

Michael S. Fields, Esq., Arbitrator and Mediator Services

Curriculum Vitae for Michael S. Fields, Esq.

Mediation, arbitration, and discovery referee services:

For nearly 35 years, I have served as a mediator or arbitrator, originally as an adjunct to my personal injury trial practice. Since retiring from my trial practice in 2015, my services have expanded to include discovery disputes.

Although my fees are sensible, the parties should adhere to the following cost reduction recommendations:

Mediation fees: The case facts are known to the parties before the mediation session. Therefore, the mediation session should expeditiously concentrate on facilitating a settlement rather than rehashing factual positions.

Arbitration fees: To reduce unnecessary arbitration expenses, discovery disputes will likely be resolved informally. The parties will be required to stipulate to undisputed facts, and deposition testimony will be favored over live testimony.

Discovery referee fees: To reduce spiraling discovery issue dispute expenses, a simplified presentation of the disputed issues will be required.

Professional career:

I retired from my 47-year personal injury trial practice on June 30, 2015. I remain an active member of the State Bar of California (#43347), offering my services as an independent arbitrator, mediator, and discovery referee under my firm name, "Michael S. Fields, Esq., Arbitrator and Mediator Services." I continue to write and edit legal publications.

My legal career commenced with state and federal licensing on January 9, 1969. I had the good fortune of being hired by a small law firm to assume the practice of a firm partner, Hon. Ross M. Bigelow, who became a municipal court judge the week of my swearing-in. During my first six months of practice, I successfully led two jury trials to verdict.

In the summer of 1975, I opened my law office in downtown Los Angeles as a sole practitioner. In August 1981, my law firm was incorporated as "Michael S. Fields, Incorporated." The corporation was deactivated upon my retirement in 2015.

For most of my legal career, I was a personal injury trial attorney representing plaintiffs in state and federal court. I estimate I had over 500 jury, court, and arbitration proceedings to a conclusion. Additionally, I acted as an arbitrator or mediator over 100 times.

Legal teaching experience, unique expertise, and training [partial list]:

- From 1971 to 1978, adjunct professor of tort law at Western State College of Law;
- For over 30 years, a frequent lecturer, organizer, or moderator of over 100 educational programs for attorneys and/or their support staff on:
 - Arbitration, mediation, tort lien claims, bar ethics, substantive tort law, civil procedures, evidence, and various other topics;
 - Presentations were before the Los Angeles County Bar Association, Consumer Attorneys of California, State Bar of California, Consumer Attorneys Association of Los Angeles, Rutter Group, American Bar Association, Continuing Education of the Bar, Association of Business Trial Lawyers of Los Angeles; Long Beach Bar Association, Southeast Bar Association, and others.
- Expertise in contractual arbitration and mediation law, with considerable familiarity and knowledge of the California Arbitration Act, Federal Arbitration Act, California's "Ethics Standards for Neutral Arbitrators in Contractual Arbitration," mediation Evidence Codes 1118-1129, and discovery referee codes, rules, and procedure;
- Arbitrator or mediator for over 160 cases;
- American Arbitration Association Consumer Arbitrator Panel;
- Court-appointed settlement officer over 100 times;
- Court-appointed Resolve Law LA MSC settlement officer nearly 100 times;
- UCLA certified trained mediator, Westwood campus (2001);
- Harvard Negotiation Institute, negotiation training certificate, Harvard University, Cambridge, Massachusetts (2009);
- Pepperdine University School of Law, Straus Institute for Dispute Resolution; "Arbitrating Sports Disputes" seminar (2009);
- International Commercial Arbitration Academy (2019); and
- Pepperdine University School of Law, Straus Institute for Dispute Resolution, "Advanced Mediation Skills" (June 2019);
- American Arbitration Association arbitration training;
- Expertise in tort lien claim law; and
- Frequent lecturer and writer on tort lien claim law and negotiations.

Professional leadership positions [partial list]:

Throughout my active legal career, my peers have honored me with several leadership positions. They include:

- September 1992 cover and lead author: Los Angeles Lawyer magazine article entitled "Recovering Punitive Damages," with co-panel presentation for the Los Angeles County Bar Association;
- Created the Los Angeles County Bar Association's "Breakfast at the Bar" series of monthly seminars for law office support staff and new attorneys (1992). (This series thrived for over 15 years);
- Trustee, Los Angeles County Bar Association (1994-1998);

Created the Consumer Attorneys Association of Los Angeles' annual seminar for new attorneys entitled "Trial Lawyer Skills for the New Attorney" (1997). (Presented for over 20 years.)

