

Forrest S. Mosten

Forrest S. Mosten is an Advanced Practitioner Member of the Association for Conflict Resolution who has mediated since 1979 and is the author of Collaborative Divorce Handbook (Jossey-Bass, 2010), The Complete Guide to Mediation (ABA, 1997), Unbundling Legal Services (ABA, 2000), and Mediation Career Guide (Jossey-Bass, 2001) He specializes in high conflict mediations involving divorcing families, partnerships, employment disputes, probate, real estate, commercial disputes and other complex civil lawsuits.

Mr. Mosten has been honored by the ABA, LA County Bar Association, Beverly Hills Bar Association and trains mediators worldwide. His pioneering work in mediation and unbundling has been covered by the LA Daily Journal, LA Times, NY Times, USA Today, ABA Journal, LA Daily News, Chicago Tribune, the Wall Street Journal, Town & Country and other publications all over the world.

Forrest S. Mosten has been in private mediation practice since 1979. Mr. Mosten is in constant demand as a master mediation trainer for basic courses, advanced courses, individual supervision for practicing mediators, and training other conflict resolution trainers. He is popular presenter at mediation and law conferences throughout the world.

In addition to his work as a neutral, Mr. Mosten maintains an active practice as a family lawyer representing clients in divorce, pre-marital agreements, and complex issues in property, support, and parenting issues after divorce. The California State Bar has recognized Mr. Mosten as a Certified Family Law Specialist. Mr. Mosten does not accept engagements that involve court appearances. He practices with a collaborative and problem solving model and has trained Collaborative Lawyers throughout the world and serves as a negotiation and mediation consultant for other family litigators. Mr. Mosten has been named 2008 Super Lawyer by *Los Angeles Lawyer Magazine* and as one of the top 25 Family Mediators in California by the *Los Angeles Daily Journal*.

Mr. Mosten teaches mediation as a member of the faculty of the UCLA School of Law. He also teaches in the Dispute Resolution Program at Pepperdine School of Law. He has taught at USC Law Center, Hamline School of Law, Whittier School of Law, SMU, and University of San Diego School of Law, and was Director of Clinical Education and law professor at the Mercer School of Law.

In addition to training mediators, lawyers, therapists and organizations worldwide, Mr. Mosten has published numerous articles on mediation and is the author of The Complete Guide to Mediation (ABA, 1997) and Operating a Profitable Mediation

Practice (1998) His book, *Mediation Career Guide*, was published in 2001 has been a bestseller on Amazon in mediation since its release.

Mr. Mosten is recognized as the “Father of Unbundling” for his pioneering work in promoting Discrete Task Services for lawyers to play a major and effective role in mediations. His ABA book *Unbundling Legal Services: A Guide to Delivering Legal Services A La Carte* was published in 2000. He served as a Keynote Speaker at the first national conference on unbundling in October 2000 in Baltimore)

Mr. Mosten has also been credited as the inventor of the Client Library and the Confidential Mini-Evaluation, and as an authority on preventive law, including the use of the Conflict Wellness/Personal Legal Check-Up, first developed by Mr. Mosten’s mentor, Professor Louis M. Brown.

Mr. Mosten was named 1999 Peacemaker of the Year and 2006 Conference Keynote Speaker by the Southern California Mediation Association, was awarded the Louis. M. Brown Conflict Prevention Award by the Los Angeles County Bar Association, and is the founding Chair of the Dispute Resolution Section of the Beverly Hills Bar Association and recipient of its President’s Award for his work in mediation. He currently serves as Chair of the ADR Committee of the Family Law Section of the Los Angeles County Bar Association and has been Executive Chair of the International Client Counseling Competition since 1989.

Currently, Mr. Mosten is actively engaged in a number of initiatives to increase the awareness and use of conflict resolution and prevention in our society. He is the Chair of the ACR Taskforce to establish a National Peacemaker Museum and is a key thinker and supporter of the movement to form a US Department of Conflict Resolution and Prevention. In 2006, the Southern California Mediation Association established the SCMA/Forrest S. Mosten Mediation Library Fund to set up citizen information centers on conflict resolution at institutions throughout Southern California. In 2007, the University of California at Riverside established the Forrest S. Mosten Peacemaking and Conflict Resolution Program to form an academic Minor Degree in this area of study, an annual Scholar in Residence and Lecture Program, and a student internship program. Mr. Mosten will be the inaugural Scholar in Residence on May 6-7, 2008; his lecture will be “Peacemaking: From Kindergarten to the Middle East.”

His innovations in mediation and legal access have been reported in the *Los Angeles Times*, the *Wall Street Journal*, *USA Today*, *Business Week*, *The New York Times*, the *Los Angeles Daily Journal*, the *Chicago Tribune*, the *ABA Journal* and many other publications throughout the world.

