

## **Title: The Power of Choice: Mediator Shortlists & Arbitrator Panels**

**Wednesday, March 6, 2024**

Short Summary: How do you choose your neutral? How do you get chosen as a neutral? Law is less diverse than other professions in the U.S. and ADR is an even less diverse corner of the law. What to do about it? Join our panelists as they provide a bird's eye view of initiatives to promote diversity, equity and inclusion in the areas of mediation and arbitration, and the field of dispute resolution on a state and national level.

Date & Time: March 6, 2024

- CLE: 2:00 – 5:00 PM
- Reception: 5:00 – 6:00 PM

3.5 hrs CLE Credit Pending

Location: In Person, Nova Southeastern University Shepard Broad College of Law, Davie, FL (Law Library, 3<sup>rd</sup> floor)

WELCOME: 2:00 – 2:10

- Speaker: Beto Juarez, Dean of Nova Southeastern University Shepard Broad School of Law
- Material: Objective of today's seminar

SESSION 1: 2:10 – 3:15 - Conversations about Diversity of ADR in Florida

- Moderator: Ana Cristina Maldonado
- Panelists: Chris Shulman, Dorsey Miller, Jeanne Charles, Angela Romero Valedon (AAA), Patricia Thompson (JAMS), Kelly Overstreet Johnson.
- Material: Each presenter approaches the topic from a different perspective in the business and practice of dispute resolution. The panelists include the authors of a recent Florida Bar Journal on diversity in ADR, who will share their research on the state of ADR in Florida, a representative from the American Arbitration Association (AAA) who will discuss diversity from the perspective of a large panel of neutrals, and from a former Bar president and litigator who has recently transitioned to work as a neutral, discussing

elements of career success for mediators and arbitrators and the importance of a diversity lens on the part of the attorneys hiring neutrals. Time will be reserved for audience questions and answers.

BREAK: 3:15 – 3:30

SESSION 2: 3:30 – 5:00 – National Conversations about Diversity in ADR

- Moderator: Ana Cristina Maldonado
- Panelists: Prof. Homer LaRue (Co-founder of Ray Corollary Initiative, past president of National Association of Arbitrators, and recipient of the American Bar Association's 2020 Sandy D'Alemberte Award) and Ana Sambold (Chair of the American Bar Association's ADR Section).
- Material: The two visiting national presenters will discuss their experiences researching the state of diversity in the field of ADR across the U.S. – particularly touching on mediation (mediation shortlists) and arbitration (arbitration panels), the development and continuing evolution of resources and directories such as the American Bar Association's Resolution 105 on diversity of neutrals, the creation of the Ray Corollary Initiative (modeled on the NFL's Mansfield Rule), an overview of existing resources such as the Women in Dispute Resolution (WIDR) committee of the ABA, the downstream impact of the ABA and RCI's efforts, the discussion regarding quotas vs. pledges, goals and accountability, and next steps. Time will be reserved for audience questions and answers.

QUESTIONS AND CONCLUSIONS: 4:45 – 5:00

5:00 – 6:00 – "MEET THE MEDIATORS" RECEPTION

## PRESENTER & MODERATOR BIOGRAPHIES

### 1. Professor Homer C. La Rue



Professor Homer C. La Rue has a MA in Industrial & Labor Relations and a JD from Cornell University. He has a BA from Purdue University. He is Professor of Law at the Howard University School of Law in Washington, D.C. He is the founder and co-director of the Howard Law ADR Program. Professor La Rue also is the founder and director of the Law School's ADR Certificate Program. He also directs an ADR externship program for third-year law students with the World Bank Group's Internal Justice System.

Professor La Rue has extensive experience as a preeminent and highly sought-after labor and employment law arbitrator and mediator. For more than 35 years, he has served as an arbitrator and a mediator in numerous complex national and global matters, including labor, employment, and commercial disputes.

