

**JAMES K. HOENIG, J.D., PHD.**

**Mediator, Arbitrator, Conciliator**  
(Non-practicing Attorney, Psychologist)

**PROFESSIONAL EXPERIENCE**

Has mediated and arbitrated hundreds of cases in a wide variety of areas (*e.g.*, commercial, construction, employment, real estate, family, probate, trusts, contract, partnership, securities, banking, medical malpractice, tort) and with claims ranging up to several million dollars. Has served as *Kokua Kanawai* in Probate Court. Former *Per Diem* Adjudicator, Hawaii Judiciary (1991-1995).

Extensive experience in designing and implementing mediation and arbitration programs and in investigation and fact-finding. Has facilitated numerous construction and employment partnering retreats and corporate and governmental agency meetings in the U.S. and Canada.

Conducted training in arbitration, mediation, and negotiation for Dispute Prevention & Resolution, American Arbitration Association, University of Hawaii, the Neighborhood Justice Center, the Accord Group, and others.

**MEDIATOR, ARBITRATOR FOR:**

Dispute Prevention & Resolution (DPR) - Distinguished Panel of Neutrals.  
Hawaii Supreme Court Appellate Conference Program - Court-appointed Mediator.  
Hawaii Labor Relations Board - Arbitration and Mediation Panels.  
Hawaii Judiciary Center for Alternative Dispute Resolution -  
Panel of Facilitators (1991-1997).  
Panel of Mediators (1991-1997).  
Probate, Trust, and Guardianship Mediation Panel (1996-1997).  
National Association of Securities Dealers - Board of Arbitrators.  
Federal Deposit Insurance Corporation/Resolution Trust Company - Roster of Neutrals.

**EDUCATION**

Stanford University - BA (first in graduating class) 1959.  
History major. Psychology minor.

Stanford Law School - JD (first in graduating class) 1963.  
President, Stanford Law Review (1962-63).

UCLA (Extension) and Newport International University  
Ph.D. (Psychology) (Highest Honors) 1979.

## **PRIOR EXPERIENCE**

Law Clerk to the Chief Justice of the United States (Earl Warren) 1963-1964.

O'Melveny & Myers, Los Angeles, 1964-1968.

Litigation, corporation (real estate, construction, labor, securities, financial, and partnership) law.

Ring Brothers Management Corp. (Los Angeles).

General Counsel (1968-70), President (1971-1975).

Real estate development, construction, and management.

California Community College Instructor - lifetime credential

Real estate, law, labor relations, psychology of negotiation.

## **PROFESSIONAL ORGANIZATIONS**

Society of Professionals in Dispute Resolution.

Academy of Family Mediators.

Member of the Bar - Hawaii and California Federal Courts, California State Courts,

United States Supreme Court.

ADR, Family Law, and Probate and Estate Planning Sections, Hawaii State Bar Association.

## **SAMPLE MEDIATIONS, ARBITRATIONS**

**Construction** - all types of claims from defect, delay, disruption to termite damage, unforeseen condition.

**Employment** - including breach of contract, wrongful termination, discrimination, sexual harassment, non-competition, and retirement rights.

**Commercial** - varied contract and tort disputes involving corporations, partnerships, individuals, non-profits, and public agencies.

**Business reorganization and dissolution** (corporate, partnership, sole proprietorship) - including real estate, retail, restaurant, accounting, law, and other professionals.

**Family** - all aspects of family and divorce matters including property division, complex valuation issues, custody and visitation, support issues, relocation, etc.

**Probate** - matters involving trusts, guardianship, estate planning, termination of life support, surrogate decision making, and others. Has served as *Kokua Kanawai* (special master) in Probate Court.

**Miscellaneous** - including real estate, trusts and estates, banking, personal injury, medical malpractice, securities, and professional liability.

**Investigation and Fact-finding** - sexual harassment claims, employment discrimination claims.

## **PUBLICATIONS**

### **Author or co-author:**

- "Practitioner's Guide to Mediation," *Hawaii Bar Journal* (January 1998)
- "Mediation of Real Estate & Construction Disputes," *Real Estate Review* (Fall 1997)
- "Divorce Mediation Basics," *The Practical Lawyer* (July 1997)
- "Guide to Creative Mediation," *Dispute Resolution Journal* (Spring 1997)
- "The Complete Mediation Guide," *Inter-Pacific Bar Assn. Journal* (Dec. 1996)
- "Partnering: Now a Proven Tool," *Building Industry* (Sept. 1996)
- "Construction Dispute Resolution Comes of Age," *Dispute Resolution Journal* (Jan. 1995)
- "The Pros and Cons of Administered Arbitration," *Dispute Resolution Journal* (Summer 1994)
- "Mediation in Sexual Harassment Cases," *Dispute Resolution Journal* (Dec. 1993)
- "Dispute Resolution in Construction & Real Estate," *Real Estate Review* (Spring 1993)
- "Dispute Resolution and Avoidance Techniques in the Construction Industry,"  
*Arbitration Journal* (Sept. 1992)

### **Contributing author:**

- The Alternative Dispute Resolution Practice Guide* (Lawyers Co-op 1993)
- Hawaii Construction Law* (Textbook) (1992) - Chapter on Dispute Resolution
- Hawaii Divorce Manual* (2001 Edition)

### **Editor and contributing author:**

- Hawaii Arbitration Law Periodical* (1993-present)
- Hawaii Arbitration Law* (Textbook) (HICLE 1992)

## **SAMPLE FACILITATIONS**

### *Construction*

- Sand Island Industrial Park (Honolulu 1993)
- Stouffer Elem. School Improvement (Toronto, Canada 1993)
- Trans-Canada Highway Widening (Guelph 1993)
- Pier 51C Extension (Hawaii 1995)
- Aston Waikiki Sunset Hotel Mechanical Renovation (Hawaii 1995)

### *Non-profits*

- PACT/FDC (Merger - Honolulu 1993)
- Hawaii Opera Theater (Employment Partnering - Hawaii 1995)

### *Government*

- Hawaii State Senate Majority (Collaborative Process – 1996, 1997, 1998)
- Hawaii Dept. of Transportation - Airports Division (Executive Group  
Teambuilding/Communication - 1993)
- Honolulu Dept. of Parks & Recreation (Kapiolani Park Action Plan - 1996)

## **SAMPLE TRAININGS CONDUCTED**

- AAA - Arbitration (Basic, Advanced, & Large Complex Case)  
Mediation of Employment Issues & Claims
- HICLE - Mediation of Sexual Harassment Issues & Arbitration Law Update