



Hon. Rebecca A. Albrecht, Esq.

Hourly Rate	\$450
Current	Bowman and Brooke LLP – Partner, General Counsel
Practice	Since 2006
Cases	800
Languages	English

Current Employer-Title

Bowman and Brooke LLP – Partner, General Counsel

Work History

General Counsel, Bowman and Brooke LLP, 2016 – Present; Judge, State of Arizona, 1982 – 2005; Attorney, Maricopa County Public Defender Office, 1975 – 1982.

Experience as a Mediator

During tenure on the bench, worked with parties to assist them in settling their matters – this was done both informally as parties appeared before the court in matters and through a structured program that the court started that assigned matters from other judges to be mediated. Mediated civil matters including insurance subrogation issues, tort cases, contract disputes, partnership disputes and other general civil matters.

Since leaving the bench, has been an active mediator and arbitrator continuing to mediate civil matters with a strong emphasis on contract disputes, construction cases, both defect and contractor disputes, and partnership dissolution disputes.

Representative Issues Handled as a Mediator

Frequently mediates cases with allegations of breach of contract. In that area, has mediated cases in which a former employee has claimed that he/she has been unfairly terminated or that the terms of the termination unfairly limited his/her ability to work; mediated matters where the former employer is asserting that the former employee is violating the terms of non-compete clauses; and mediated claims of use of confidential information for unauthorized purposes, failure to complete the terms of the contract, and allegations that the terms do not accurately reflect the parties' practice through the term of the contract. Contract mediations have included lease agreements, employment agreements, partnership agreements among others. Mediated employment contract disputes between private parties as well as government entities and employees.

Mediated land use cases which have included allegations of changed water flow damages as well as violations of deed restrictions in home owner associations.

Also frequently mediates construction cases working with general contractors and sub-contractors in disputes brought by homeowners, alleging defects. Frequently these are matters that have been settled by the general with the homeowner and the general is now seeking contribution from the sub-contractors. Also handled those matters in which a sub-contractor is asserting that the invoices for work completed has not been paid or in which the general contract is asserting a sub-contractor has been over paid.

Years of Practice as a Mediator

Since 2006

Total Number of Cases Mediated

800

Mediation Philosophy

Mediation is not litigation. It is an opportunity to find a solution to a problem. The parties need to have a fair assessment of the risks and rewards of litigation and to weigh that against their perceived damages. Many parties come with that assessment already in hand, but often even with the most prepared, it helps to have an impartial look at the facts and the costs.

I believe that the parties need a safe place to express their positions about the matter pending, so whenever a party expresses, either verbally or by action, a need to “vent” I give them that opportunity. This need to express their feelings comes not just from an injured plaintiff but often from an employer who feels betrayed by a long time employee, or a hardened business person who believes the other has broken their trust.

Each case has its own story, and it is my job to understand, as best I can, that story, and to put it into a context that will allow the parties to find a path toward to settlement.

Alternative Dispute Resolution Training

ACE 22 - Process Essentials for AAA Arbitrators, 2022; 2021 AAA-ICDR Panel Conference; ACE21 Impartiality: Do You Know Where Your Biases Are? 2021; ACE20 - Cyber Security: A Shared Responsibility, 2020; AAA ACE19 Case Finances: What Arbitrators Need to Know, 2019; Developments in Arbitration Law: Practice Focused Cases, 2019; ACE18 - Arbitrator Performance and Demeanor ~ Meeting Participant Expectations, 2018; AAA Developments in Arbitration Law: Focused Practice Cases, 2018; ASU Private Arbitration Update, 2016; AAA Arbitration Awards - Safeguarding, Deciding and Writing Awards ACE01, 2015; AAA Principled Deliberations, 2014; AAA Developments In Arbitration Law: Disclosure, Vacatur, Sanctions, and Arbitrator Authority, 2013; AAA Advanced Mediator Training Series: The Extent (or Limit) of Mediator Influence to Effect Settlement, 2012; AAA Webinar, Controlling Chaos in Mediation: Navigating the Behavioral Paradigm, 2012; AAA Webinar, How to Become a More Innovative Neutral or Advocate: Applying Cutting Edge Innovation Management Techniques to Your ADR Practice, 2011; AAA Webinar, New AAA Healthcare Payor Provider Judicial Orientation, 2011; AAA Fundamentals of Effective Mediation Advocacy, 2010; AAA Webinar, Electronic Discovery in Arbitration: What You Need to Know, 2010; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards ACE01, 2009; State Bar of Arizona Mediation Boot Camp, 2009; State Bar of Arizona, Private Arbitration Update: Basic/Advanced Arbitration Practice, 2008; AAA Pro Se: Managing Cases Involving Self-Represented Parties ACE02, 2007; AAA Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2007.

While on the bench, participated, as both presenter and attendee at numerous judicial settlement conference programs.

Professional Licenses

Admitted to the Bar: Arizona, 1975.

Professional Associations

State Bar of Arizona (CLE Committee; Board Member, Ethics Committee Member, Alternative Dispute Resolution Section); Maricopa County Bar Association (Past President); American Bar Association (Metro Bar Caucus; Past President); Arizona Judges Association (Past Treasurer).

Education

Arizona State University (JD-1975; BA, History-1971).

Publications and Speaking Engagements

Spoken at numerous State Bar, County Bar and American Bar Association programs on such topics as Self-Represented Litigants, Best Mediation practices, arbitration practices and ethical issues. Serve as faculty for the State Bar Professionalism Course.

Some specific examples include:

Co-author:

"Judicial Management of Cases Involving Self-Represented Litigants," NCSC JOURNAL, ABA, 2000;
"Judicial Techniques for Cases Involving Self-Represented Litigants, JUDGES JOURNAL, ABA.

Speaker:

"Mediating and Arbitrating Construction Disputes," State Bar of Arizona, 2010;

"Settlement Techniques," NBI, 2009;

"Seven Deadly Sins of Conflicts," Arizona Bar, 2010.

Professionalism course instructor 2005 to Present.

Arizona College of Trial Advocacy (executive director and faculty) 2005 – Present.

Compensation

\$450 Per Hour

Languages

English

Citizenship

United States of America

Locale

Phoenix, AZ

The AAA provides mediators to parties on cases administered by the AAA under AAA mediation procedures. Mediations that proceed without AAA administration are not considered AAA mediations, even where parties select a mediator who is a member of an AAA mediation roster.