- Seven-year board member and officer, Litigation Section, Los Angeles County Bar Association. (Multiple years.)
- Chair, Litigation Section, Los Angeles County Bar Association (1998);
- Four-year advisor, Litigation Section, California State Bar (1998-2001);
- President, Trial Practice Inn of Court (2000);
- President, Consumer Attorneys Association of Los Angeles (2003);
- President, Consumer Attorneys Public Education Fund (2004);
- Board member, Business Trial Lawyers Association of Los Angeles (2004-2008);
- Program Chair, Business Trial Lawyers Association of Los Angeles (2008); and
- Awarded the Consumer Attorneys Association of Los Angeles' prestigious Ted Horn Memorial Award for recognition of professional contributions (2015).

Publications [partial list]:

For over 30 years, I have written for legal publications and journals. Some of my published writings include:

- **"Recovering Punitive Damages,"** September 1992, author and editor [cover article and photograph], Los Angeles Lawyer magazine, Los Angeles County Bar Association;
- **"Party Arbitrators,"** September 1992, Advocate magazine;
- **"Practical Notes for the Trial Attorney."** December 1999, Advocate magazine;
- **California Practice Handbook: Tort Damages,** chief contributing editor, 1992-1994, Matthew Bender publisher;
- **"California Points and Authorities, volume entitled "Negligence,"** contributor and editor, 1994, Matthew Bender publisher;
- **"Court Ordered Mediation is Here,"** February 1994, Advocate magazine;
- **"California Forms of Pleading and Practice, Vol. 4,** regarding California contractual arbitrations, contributor and editor, 1994-2000, [my name is on the spine of this volume], Matthew Bender publisher;
- **"The Impact of Contractual Arbitration Litigation,"** Summer 1997, Litigation Section Newsletter, Los Angeles County Bar Association;
- **"New Ways to Calculate Setoffs,"** February 1998, Advocate magazine;
- **"Party Arbitrators in California,"** April 1999, Advocate magazine;
- **Kaiser Arbitrations and Contractual Arbitrations in California,"** July/August 1998, CTLA Forum magazine;
- **"California Alternative Dispute Resolution Practice,"** contributed, edited, and updated the contract arbitration chapters, 1999-2001, [my name is on the spine of this practice book], Matthew Bender publisher;
- **"California Motions in Limine,"** 2000, Advisory Board member, Esquire One Publishing Company;
- **"California Causes of Action,"** 2000, Advisory Board member, James Publishing Company;

- ***“Federal Preemption and the Future of California Arbitration Agreements,”*** November 1, 2000, California Litigation magazine;
- ***“Contingent Fee Agreements, Attorney Liens, and Advanced Costs,”*** April 2020, CAOC Forum magazine;
- ***“Discovery in Uninsured Motorist Cases,”*** January 2005, Advocate magazine;
- ***“Discovery in Contract Arbitration,”*** Second Quarter 2005, California Litigation magazine;
- ***“A lien guide for the trial attorney,”*** December 2005, Advocate magazine;
- ***“Federal Preemption and the Future of California Arbitration Agreements,”*** California Litigation magazine;
- ***“Compendium on California contractual arbitrations,”*** self-published several years ago with annual updates;
- ***“Lien Guide for the Trial Attorney,”*** eight lien claim self-published compendiums regarding Medicare, Medi-Cal, contractual, workers’ compensation, hospital, Civil Code section 3040, attorney, and government tort lien claims;
- ***“Health care plan lien claim-negotiation— a simplification of Civil Code section 3040,”*** November 2016, Advocate magazine;
- ***“Avoiding Consumer Arbitration Costs and Arbitrator’s Fees,”*** April 2017, Advocate magazine;
- ***“Lien guide for the trial attorney, a compendium on attorney liens for contingent fees,”*** a two-part article on the new California State Bar ethics rules and attorney lien claims for fees, October 2018 and November 2018. Advocate magazine;
- ***“Medicare Advantage lien claims: The other Medicare lien,”*** November 2019, [issue editor] Advocate magazine;
- ***“Liens galore, an updated summary of lien claims for plaintiffs’ attorneys,”*** September 2020; Advocate magazine;
- ***“Ethical standards for neutral and party-appointed arbitrators,”*** November 2020, [issue editor] Advocate magazine;
- ***“Discovery referees: A useful tool to expedite the trial process,”*** Los Angeles Daily Journal, page 4, December 24, 2020;
- ***“Discovery referee appointments,”*** September 2021, [issue editor] Advocate magazine;
- ***“When does the mediation process begin and end?”*** September 2021, [issue editor] Advocate magazine;
- ***“Private judging with a stipulated ‘temporary judge’*** September 2022, [issue editor] Advocate magazine;
- ***“When conduct or impoverishment waives the right to compel arbitration,”*** July 2023 [issue editor] Advocate magazine;
- ***“Personal injury late-claim applications,”*** May 2024, Advocate magazine;
- ***“Federal Arbitration Act basics: a quick look at the federal act that dominates many arbitrations,”*** September 2024, [issue editor] Advocate magazine;
- ***“Enforceable written mediation settlement agreements—an exception to mediation confidentiality,”*** September 2025, [issue editor] Advocate magazine;

- Since 2015, ghostwritten chapter updates for a major set of California civil procedure books. (Substantially updated the contractual arbitration and mediation sections).

