

# ROUND 5: Reinvention

## Jeffrey Joseph Embraces The Evolution of His Legal Career

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Bauman Photography



“like the idea of reinvention,” says Jeffrey Joseph, founder of Joseph Mediations. Yet for Joseph, whose legal career began more than 40 years ago, the move to full-time mediator in 2012 wasn’t part of a plan he had conceived of decades ago. Instead, it was the result of a natural evolution of his experience. “That’s the great thing about law,” he says. “Whatever you’re doing now, you can always do something else in the future,” he adds.

Joseph’s latest reinvention wasn’t a particularly surprising career move. After all, he’s been mediating since 1994 and serving as an arbitrator since 1983. But what has come as a surprise is how busy he is, and how rewarding he finds the work. “The best thing about mediating is helping people. Being able to talk to them, and tell them why I can help is rewarding. You can see the look of relief in their eyes when a settlement has been reached,” he adds.

But Joseph is candid when he says that he did not initially get into mediating for those reasons. “I wanted to raise my professional profile,” he says. The irony lies in the fact that Joseph’s profile really didn’t need to be raised. As an AV rated attorney by Martindale-Hubbell since 1983, suffice to say that Joseph’s track record spoke for itself.

### Rounds 1-3: Criminal Trial Lawyer, Civil Trial Lawyer, Professor

Joseph’s legal career began after earning his J.D. from UC Davis

in 1972. For the first 8 years of his career, Joseph practiced criminal law in the Criminal Section and Special Prosecutions Unit of the California Attorney General’s Office. He became the first San Diego Deputy Attorney General to be assigned to the San Diego District Attorney’s Office, which afforded him the opportunity to try felonies, misdemeanors as well as preliminary hearings and grand jury proceedings. “I have done over 200 appeals and am counsel of record on 23 published, precedent-setting decisions, in criminal and civil cases, many involving significant constitutional issues. I have had cases in the United States Supreme Court, California Supreme Court and every District Court of Appeal in California,” he explains.

After 8 years in criminal law, Joseph was ready for his first major reinvention. In 1980, he took a job with Caltrans as a trial lawyer, where he tried million dollar and six-figure personal injury, property, contract, employment and environmental cases. He also took his first steps towards a future in ADR, becoming a court-ordered arbitrator in 1983. By 1992, Joseph was appointed Deputy Chief Counsel in charge of the Caltrans San Diego office, supervising 17 lawyers and making all settlement and trial decisions for the next 14 years.

“As a trial attorney and Deputy Chief Counsel at Caltrans, I was very fortunate to practice in tort, property, contract, employment, environmental and even constitutional law,” he says. It was during his tenure with Caltrans that Joseph began setting the stage for his next reinvention. Beginning in 1990,

he became an Adjunct Professor of Law at Thomas Jefferson School of Law. For twenty years, he taught eight different courses: Civil Procedure, California Civil Procedure, Trial Practice, Education Law, Environmental Law, American Legal History, Legal Writing and Legal Synthesis. Moreover, it was during this time that he was formally introduced to mediation. Joseph says, “I had done court-ordered arbitrations from 1983-1994 before the mediation program started. It was obvious that mediation was going to supplant arbitration as the ADR method of choice, so I took the mediation course at the National Conflict Resolution Center in 1994, and was on the original panel when the San Diego Superior Court launched the mediation program that year.”

Suffice to say, Joseph was more than a little busy. As such, he says that his reliance on technology was born of necessity. “I didn’t have a secretary. I basically scheduled for myself. Between teaching, arbitrating, mediating and trying cases, I became very tech-based,” he says. What he didn’t know then however, was that his use of technology would ultimately serve as a marketing bonus when he became a full time mediator. But before he would embrace mediation full time, he had one more phase of reinvention to get through.

#### Round 4: Associate Dean & General Counsel

By 2006, Joseph was ready for another change. He left Caltrans, and went from adjunct professor to Associate Dean and General Counsel at Thomas Jefferson School of Law. Coincidentally, he found that his experience in mediation was helpful almost immediately. “When I became Associate Dean, the neighbors of the school were on the warpath to close down the school because of students parking in the neighborhood, in violation of the school’s Conditional Use Permit issue by the City of San Diego. For two years, I attempted to serve as peacemaker with the neighbors, the students, and the City while the school’s Dean and Board of Directors figured out a permanent solution. Ultimately, the Board decided to move the school to East Village and I was able to keep the various parties at bay until the move could be made. My mediation experience was quite useful,” he recalls.

Over the next six years as Associate Dean and General Counsel for Thomas Jefferson, Joseph racked up award after award. He was named a *Super Lawyer* in the field of Education Lawyer for three years until the publication ceased including education lawyers in 2009. *The San Diego Daily Transcript* named him a Top Attorney for Government (2006) and in 2011, he was named a Top Attorney in the Academic Field. He received the Bernard E. Witkin Award for Education from the San Diego Law Library Foundation in 2010.

Joseph also served on the Board of Directors of the San Diego County Bar Association from 2009-2012. He joined the San Diego Superior Court ADR Committee in 2009, and

served the San Diego County Bar Association Conference of Delegates, for the California State Bar from 2005-2010.

#### The Final Round: Full Time Mediator

By the time Joseph decided to step down as the Associate Dean and General Counsel to Thomas Jefferson School of Law in 2012, he had no fewer than 2,000 mediations and arbitrations under his belt. He decided that his areas of focus in mediation should match his experience as a litigator and educator. With an emphasis on Personal Injury, Business/Commercial/Consumer, Education, Employment, Real Estate, Construction, Environmental and Agricultural Disputes, he opened the doors of Joseph Mediations in what was originally going to be a “downshift.”

However, the transition has been anything but a downshift, thanks in no small part to 40 years of legal experience in the San Diego legal community. However, Joseph’s longstanding love and use of technology has also inadvertently played a role in keeping him nearly as busy as ever.

“When I left the law school, I wasn’t going to market myself,” Joseph explains. However, he did intend to run a green office. “Confirming letters are sent by email as PDFs. All briefs are displayed on my iPad mini using a program called iAnnotate. I have done 14 mediations and 1 arbitration using Skype. I use a number of anatomical apps on my iPad to illustrate medical conditions, and Google Earth to identify the location of any particular location relevant to the case. There is no mediation office in San Diego that uses technology more intensively or efficiently than we do,” he says.

Continuing, he adds, “But then I put my calendar online. It’s been an accidental marketing device,” he laughs. Indeed, on Joseph’s website, his calendar is easy for all to see and access, which he says has made scheduling for attorneys incredibly easy. “People don’t have to call and try to coordinate multiple parties, and they like that,” he says.

Yet the calendar, coupled with Joseph’s well-rounded background and extensive experience, have put his vision of “downshifting” on hold. One look at his calendar online reveals that Joseph is incredibly busy with mediations, week after week.

But he admits he wouldn’t have it any other way. “I want to stay active. Assisting people in the litigation process and resolving their cases brings a lot of personal satisfaction.” ■

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