Professor La Rue is President of the National Academy of Arbitrators (President, May 2022), and the recipient of the 2020 D'Alemberte-Raven Award for outstanding service to the ADR field. The Award is the highest honor given by the ABA Section of Dispute Resolution. La Rue is past Chair of the Council of the Section of Dispute Resolution of the American Bar Association.

He is the permanent arbitrator for several collective bargaining agreements. Professor La Rue is a member of the labor-management and employment roster of arbitrators of the American Arbitration Association and the Federal Mediation and Conciliation Service. Professor was recently selected to serve as an independent arbitrator to hear antidoping disputes arising under the USADA Protocol for Olympic and Paralympic Movement Testing ("USADA Protocol"). He will serve a six-year term that began May 2022.

He is a Fellow in the College of Labor & Employment Lawyers. He also is a Distinguished Fellow in the International Academy of Mediators (IAM) and has served on its Board of Governors. The Peggy Browning Fund's 2015 DC Awards

Reception recognized Professor La Rue for his fair and impartial work as a labor-management neutral. Professor La Rue was the 2017-18 Neutral-In-Residence at the School of Industrial and Labor Relations (ILR) at Cornell University. Professor La Rue currently serves on the Board of Directors of the International Institute for Conflict Prevention and Resolution (“CPR”).

He has published several scholarly articles, including contributing a chapter entitled, The Road to Becoming a Neutral: Working in the Interest of Human Needs, in EVOLUTION OF A FIELD: PERSONAL HISTORIES IN CONFLICT RESOLUTION, eds. Welsh and Gadlin (DRI Press, December 1, 2020).

One of his current initiatives, known as the Ray Corollary Initiative (RCI), now a non-profit organization, is designed to address the lack of persons of color and women selected as ADR neutrals, particularly in labor-management disputes. The initiative is based on his law review article, The Ray Corollary Initiative: How to Achieve Diversity and Inclusion in Arbitrator Selection published in the Howard Law Journal in 2019.

## 2. Ana Sambold



Ana Sambold is an internationally recognized figure in the field of alternative dispute resolution. With over a decade of experience as a conflict resolution specialist, she has served as a neutral in over 1,000 cases across a broad spectrum of civil litigation matters. Her practice involves the resolution of business/commercial, insurance coverage, real estate, torts, employment, civil rights, succession/wills/trusts, mass claims, and cases involving multinational and multilingual parties. Ms. Sambold has been recognized as meeting the highest independent standards for neutrals established by the National Academy of Distinguished Neutrals (NADN) and the International Mediation Intitute (IMI). She serves as a neutral independently and through selected ADR panels, U.S. courts, and federal and state agencies. In addition to her practice, she is a Negotiation Professor at the University of San Diego School of Law and has served as an Adjunct Professor of Law at California Western Law School. She has taught extensively in conflict resolution, negotiation, and ADR.

As a prominent and committed leader in the ADR and legal field, she serves as the Chair of the ABA Section of Dispute Resolution, the largest association of dispute resolution, the largest association of dispute resolution professionals in the world. She is also the former Chair of the San Diego County Bar Association (SDCBA) ADR Section, Co-Chair of the ADR Committee of the California Lawyers Association (CLA), member of the Board of Directors of the Southern California Mediation Association (SCMA), and the Chartered Institute of Arbitrators North America branch. She is a Fellow of the American Bar Association, a global honorary society of attorneys, judges, and legal scholars whose membership is limited to one percent of lawyers licensed to practice in each jurisdiction.

Ms. Sambold is fully bilingual (English/Spanish). Her unique bicultural background, civil and common law education, and fluency in Spanish allow her to understand the cultural and legal nuances that facilitate the resolution of disputes in multicultural settings and between parties of different nationalities. She is a licensed attorney in California, U.S. Southern District, and Colombia. She received her Master of Law from the University of San Diego School of Law (USD) and her training and credentials in dispute resolution from Harvard Law School, Pepperdine University School of Law – Straus Institute for Dispute Resolution among many other organizations. For more information about her practice, visit <http://www.sambold-law.com>. She can be reached at [sambold@sambold-law.com](mailto:sambold@sambold-law.com).

