

WOMEN PIONEERS IN DISPUTE RESOLUTION



2nd EDITION



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They did not know it
was impossible, this
is why they did it
(Mark Twain)

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In June 2017, I was elected Vice-President of the Swiss Bar Association and I shall be its President in 2021-2023 (the second women president in history). Almost unbelievable when thinking that I am not a Swiss borne attorney-at-law and, furthermore, that I am mostly practicing in ADR, Alternative Dispute Resolution, as Neutral, best known as international commercial Mediator!

But the world has changed and I strongly believe that we, the *Women (Pioneers) in Dispute Resolution*, are part of that change, pumping a new breath in the Dispute Resolution World, while with a bit of courage, motivation, energy, curiosity, creativity, idealism and ... a lot of hard work, we manage to challenge the long established and perceived as only right rules and ways of acting and dare to rethink DR.

Driven by efficiency, taking into account the true interests of the clients we serve, the fast-evolving world and generational gap, we are trying to answer the needs for tailor made DR tools and processes which address.

I started my career immediately after passing an LL. M. in Boston, USA, in 1986 and my Bar exam in Geneva, Switzerland, in 1990, while working for Baker Mc Kenzie, when I joyously answered an ad for a job in Basel where one of the “Big Four” was looking for “a (male) attorney-at-law, tax specialist, with 5-6 years of experience”... Hence, a fresh beginner with no tax experience, I was chosen and became the first women in the tax and legal department of Ernst & Young Switzerland.



However, as a mother of two baby boys and as it was still not standard practice in Basel to be working 80% and be a Vice-president at the same time, I changed life and founded my own law firm back in Geneva in 1994.

At the same time, I was elected as Deputy judge at the Geneva Court. Acting as a deputy judge for 12 years was quite enlightening, notably with respect to the immense responsibility which lies on the shoulders of a Neutral, even more so as he/she and the procedural rules have not been chosen by the parties. Fortunately, part of my activity was to act as Conciliation Judge in civil and commercial matters: I had found my way, assisting parties to resolve their legal disputes and my statistics were incredibly high.

Slowly, the sleepless nights drafting and redrafting judicial sentences were counterbalanced by the force of creativity and motivation resulting from the facilitated negotiation process until, one day in 2005, I started mediating an important commercial case within the chemistry industry in Switzerland with a renowned mediator from CEDR (Center for Effective Dispute Resolution, London, www.cedr.org).

I have never stopped mediating since, from huge multimillion/-billion ICC commercial cases, to international family /inheritance disputes, complex criminal cases, and by far more important humanitarian issues such as some conflicts concerning Syrian refugees in Switzerland.

The real turn in my career happened 7 years later, while I was turning 50. I was a proud mum of two almost grown up children, married to my always highly supportive husband Daniel, a partner at Altenburger Ltd legal + tax and already a member of the Council of the Board of the Geneva Bar, when, suddenly, I was stuck with a midlife crisis I had not seen arriving.

I needed some answers and the only person who could give them to me was myself! Thus, after a thorough preparation of 6 months, on the 15th of October 2011, I went, alone, for a 4 months' sabbatical to South America. Following a month of Spanish classes in Buenos Aires during the days followed by Tango dancing at Milongas during the nights, I took my backpack (1 jeans, 1 shorts, 2 t-shirts, 1 sweater, 1 anorak, climbing shoes, baskets, tongues, a sleeping bag and my iPad) and went with the state bus from Salta to Mendoza and then to Santiago de Chile, got inspired by Pablo Neruda in Valparaiso, rode my bike nearby the volcano Osorno, navigated across the Chilean Fjords to Patagonia, walked a trek around the Fz Roy nearby the Lago Argentino before heading back north and finally to home Switzerland.

Enjoying time: time to take the time, time to reflect, time to meditate, time to wonder, time to sing, time to cry... time for myself!

I came back reinforced that in Dispute prevention, management and resolution lies my essence and that I want to be part of the fast-changing world in this business, practicing and teaching holistic, flexible and interest driven DR processes.

A couple of months later, in June 2012, I was elected the first women President of the Board of Directors of a Law Firm in Switzerland, which happily has inspired others since. Acting as Neutral in Mediations, Conciliations, Arbitrations as well as in Hybrid proceedings (Arb-Med-Arb, Parallel Arb-Med, MEDALOA), setting up Dispute Boards, together with teaching in various Masters degrees such as MIDS (Master in International Dispute Settlements, Geneva, www.mids.ch) and intervening as panelist, has allowed me to "think out of the box" and to test new developments, still being aware of concerns and addressing critics.

Its translation in the various organizations I belong to and in which I play active roles, such as the Swiss Chamber of Commercial Mediation, ICC, CEDR, IAM International Academy of Mediators, IBA, ABA, UIA, the ADR Commission of the Geneva Bar, and now the Swiss Bar Association, has certainly been a driver for the change in today's public and professional perceptions about ADR in Switzerland.

Indeed, there is no unique way.

There is a rainbow of dispute resolution tools and processes and I understand my role as being multitasked with a holistic view, assisting clients and professionals to set up and use the right ones, to share knowledge and experience with the younger generation, to get inspired and to inspire.

As William URY said during one of his enlightening speeches at the Graduate Institute in Geneva in 2017: "Keep Expectations low and Aspirations high!"

Needless to say, I fully agree with that statement.