Mr. Mosten is a Phi Beta Kappa graduate of the University of California, Riverside and received his Juris Doctorate at the UCLA School of Law. He is married to Dr. Jody

Mosten, a Clinical Psychologist. He has a daughter, Jordana Mosten, age 23, and a stepson, Derek Grotzinger, age 25. He is a passionate golfer whose handicap ranges from 10 to 17, depending on his workload.

Mediation Experience

Since starting as a professional mediator in 1979, I have resolved hundreds of disputes both privately and as a court appointed mediator. My cases are referred nationwide by litigators, judges, corporate counsel, therapists, accountants, other professionals and former clients. I am most gratified by referrals from other mediators, many of whom I have personally trained and mentored.

I employ strategic planning and a full toolbox of mediation tactics. I work with parties and counsel to design a process that will resolve their dispute. While I prefer low-key, safe, and a facilitative tone and format, I increase directive and evaluative approaches where necessary. My article, "Muscle Mediation" demonstrates that I can play hard-ball if necessary in order to settle a case.

I have pioneered the use of pre-mediation private sessions with parties in order to prepare them to maximize success at the joint sessions.

I prefer non-confidential briefs so that counsel can educate and persuade the other side and help bring reality and dissonance into risk analysis.

I urge parties and counsel to both make opening statements to encourage participation in the process and stimulate discussion that motivates movement.

No two mediations have ever been identical—I am usually retained due to my creative and innovative approach to designing format and helping develop comprehensive and workable settlements. I am both patient and tireless. I never give up and often my confidence is the single factor that motivates conflicted parties to reach settlement.

Conflict is pernicious—ending it with dignity and a workable solution frees parties to cut losses and move on with their lives. I urge parties to focus on one variable: "Can I Live with This Agreement?"

Training

Have been in continuous training since starting to mediate in 1979. In addition to basic and advanced courses in civil and family mediation, I have taken specialized training in

international mediation and arbitration, mediation in mass tort actions, and facilitation of conflict resolution in the workplace.

Education

- * Juris Doctor, UCLA (1972)
- * Bachelor of Arts, University of California, Riverside (Phi Beta Kappa), 1969.
- * Admitted to Law Practice in California (1972) and Georgia (1977-Inactive)

Other Qualifications

Charter Member, Los Angeles County Bar Dispute Resolution Section, Executive Committee.

Convener: Training Mediators for the 21st Century, Western Justice Center, Pasadena, California.

Founding Chair, Beverly Hills Bar ADR Section.

Chair numerous committees, ABA Dispute Resolution Section.

Chair, California State Bar Middle Income Committee.

Member, ABA IOLTA Commission.

Member, ABA Standing Committee on Dispute Resolution.

Chair, ABA Client Counseling Committee.

Executive Chair, Louis M. Brown International Client Counseling Committee (since 1989)

Current Peacemaking Initiatives

Forrest S. Mosten is actively engaged in a number of initiatives to increase the awareness and use of conflict resolution and prevention in our society. In addition to his scholarship and teaching at the UCLA School of Law, Mr. Mosten's projects include:

- * Chair of Brown-Mosten International Client Counseling Competition affiliated with IBA (since 1989)

- * Chair of ABA Lawyer as Problem Solver Committee (Recipient of the Award in 2004)

- * Chair of the ACR Taskforce to establish a National Peacemaker Museum.

- * Recognized theorist and supporter of the movement to form a US Department of Conflict Resolution and Prevention

- * In 2006, the Southern California Mediation Association established the SCMA/Forrest S. Mosten Mediation Library Fund to set up citizen information centers on conflict resolution institutions throughout Southern California.

- * In 2007, the University of California at Riverside established the Forrest S. Mosten Peacemaking and Conflict Resolution Program to form an academic Minor Degree in this area of study, an annual Scholar in Residence and Lecture Program, and a student internship program. Mr. Mosten was the inaugural Scholar in Residence, and his lecture was "Peacemaking: From Kindergarten to the Middle East."

Books

(UCLA School of Law and other Training Books and Materials not listed)

- * Collaborative Divorce Handbook:
Effectively Helping Divorcing Families Without Going to Court
Jossey-Bass (August 2009)
- * The Complete Guide to Mediation
ABA (1997)
- * Unbundling Legal Services: A Guide to Delivering Legal Services A La Carte
ABA (2000)
- * Mediation Career Guide
Jossey-Bass (2001)
- * Guest Editor, Special Issue on Training Mediators for the 21st Century
Family and Conciliation Court Review (January 2000)
- * Guest Editor, Special Issue on Unbundled Legal Services
Family Court Review (January 2002)
- * Guest Editor, Special Issue on Collaborative Practice
Family Court Review (January 2011)