### 3. Ana Cristina Maldonado



Ana Cristina Maldonado obtained her Bachelor's from Amherst College, a Masters in Conflict Resolution from George Mason University, and her J.D. from St. Thomas University. She is Chair Elect of The Florida Bar's ADR Section, where she founded the Section's Committee on Justice, Equity, Diversity and Inclusion (JEDI) to advocate for greater diversity among neutrals. In 2023, Cristina was appointed by the Chief Justice to the Mediator Ethics Advisory Committee. Certified by the Florida Supreme Court in Circuit Civil, County, Dependency and Family mediation and qualified as an arbitrator, Cristina

has trained over 400 new mediators in Circuit Civil, Family and Dependency mediation. She mediated full time between 2012 and 2023, with the 15th Judicial Circuit ADR Office, her own mediation firm and as a panel member of Upchurch Watson White and Max. Cristina has recently joined the faculty at Nova Southeastern University's Shepard Broad College of Law as their Director of Externships and welcomes anyone interested in placing a law student to reach out to her. She is fluent in Spanish and Portuguese.

#### 4. Jeanne Charles



Jeanne Charles resides in Florida with a national ADR practice including arbitration, mediation and fact-finding predominately in the areas of workplace disputes. She earned her Juris Doctorate (JD) degree from DePaul University College of Law in Chicago. She currently serves as a labor arbitrator on various panels in Chicago, Miami and New York in addition to the US Olympic and Paralympic Committee, the US Anti-Doping Agency and Major League Baseball (MLB). Ms. Charles is also a Special Magistrate for the Florida Public Employees Relations Commission (PERC) and is listed with the American Arbitration Association, Federal Mediation and Conciliation Service, and National Mediation Board. In September 2021, Ms. Charles was appointed by President Joseph R. Biden to the Federal Labor Relations Authority Federal Service Impasses Panel (Panel). The Panel is an independent entity within the Federal Labor Relations Authority. The Panel's Chairman and Members serve on a part-time basis and aid in resolving negotiation impasses between federal agencies and labor organizations. Ms. Charles is an adjunct professor at Penn State University's School of Labor and Employment Relations where she teaches a graduate course in Human Resources and Employment Relations. She also serves as an adjunct professor for the University of Arizona Law School teaching advanced negotiations. Ms. Charles speaks regularly in various venues that include the American Bar Association, American Arbitration Association, Federal Mediation and Conciliation Service and nation-wide bar association events. She is a member of the National Academy of Arbitrators and has been inducted as a Fellow of the College of Labor and

Employment Lawyers. More detailed information can be found at [www.JCharles@JCharlesADR.com](mailto:www.JCharles@JCharlesADR.com).

#### 5. Dorsey C. Miller, III



Dorsey C. Miller, III, Esq. is a Senior Partner Of Counsel in the Boca Raton office of Luks, Santaniello, Petrillo, Cohen & Peterfriend, and has over 20 years of trial litigation experience. Martindale-Hubbell and his peers have rated him AV® Preeminent™. Dorsey concentrates his practice in automobile liability, trucking liability, wrongful death, medical malpractice, premises liability, general liability, negligent security and construction litigation matters. Dorsey also handles commercial litigation and employment claims. He has been certified by the Supreme Court of Florida as a Circuit Civil Mediator. Dorsey is also a Qualified Florida Arbitrator. In 2010, he was the recipient of the JM Lexus African American Achievers Distinguished Nomination. In 2009, he received the ICABA's Most Accomplished Blacks Nomination. He serves his community as a Board Member for the Boys and Girls Club of America (Nan Knox Unit) and the Florida High School Athletic Association, Section IV Appeals Committee as Chairman. Dorsey is a former member of the Florida Bar's Unlicensed Practice of Law Committee for the 17th Judicial Circuit from 2010 through 2015. He is also a member of the Florida Defense Lawyers Association and the Claims & Litigation Management Alliance. Dorsey earned both his Juris Doctor and his Bachelor of Arts degree from the University of Florida. He is admitted in Florida (2002) and in the United States Court for the Southern, Middle and Northern Districts of Florida, and the United States Court of Appeals, Eleventh Circuit.



