

BOULDER COUNTY BAR ASSOCIATION

**DIRECTORY
OF
MEDIATORS, ARBITRATORS
AND OTHER
ALTERNATIVE DISPUTE RESOLUTION
PROVIDERS**

COUNTY COURT

**The ADR Section of the Boulder County Bar Association
Updated: February 2019**

Introduction to ADR

There are a variety of problem-solving processes referred to as Alternative Dispute Resolution (ADR) which provide an alternative to having a trial where a judge makes the decisions for you.

- ADR can offer cost-effective, fast, and appropriate choices for your individual situation.
- These methods are less formal than Court hearings and allow you to have greater influence on the outcome of your dispute.
- You can participate in ADR with or without the assistance of attorneys.
- In Boulder County, parties are required to participate in ADR prior to most contested Court hearings.

Options for Reaching Agreements

You can choose one or a combination of any of these options to resolve your dispute either prior to filing or after you start a Court case by filing your petition:

- Negotiation on your own
- Mediation
- Arbitration
- Mediation-Arbitration
- Settlement Conference
- Working with attorneys through representation or consultation

You can use these options to complete all or part of the documents necessary to finalize your settlement.

NOTE: If you are under a Protective Order or a “No Contact” provision in a bond, you need to ask the Court for an exception to allow ADR.

Negotiation on your Own

You and the other party(ies) can discuss and try to settle your differences together. You can fill out all of the necessary paperwork for the Court yourselves. You have the option to consult with an attorney, accountant, therapist, or other professional. There is an on-line self-help center with instructions and forms at

www.courts.state.co.us/chs/court/forms/selfhelpcenter.htm

Mediation

Both of you can hire a trained neutral mediator to assist you in reaching your own agreement in an informal and confidential setting. The mediator helps create a safe environment so that each person has a chance to be heard. Sometimes you and the other party(ies) will be in separate rooms to ensure a productive and/or safe process. If you have attorneys, they may participate in the mediation. A mediator cannot give legal advice to any party.

The mediator does not decide the outcome – the agreements are up to you. The mediator helps you:

- Clarify issues
- Identify your needs and interests
- Create options that best meet the identified needs and interests

Some cases are resolved in one or two meetings, while others take longer. Even if the entire case is not settled, mediation can be helpful to reach agreements on some issues prior to going to trial.

The mediator may put your agreements in written form for your signature, or you or your attorney can write the agreement. If you are unable to reach a mutually satisfactory agreement on all or part of the issues through mediation, and if you are otherwise unable to resolve the issues on your own or with the assistance of attorneys, your case will be set for a Court trial.

Mediation is a good option when you want to work cooperatively and when you will have an ongoing business or other relationship with each other. Parties who reach their own agreements tend to be more satisfied than parties who go to a Court hearing.

Arbitration

Both of you can hire a trained neutral person to make all or some of the decisions upon which you cannot agree. Arbitration can be helpful when you want a quick resolution, as it can be faster and less formal than Court hearings. It is a more formal option than mediation as you, or your attorney, present your information under oath and provide supporting documents. The formality of the process can vary. You can choose an arbitrator with expertise in the issues to be arbitrated. There is only a limited right to a Court rehearing or Court review of a binding

arbitration decision. The written arbitration award becomes part of the Court file and public record.

Mediation-Arbitration (Med-Arb)

You begin by mediating, but you agree that if you cannot resolve specified issues, then your mediator becomes an arbitrator and makes binding decisions on those unresolved issues. It provides an opportunity to work out your own solutions and to break any deadlocks. It ensures that a final decision is made. When you have an ongoing business or other relationship with the other party(ies), mediation encourages voluntary communication and settlement, with arbitration being used to decide those issues upon which the two of you cannot reach an agreement.

Settlement Conference

Both of you hire an impartial legal professional to do an informal assessment and conduct a negotiation session. He or she will analyze the issues, evaluate the strengths and weaknesses of your positions, and suggest settlement options based on the law and precedent. He or she may assist you in writing an agreement. The parties may be in separate rooms.

