



AAA Mediation.org™

Louis L.C. Chang, Esq.

Hourly Rate	\$350
Current	Lou Chang, A Law Corporation
Practice	30+
Cases	600+
Languages	English

Current Employer-Title

Lou Chang, A Law Corporation

Work History

Mediator, Arbitrator, Neutral Services, Lou Chang, ALC, 2003-present; Partner, Kuniyuki & Chang, 1981-02; Sole Practitioner, 1975-81; Associate, Mattoch, Kemper & Brown, 1973-75.

Experience as a Mediator

Mediator since 1984. Cases involve a wide range of contract, design and construction deficiency and surety claims related to private and government construction projects; business and commercial disputes; franchise, family business, real property, probate and partnership disputes, professional liability and tort claims. Mediation of labor and employment matters related to discharge, discipline, contract interpretation, interest and impact bargaining, wages, benefits, job classification, postings, layoff, bumping, promotion, health and safety, subcontracting, workplace violence, discrimination and sexual harassment issues.

Representative Issues Handled as a Mediator

Mediation-Arbitration of hotel industry collective bargaining discipline, contract and interest disputes, 2013 to date. Mediator of numerous and varied, simple, complex and multi-party construction and design deficiency cases since 1984, ranging from single family residential, condominium, subdivision, industrial, commercial, high-rise and public works projects in Hawaii, Guam and the mainland United States.

Mediator and co-mediator of business and commercial matters, hotel/resort contract disputes, hotel ground lease controversies following hurricane damage and conflict between municipal mayor and county council.

Mediator of family business and inter-generational disputes over transition and liquidation.

Mediator of construction design deficiency and surety bond claim concerning a government water treatment facility. This mediation involved multiple parties, including the government agency, design professional firms, the general contractor, sub-contractor, supplier and surety.

Co-mediator of wrongful termination of employment related claims involving a non-profit service agency and its Executive Director.

Mediator of double wrongful death action.

Mediator of property, premises and personal liability claims.

Mediation of breach of contract and fiduciary obligation claims between title and escrow company, selling and purchasing principals and fidelity bonding company.

Mediator of probate, trust and guardianship issues between feuding siblings, mother and grandchild.

Sole mediator of labor and employment discharge, discrimination (Title VII and ADEA) and harassment claims, family business and professional liability matters.

Years of Practice as a Mediator

30+

Total Number of Cases Mediated

600+

Mediation Experience as an Advocate or Party

Representation of clients in mediation has included: representing General Contractor in design/construction litigation involving foundation settlement and water infiltration claims; representing mechanical contractor in mold infestation/design/mechanical system balancing claims affecting new hotel construction; representing franchisor in franchisee dispute; and representing foundation/drilling contractor in contract dispute with government agency. Mediation experience as a party included medical malpractice, family guardianship and contamination and environmental cleanup matters.

Mediation Philosophy

Mediators should be flexible, creative and adaptable in style and approach, adapting problem solving, facilitative, relationship building, transformative and evaluative styles and strategies to fit the parties and issues involved. Mediation should be tailored to the business, psychological and emotional needs and circumstances of the parties. Mediation should be flexible, prompt, practical, private, confidential, cost effective and efficient. Mediation should empower parties to control, craft and customize their own solutions upon terms that fit their needs, interests, circumstances, hopes and dreams. Mediators facilitate productive exchange of information, positive communications and help parties identify potential and creative solutions.

Mediation References

Keith Yamada, Esq., kyamada@cadesl.com, (808) 521-9202; Tracey Wiltgen, Esq., traceyruns77@hotmail.com, (808) 521-6767; Vernon Yu, Esq., loc996@hawaii.rr.com, (808) 847-6633.

