

MEDIATOR PROFILE – Joseph L. Stine, ESQ.

EDUCATION

University of California, Santa Barbara, Bachelor of Arts, 1974

University of San Diego, School of Law, Juris Doctorate, 1977

PROFESSIONAL EXPERIENCE

San Diego County Superior Court

Temporary Judge

Settlement Officer

Mediation Panelist for Civil Litigation

Advanced Mediation Trainings

The Straus Institute for Dispute Resolution, Pepperdine Law School

National Conflict Resolution Center

Bar Association of Northern San Diego County

Pre-Litigation Mediation Panelist

Alternative Dispute Resolution (ADR) Section, Founder & Member

Attorney Fee Dispute Arbitrator

Real Property Section, 2011-2012 Chair

Author of articles & periodic MCLE program presenter on real estate mediation under C.A.R.'s residential purchase agreement

AFFILIATIONS

State Bar of California, 1979 – present

Real Property Section, 2005 – present

Bar Association of Northern San Diego County, 1985 – present

Lawyer Referral Panelist, Real Property Disputes, 2001 - 2015

Real Property Section Chair, 2011 - 2012

Board Member, 1998 – 2000, 2013 – 2015

President – 2016

City of Carlsbad, Planning Commission, 2019 – present

STATEMENT

Since 2000, I have mediated over one hundred real estate disputes, including scores of buyer v. seller non-disclosure disputes referred to me by C.A.R. Many of them revolve around the adequacy of seller disclosures under the state-mandated transfer disclosure statement (TDS) and commonly used seller property questionnaire (SPQ). In these mediations, I use perspectives gained from representing both buyers and sellers in non-disclosure disputes to “reality test” positions taken by buyers, sellers, and agents.

My mediation style is to be **prepared, persuasive, and persistent** in bringing residential real estate disputes to settlement, including those not resolved during the session itself. This means:

- 1) Carefully studying mediation briefs to understand issues in dispute;
- 2) Initiating pre-mediation calls with each participating counsel;

- 3) Setting aside my entire session day for mediation (no double booking);
- 4) Providing comfortable conference rooms and snacks for participants;
- 5) Caucusing with each party/party counsel to listen to their concerns;
- 6) Meeting with counsel to assess approaches for getting to resolution;
- 7) Using a flip chart to visualize party concerns, positions and offers;
- 8) Assisting counsel in memorializing settlements at end of session;
- 9) Making post-session contacts with counsel in disputes not settled; and
- 10) Offering continuing post-session involvement to close settlement gaps

As a mediator, I employ a hybrid facilitative and evaluative model to enhance opportunities for settlement. The mediation process is explained to the parties in private caucuses. I listen carefully to their concerns, and, as needed, suggest common sense, practical approaches to resolution. Parties are briefed on the advantages of negotiating a reasonable settlement to avoid a possible adverse outcome in an adversarial proceeding, the duration of such a proceeding, and the significant costs associated with a decision imposed by an arbitrator or court.

FEES:

Standard fee: \$200 per hour (C.A.R. discount for first two hours of the session)
\$490 per hour (beginning at session hour three)

Flat rate options:

- One-half Day (four hours): \$1,300
- Full-Day (seven and one-half hours): \$3,000 (lunch included)

Fees equally divided between the participating buyers and sellers

SERVICE AREAS

San Diego, Orange, and Riverside Counties

OFFICE LOCATION

Carlsbad (spacious executive suite in Palomar Airport area)

DO NOT CONTACT MEDIATOR DIRECTLY. All mediations must be filed directly with our Center and questions for mediators pre-assignment should be arranged with our Center.