Presentations [partial list]*:

- **“What Every Litigator Should Know About Punitive Damages and C.C.P. § 998 Recovery,”** September 15, 1992, LACBA Litigation Section seminar;
- **“California ADR Legislation: A Concept Whose Time Has Come?”** November 14, 1992, SCMA and Pepperdine University’s “Mediation as a Profession in the 1990s” seminar;
- **“Bias in the Courtroom,”** May 22, 1993, co-presentation with Judge Eileen C. Moore, LATLA’s “Law Practice Management and Elimination of Bias” seminar;
- **“Trust Accounting & Liens (including new hospital lien rules),”** October 3, 1993, CTLA Las Vegas Convention;
- **“Ethics/Management--Trust Accounting & Liens,”** January 29, 1994, LATLA “Last Chance MCLE Marathon” dinner program;
- **“Discovery—The Tool of the Litigator,”** May 26, 1994, [moderator] LACBA “The Tricks of the Trade” lunch program;
- **“The Expert Wars,”** June 23, 1994, [moderator] LACBA “The Tricks of the Trade” lunch program;
- **“Summary Judgment,”** June 24, 1994, LATLA “Breakfast at the Bar” program;
- **“Trust Accounts: The Easiest Way to Lose Your License,”** July 7, 1994, [moderator] LATLA Legal Ethics dinner program;
- **“Slip & Fall,”** September 8, 1994, [moderator] LATLA dinner program;
- **“Kaiser Arbitrations,”** October 14, 1994, LATLA Las Vegas Convention;
- **“Legal Ethics, The Client, The Defendant, The IRS and You,”** July 13, 1995, CAALA dinner program;
- **“Taking Effective Depositions,”** July 20, 1995, Lorman Education Service;
- **“Problems With Contingency Fee Agreements,”** October 7, 1995, CAALA Las Vegas Convention;
- **“Depositions: How to Take Them, How to Enforce Them,”** October 18, 1995, LACBA Continuing Legal Education seminar;
- **“Jury Instructions and Verdict Forms,”** October 27, 1995, LACBA Breakfast at the Bar program;
- **“Slip/Trip & Fall: How to Win! How to Lose!”** April 11, 1996, [moderator] CAALA dinner program;
- **“Federal Court—Essential Procedures and Local Rules,”** May 18, 1996, [moderator] LACBA seminar;
- **“Ethical Issues in Client Relations,”** July 11, 1996, CAALA dinner program;
- **“Litigation Costs,”** July 1996, CAALA’s “Risky Business: Legal Ethics in the ‘90s” seminar;
- **“Update on Slip and Fall and Premises Liability,”** November 16, 1996, CAOC Convention;
- **“Medical Malpractice—Kaiser Arbitration,”** November 14, 1997, CAOC Convention;

- **“Winning Without Trial,”** December 7, 1996, LACBA seminar;
- **“Kaiser Arbitrations and Contractual Arbitrations; Understanding Contractual Arbitration,”** May 28, 1998, presenter and moderator, LACBA seminar;
- **“Party Arbitrators in California,”** February 6, 1999, ABA Section of Dispute Resolution;
- **“Recent Developments in Contractual Arbitration,”** May 14, 1999, the Bar Association of San Francisco;
- **“The Proper Use of Discovery at Trial,”** October 23, 1999, CAALA Las Vegas Convention;
- **“Attacking and Defending Arbitrations and Awards 1999 and Beyond,”** October 28, 1999, [Co-chair and presenter], LACBA seminar;
- **“Contractual Arbitrations and Their Arcane Rules,”** September 8, 2000, CAALA’s Las Vegas Convention;
- **“Kaiser and Contractual Arbitrations,”** August 23, 2002, CAALA’s Las Vegas Convention;
- **“The Art of Mediation,”** April 11, 2003, [mediation demonstration] CAOC’s Convention;
- **“Litigation for the 21st Century,”** September 2004, CAALA’s Las Vegas Convention;
- **“Ethics and the Trust Account,”** March 26, 2006, CAOC’s Lake Tahoe Convention;
- **“Laying Evidentiary Foundations and Handling Objections at Trial,”** August 2008, CAALA’s Las Vegas Convention;
- **“Business and Consumer Arbitrations,”** October 2015, Burbank Rotary Club;
- **“Contractual Arbitrations,”** February 19, 2003, Hispanic Bar Association Cuban seminar;
- **“Mediation Confidentiality,”** June 28, 2003, [panelist] Pepperdine University School of Law’s California Dispute Resolution Council;
- **“Medical Malpractice–Kaiser Arbitrations,”** August 23, 2002, CAALA’s Las Vegas Convention;
- **“Employment and Commercial Law, Contractual Arbitration,”** September 6, 2003, CAALA’s Las Vegas Convention;
- **“New Lawyer Program,”** April 13, 2002, [moderator] CAOC’s Annual Convention, San Francisco;
- **“Waiver of Arbitrations,”** December 3, 2003, [sole speaker] Latham and Watkins seminar for paralegals and new lawyers;
- **Moot Court Judge,** February 20, 2004, ATLA Trial Moot Court; Santa Monica Superior Court;
- **“Contractual Arbitrations and other ADR Methods,”** March 6, 2004, CAALA’s Trial Lawyer Skills for the New Lawyer;
- **CAPEF Annual Roast and Tribute for Senator Joe Dunn,** June 10, 2024, [moderator and prepared program], CAALA benefit;
- **“State of Lien Legislation and New Workers’ Compensation Bill,”** August 28, 2004, [moderator] CAALA’s Las Vegas Convention

