

VERDICTS & SETTLEMENTS

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FRIDAY, AUGUST 21, 2009

Peacekeeping and Persistence

The former appellate court justice spends her free time with needle and thread, ski poles and virtual mobsters.



By Catherine Ho
Daily Journal Staff Writer

As one of four kids growing up in the Crenshaw neighborhood of Los Angeles, Candace D. Cooper played the peacekeeper.

"I used to keep the peace between my siblings and occasionally my parents," she said. "Now it's innate to me. I see a situation and I want to work it out."

Cooper, a retired appellate court justice, has made a career out of keeping the peace. As a JAMS mediator and arbitrator, she helps settle business, commercial and employment disputes.

Cooper, 60, joined JAMS in January, a month after retiring as Presiding Justice of Division 8 of the Second Appellate District in the California Court of Appeal. It was a natural transition from the bench to dispute resolution, said the second generation Angeleno, who graduated from

Dorsey High School and earned her B.A. and J.D. from USC.

"It's a natural progression," she said. "Arbitration is like a court trial with a jury. Mediation is like a settlement conference."

Cooper said she went to law school because she "couldn't think of anything better to do," but immediately fell in love with the intellectual challenge of understanding the law.

"It captured my imagination," she said. "The law was something you could work with, not just memorize and spit back at a professor. You had to understand it conceptually and express and define a position. It was fun."

Her first job out of law school was at Gibson Dunn & Crutcher, where she did antitrust litigation and corporate transactional work for six years.

She was appointed to Los Angeles Municipal Court in 1980 at age 31, just

six years out of law school, and handled complex felony preliminary hearings.

She later served on the Los Angeles Superior Court for 12 years handling court management, civil trials, felony criminal and death penalty trials, and juvenile dependency and delinquency cases.

Her most recent post was as Presiding Judge of Division 8 from 2001 to 2008, where she amassed experience with contract, employment and government tort claim cases.

Cooper said her retirement came just in time for her to spend the second semester of her daughter Erin's senior year of high school shopping for a prom dress and enjoying mid-day teas, which she said would have been difficult while on the bench. She jokes that the new job will help her cope with empty nest syndrome when Erin starts college this fall.

Cooper describes her mediation style as relaxed yet persistent.

Intellectual Challenge of Law Captures Cooper's Imagination

"I believe you have to stay focused and continue to nudge or cajole because people will seem willing to give up at various stages," she said. "I stay with it."

Her persistence impressed attorney Clay Averbuck of Westlake Village-based Monroy, Averbuck & Gysler, who used Cooper in mediation. The case did not settle initially, but Cooper followed up with phone calls to both sides and ultimately negotiated a settlement, Averbuck said.

"What most impressed me was that she followed up a couple times on her own and acted as a telephone mediator," he said. "That's something no other mediator has done, and I've been doing this for a while."

Cooper flawlessly walks the line between tactful and tenacious, Averbuck said. He added that her experience with juvenile court gave her an added layer of sensitivity with this particular juvenile case.

"It was a highly charged case and she was able to express difficult and sensitive issues in a delicate and compassionate way," he said. "But she also has steel in her spine. She has a very good sense for when she needs to be blunt."

Associate Justice Lawrence Rubin, who worked with Cooper for eight years at Division 8 of the Second Appellate District, praised his former colleague's collaboration skills. When she was appointed presiding justice of the newly-created Division 8 in 2001, Cooper repeatedly sought ideas and feedback from the two other justices in the division for setting procedure in conducting oral argument and circulating draft memorandum, Rubin said.

"Her nature is to be collaborative," he said. "Her approach as a presiding justice



Age: 60

Affiliation: JAMS

Location: Los Angeles

Areas of Specialty: Business, commercial, employment

Rates: \$500 per hour,
\$5,000 per full day,
\$3,000 per half day

was to roll up her sleeves and ask us to roll up ours and figure out how to do this. She's open-minded."

On the appellate bench, Cooper earned a reputation as a fair justice with an air of calm, Rubin said.

"She's a good listener and works hard to understand the positions that various sides have," Rubin said. "She does not tend to

cut people off, she does not pre-judge. By nature, she's a collaborator, as opposed to an advocate."

The self-described "bar junkie" is active in national, state and county bar associations. She spends her free time skiing, reading John Grisham and Robert Ludlum novels, and fighting virtual mobsters on "I, Mobster" on her iPhone. Her latest needlework project is of a Jamaican street scene.

Cooper said she is having fun with the first career change she's had in almost 30 years, and enjoys that she has more flexibility than when she was serving on the bench.

"With judging, you have to be very careful, the strictures and ethics are very defined. With this, I can be more creative, flexible and engaged. I have to be neutral, but I can be engaged. That's the fun part — rolling up your sleeves and getting into the problems."

Here are some attorneys who have used Cooper's mediation or arbitration services:

Clayton C. Averbuck, Monroy, Averbuck & Gysler; Mark R. Gaylord, Ballard Spahr Andrews & Ingersoll; Ian I. Herzog, Law Offices of Ian Herzog; Dennis Fischer, Law Offices of Dennis Fischer; Holly Fujie, Buchalter Nemer; Sucharita Gunasekaran, Haight, Brown & Bonesteel; Rex Heinke, Akin Gump Strauss et al.; Barbara Lindemann, Seyfarth Shaw; Edith Matthai, Robie & Matthai; Danette Meyers, Los Angeles County District Attorney's Office; Patricia Phillips, Phillips Jessner; Yvette Roland, Duane Morris; Jonathan Steiner, California Appellate Project