## 6. Kelly Overstreet Johnson



Kelly Overstreet Johnson is a full-time Florida Supreme Court Certified Circuit-Civil Mediator, Florida Supreme Court Qualified Arbitrator, and AAA arbitrator (commercial; large complex; employment and consumer panels). She handles both virtual and in-person mediations and arbitrations throughout Florida and elsewhere as requested by the participants. <https://overstreetjohnsonmediation.com>.

Ms. Johnson has 40 years of litigation experience in state and federal courts and arbitrations, and over 15 years of experience as a mediator and arbitrator. In 2022, she transitioned to a full-time mediation and arbitration practice with Overstreet Johnson Mediation & Arbitration. Her broad experience includes commercial and business disputes, employment-related issues, noncompetition agreements, probate and trust, general civil and tort claims, premises liability, nursing home and health care.

Ms. Johnson proudly served as President of The Florida Bar in 2004-2005, the third woman to hold that position. She also served as the first woman president of the Tallahassee Bar Association; as a past president of the Tallahassee Women Lawyers; in the ABA House of Delegates, on the Executive council of the ABA Litigation Section and on the Executive Council of The Florida Bar Alternative Dispute Resolution Committee for two terms. She presently co-chairs the Alternative Dispute Resolution Committee for the ABA Section of Litigation (2022-2024).



## 7. Christopher M. Shulman



Christopher M. Shulman is a 30+ year member of The Florida Bar, essentially only mediating and arbitrating since 2002. A member of the National Academy of Arbitrators (NAA), he is the NAA's Southeast Regional Chair. Having served on the Florida Supreme Court's Mediator Ethics Advisory Committee, the Court's Committee on ADR Rules & Policy, and the Court's Mediator Qualifications and Disciplinary Review Board, Chris currently serves on the Executive Councils of both the ADR Section and the Labor and Employment Section of The Florida Bar. As a mediator, arbitrator, hearing officer, federal-sector EEO complaint adjudicator, and the like, Shulman has helped parties resolve almost 7000 matters.

## 8. Patricia H. Thompson



Patricia H. Thompson arbitrates and mediates with JAMS Miami, concentrating her practice in construction, employment, financial insurance matters, and other complex, commercial domestic and international disputes. Ms. Thompson is regularly listed by The Best Lawyers in America, Chambers USA Guide to America's Leading Business Lawyers, The International Who's Who of Construction and Business Lawyers, and similar Florida publications ranking attorneys in her areas of practice concentration. She is a Fellow of the Chartered Institute of Arbitrators and the American College of Construction Lawyers. Before joining JAMS in 2017, Ms. Thompson enjoyed a successful career for 40 years as trial lawyer and arbitrator. She has long been active in the ABA, chairing the Fidelity and Surety Law Committee of the Tort Trial and Insurance Practice Section and co-chairing the Construction Litigation Committee of the Litigation Section. She is a frequent author and lecturer for both ABA sections, the Forum on Construction, and the Florida Bar Association.

## 9. Angela Romero-Valedon



Angela Romero-Valedon, Esq. is the Vice President of the American Arbitration Association's Commercial Division for the Miami Regional office. She joined the Association in 2016. She is charged with overseeing customized alternative dispute resolution (ADR) services for commercial entities across Florida, Puerto Rico and the US Virgin Islands. She is an advocate for fair and beneficial B2B dispute resolution processes.

Her responsibilities extend beyond facilitating arbitration and mediation services, as she organizes educational events for professionals in commercial, legal, and ADR realms. She is deeply involved in furthering diversity and inclusion within the arbitration industry, aligning with AAA's values of collaborating and embracing differences.

Her legal career spans diverse roles including leading her own mediation firm and managing a judicial circuit's mortgage foreclosure mediation program. She is a graduate from Nova Southeastern University's Shepard Broad College of Law and Florida International University. She is fluent in English and Spanish.