

POST ROBE ANXIETY SYNDROME

By Amy Newman, President of Alternative Resolution Centers (ARC)

Are you a sitting judge pondering what the future holds for you? Do you think about your retirement and your future after the bench, wondering if people would still seek your opinion or hold you in high esteem to pay hundreds of dollars an hour for your time? Do you ever think about what's next?

Do you see yourself launching a third or fourth career as a private judge thinking you will make a lofty income? As a pioneer in the ADR industry with nearly three decades of experience, my advice is don't wait until you are a few years from retiring to mold your future because by then you may have limited your options.

Over the years, I have met with nearly a hundred or more retiring judges in the state of California, who have been at various stages of formulating their retirement plan and assessing their options while preparing for the next stage of their life. The judges I met in the beginning of this new era of private dispute resolution weren't prepared to begin a career as a private judge, it was an untapped market and they had no one to guide them. They knew very little about this new potentially lucrative opportunity. They were not thinking ahead about planning a new career post retirement because the trend at the time was to continue to stay on the bench as long as possible. They wanted to continue to work as a judge.

In 1987, when I started my new career in private alternative dispute resolution, the concept of having a second career as a private judge was new to everyone. Oh yes, times have certainly changed! Now everyone wants to jump into the pool! Now almost every judge approaching retirement wants to be a private judge. Now in the 21st century Judges now have multiple options for their retirement. Faced with a new level of retirement planning, the time has come when you the judge start questioning your own

value, prior career choices while *asking yourself if your reputation on the bench will catapult you into a new career or into failure!*

Turning in your robe is a major lifetime decision, especially if you are considering becoming a private judge or even starting another new venture. The rule of the thumb to achieve success in the mediation industry is that 90% of the business is performed by 10% of the neutrals. These days there are too many retiring judges that wish to work in the private sector. Therefore you have to be at the top of your game if you are thinking about a new career to be in the business of ADR. Buyer beware, in addition to the retired judges seeking a career after the bench as a neutral, a proliferation of attorneys are also seeking to leave the daily grind and hectic life as a practicing attorney. This confluence has contributed to market saturation. Nevertheless, it's common knowledge that it is easier to develop a private practice for a retired judge than it is for an attorney neutral who faces additional barriers to entering the market place.

When the time comes to ask yourself the question, should I retire and enter the private sector, or should I stay on the bench? Remember, there is nothing better to predict your future success as enjoying a great reputation on the bench and having excellent people skills! Also sitting in highly visible assignments (preferably settlement judge), having a friendly engaging disposition, and settling ninety percent of your cases are a recipe for success to begin your new career. These factors are the key to your future success, not to mention being in tune with the needs of the parties. Additionally it goes without saying that you have the ability to quickly assess the key issues in a case that impede settlement. Last but not least, it is crucial to follow up with the attorneys that used your services, if the case didn't settle at the time of the hearing. Even if the case did

settle, follow up can be beneficial in building relationships and developing future business.

It's a well known concept that timing is everything, but planning in advance is a much more important detail than anything; from the day you get on the bench you should be calculating and planning for your future when you turn in your robe! Whether becoming of counsel to a large law firm, private judging or entering any other field in the age of information technology you have to remain on top of your game from day one of your career. It is a reality that good and bad news travels extremely fast! If not, it is most likely you will end up struggling with Post Robe Anxiety somewhat akin to an identity crisis after you take off your robe. Yes, even judges sometimes need guidance and there are now plenty of resources available to you. Use them!!

Family, recreation, and maintaining your mobility are primary forces in your final decision as to where you are headed in your new stage of life. Like any stage of life you will continue to find new opportunities and seek new adventures while aging gracefully with fulfillment and pride, but you must plan in advance!

Amy Newman is not only an authority on practice development in the ADR industry working with judges at all levels on and off the bench; she also had a fifteen year career in healthcare as a Registered Occupational Therapist and Director of an Acute Rehabilitation Center. In her spare time she designs one of a kind exquisite jewelry for Professional Women. Recently she authored and published her first book, *EternallySingle!* Amy Newman is also a single mother of a remarkable young woman now working at Morgan Stanley as a Junior Financial Associate.