



## Q&A WITH Hon. Charles N. Clevert, Jr. (Ret.)

### Tell us about your legal career prior to joining JAMS.

My legal career began in Milwaukee County, Wisconsin, where I worked as an assistant district attorney charging and trying criminal cases before courts and juries. Next, I was appointed assistant United States attorney for the Eastern District of Wisconsin, with civil and criminal trial responsibilities. I was also designated a special assistant United States attorney for the Northern District of Illinois. My nearly 40-year judicial career began when I was appointed as a United States bankruptcy judge for the Eastern District of Wisconsin. I sat on the bankruptcy court for approximately 19 years, including 10 years as chief bankruptcy judge. My judicial career continued with an appointment as United States district judge for the Eastern District of Wisconsin and more than 20 years of service, including 3 years as chief district judge.

### How did you become interested in ADR?

My interest in alternative dispute resolution (ADR) was sparked when I was an assistant district attorney and a volunteer in a Salvation Army diversion program for accused individuals seeking to avoid criminal charges. As a judge, I enjoyed the back and forth of negotiations that resolved civil disputes amicably.

### What are you most proud of when you think about your contributions to ADR?

I am proud that I have helped clients craft agreements that provided them with certainty and relief from the emotional toll of protracted litigation. I am equally proud that everyone involved in my arbitrations can be confident that they will be heard by a receptive ear, respected and treated fairly.

### How would you describe your arbitration and mediation styles?

I would say that I am attuned to the situation and the parties. Typically, my mediations begin with a joint conference with counsel only that sets the tone for the case and suggests how later sessions will be conducted. Joint sessions are not automatic. I remain flexible, listen carefully, offer my insights and use various techniques to assist the parties in reaching a settlement. My arbitrations are relatively formal but relaxed. I am even-handed, responsive and engaged. Everyone is respected and made to feel comfortable. Moreover, I work with the parties to promptly shape an appropriate discovery plan and address discovery disputes to ensure the matter is managed effectively and efficiently.

### What do you enjoy the most about mediating?

I enjoy seeing the smiles and hearing the expressions of relief at the moment parties reach a settlement.

### Which traits have made you successful as a mediator?

My ability to listen, my patience and my persistence.

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

Given the business disruptions caused by the pandemic, I am interested in expanding my commercial and employment practices. I have devoted more than 40 years to bankruptcy and commercial matters. With my extensive experience in the resolution of complex disputes, I think I can be particularly helpful to parties as a neutral during these challenging times.

### **Why is diversity important in ADR?**

Diverse neutrals can play a critical role in broadening perspectives, enhancing understanding and bridging barriers to resolving business and personal disputes involving multicultural, multinational and multiracial individuals.

### **What can be done to improve diversity and inclusion in ADR?**

Prospective clients and colleagues must recognize that embracing diversity through working with persons from varied backgrounds increases cultural competence and creates a competitive advantage.

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

I would like to meet and chat with the late United States Supreme Court Justice Thurgood Marshall regarding his experiences as a trial lawyer and his work with the late United States District Judge Constance Baker Motley. I was scheduled to see Justice Marshall at the Supreme Court, but the appointments were cancelled due to illness.

*To schedule an in-person or virtual mediation or arbitration with Judge Clevert, visit [jamsadr.com/clevert](https://jamsadr.com/clevert) or call 312.655.9193.*

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