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MEDIATORS OF THE MONTH

JAMS DALLAS RESOLUTION CENTER

Pioneering Mediation and World Class ADR in Texas

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JAMS

Dallas Resolution Center

**Pioneering Mediation
and World Class ADR in Texas**

BY DAN BALDWIN



Hotley Studios

During the late 1980s, Texas civil courts faced a serious challenge. Overburdened courts couldn't handle the volume of cases coming through the system. That volume was increasing dramatically, causing lengthy delays in case resolution. To overcome the reality of "justice delayed is justice denied," the legislature brought arbitration and mediation to Texas in 1987.

JAMS — the largest private provider of alternative dispute resolution services worldwide — saw the growing need and opened its Dallas Resolution Center in 1994. During the past 30 years, Texas attorneys and their clients have trusted JAMS with their most important disputes. For more than 45 years, the firm has been a leader in mediating, arbitrating and special mastering complex, multi-party, business/commercial cases. JAMS handles more than 20,000 cases annually, ranging from two-party personal

panded over the years and now includes more than 450 retired state and federal court judges, attorneys and other ADR professionals with proven track records and extensive practice area and industry experience.

EXPERIENCE, KNOWLEDGE AND TALENT

JAMS is dedicated to having a premier panel of neutrals. Nowhere is that dedication better exemplified than in the Dallas Resolution Center's independently contracted neutrals, Cecilia H. Morgan and Judge Harlan Martin (Ret.).

"If I was going to write a book about my experience with JAMS, mediation and ADR, the title would be No Means KNOW. You can't go into mediation automatically saying 'no' to the first two or three things you hear or throw up your hands and just give up. A mediator must be tenacious. You have

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injury mediations to complex, multi-party, multimillion-dollar arbitrations in the United States and other jurisdictions worldwide. To better serve an expanding client base, JAMS has moved into a new 9151 sq. ft. office to accommodate the needs of the legal community in terms of the latest technology, amenities and comfort.

The global organization has ex-

to keep trying and help the parties gain more knowledge about what's going on. That's really what mediation is all about," Morgan says.

Morgan has conducted more than 3,000 mediation sessions and arbitrated more than 1,000 civil cases throughout Texas and 31 other states, many under JAMS, AAA and ICDR rules.

"I was the first 'Jammer' who was



not a former judge,” she says. Her invitation to join JAMS in Dallas was a breakthrough that not only came about unexpectedly, but was a position in the law she was not pursuing.

After handling more than 200 cases at other law firms, she decided to open her own practice in 1994. She was in the process of negotiating parking spaces and buying furniture for her new practice when the president of JAMS called. He had heard about her from professors at

Morgan was named one of Texas’ Best Alternative Dispute Resolution Lawyers by The Best Lawyers in America in 2008 through 2024. She has more than 40 years of experience as an attorney and ADR professional and is respected for her work at JAMS in the areas of employment, energy, health care, financial services and others.

She grew up in Lubbock and graduated from Abilene Christian, earned her Juris Doctor from Texas Tech Law School, and clerked in Dallas after her second year. She worked for a small firm where early on she gained considerable courtroom and appellate experience. She was also a partner at Chantilis & Morgan.

Morgan says one of the paramount advantages of services offered through the Dallas Resolution Center is the preservation of client confidentiality. That confidentiality is a real advantage of mediation, particularly in business disputes. Corporate America doesn’t want all their information out in the public domain. “And, if you’re the victim of a sexual harassment or some kind of behavior that was inappropriate, and you’re a 30-year-old upwardly mobile young woman who wants to have a good future in her industry, the last thing you want is that information in the public domain. We provide a proven means for getting resolution out of the public eye.”

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Pepperdine University where she had conducted some mediation training. The firm made an offer.

“I wasn’t a former judge like the other members of that team. I was a practitioner, a business litigation attorney. I was more than interested and was soon associated as an independent contractor.”

