Mediating Legal Disputes: Effective Strategies for Neutrals and Advocates
By Dwight Golann
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A Book Review
Reviewed by James E. McGuire

As mediation matures, so do the books and articles that discuss what we do, how and why we do it, and how to do it better. Dwight Golann’s latest book is a real contribution to the field and is recommended reading for the experienced mediator and advocate as well as those new to the field. The focus is specific: mediating legal disputes where the parties have hired lawyers and likely alternative to a mediated solution is a trial. In this context, Mr. Golann and his contributing authors offer practical, cutting-edge advice on how to get the job done.

The book is divided into four parts: an overview of the process; specific techniques for meeting the most challenging situations; advice and practical tips for the mediation advocate; and specialty articles by experts in the fields of employment, personal injury, intellectual property, environmental, and international commercial mediation. Many of the techniques discussed in the book are demonstrated in the nearly two-hour DVD. The 21 chapters of the DVD go through the various phases of a mediation. The dialogue among the parties, advocates, and mediator seems very realistic to me. There are so many different techniques demonstrated that it is likely that the viewer will find some more effective than others. The DVD would be an excellent springboard for discussions about mediator problem-solving techniques.

Our field of mediation is replete with books and articles about the benefits of mediation and the basics of the process. This book contributes to our literature by focusing on the practical, real-world problems present in mediating legal disputes. It should go on your short list of books to read this year. ✦

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