Alternative Dispute Resolution Training

AAA ACE19 Case Finances: What Arbitrators Need to Know, 2019; Faculty, AAACommercial Arbitrator Training Program 2019. Faculty, Expanding the Mediator's Toolbox: Blending Advanced Mediation Strategies, New York City 2019. Los Angeles & San Francisco) 2018; Faculty, The Art of Mediation: Mediation Strategies, 2018 (Singapore & Toronto); Arbitrator Performance and Demeanor ~ Meeting Participant Expectations, 2018; Dealing with Legal Privileges in International Arbitration, 2018; Native Hawaiian Peacemaking Concepts, 2018; Does the Arbitration Agreement Permit Class-wide Arbitration?, 2018; AAA Avoiding Ten Common Missteps Arbitrators Make ACE10, 2017; Legal Ethics, 2017; 2017 Outlook on Labor & Employment; 2017; Labor Arbitrator Best Practices - What You Can Do to Raise Your Game, 2016; Mediating and Arbitrating the Mega Case, 2016; Faculty, Labor Advocacy Training, National Academy of Arbitrators, 2014 Chicago, 2015 (San Francisco) and 2017 (Chicago); AAA Sanctions in Arbitration: Everything You Might Not Know that You Should Know 2015; The Night's Watch and Employment Law in Hawaii, 2015; Faculty, AAA, 'Breaking Bad: Tools for Advocates & Mediators When Negotiations Get Stuck' with Lou Chang 2014; AAA Damages for Neutrals 2014; AAA eDiscovery 2.0, 2014; Damages for Neutrals: Measuring and Evaluating Financial Claims, 2014; Confronting Ethical Issues During Employment Mediation, 2014; Faculty, AAA Labor Advocacy Workshop, 2012; Faculty, Hawaii Judiciary, Court Annexed Arbitration settlement assistance training, 2013; Hawaii State Bar Association and ACR Hawaii, Successful Closing Strategies for Complex and/or Multi-Party Mediations, 2013; AAA. Grievance Processing, 2013; Employment Practices Liability Insurance, 2013; Mediation Ethics, 2012; AAA. Labor Arbitration Advocacy, 2012; Conducting Effective Workplace Investigations, 2012; AAA, Can I Get a Witness?, 2011; Ethics in Arbitration, 2011; ABA, Dispute Resolution Section, Advanced Mediation and Advocacy Skills Institute, 2011; Presenter, ACR Hawaii, Pain Anger & Denial, skills building workshop for mediators, 2011; AAA Webinar, Why Construction Mediations Fail: Avoiding Common Mistakes, 2011; Faculty, Labor Arbitration Advocacy I, 2011; Ethics & Best Practices in Mediation, 2010; AAA Webinar, Judicial Remands of Challenged Awards: What Happens When the Decision Isn't Final, 2009; AAA Webinar, Will Traditional Litigation Strategies Work in Employment Arbitration? Ask the Experts, 2009; AAA/ICDR Neutrals Conference, 2009; AAA Pro Se: Managing Cases Involving Self-Represented Parties ACE02, 2006; AAA Dealing With Delay Tactics in Arbitration ACE04, 2005; AAA Annual Board Meeting and satisfied Arbitrator Update and 2004 ACE requirements, 2004; AAA Labor Arbitrator II Training: Advanced Case Management Issues, 2003; AAA Arbitrator Update, 2001; Presenter, AAA Mediator Conference, 2001, 2000; AAA Construction Train the Trainers

Course, Phoenix, 2000; presenter, Mediator Training for Palau Supreme Court, 1999; AAA Commercial Train the Trainer Course, 1998; AAA Construction Industry Arbitrator Training, 1997; Faculty, AAA Advanced Arbitrator Training, 1995; Faculty, AAA Basic and Advanced Arbitrator Training; Hawaii Judiciary Center for ADR, Hong Kong International Arbitration Centre; AAA Large Complex Case Panel Arbitrator Training; Faculty, AAA Commercial and Construction Arbitrator Training; Hawaii State Bar Association; Judiciary Center for Alternative Dispute Resolution, Public Disputes Project Mediator Panel Training; AAA Basic Mediator Training; various other ADR training.

Professional Licenses

Admitted to the Bar: Hawaii, 1973; U.S. District Court, District of Hawaii, 1973.

Professional Associations

National Academy of Arbitrators Chair, Advocate Continuing Education sub-committee); American Arbitration Association (Past Board of Directors); Hawaii State Bar Association (Alternative Dispute Resolution Section, Past Co-Chair; Labor and Employment Section); Labor and Employment Relations Association (Hawaii Chapter); Association for Conflict Resolution (Hawaii Chapter, Past Board Director, Past President); Society of Professionals in Dispute Resolution (Past Director; Commercial Sector, Past Co-Chair; Qualification Commission).

Education

University of Hawaii (BA, Phi Beta Kappa-1969); University of California at Berkeley (JD-1973).

