

Eclectic Approach

Mediator shows no fear in emotional situations

By L.J. Williamson
Daily Journal Staff Writer

ENCINO — Mediator Diane M. Goodman describes her approach as eclectic — tailoring it to what her clients need.

“I can be facilitative, I can be evaluative. Sometimes they like to tell their story, so that’s narrative, or I can be transformative when the parties need that.”

A family law specialist, one of Goodman’s pivotal learning experiences came when she mediated the divorce of friends. Goodman was at first reluctant, but they said they felt they could trust her, so she agreed.

“I had in my head where I thought it would go because I knew them, but the agreement they made was really different. And when I sat and listened to what they were each looking for, I realized — as much as I know as a mediator, or where I think it might go — it’s really their process.”

In addition to her law degree the from University of La Verne College of Law, Goodman is a Ph.D. candidate in depth psychology, which focuses on Jungian and analytical studies. She is also part of a group that does grief work, guided by the research of Elisabeth Kubler-Ross and her focus on “externalization,” or letting out feelings, which Goodman said is invaluable to her work as a family law mediator.

She’s not a therapist, but Goodman does employ therapist-like listening skills. In one of her mediations, she spent three hours simply sitting and listening to a woman who wept as she told the difficult-to-follow story of her divorce. “I let her cry for three hours, I sent the other side to go have lunch, and her lawyer thought I was nuts, but she needed to have her process,” Goodman said. “At the end of three hours of crying and sobbing and telling me this story, and her whole body demeanor just changed, and she said, ‘Where are those papers?’” That

Diane M. Goodman

Law and Mediation Of
Diane M. Goodman, APC Encino

Areas of specialty: dissolution, paternity, adoption, assisted reproduction, guardianship, division of assets, custody, visitation, child support, prenuptial agreements

day, the woman signed an agreement dissolving a six-year marriage that had been in litigation for seven years.

“She transformed into a whole other person because I was able to sit and listen to her pain, and she needed that empathetic listening,” Goodman said. “If I hadn’t had some of the externalization training, I wouldn’t have been able to sit with that, because lawyers aren’t trained to sit with that level of grief.”

Goodman experiences the usual marital conflicts in her family law office, as well as less typical cases. She has helped intended parents and their surrogate negotiate contracts. “A stranger having your child — there’s a lot of anxiety around that.” She’s also mediated contact between birth parents and adoptive parents, and helped a couple who decided to have a child through a surrogate, only to later decide they would rather give the child to a younger couple and be surrogate grandparents.

“With one exception only, she has settled every case, and she is as good as people who are charging \$700-800 per hour,” said Cynthia Berman of Berman & Berman. (Goodman said she charges \$450 per hour). “She appears to be more concerned with doing a good job than just making money,” Berman added, describing Goodman as even-handed, sympathetic, and “nice, but strong when she needs to be.”

“She knows the law, and is very much ‘let’s get down to business,’ but is nice about it. She is absolutely my favorite person to use,” Berman said.

“What I’ve found is that having skilled mediators is really a path to a family transitioning to the future,



Emily Green / Daily Journal

and I’ve always found Diane exceptionally skilled because she has experience in litigation,” said attorney Lori Loo. Loo described Goodman as a people person who, unlike other mediators she’s worked with, isn’t inclined toward one side or another. “Diane is really able to guide the parties to resolve their differences in a cooperative setting, and they can avoid setting one foot in a courtroom.”

Doug Wolf of Douglas J. Wolf APLC said he loves working with Goodman because she’s easy to work with, creative, and always looking for a way to resolve a problem. “Her reputation is if you have a LGBT question, or especially a question about adoption, she’s the individual to go to.”

Describing Goodman as compassionate, Robert Gantman of Encino said, “Maybe the law provides what clients are asking for, maybe it doesn’t, but she can express that well. She can also give options, not just, ‘Let’s split the difference.’ She’s great at what she does.

“She’s got a very good insight into people, and into bridging the gap between the emotion and the finances of a case. That’s a very important aspect of what we do,” Gantman said.

Though it can be difficult, Goodman said one of her favorite parts of the job can be dealing with all of the raw emotions that come up.

“There’s something really human about it — of really just being real.”

And in a lot of mediations, Good-

man has found that if people don’t get to talk about those feelings, the case won’t settle. “Until you’ve dealt with the raw emotions, they’re stuck. You could offer them any amount of money and they’re going to say no, because it’s not about the money, it’s about some other hurt. Until you figure out what that hurt is, there’s no movement.”

Goodman tries to gently prod out the underlying issues by asking, “What else is going on? What are your concerns? What are your long term goals?”

In other situations, it’s a simple matter of calling out the elephant in the room. “In one case, the wife was dying of cancer and they had three kids, and all we’re talking about is the money.” After getting nowhere for a couple of hours, Goodman said, “I’m thinking, she’s got stage IV cancer, she doesn’t have long left ... why are we doing this? And I just looked at them and said, ‘Can we talk about what’s really going on here? You’re dying. What’s going to happen to these kids when you die?’ And the whole conversation changed.”

Here is a list of attorneys who have used Goodman’s services:

Maricela Lambe, Fusco & Clarke; Nigel Burns, Los Angeles; Cynthia Berman, Berman & Berman; Lori A. Loo APLC, Los Angeles; Robert Gantman, Encino; Douglas J. Wolf APLC; Rebecca Lizarraga, Lizarraga Law APC; David Radis, Los Angeles; Leon Bennett, Woodland Hills