Working with Attorneys

Representation: You may hire an attorney to represent you throughout the process. The attorney will prepare and file the legal documents. He or she will guide you through the legal process by providing the following services:

- a) Advising you of the law and current practices;
- b) Advising you about the use of appropriate experts;
- c) Negotiating with the other party or his/her attorney to achieve a settlement; and
- d) Representing you during any Court hearings or ADR sessions.

Consulting: You may choose to represent yourself, but consult with an attorney at one or more times throughout the process. This choice is especially beneficial for less complex cases. You will be responsible for preparing the necessary paperwork, complying with any Court-imposed deadlines, and negotiating with the other party(ies) or his/her attorney. If you hire an attorney for consultation only, his or her advice will be based upon the information you provide instead of the more in-depth understanding of your specific situation that would be obtained by an attorney hired to represent you. People often consult with an attorney before mediation or before signing an agreement reached through mediation.

Note: Whenever you work with attorneys, the same attorney cannot work for more than one party.

Suggested Questions to Ask an ADR Provider

Here are some questions that you may wish to ask in evaluating the qualifications of a prospective ADR provider for your particular situation:

- What specific ADR training do you have?
- How much experience do you have handling this type of dispute?
- What other education, training & experience do you have which will help in mediating my situation?
- Do you know the other party or the other party's representative(s)? If so, what is the nature of the relationship?
- Do you participate in on-going supervision and/or consultation with other ADR providers?
- Are you a member of an professional organizations which have a Code of Professional Conduct?
- If I have an attorney or decide to work with an attorney, what will the attorney's role be in the process?
- If the Court orders ADR, what role do you take in legal proceedings?
- What documents, if any, do you prepare?
- What are the fees for the process and how are the fees allocated? What services are included? Are parties billed for phone and preparation time?
- Can you provide names of non-confidential references I can contact?

Directory of ADR Providers

The following directory is provided for your consideration and lists the contact, fees, background and training information for ADR providers who have signed up for this Directory. County Court Mediation Program providers adhere to the county court fee guidelines of \$50 per party per hour for any civil case filed in Boulder County Court.

This directory is maintained in alphabetical order as a service to the public, and the Boulder County Bar Association and the 20th Judicial District do not endorse any of the providers on this list. They have not validated any of the information for accuracy, screened any of the providers for competence, nor conducted a criminal or background check. This material is supplied by the providers themselves and has not been verified. The information in this list is subject to change.

In addition to these private ADR providers, the Office of Dispute Resolution (ODR) is a state agency that also provides ADR services. To learn fee information and professional qualifications of ADR providers working for ODR in the 20th Judicial District, call (303) 837-3672.

COUNTY COURT PROVIDERS LISTED BELOW:

Seth Benezra

Deborah Brinley

Sheila Carrigan

Brian Luther

Thomas Moore

Beth Brown Ornstein

Toni Ozeroff

Lawrence Rider

Alice Robbins

Christopher Sarson

Catherine Schultheis

Ben Thompson

Susan Vanderborgh

ADR Providers Listing

Seth J. Benezra

Benezra & Culver, PC

633 17th Street, Suite 1450

Denver, CO 80202

303.716.0254

www.bc-law.com

Type of ADR Practiced: Arbitration|Mediation|Med./Arb.| Settlement Conference

Formal ADR Training: AAA Arbitrator; Completed Mediation Training with Judy Mares Dixon

Related Background: Has Mediated Labor and Employment, Business Torts, Landlord Tenant, Collections and other cases. Serves as AAA Arbitrator on Employment Law Panels in Denver-Boulder metropolitan area and beyond. Completed the 40 hour Mares Training. AAA Mediator and Employment Panel Arbitrator.

Areas of Practice: County Court Mediation Program | Family/Divorce | Labor/Government | Neighborhood/Community | Wide variety of Civil Dispute Resolution | Specializes in Employment related matters

Available Hours: Available all hours by Appointment

Hourly Charge: \$275/hour.

