

Fields Juggles Family Life, Mediation Duties

By Emma Dewald
Daily Journal Staff Writer

LOS ANGELES - Janet Rubin Fields leans across the table. She is a woman in the grip of strong emotion.

"I love my BlackBerry," Fields says.

It's hardly surprising, given the tight scheduling her life requires.

Fields has arrived at an 8:15 a.m. meeting in the San Fernando Valley so she can get to a 10 a.m. mediation in Westlake Village. She has to be home by 3 p.m., when her 13-year-old son returns from school, and she's hosting a Shabbat dinner this evening.

"Organization is so important," she says.

But passion brought Fields to the law. When her eighth-grade class studied the Salem witch trials and re-enacted the proceedings, she played the role of a lawyer.

"[It] sunk into my heart," she said.

Other possibilities crossed her path, but Fields couldn't get the law out of her head.

"I kept going back to that," she said.

Fields, 50, grew up in the Valley and worked her way through college in Santa Rosa. One of her jobs was as a legal secretary. It didn't scare her off - rather, it confirmed her belief that the law was for her - so she worked her way through Empire College School of Law, also in Santa Rosa.

Fields then returned to Los Angeles to be near her family and began practicing in the professional-liability field.

She met her husband-to-be, Howard Fields, in 1988, when they were co-counsel on a case. During a court appearance, he noticed that she was wearing flat shoes - which, for him, "was the sign of a secure woman," she said.

Family, always important, took on new meaning with the addition of her husband's three children, whom Fields helped raise.

"They've all been an integral part of our life," she said.

When she was pregnant, Fields and her husband went into practice together to increase their scheduling flexibility.

Eventually, though, "I wanted something beyond the practice of law," Fields said.

She wanted to feel good about what she was doing for others and for her own life, and she found a way to accomplish that by turning to work as a neutral.

At the time, Fields was volunteering as a mediator for the Los Angeles County Superior Court. Soon, she tested the waters and became available on a nonvolunteer basis.

"[Clients] kept calling and coming," Fields said.

Fields has learned that while the law is relevant in mediations, "it's not always the most important thing in a case."

A recent legal-malpractice and insurance-bad-faith case, arising from a car accident seven years earlier, illustrated as much vividly for her. The driver, originally the defendant and now the plaintiff, had not spoken with the plaintiff in the underlying case since the accident.



ROBERT LEVINS / Daily Journal
"I'm persistent yet endearing," jokes Los Angeles-based mediator Janet Rubin Fields, who places the demands of family life at a premium despite her grueling work schedule.

"The parties were ... very good friends," Fields said.

But their respective lawyers had told them not to talk to each other while the case was pending.

Fields brought the parties together.

"They hugged, and they cried," she said. "I would never have done that at the beginning of my career."

That interaction, Fields believes, freed the plaintiff emotionally to settle the legal-malpractice case. The bad-faith claim went to trial.

After all, Fields has learned that "being yourself in the room" matters.

She recalls another case in which a psychiatric patient had sued a hospital and several doctors, alleging, among other things, that she had been sexually assaulted. Professional careers and reputations were on the line.

"No number is going to satisfy [the plaintiff]," Fields said.

But on the other side, she added, you had "doctors who don't believe they did anything wrong." None of the situation was made easier by the plaintiff's fragile state.

At the beginning of the mediation, Fields had touched the plaintiff's hand. The woman immediately moved to a corner of the room and had refused to emerge.

Gradually, the woman relaxed. Fields said it helped the plaintiff to have a female mediator.

Fields raised sensitive issues with the plaintiff directly, rather than through her lawyer, Fields said. She also knew when to leave her alone.

"Negotiation can be painful to parties," Fields said. "I felt that she was suffering enough pain as it was."

Fields did not discuss dollar amounts until she felt that the parties were close to an agreement. A settlement was reached nine hours later, and before she left, the woman hugged Fields.

"It's one of my more-satisfying cases," Fields said.

Fields is a good listener, according to Barbara E. Dunn, a lawyer at Lacey, Dunn & Do in Glendale who has used Fields several times. Dunn adds that Fields listens not only with her ears, but also by watching.

Fields described a recent case that illustrates the point. During the mediation, she said, a lawyer learned about the opposing side's case, including facts he had not known about his client.

The two sides were in separate rooms. Each time Fields entered the defendant's room, she said, she could see that his lawyer had moved a little farther away.

Fields could tell that the lawyer "saw his client in a new light," and that realization, she believes, motivated him to settle the case.

"I gained a lot of respect for that lawyer," she said. "He recognized the hurdles that lay ahead."

"She's very bright," Dunn said. "She's very willing to work to understand what a case is about."

In turn, Fields expects lawyers to be prepared.

"She is a mediator who asks a lot of questions," said Santa Ana attorney Eric V. Traut, who has used Fields as a mediator. "She wants to fill in the blanks. I would say you'd better know your case inside and out."

Fields agrees, saying she is not afraid to lay into somebody "if I have to."

She also is not afraid to put her BlackBerry to use.

"She's very accessible," Traut said. "She will give you an e-mail [address], and she will give you a cell-phone number, even if it's intrusive in her own private life."

Fields recognizes, though, that private life can intrude on the mediation process. She enforces a no-cell-phone rule during her mediations - with exceptions for parties with parenting issues - and arranges her schedule to attend her son's sporting events.

It seems to be working: Fields estimates her current rate of settlement at 85 percent.

While picking up her BlackBerry to call her assistant and double-check a number, she jokes, "I'm persistent yet endearing."

When you love what you do, she adds, days have 25 hours - and Fields is using every one of them.

Here are some lawyers who have used Fields' services: Gerald DeSimone, DeSimone & Huxster, Agoura Hills; Stephen C. Pasarow, Knapp Petersen & Clarke, Glendale; Eric V. Traut, Santa Ana; Steven C. Glickman, Glickman & Glickman, Beverly Hills; Barbara E. Dunn, Lacey, Dunn & Do, Glendale; C. Michael Alder, Beverly Hills; Mark D. Apelian, Bryman & Apelian, Calabasas; Philip Bloeser, Bollington, Stilz, Bloeser & Curry, Woodland Hills; John P. Boggs, Fine, Boggs & Perkins, Half Moon Bay; Barry A. Bradley, Bradley & Gmelich, Glendale; James R. Robie, Robie & Matthai, Los Angeles; Robert J. Kane, Stradling Yocca Carlson & Rauth, Newport Beach.

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