

Friday, May 22, 2026

Bench to the Mediation Table: Practical Strategies for Effective Dispute Resolution

This session explores the evolving role of judges who transition into mediation after judicial service. The program opens with a 15-minute presentation by Merrill Hirsh, Executive Director of the Academy of Court-Appointed Neutrals, who will describe the Academy's work and explain how court-appointed neutrals differ from private mediators.

Following the introduction, retired judges Elaine Andrews and Dana Fabe—now active private mediators with more than 35 years of combined experience—will lead an interactive program on practical mediation techniques. Topics include conducting the initial meeting with all the parties, using confidential caucuses effectively, employing Zoom and breakout rooms for remote mediation, negotiation strategies and breaking impasse, and ensuring that mediated results are properly preserved for the record.

The presenters will also share insights on building a successful private mediation practice after retirement from the bench. The session format encourages dialogue and questions from participants, offering a rich exchange of ideas grounded in the presenters' real-world experience.

Speakers:



Hon. Elaine Andrews - Retired Judge Elaine Andrews served as a trial judge for over 20 years in Anchorage. She served as Presiding Judge of the Third Judicial District from 1996-2002. Prior to assuming the bench in 1981, she was an attorney serving in both the public and private sector practicing criminal and civil law. She is a member of the Committee for Fair and Impartial Courts for the Alaska Bar Association.

Upon her retirement in 2002, she helped initiate the Appellate Mediation Program for the Alaska Supreme Court and was the Chief mediator for more than a decade.

Elaine opened her private mediation practice in 2002. She has been actively mediating since that time. Her practice involves mediating a wide variety of matters involving both state and federal litigation as well as pre-litigation commercial and family disputes.

Hon. Dana Fabe - Dana Fabe served on the bench for 28 years. She was appointed Chief Public Defender for Alaska and served until she was appointed to the Anchorage superior court bench in 1988. In 1996, she was appointed to the Alaska Supreme Court, becoming its first woman justice. She was later elected by her colleagues to three terms as Chief Justice, the second justice in the court's history to serve three terms in that role. After retiring from the court, she established a mediation practice focused on complex civil disputes.



A past president of the National Association of Women Judges, Dana founded two signature outreach programs: Success Inside and Out, a reentry program for incarcerated women, and MentorJet, a speed-mentoring program connecting students with judges and lawyers. Throughout her career, she has mentored many students and attorneys, with a focus on opening pathways to the legal profession and to the bench.



Merril Hirsh - Merrill Hirsh of HirshADR PLLC and the Law Office of Merrill Hirsh PLLC in Washington, D.C. is an ADR Professional and the Executive Director of the Academy of Court-Appointed Neutrals as well as Chair of the ABA Judicial Division Lawyers Conference Court-Appointed Neutrals Committee and a member of its Executive Committee. He has litigated cases on behalf of both plaintiffs and defendants as well as the United States government in federal or state courts for over 40 years and in over 40 states.

He is also a Fellow of both the Chartered Institute of Arbitrators and the Academy of Court-Appointed Neutrals, a member of the Council of the ABA Section of Dispute Resolution, a hearing committee chair for the DC Board of Professional Responsibility, a hearing examiner for the Architect of the Capitol, an arbitrator, a private commercial mediator and a family law mediator for DC Superior Court.