Sliding Scale?: Yes

Parenting Coordinator?: No

Debbie Brinley, J.D., B.A Psychology

Bright Side Mediation, LLC

2725 Juilliard St.

Boulder, CO 80305

720.838.0613

Email: debbie@brightsidemediation.com

Website: www.brightsidemediation.com

Areas of Practice: Family/Divorce, parent coordinator/decision maker (PCDM), Neighborhood/Community, civil/criminal, victim/offender, small business, elder care, education. Also, trial/mediation/arbitration preparation coaching for all types of cases.

Type of ADR Practiced: mediation, parent coordinator/decision maker, restorative justice, conflict and communications coaching, parent coaching

Formal ADR and Related Training: Mediation certification through Judy Mares-Dixon and Associates; Specialized training in conflict resolution, family systems, child development, trauma, mental health, substance abuse/addiction, and domestic violence; Extensive training in Motivational Interviewing (a collaborative communication technique) and restorative justice. Ongoing professional training through the Boulder Bar Association, Boulder Interdisciplinary Committee and the Mediators Association of Colorado; Trained mental health first aid responder and crisis counselor.

A. County Court Mediation program B. Family/Divorce C. Civil/Commercial/Environmental D. Labor/Government E. Neighborhood/Community

ADR Providers Listing

Related Background: B.A. Psychology cum laude from Bucknell University; law degree from George Washington University School of Law; Former litigator with the Department of Justice (both civil and criminal divisions), and associate in private law firm; Independent Mediator since 2010; Board member for Parent Engagement Network (local non-profit focused on engaging, educating and empowering parents to raise happier, healthy youth.)

Hours Available: Mon. - Fri., 8:30 a.m. – 5:00 p.m.; evenings/weekends by appointment.

Hourly Charge: Mediation: \$100-120; PCDM: \$120-\$140

Sliding Scale available

Sheila P. Carrigan, J.D.

Carrigan Mediation & Law, LLC

4845 Pearl East Circle, Suite 101

Boulder, CO 80301

303.494.5873

Email: carriganlaw@gmail.com

ADR Type: Mediation, Arbitration, Coaching, Parenting Coordinator-Decision Maker.

Formal ADR Training: 40 hour mediation certification through CBA, instructor Judy Mares-Dixon, PC/DM training certification, Conflict Coaching training. Numerous CLE courses related to Family Law, Elder Law, Mental Health Issues, Domestic Violence, Addiction, and Child Development. Former municipal judge. Former Deputy DA, 18th Judicial District, Former shareholder at complex litigation firm in Denver. Former real estate agent. Trained to facilitate Restorative Justice sessions and certified instructor in Interact-Interpersonal Problem Solving. Trial attorney or judge for over three decades, grew up in Boulder. Child focused solutions, creative problem solver and courageous, big hearted communicator.

Related Background: BA from University of Santa Clara; J.D. from University of Colorado, School of Law. Instructed at NITA and National Judicial College. Trial attorney for over 30 years. Practice limited to ADR, expert witness work, coaching and consulting. Areas of Practice: Family Law, Elder Law (conflict resolution and GAL services), ADR Mediation, Arbitration, Parenting Coordinator-Decision Maker, ADR, Guardian Ad Litem, Child Legal Representative, Real Estate (mediation and arbitration).

Available Hours: M-F 8:00-6:00, weekends by appointment.

Hourly Charge: \$225 per hour, divided by the parties; \$120 per hour for county court or ADR financially eligible cases.

**Renee Ezer, JD/Attorney
Dietze and Davis, P.C.**

A. County Court Mediation program B. Family/Divorce C. Civil/Commercial/Environmental D. Labor/Government E. Neighborhood/Community

ADR Providers Listing

2060 Broadway Suite 400
Boulder, CO 80302
303.447.1375
www.dietzedavis.com

Areas of Practice: Wills and Trusts, Fiduciary Representation, Guardianship and Conservatorship, Elder Law, Financial Exploitation of the Elderly, Conflict Coaching, Facilitating Intergenerational Family Dialogue and Conflict Resolution.