- **“Mock Mediation,”** August 28, 2004, [prepared fact pattern and participant] CAALA’s Las Vegas Convention;
- **“How to Present and Attack Documentary & Demonstrative Evidence,”** October 23, 2004, CEB program;
- **“Contractual Arbitrations and Other ADR Methods,”** March 4, 2005, CAALA’s Trial Lawyer Skills for the New Attorney;
- **“Contractual arbitrations and other ADR Methods,”** March 5, 2005, CAALA’s Seventh Annual Trial Lawyer Skills for the New Attorney;
- **Master’s panel,** May 7, 2005, CAALA Case Review Dinner;
- **“Damages: How Much to Ask for and How to Get It,”** June 24, 2005, Legal Aid Foundation of Los Angeles Training Day Workshop;
- State Bar Litigation Journal article on **“Discovery in Contract Arbitration,”** *Fall 2005*;
- **“Liens on Automobile Claims”** presentation and handout, September 10, 2005, CAALA Las Vegas Convention;
- **“Arbitrations: Litigation for the New Century,”** September 27, 2005, Cerritos Rotary Club;
- **“Contractual Arbitration,”** September 7, 2007, CAALA’s Las Vegas Convention;
- **“Avoiding E-Filing Mistakes,”** January 15, 2008, [moderator and workshop organizer] ABTLA program;
- **Moot Court Judge,** February 14, 2008, Orange County High Schools competition;
- **“Contractual Arbitrations and Other ADR Methods,”** March 1, 2008, CAALA’s Trial Lawyer Skills for the New Attorney;
- **Moot Court Judge,** March 8, 2008, AAJ Western Quarter Finals;
- **The Art of the Opening Statement,”** March 11, 2008, [moderator and organizer] ABTLA program;
- **“Arbitrations and the Importance of the Courts,”** May 13, 2008, [moderator and organizer] ABTLA program;
- **“The Art of Jury Selection,”** July 15, 2008, [moderator and organizer] ABTLA program;
- **“The Impact of Contract Arbitration on the Practice of Law,”** June 18, 2008, Southeast Bar Association dinner meeting;
- **“Laying Foundation and Handling Objections at Trial,”** August 28, 2008, CAALA’s Las Vegas Convention;
- **“Navigating Arbitration,”** September 4, 2009, CAALA’s Las Vegas Convention
- **“Impact of Liens on Case Resolution,”** September 7, 2012, CAALA’s Las Vegas Convention;
- **“Government Liens, including the Military Lien Act,”** August 30, 2013, CAALA’s Las Vegas Convention;
- **“Attorney Liens,”** September 2014, CAALA’s Las Vegas Convention;
- **“Medicare Liens,”** September 3, 2015, CAALA’s Las Vegas Convention;
- **“Class Action Waivers,”** October 27, 2015, Burbank Rotary Club;
- **“Lien Guide for the Trial Attorney, Civil Code section 3040,”** September 2016, CAALA’s Las Vegas Convention.

**Ninety-nine percent of all oral presentations included a prepared written handout.*

Education:

LL.B. degree, Southwestern University School of Law (1968); B.S. degree, San Jose State College (1962).

Family life:

Married to California Court of Appeal Justice Eileen C. Moore. We have three children, nine grandchildren, and four great-grandchildren.

[Updated July 24, 2025.]