

# Daily Journal

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## Mac Amos

*Retired judge Mac Amos splits time between Hawaii and the mainland, making time to do triathlons and work on cases.*

By Mandy Jackson

Surfing, outrigger paddling and competing in triathlons are fitting pastimes for retired judge Mac Amos, now a mediator and arbitrator in San Diego.

Mediating and arbitrating cases, Amos said, also requires endurance.

After retiring from San Diego County Superior Court in November 2003, he went to work for ADR Services Inc.



He lives in Hawaii part time, spending half of last year running, biking and swimming on the Big Island, and the other half in San Diego.

This year, since he's coaching sprinters on the track team at Otay Ranch High School in Chula Vista, Amos will spend more time on the mainland. While he's here, he'll also spend more time coaching parties to settle their medical malpractice, employment, securities and eminent-domain disputes.

Amos and his wife, retired judge Lillian Lim, chose different paths after stepping down from the bench.

"I wanted to keep my hands in some legal matters," he said. "There were three choices: One, you could actually go back and practice law; two, you could sit on assignment as a judge; and three, you could do mediation and arbitration."

Lim sits as a judge on assignment, but Amos said he prefers his line of part-time work because the cases are more interesting.

"I actually prefer arbitrations [to mediations]," Amos said. "Other than writing the decision, in some ways it's a lot less work. I like making the decision and writing how I came up with that. If you have good attorneys, it's almost like being in court, with the examination and presentation of the evidence."

Steven M. Boudreau, partner with Boudreau Williams in San Diego, appeared before Amos in an arbitration that involved the complex reconstruction of an auto collision, valuation of the plaintiff's pain and suffering and testimony about pain management.

"We had engineering issues that required him to assimilate a lot of information on the fly, which came across in the decision," Boudreau said. "He let everybody say what they had to say and put forward the evidence they had to put forward. I'm confident the other side would say the same thing. It was just one of those cases where somebody had to make a tough decision."

The back-and-forth of mediation can be tiring, Amos said, but the benefit is that both parties leave somewhat satisfied with the resolution of their case.

"When you come to a settlement, then everybody's generally pretty happy, as opposed to arbitration, where you have one side that's really unhappy," he said. "And you've saved them a lot of time and effort. In that sense, [mediation] is more rewarding."

Amos was a neutral for several medical malpractice cases handled by San Diego lawyer Nancy Sussman.

"What brought us back to him three or four times is that we liked him as a judge in the Superior Court," Sussman said. "We thought he was a very fair and honorable man. We didn't feel he had any ties to any group. There was no cronyism."

In mediation, Amos got Sussman's client and their opposing party to settle a dispute that another mediator could not resolve.

"He's a judge who is fair to the plaintiffs, as well as the defense, which is very hard to find these days," Sussman said.

Amos ran an independent civil calendar during his last four years on the bench. From 1982 to 1998, he was a San Diego Municipal Court judge, and served as presiding judge from 1989 to 1990. He was justice pro tem for the 4th District Court of Appeal in 1995 and 1999.

Prior to his appointment to the Municipal Court by Gov. Jerry Brown in 1982, Amos was a litigator for McWilliams Amos & Curnow and then for Jennings Engstrand & Henrickson, both in San Diego. He came to San Diego in 1971 to work in the U.S. attorney's office after litigating in private practice in Los Angeles. He graduated from UCLA School of Law in 1968.

First as a lawyer and then as a judge, Amos tried complex business disputes, as well as insurance, personal injury, professional negligence, bankruptcy and white-collar criminal cases.

He continues to test his endurance with similar cases as a mediator and arbitrator. Sometimes it's a marathon and sometimes it's a sprint.

"There is not a lot of chitchat," Boudreau said. "He is always professional and pleasant, but he always says, 'Let's get down to business and see what this case is about.' He is good about making sure time isn't wasted so that we get things taken care of quickly."

*Here are some lawyers who have used Amos' mediation and arbitration services:*

Cynthia Chihak, Chihak & Associates, San Diego; Dan H. Deuprey, Deuprey & Associates, San Diego; Nancy Sussman, San Diego; James J. Wallace, LaFollette Johnson DeHaas Fesler & Ames, San Diego; Jenny K. Goodman, Sullivan Hill Lewin Rez & Engel, San Diego; Charles B. Pederson, San Diego; Teresa Trucchi, Suppa Trucchi & Henein, San Diego; Vincent J. Iuliano, Belsky & Associates, San Diego; Marilyn R. Moriarty, Lewis Brisbois Bisgaard & Smith, San Diego; Steven M. Boudreau, Boudreau Williams, San Diego; Charles L. Deem, DLA Piper, San Diego; and Jackie M. Ni Mhairtin, Neil Dymott Frank McFall & Trexler, San Diego.