Type of ADR practiced: Arbitration, Mediation, Med/Arb, Settlement Conference

Formal ADR Training: CDR Associates – 40-hour training 1993. Former; student and instructor of multiple CLE courses concerning the use of ADR in the facilitation and resolution of conflicts involving financial exploitation of the elderly.

Related Background: Practiced in the area of wills and trusts conflicts, fiduciary representation, guardianships and conservatorships, elder law, and financial exploitation of the elderly, resolving conflicts through mediation, negotiation and litigation for 32 years. Trained in crisis intervention; served as medical and legal advocate, trainer and supervisor for non-profit crisis intervention team for 3-1/2 years; Past President of the Boulder County Bar Association; former co-chair of the Elder Law and Probate/Tax/Estate Planning Sections; member of the BCBA Board of Directors 2013 - 2019. I am a creative, flexible mediator with excellent communication skills.

Hours available: Monday to Friday, 8:00-6:00 pm

Hourly charge: \$250

Sliding Scale: On occasion

Brian Luther, J.D.

1123 Lincoln St.

Longmont, CO 80501

720.209.5055

E-mail: brianrluther@hotmail.com

Areas of Practice: Family/Divorce, Civil/Commercial/Environmental, Labor/Government, Neighborhood/Community

Type of ADR practiced: Arbitration, Mediation, Med./Arb, Settlement Conference

Formal ADR Training: 80 hrs. intensive Mediation and Arbitration training with Mediators Without Borders

Related Background: Member ABA, CBA, and BCBA ADR sections; 15 years mediation experience; International Mediation and Arbitration instructor.

Available Hours: 8-5, or by appointment

Hourly Charge: \$50-\$200/hour; co-mediation available

Sliding Scale Available

A. County Court Mediation program B. Family/Divorce C. Civil/Commercial/Environmental D. Labor/Government E. Neighborhood/Community

ADR Providers Listing

Beth Brown Ornstein, J.D.

Colorado Mediation Center, LLC

4450 Arapahoe Avenue, Suite 100

Boulder, CO 80303

303.415.2042

Fax: 303.499.3937

E-mail: cmc@mediationnow.com

Website: www.coloradomediationcenter.com

Areas of Practice: A, B, C, D, E

Type of ADR practiced: Arbitration, Mediation, Med/Arb, Parenting Coordination/Decision-making

Formal ADR Training: CDR Associates (Divorce and Child Custody Mediation);

Mediation/Arbitration; Parenting Coordination; Dependency and Neglect; Managing Workplace Conflict; Non Adversarial Communication; Victim/Offender; Arts.

Related Background: Government Contracts, Construction, Administrative, Family and Criminal Law. Mediation Association of Colorado Professional Mediator. Helping resolve contract, workplace, family, HOA, construction, real estate, environment and energy disputes since 1996. Also provide conflict management, communications, and team-building programs.

Hours available: M-F 8:30 AM- 5:00 PM; some evenings

Hourly charge: Free Initial telephone consultation

Standard Fees: \$75.00 - \$125.00 per party per hour. Sliding scale available.

Antonia D. Ozeroff, J.D.

Ozeroff Mediation Services

4845 Pearl East Circle, Suite 101

Boulder, CO 80301

303.437.0059

Email: ozerooff@comcast.net

Areas of Practice: A, B, C, D

Type of ADR Practiced: Mediation, Med./Arb., Settlement Conference and Facilitation

Formal ADR Training: 40 Hour Mediation Certificate; Advanced Mediation, Family Law Mediation, Family Law CLE, Elder Mediation, and Med/Arb Training; ongoing training through CMS Denver, JCMS Golden, and Colorado Bar and Boulder Bar Associations.

