

The Growing Reliance on ADR to Resolve Legal Disputes in the Burgeoning State of Georgia

BY STACEY HARRISON, VICE PRESIDENT OF OPERATIONS AT JAMS, AND LAURYN HALL, BUSINESS MANAGER AT JAMS

Georgia continues to be a growth engine for the region. In 2023, the **Georgia Department of Economic Development** (GDEcD) reported that “for the third year in a row the state broke records for economic development.” **Total investments exceeded \$24 billion, which resulted in 38,400 new jobs.** “Annual investment totals [have] also increased by 131 percent over the last three years.”

Inevitably, with robust growth comes legal disputes. As a result, Georgia has seen a rise in the use of alternative dispute resolution (ADR). In a state with the motto “Wisdom, Justice, Moderation,” it is not surprising that the use of ADR is growing.

Experienced Neutrals Make All the Difference

As the beating heart of Georgia, the capital city of Atlanta boasts a robust and highly respected legal community. Supporting that community is the JAMS Resolution Center in Midtown Atlanta. Wayne Thorpe, Esq. has been an ADR practitioner since the 1990s and was an integral part of helping JAMS establish itself in Atlanta in 1998. JAMS is the world’s largest private ADR provider, handling an average of 18,000 cases annually.

Key to the effectiveness of any ADR provider is the quality of the neutral panels it offers. With more than 20 panelists on the roster, the JAMS Atlanta Resolution Center offers a diverse panel of award-winning former judges, former law firm partners and other ADR professionals who have a proven track record of successful resolution. Many of these panelists have had



distinguished careers on the bench or practicing in firms in the Atlanta area.

The deep practice and industry experience JAMS’ neutrals bring includes experience in mediating business/commercial litigation, intellectual property, insurance, employment, construction, class action and mass torts, personal injury, entertainment, and other disputes. Some panelists have concentrated practice area focuses, such as David M. Zacks, Esq., who primarily mediates health care matters. Though adept at handling complex business cases, as well as catastrophic personal injury matters, given his 50 years of experience as a trial lawyer and neutral, David enjoys the unique challenges presented by health care disputes. He joins a number of other JAMS panelists with extensive healthcare practice experience.

While mediation is a strong suit of the Atlanta panel, JAMS has a robust arbitration practice in the region as well.

Meeting the Evolving Requirements of In-Person, Virtual and Hybrid ADR

Over the past few years, ADR has begun shifting back to in-person hearings. Many sessions are still hybrid in nature, involving both in-person and virtual participation. To meet this evolving need, JAMS has invested in state-of-the-art Resolution Centers around the country. **The Atlanta Resolution Center** features cutting-edge technology and is staffed with dedicated professionals who ensure hearings run smoothly.

JAMS Atlanta is also known for its superior case management support, where clients can quickly get answers regarding facility and neutral availability, schedule cases, obtain rates and gain access to critical information about the neutrals based out of the Atlanta Resolution Center. Support staff are dedicated to guiding parties through the ADR process to provide a seamless experience. Parties can also interview neutrals for selection in arbitration, mediation and neutral analysis matters, even on cases not administered by JAMS.

Deep Roots in Georgia

The JAMS Atlanta panelists come from some of the most prestigious firms and benches in Georgia, bringing a wealth of experience to mediations and arbitrations. For instance, Hon. Cynthia D. Wright was a Senior Judge who served two decades on the bench in superior and state courts in Fulton County, including two successful terms as chief judge. Judge Wright has presided over thousands of civil cases involving employment issues, contracts, personal injury, professional malpractice, real estate, education, and business and governmental entities. With her extensive background and experience, she has earned a reputation for successfully facilitating settlement discussions in even the most contentious and complex disputes by offering creative and evaluative paths forward.

These esteemed neutrals have deep roots in the region and continue to support the Atlanta legal community through membership in various organizations, such as the Atlanta Bar Association, State Bar of Georgia and American Bar Association sections, actively participating on committees and through affinity and professional groups such as the Association of Corporate Counsel

(Georgia), Georgia IP Alliance and Atlanta International Arbitration Society, just to name a few.

Many of our neutrals have been recognized for their outstanding contributions to the industry. Marbury Rainer, Esq. was named Georgia Lawyer of the Year by *The Best Lawyers in America* in 2018 and 2020. With more than 47 years' experience serving as a counselor and litigator to public and private companies, financial institutions, officers, directors and shareholders, Marbury is highly adept at guiding clients through all manner of litigation, investigations and governance matters.

Bernard Taylor, Sr., Esq. has received similar honors, having been named "Lawyer of the Year" in Products Liability Litigation – Defendants in Atlanta by *Best Lawyers®* in 2017. He is also listed in *Best Lawyers* for several practice areas, as well as in *Super Lawyers*. His proven track record in resolving complex litigation has prepared him for a "second career" in ADR. Bernard serves as a mediator and arbitrator at JAMS, focusing on business commercial, class action, mass torts, healthcare, personal injury and products liability disputes.

The attorneys and judge mentioned here are just a few of the panelists available through JAMS. These neutrals are building on their collective rich history and extensive experience as long-time members of the Atlanta legal community, furthering the cause of ADR in Georgia.

Stacey L. Harrison is vice president of operations at JAMS and successfully leads the Southeast Resolution Centers (Atlanta, Washington, D.C., Maryland, Virginia, Nashville, Tenn., and South Florida).

Lauryn Hall is the business manager of the JAMS Atlanta Resolution Center and has extensive experience in the local ADR community. She works closely with the Atlanta panel and its associates.

