



AAA Mediation.org™

Susan R. Bulfinch, Esq.

Cave Creek, Arizona

Current Employer-Title Mediation Offices of Susan R. Bulfinch

Work History

Adjunct Faculty, Mediation Clinic, Sandra Day O'Connor College of Law, Phoenix, 2018-Present; Mediation Offices of Susan R. Bulfinch, 1994 – Present; Instructor, Mediation and Dispute Resolution Professional Certificate Program, University of California (Santa Barbara), 2008-2015; Instructor, Conflict Management and the Use of ADR Certificate Program, University of California (Irvine), 1998-2003; Associate, Law Offices of Stacy D. Phillips, 1991 – 1993; Legal Assistant, Law and Mediation Offices of Mosten and Wasserstrom, 1990 – 1991; Director, Consumer Complaints Division Mayor's Office of Consumer Affairs and Licensing, 1988 – 1989; Staff Associate, Common Ground Center for Policy Negotiation, 1987 – 1988.

Experience

Originally trained in mediation and dispute resolution in New York City and honed those skills mediating cases in local small claims courts and volunteering for the Salem Mediation Program (Salem, MA) and later the Suffolk County Superior Court Mediation Program (Boston, MA). Have continued to take additional training and courses in all types of alternative dispute resolution including victim-offender and family mediation.

Opened a private practice in 1994 as a fulltime neutral, trainer and consultant. Have taught mediation, negotiation and communication skills at the University of California, Irvine, University of California, Santa Barbara and California Lutheran University and offer customized training. Currently serve as Adjunct Professor at Sandra Day O'Connor College of Law at Arizona State University. Mediate for the Maricopa County Justice Courts, the U.S. Postal Service (EEO claims/employment), and the EEOC Phoenix office.

Experience mediating employment, insurance and personal injury matters where parties are present with counsel, insurance adjusters, and appraisers. Have mediated and resolved claims of hostile work environment, retaliation, discrimination and sexual harassment, among others, for state and federal agencies. Resolved a multi-party dispute involving several family members (two siblings and respective children) and counsel to settle real property issues involving co-owned property. Experience managing emotions that often surface in mediation by normalizing the situation and focusing on shared interests. Work with the parties to create a meeting space that is safe and conducive to resolution.

Mediator Experience

Have mediated for over 25 years specializing in civil and high conflict family matters. Served as a mediator in over 60 workplace disputes between supervisor and employee and between manager and employee; 20 sexual harassment and wrongful termination disputes between supervisor or manager and employee; 60 employment EEO disputes for the United States Postal Service; 10 cases involving the Americans with Disabilities Act and accommodation issues, 25 involving small businesses, five involving homeowner associations and three involving large organizations. Mediated numerous (30+) earthquake damage cases between residential homeowners/insured and insurance company representatives including counsel and insurance adjusters involving \$30,000 to over \$300,000 in dispute. Over 10 bankruptcy cases between debtors and creditors involving individuals and banking institutions. Has mediated 250 family-related cases between spouses (proper) and sometimes with counsel, involving middle to high income families, with disputes ranging

from \$75,000 to \$3,000,000. Mediated 20 attorney-client fee disputes and over 300 consumer disputes, several involving the automobile industry, landlord-tenant, small business, and contractors and sub-contractors doing repairs in residential units.

Representative Issues Handled as a Mediator

Title VII claims of discrimination based on age, race, sex, religion, sexual orientation, national origin or genetic information. Continue to mediate EEOC cases alleging wrongful termination, hostile work environment, retaliation and sexual harassment for federal and state agencies. In addition, experience mediating issues involving the Americans with Disabilities Act (ADA) and requests for accommodation. General business and civil issues include breach of contract, business torts, fraud, invasion of privacy, banking charges, real estate leases, automobile accidents and consumer disputes (merchant-vendor, business owners). Insurance cases including claims of property damage, loss of income, cost of repair, and relocation costs. Bankruptcy and general family disputes involving division of property and debts, amount of support, and parenting plans for custody and visitation. Attorney-client disputes with respect to determination of attorneys' fees. Personal injury cases ranged from soft tissue damage to partial paralysis, including review of independent medical examinations. Entertainment cases involving screenwriter's claims of copyright infringement.

Mediator Style & Process Preferences

Mediation is a consensual collaborative process where my role is to facilitate communication and identify areas of agreement to promote resolution. I adapt my style (facilitative, directive or transformative) to the needs of the parties to maintain an environment conducive to constructive dialogue. Unless requested otherwise, we begin in joint session and proceed with caucus as necessary. Parties are asked to submit a brief Mediation Statement, in advance, outlining the background of the matter, issues to be discussed and any settlement offers made. Most cases settle in mediation when parties arrive with the intent to participate in good faith negotiation, with full settlement authority and a cooperative attitude. Often, parties have not had the opportunity to fully explore the issues with each other face-to-face and mediation provides a neutral forum for seeking common ground.

Technology Proficiency

Familiar with Microsoft Word and conducting mediation using TEAMS and ZOOM.

Education

Salzburg University, McGeorge School of Law (Diploma in International Law, Fellowship awarded by the Charles A. Dana Fund for Comparative Legal Studies-1984); Southwestern University (JD-1983); Hampshire College (BA, Law and Psychology-1976).

Professional Licenses

Admitted to the Bar: Massachusetts (1985) and California (1991)

Professional Associations

Association for Conflict Resolution, Arizona Chapter (Past President); Arizona Business and Professional Women, Scottsdale chapter (Metropolitan Chapter, Past President and Vice President); IMPACT for Enterprising Women; International Mediation Institute (Certified Mediator); Maricopa County Association of Family Mediators (Past President); Scottsdale Bar Association; Southern California Mediation Association (Past President, Past Vice President, Past Director at Large).

Recent Publications & Speaking Engagements

PUBLICATIONS: Author, "Marriage Closure Therapy: Tips for Family Mediators," Mediate website, September 2011; Co-author, "When Mediation Meets Litigation: Cross-Over Dangers," AMERICAN JOURNAL OF FAMILY LAW, Aspen Law & Business, 1998; "Mediator, John Wade, Talks About ADR in Australia," BAR BRIEF, Beverly Hills Bar Association, 1995; Contributor, CONSUMER'S GUIDE FOR ELDER BOSTONIANS, City of Boston, Boston, MA, 1989; COMPARATIVE LAW YEARBOOK, Martinus Mijhoff Publishers, Dordrecht, The Netherlands, 1983.

SPEAKING ENGAGEMENT: "Mediation Nuts, Bolts & Ethics," Maricopa County Justice Courts, May 2022; "Conflict Resolution in Housing Workshop," Arizona Housing Coalition, April 2022; "Negotiation Success Tips for Women," Scottsdale Business and Professional Women, October 2021; "Negotiation Success Strategies," IMPACT for Enterprising Women, March 2021; "Hot Topics for Mediators, Maricopa County Justice Courts, June 2021; "Conflict Matters! Facilitating Different Conflict Styles with Groups and Individuals," AZ Technology of Participation-Community of Practice, May 2019.

\$375 Per Hour

Mediation Rate**Languages**

English

Citizenship

United States of America

Locale

Cave Creek, AZ

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.