Related Background: 16 year law private and corporate practice encompassing commercial, workplace and labor litigation and advice, 6 years mediation of Family/Divorce and Civil/Workplace matters.

Hours available: M-F 8-6; Other times based on appointment

Hourly charge: \$75 - \$125 per party per hour. Sliding Scale available.

A. County Court Mediation program B. Family/Divorce C. Civil/Commercial/Environmental D. Labor/Government E. Neighborhood/Community

ADR Providers Listing

Alice M. Robbins, Attorney-Mediator/Arbitrator (Family Law)

Alice Miller Robbins, Attorney at Law, Inc.

1790 30th Street #425 (Sussex One Bldg)

Boulder, CO 80301

303.990.0277

www.boulderdivorcemediators.com

Areas of Practice: Family/Divorce/Post-Decree (I work with parties either self-represented or represented by attorneys)

Type of ADR Practiced: Family Law Mediation, Arbitration and Med/Arb

Formal ADR Training: Many hours of ADR and Advanced ADR training through CBA, Center for Dispute Resolution.

Related Background: Continuing education ongoing in ADR, Family Law; Participated in Jeffco Mediation Services (volunteer), Colorado Legal Services Domestic Relations Legal Clinic (volunteer), 6-year Board Member of Boulder Interdisciplinary Committee (BIDC) (past President 2017-18), Boulder Bar Association, Colorado Bar Association.

Hours available: M-F 8:30-5:30 (available for evening hours upon request)

Hourly charge: \$195.00/hour divided between parties; will accept cases approved by Court for “state pay” scale (\$150/hour total or \$75.00 per qualified party)

Sliding Scale?: Accept State Pay approved cases (see above)

Catherine M. Schultheis, ADR Professional Mediation and Paralegal Services

7560 Monarch Road

Niwot, CO 80503

303.652.3638

E-mail: cathyboulderagent@yahoo.com

Areas of Practice: Family/Divorce | Parenting and Post Divorce Disputes | Elder and Extended Family | County Court Cases About Money | Neighborhood/Community

Type of ADR practiced: Mediation, Mediation/Arbitration, Arbitration, Facilitation, Supervised Parenting Time, traveling Notary

A. County Court Mediation program B. Family/Divorce C. Civil/Commercial/Environmental D. Labor/Government E. Neighborhood/Community

ADR Providers Listing

Formal ADR Training: CDR Associates, mediation training, US Postal Services “Redress” program, “Dependency and Neglect” court training. I specialize in family matters including but not limited to divorce, parenting, financial, post dissolution and elder issues.

Related Background: Paralegal specializing in family law since 1973; Mediator and arbiter for over 30 years; Past Co-Chair of the Boulder County Bar Association ADR section; Inactive real estate broker, notary.

I am also familiar with debt resolution, contracts and disputes over money and performance, partnership dissolution, debt resolution, and real estate matters. My goal as a neutral is to offer quality ADR services at an affordable price and to assist people in resolving their disputes as amicably and quickly as possible.

Hours available: Flexible – evening and weekend time available

Hourly Charge: Mediation \$125, Med/Arb and Arbitration \$150, Paralegal \$60, Supervised Parenting Time \$40

Susan Vanderborgh, J.D., Esq.

2373 Central Park Blvd. #100, Denver, CO 80238 (other locations also available)

720 307-4410

www.vanderborghfamilylaw.com

Areas of Practice: Family/Divorce

ADR Type: Mediation

Formal ADR Training: 40 Hour basic mediation training, 40 hour domestic relations mediation training, Parenting Coordinator and Decision-Maker training. Experience with learning disabilities, twice exceptional children, special needs, competitive student athletes. Parent-adolescent mediation and coaching.

Related Background: Domestic relations attorney, Child and Family Investigator, Parenting Coordinator, Parent Educator. 20 years experience working with children, adolescents, and families.

Available Hours: M-F 9-6, weekends and evenings by appointment

Hourly Charge: \$150

Parenting Coordinator?: Yes