own right as a major presence in our field.

The Family Law Section has every reason to be proud of this publication. I am—and I look forward to Section programs and conferences that will apply the lessons and wisdom of this book, adding to the competence of our profession and enhanced consumer confidence in the divorce mediation process.