

Profile of Mediator/Arbitrator Ronnie J. Pace

- Mediate civil/commercial disputes involving contracts (oral and written), terms and conditions, breach of contract, wrongful discharge, warranty claims and change orders.
- Mediate divorce proceedings for resolution of temporary orders, final orders, child custody, child support and modifications.
- Mediate or co-mediate CPS cases as requested.
- Credentialed Advance Mediator member of the Texas Mediator Credentialing Association.
- Arbitration certified.
- Graduate of The University of Houston with a Bachelor of Science in Civil Engineering.
- Licensed by The Texas Real Estate Commission as a Real Estate Broker
- Licensed by The Texas Department of Insurance as a General Lines agent.
- Multiple years of private business experience as an owner, investor and Board Member. I have owned or operated business interests in steel fabrication, refinery construction, insurance and commercial/residential real estate. I have owned/operated RV and boat warehouse rental space plus general warehouse space for lease and acted as General Contractor for warehouse development and home improvements.
- Two-time breast cancer survivor.

In compliance with the Alternative Dispute Resolution Procedures Act Texas Civil Practice & Rem. Code Sec. 154.052, I have been certified in Basic Mediation since 2004. Under the same act, I also received my certificates for both Family and Child Protection Services Mediation. In addition, I received certification as an Arbitrator in October 2017.

I mediate civil/commercial disputes involving contracts (oral and written), terms and conditions, breach of contract, wrongful discharge, warranty claims and change orders. I also mediate divorce proceedings for resolution of temporary orders, final orders, child custody, child support and modifications. I mediate or co-mediate CPS cases as requested. I am a Credentialed Advance Mediator member of the Texas Mediator Credentialing Association.

I have been successful in settling mediation cases more often than not. It holds true that while this ratio fluctuates, the premise that a settlement in which one has some control over the outcome is better than one where the outcome is at the discretion of one person or a collection of his peers.

I became a mediator as a result of my being served a lawsuit and subsequently engaged the services of a mediator. Because the results were so unsatisfactory, I decided to become a mediator in order to utilize the experiences from my expansive work career which provided me with practical knowledge and hands-on experience gleaned from clients, employees, individuals, attorneys and the legal system.

Mediation, by design, prohibits the mediator from taking sides but brings parties to a position where they are aware of the benefits of settlement. I begin mediation with the usual introductions but also charge the two sides with the challenge “That in order to settle, one side has to be willing to give more than they were prepared to do, and the other side has to be willing to take less than they expected to receive.” Otherwise, the possibility of a settlement is greatly reduced, and the time to resolve the conflict is extended.

Some cases using the above referenced charge have had notable results as the complexity of the dispute and temperament of the parties are both mitigated using this challenge. One case settled in

one hour and twenty minutes; another, in nine hours. In both, the parties agreed to a “Give more/take less” approach, and a settlement resulted. The time required to settle is predicated on multiple factors and should not nor cannot be predicted. The mediation model works if the process is allowed to move forward with the direction of a qualified mediator (experience is not the sole criteria to be a qualified mediator).

Civil or contract law mediation is facilitated if the mediator has a frame of reference to the case. As a business owner, I have gained considerable experience in all facets of contracts, employee relations and client disputes. I have discovered after reflecting on the merits of many cases that the majority of disputes are the result of poor communication. My first step in mediation is to discover the initial intent of the parties, thus eliminating many hours of discourse.

Family Law mediators must be knowledgeable not only in the application of property distribution, but also in child custody. I possess the ability and empathy to relate to issues involving divorce, property disputes and child custody. This includes the capacity to see not only the obvious, but also distortions brought to mediation through anger, wounded spirits, infidelity, insecurity or other factors.

The issue of whether or not the parties have legal representation or “pro-se” depends on the individual. Parties do not have to be represented by counsel; in some cases, one party may have representation, and one may not. Mediation is between the parties, not the attorneys. However, I encourage the parties to listen to their attorneys' advice.

Having a non-attorney mediate is a matter of personal preference. The mediator is not acting in a legal capacity, even if he is a licensed attorney. The mediator is precluded from giving advice from a legal or non-legal posture. Non-attorney mediators, once

looked upon as "water carriers," have proven to be effective in the mediation system.

There are a few rules that I use in all mediations. One, the mediator has to maintain control over the mediation and never relinquish control of the mediation process to the parties or their attorneys. Two, the mediator must keep the parties focused on the facts and not allow opinions into the discussion. Three, the mediator reminds the parties throughout the mediation that he is a neutral party. Four, the mediator listens for subtle nuances that the other party may not have heard, possibly opening the opportunity for settlement.

If I were to mediate a case for The Texas Department of Insurance, I would explain to the parties that a qualified mediator is an asset to both parties, especially if he has a working knowledge of both sides of the dispute, i.e., life experiences as a patient and an insurance agent and as such possess a unique skill set. I have the ability to sit on either side of the dispute and assess the strengths of the dispute without being biased. Mediation is the opportunity for the parties to discuss their dispute in the presence of a neutral third party. If the third party has experience that lends itself to exploring settlement options, the probability of a settlement is enhanced. A mediator cannot be perceived as having a predisposition or the appearance of such. I reinforce this in my mediations by reminding the parties that I am neutral, and my job is only to facilitate settlement. Any experience I have relative to their case is beneficial.

As a result of the many years of being a mediator and overseeing hundreds of cases, I cannot foresee a situation that I could not remain neutral and facilitate settlement whereby both parties do not feel they have "lost" but leave satisfied in the mutual settlement parameters. Mediation is not about "winning" but focusing on the parties' ability to settle the dispute.