

VERDICTS & SETTLEMENTS

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The Family Business

Mediator Gretchen Taylor comes from a long line of lawyers, including a pioneering grandmother.

By Shane Nelson

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Mediator Gretchen W. Taylor grew up in a family full of attorneys.

"I was raised being cross examined by my grandmother," the Signature Resolution neutral said with a chuckle. "The study of law, the practice of law — it's just what a lot of people in my family lineage have always done."

Taylor said her grandmother, Gretchen Wellman, was a Los Angeles trial attorney, who was a general practitioner in 1911.

"She did jury trials about accidents, and she did probate," Taylor explained. "She did everything."

Early on in her own legal career, Taylor said she did everything, too, working for a general practice small firm, where she didn't like much of what she was tackling.

"I didn't enjoy the personal injury," she recalled. "I didn't enjoy landlord-tenant. I went to criminal court a couple of times, and I didn't like that."

Divorce cases, on the other hand, were matters she did like, and as she took on more and more family law clients, Taylor said the diverse practice area really started to grow on her.

"The thing about family law is you're practicing about 10 or 12 different subjective areas of the law all the time," she explained. "You're doing real estate, tax, all kinds of accounting work, the developmental issues that have to do with children and custody, the semi-criminal aspect of domestic violence. Family law is a whole bunch of areas of the law all in one."

Taylor went on to practice family law as an attorney for



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nearly 30 years before she took the bench as a Riverside County Superior Court commissioner in 1997, overseeing a family law calendar. In 2003, Taylor moved to a family law courtroom in Los Angeles County, where she was a Superior Court commissioner until she retired from the bench in 2009.

"I probably would have stayed there until they pushed me out in a walker if it hadn't been for the decrease of resources, the increase in caseload, and a lack of real integrative therapeutic solutions for families," Taylor said.

One of the most meaningful positives about changing to full-time work as a private family law neutral in 2009 was "the luxury of time," Taylor said. And she relished the opportunity "to actually spend hours with the same set of problems and actually come

to some kind of an answer or a solution."

Taylor handles family law mediations as a member of the Signature Resolution panel, but she also works as a judge pro tem, discovery referee and a parent plan coordinator.

Taylor said she doesn't typically speak with attorneys before a mediation, and while she tries to read the case briefings as close to the day of as possible so the details are fresh, she noted that many of the largest hurdles in a family law case are not legal issues.

"What it is often happening is this unspoken dynamic between the couple where they don't want the other person to win — whatever winning is — whether it's the tools or the car or the house," she explained. "Family law is this kaleidoscope of history, disap-

Gretchen W. Taylor

Signature Resolution
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pointment, failed expectations, sometimes revenge, hurt, mixed in with money and kids. ... It's like I'm unrolling a complicated Oriental carpet. You don't really know what the pattern is until you're in a couple of feet."

Taylor said she works frequently with couples in joint sessions without their lawyers, but that in mediations where attor-

neys are involved, she often has better results avoiding discussions where all the parties and their attorneys are together.

“Most of the lawyers have difficulty being in the same room with the other lawyer without behaving like a lawyer,” she explained. “A lot of times I’m able to work with the lawyers themselves without their clients. That way they’re less concerned about how the client’s going to view their conciliatory words.”

Although she said she doesn’t make the mediator’s proposals one might imagine in a personal injury case or a commercial dispute, Taylor said she’s frequently making suggestions throughout a mediation.

“I’m proposing all the time. You just can’t shut me up,” she said with a laugh. “Instead of a mediator’s proposal, think of it as constant suggestions — based on experience — of offramps for the controversy that could be

appealing to this particular set of human beings. ... If you get a good read on the room, then you’re able to see what they’re going to be comfortable with.”

Los Angeles family law attorney Janet Kaplan said she’s used Taylor often as a mediator and the neutral has a knack for making clients feel understood.

“When she senses a client needs to be heard and listened to about where they are emotionally in the process of getting through this divorce, she tries to give them that chance to express what they’re feeling, so they feel heard,” Kaplan said. “I think that’s really positive. I don’t know that every judge really does that.”

Pasadena family law attorney Donald P. Schweitzer, who’s been using Taylor to resolve disputes for 15 years, described her as terrifically empathetic.

“She has a very, very keen sense of what’s driving people,”

Schweitzer said. “And she also has the ability to look somebody in the face and tell them they’re not going to get what they think they’re going to get. She’s fearless. ... She’s capable of telling people they’re taking unreasonable positions but while at the same time being extremely empathetic.”

Sherman Oaks family law attorney Mark P. Gross agreed that Taylor is a personable mediator who works hard to get to know the parties. He also said her approach of making sure parties all sign an agreement after reaching resolution is critical.

“Gretchen is using various templates as we’re going along, and she’s keeping notes about what the ultimate deal is going to be,” Gross explained. “So within a few minutes of us saying, ‘OK, we’ve got a deal,’ she can email — if we’re doing it remotely, or print out if we’re doing it in person — a proposed deal memo. So

you can walk out with a signed agreement. ... Oftentimes you lose the momentum or the ability to close the deal when you’re not on the spot.”

After more than 40 years in family law, there’s no doubt about Taylor’s passion for the practice area.

“It’s about the most important thing in everybody’s life, which is our family transitions,” she explained. “You look back on life. You don’t really talk about the time you slipped and fell at Safeway. It’s birth, death, marriage, family. ... It’s just infinitely, in my mind, meaningful work.”

Here are some attorneys who have used Taylor’s services: Mark P. Gross, Brot Gross Fishbein LLP; Donald P. Schweitzer, Schweitzer Law Partners APC; Janet Kaplan, Kaplan Wanger LLP; Patricia Rayos, Castleton Law Group; Grace A. Jamra, Jamra & Jamra LLP.