“We have a focus on always hiring the best and brightest,” Judge Martin says. “I’d been with JAMS for four years when Cecilia joined and she’s always been steady at it. She is one of those associates and partners you can count on to stay the course and do the work. And she’s good at what she does.”

EXPANDING A CULTURE OF RESOLUTION

By the time the Texas Legislature passed a mediation statute, Martin, a district judge of the 192nd Judicial District of Texas, had left the bench and was again practicing law. JAMS was looking to expand from its home base in California and had selected Dallas for their initial expansion. At that time, only Martin and one other attorney practiced mediation in the area. Martin has resolved hundreds of disputes and significant multi-party litigation across the country and, since leaving the bench, he has been one of the most active and sought after mediators in Texas, often serving parties throughout the United States.

“I had been doing a lot of mediations and had built up quite a book of business. Judges I knew would send me mediation disputes they believed I could help resolve successfully for the parties involved. That activity certainly attracted the attention of JAMS,” he says.

He received a number of calls from judges in California and came to realize they were recruiting calls. At that time JAMS recruited only from the ranks of judges, so he was flattered and at the same time, as he says, “reluctant.” The calls continued and he joined JAMS in Dallas in April 1991, which eventually led to the opening of the JAMS Dallas Resolution Center in 1994.

Initially, Martin believed plaintiff and defense attorneys would be reluctant to accept the new concept, but mediation and ADR caught on quickly. “It was effective and novel and expedient from everyone’s point of view, so it naturally evolved. It’s been expanding significantly during the last 10 years. Arbitration has come more to the forefront in recent years, and I suspect the trend will sustain itself in the coming years,” he says.

“Harlan gets the people,” Morgan says. “He gets sophisticated businesspeople from across the nation and across the world. His undergraduate degree is in economics, so he has a very fine mind for those types of cases. He just understands them and is able to make deals with them that other people



throw up their hands and just say, ‘Well, I can’t ever deal with that person.’ He’s also my mentor and has encouraged me to do what I do.”

TACKLING COMPLEX DISPUTES

“One of the things that distinguishes the Dallas Resolution Center and Harlan and me,” Morgan says, “is that we have

At a Glance

JAMS

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Services

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Neutral Analysis

Practice Areas/Industries

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Dallas Neutrals

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Gary Fowler, Esq.
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Hon. Harlin DeWayne Hale (Ret.)
Hon. Jeff Kaplan (Ret.)
Hon. Harlan A. Martin (Former)
B. Adam McGough, Esq.
Patrick McManemin, Esq.
Cecilia H. Morgan, Esq.
Hon. Linda B. Thomas (Ret.)
Robb L. Voyles, Esq.
Hon. Mark Whittington (Ret.)
Hon. Karen Brown Willcutts (Former)

been very blessed with some of the hardest cases with the most divergent personalities and we have been able to resolve them. At JAMS, we see options others don't and we intuitively know how to help people make decisions. We close deals."

They often find themselves embattled from each side. "That's inescapable," Martin says, "but you try to help the parties decide for themselves in mediation. Sometimes you have to suggest approaches and then help them struggle through the process of agreeing to the best action. Arbitration is simpler and more straightforward, and we have specific, well-designed rules and procedures to facilitate that process."

As the first non-judge attorney associated with JAMS, Morgan has a unique perspective. "Our level

of courtroom experience is perhaps our greatest advantage. If you choose someone less experienced or because that someone is the cheapest in the book, things probably won't work in your favor and the courts will send you right back to mediation. I have been called to remediate many cases other mediators have failed to resolve; I've even been the third mediator in a number of cases. Experience in the real world is essential," Morgan says.

"It's interesting how every day a novel question comes to your attention and you have to make decisions without a lot of help in case law," Martin says. "One of our real assets at the Dallas Resolution Center is our ability to think on our feet work with each party in a dispute, and come to a successful resolution."

