

# OPPOSING COUNSEL: ED FERNANDEZ

by Bruce E. Todd

## Transformation to Successful Mediator

*“As a mediator, you have to give value.”*

So says Riverside attorney Ed Fernandez, who over the last few years, has converted his own well respected law practice into a full time mediation service.

During that time, Fernandez has developed a well-earned reputation for taking the necessary steps to resolve a case. This means that he will spend a considerable amount of time (uncharged) in post-mediation telephone calls and emails to counsel to continue to try to resolve a case. He states that he derives satisfaction in knowing he has achieved a successful settlement of a case, even if it has taken a significant amount of time following the mediation hearing to ultimately resolve the case.

Over the past few years, Fernandez has honed his mediation skills by being actively involved in the Riverside County Superior Court’s mediation program which was supervised by Barrie Roberts.

“I have probably done more mediation hearings for the court than any other local mediator,” says Fernandez. “I have had a lot of these mediations last for six to eight hours.”

Fernandez has also previously served on the mediation panel for the Redlands Arbitration & Mediation Services (RAMS) in Redlands.

Fernandez did not always serve as a mediator. In fact, he almost did not become an attorney. He says that he only went to law school because, after graduating with a degree in psychology from UC San Diego, he wanted to find a way to continue living in San Diego. He was surfing, running marathons (he says that he was overweight in his youth), and enjoying the sunshine of San Diego. He decided to enroll in law school at the University of San Diego, School of Law.

Fernandez graduated from law school in 1982 and passed the California Bar Exam that same year. He eventually started working at Gilbert, Kelly, Crowley & Jennett in Los Angeles as an insurance defense attorney. Much of his work was for the Automobile Club of Southern California. In 1989, he and Mike Donner (now Judge



Ed Fernandez

Mike Donner) opened a branch office for Gilbert, Kelly in Riverside. They were hoping to receive Auto Club files but he said that the Auto Club remained loyal to the law firms which it was already using in the Inland Empire.

“We started making cold calls to insurance companies when we first moved to Riverside,” says Fernandez.

After several years of successful practice in the Inland Empire, Donner and Fernandez decided to split off to form their own firm. Kirk Lauby joined the party and they became the well-respected insurance defense firm of Donner,

Fernandez & Lauby (now Fernandez & Lauby with the previous judicial appointment of Donner).

His new law firm received substantial work from Navigator’s Insurance Co. While handling these files, he found that many of his cases would go through the mediation process.

“For me, it was good since I got to mediate a lot of my cases in front of some excellent mediators,” says Fernandez. “I thought that one day I would like to do this.”

He decided to enroll in the mediation training program offered through Pepperdine University School of Law—Strauss Institute for Dispute Resolution.

“I did the Pepperdine program and I decided that I was going to get serious about it (becoming a full time mediator).”

Fernandez opines that it takes about five years to switch hats from an attorney to a full time mediator before making a successful living at it. Although still a name partner with Fernandez & Lauby, all of his work now is as a mediator. His few remaining cases are now being handled by other attorneys at his law firm.

Although he now claims that he only enrolled in law school so that he could continue running and surfing in San Diego, it seems likely the he might have drifted in that direction anyway since the law was a part of his family. His father was prominent patent attorney who specialized in electrical patents.

Fernandez now resides in Riverside and is married to his high school sweetheart Kathy (Florence) whom he met while attending Loyola High School in Los Angeles.

He was a guitar player in high school and his then-band Highway Star staked its claim to fame when it opened a gig for Van Halen. He has since moved on to the saxophone which he still regularly plays. He also is a pilot who owns his airplane. As a true renaissance man, he is also an amateur craft brewer who has been experimenting with the making of craft beers for the past 15 years.

In deference to his musical past, Fernandez distributes his signature "guitar picks" to those people attending his mediations. He finds that it is a unique way to publicize his availability as a mediator

The Riverside legal community is fortunate to have someone such as Fernandez available as an experienced mediator to assist in resolving the many lawsuits which are filed in this county.

*Bruce E. Todd, a member of the Bar Publications Committee, is with the firm of Osman & Associates in Redlands.*



## RIVERSIDE COUNTY LAW LIBRARY FREE LEGAL CLINIC

### Riverside County Law Library invites attorneys to be part of its National Library Week's Free Legal Clinic

In celebration of National Library Week (April 14-18), the Riverside County Law Library (RCLL) will be hosting its ever popular "Fifteen Minutes of Fame" program which provides members of the public free 15-minute legal consultations in various subject areas including family law, landlord-tenant, probate, trust and estate planning, civil litigation, etc. This program will be held on Wednesday, April 16, 2014, from 10:00 a.m. to 3:00 p.m., in Riverside, Indio and Temecula. RCLL is seeking attorney volunteers in the Riverside County area to be part of this worthwhile program. Interested in giving back to the community? Be an attorney volunteer for this free legal clinic. Please contact victoria.williamson@rclawlibrary.org by March 28.



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