Awards and Honors

Selected by peers as "Best Lawyers" (2005-2020) in the field of alternative dispute resolution, Honolulu and in The Best Lawyers in America publication. 2018 Honolulu Mediation Lawyer of the Year; Lawyer of the Year, 2016, Arbitration. Lawyer of the Year, 2013, Alternative Dispute Resolution. Lawyer as Problem Solver Award, Mediation Center of the Pacific.

Publications and Speaking Engagements

Momentum Makers and Impasse Breakers: Practical Mediation Tools. Dispute Resolution Journal, January, 2020. Tactics, Tools, Techniques and Contingent Moves for Mediators and Facilitators, a compendium compiled by Peter S. Adler, PhD and Lou Chang, Esq., 2020. Trouble in the World of Hawaii Arbitration Due to Vacature for Arbitrator Nondisclosure, Hawaii Bar Journal, 2017; The Revised Uniform Arbitration Act and its Impact Upon the Collective Bargaining Process, Hawaii Bar Journal, 2014. "Arbitration of Employment and Labor Disputes", The Executive Education Council 2013; Impasse Avoidance Strategies in Mediation, 2013. "Pain Anger Denial," An ACR-Hawaii skills building workshop for mediators, 2011; "A Brief History of Mediation in Hawaii," HAWAII BAR JOURNAL, 2011; "ADR Retrospective in Hawaii," Center for ADR 2010; "Strategizing for Successful Mediation," Hawaii State Bar Association, 2010; Faculty, "Labor Arbitration Advocacy," AAA, 2010; "Arbitrator Duty of Disclosure and Vacatur," Hawaii State Bar Association Litigation Update Seminar, December 2007; "How to Keep Construction Projects from Going Bad in Hawaii: Resolving Them if They Happen," 2007; "Easy, Efficient, Economical User Friendly," Arbitrations, Dispute Resolution Journal, May-July, 2006, Employment and Labor Arbitration Seminar, Hawaii State Bar Convention, 2006; "Construction Issues in Hawaii," August, 2003; Arbitration Advocacy Program, Federal Mediation and Conciliation Service, July 2002; "Mediation: Growing Applications of an Old Art," HAWAII BAR JOURNAL, vol. 1, no. 13, July 1998; "Impasse Avoidance Strategies in Mediation," 1999; "Arbitration Express, Some Strategies for Accelerating Arbitration," Society of Professionals in Dispute Resolution Conference, 1998; "Mediation and Arbitration in Hawaii," Parts I and II, BUILDING MANAGEMENT HAWAII, 1991.

SPEAKING ENGAGEMENTS: Managing Cultural Conflict, University of Hawaii, 2018; The Art of Mediation: Mediation Strategies, 2017; How to Practice Civility, Hawaii State Bar Assoc. Litigation Section, 2015. "Breaking Bad: Tools for Advocates and Mediators when Negotiations Get Stuck", AAA, San Francisco, 2014. "Arbitration of Employment and Labor Disputes", The Executive Education Council 2013; "Breaking Impasse" and "Joint Opening Statements in Mediation," Advanced Mediation and Advocacy Skills Institute, ABA, Dispute Resolution Section, 2011; "Building Rapport and Earning Trust in Mediation," Center for Alternative Dispute Resolution, 2011; "Apology and Forgiveness for Mediators," Mediation Center of the Pacific, 2011; "Ethics in Arbitration," Hawaii State Bar Association CLE program, 2011; "Conflict Resolution and Risk Management in the Construction Industry," University of Hawaii, School of Architecture, 2010; Contributing Faculty, "Overcoming Impasse in Mediation," Thailand Judiciary Trainings, Richardson School of Law, University of Hawaii, 2008/2010; Cross Cultural Conflict Resolution, Hawaii Pacific University, 2010; Advanced Mediator Training, Mediation Center of the Pacific, Cultural Sensitivity in Conflict Resolution Design 2010; faculty, Federal Court Mediation Panel, 2007; faculty, "Conflict Management for Design Professionals," University of Hawaii School of Architecture, 2007; faculty, "Advanced Mediation and Facilitation," University of Hawaii, Program on Conflict Resolution, 2003, 2005, 2006.

Compensation

\$350 Per Hour

Languages

English

Citizenship

United States of America

Locale

Honolulu, HI

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.