

MEDIATOR PROFILE – MALCOLM SHER, ESQ.

EDUCATION

London University, Holborn College of Law, (Hons.) (1969)
Admitted to practice law in California in 1976 and in U.K in 1972

PROFESSIONAL EXPERIENCE

After forty years as a successful litigator and trial lawyer in the United Kingdom and California, I transitioned in 2008 to practice as a full-time mediator, arbitrator and neutral evaluator. I have mediated and arbitrated hundreds of disputes involving residential and commercial real estate, purchase and sale contracts, residential and commercial landlord-tenant, (including “habitability”), real estate partnership, probate/trust, elder abuse, and malpractice liability of real estate agents and brokers. Over 75% of my mediations are high-emotion disputes and many involve cross-cultural issues. I co-author the ADR chapter of California Continuing Education of the Bar’s *“Real Property Remedies and Damages.”*

AFFILIATIONS

California State Bar # 72629; mediator for San Francisco, Contra Costa, Alameda and San Mateo Superior Court ADR programs; member, California and National Academies of Distinguished Neutrals; member ADR Committees of Contra Costa and Alameda Bar Associations; member, C.A.R. Real Estate Forum.

STATEMENT

Conflicts, especially about buying, selling or leasing real property often involve intensely personal interests and generate significant emotional feelings. As a mediator, I have earned a reputation for being sensitive to these interests, to how cultural diversity, gender and personality impact the perception of rights and obligations and how they influence negotiation and dispute resolution. I treat parties with dignity and respect, validate their cultural diversity and hear their points of view, empowering them to fashion their own “win-win” solutions with my assistance. I deplore parties having to spend hard-earned money on lawyers and lengthy court proceedings, so I recommend early mediation. Flexible about process, I am willing to be “evaluative” if requested, to explore “what ifs,” ask probing questions, provide “reality checks” and identify risks and benefits, while creatively exploring settlement options.

FEES

\$375 per hour. \$100 travel charge for mediations more than 75 miles from San Ramon.

SERVICE AREAS

Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma Counties.

OFFICE LOCATION

Office space available in all Service Areas