

VERDICTS & SETTLEMENTS

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Exceptional Expertise

Retired justice brings appellate, trial court experience to alternative dispute resolution.

By Shane Nelson

Special to the Daily Journal

Retired justice Margaret M. Grignon spent 14 years on the California Court of Appeal, where she wrote more than 2,200 opinions, including 160 that were published.

"It was a very busy time," Grignon said. "It was an incredible amount of work, but very rewarding, and it's very nice to have all those published opinions with my name on them out there."

A 1977 Loyola Law School graduate, Grignon spent six years as a transactional tax attorney before her 1984 appointment as a judge on the Antelope Municipal Court. She was elevated in 1987 to the Los Angeles County Superior Court, where she tackled criminal, civil, family law and probate cases.

"I was the only superior court judge in the Antelope Valley," Grignon recalled. "So basically, I got to do everything."

Grignon was appointed to the 2nd District Court of Appeal, Division 5, in 1990. She decided to step down in 2005, in part, because she wanted to try something different. So, she instead practiced as an appellate lawyer for 10 years at Reed Smith LLP before launching the Grignon Law Firm with her daughter, attorney Anne Grignon, in 2016.

"I had not been an appellate lawyer before," Grignon said. "So, it was all new to go to a firm and be an appellate lawyer and write briefs and look at it from a different perspective than a court of appeal justice. ... Instead of neutral and unbiased and trying to make sure you got to the right answer for the state of California, now this time I'm an advocate. I'm trying to be persuasive."



Justin L. Stewart / Special to the Daily Journal

Grignon also started tackling cases as a mediator and arbitrator in 2005 as a member of the Alternative Resource Centers (ARC) panel of private neutrals, and she noted that her extensive appellate experience is particularly helpful in her mediations.

"I have this wide breadth of knowledge about a lot of law - not all law but a lot of law, a lot of the way the system works - both from being on the trial court bench and evaluating trial court decisions for 14 years and looking at all the appellate cases," Grignon explained. "And I think I see things that maybe are not necessarily obvious to everyone else, and that helps me help the parties arrive at an agreement as to how the case should settle."

Grignon likes to receive briefs from all the parties before her mediations and will speak to counsel beforehand over the phone when necessary. She prefers to keep parties separate on the day of mediation and usually starts out by listening in hopes of getting a better idea about everyone's position.

"Then I start to talk to them about what their positions are, agreeing with them with respect to their positions I find to be strong and pointing out the aspects of their case that are not quite so strong," Grignon said. "And then I go back and forth, sharing some of that information with the other side, so we can begin to come to a meeting of the minds as to what the case should settle for."

Margaret M. Grignon

Alternative Resolution Centers (ARC)
Los Angeles

Areas of Specialty:

Business
Employment
Real Estate
Construction Defect
Medical practice

Calabasas plaintiffs' attorney Steve Wolfson has used Grignon to settle environmental cases, and said, "I just want a fair shake. I want someone to come in that is a true neutral, and she is an absolute true neutral. She doesn't come in with her mind made up."

Wolfson added that Grignon's thoughts about the strengths and weaknesses of a case are especially helpful.

"She will tell me about the deficiencies she finds," Wolfson explained. "She'll talk to the client and then say to me, 'This would be an excellent witness,' and she'll also tell the defense, ... 'This woman is going to sway a jury.' But she'll also tell me if the client's no good. She'll tell me, 'Hey, you've got all these weaknesses, and this client is not a strong witness.' She tells it just the way it is, which is what I want to hear."

Grignon also finds a great deal of fulfillment in the work she does as an arbitrator.

"In arbitration, the roles are clear cut," she explained. "It's just very professional and neutral and unbiased, and I view my role in arbitration as a judge basically - just judging the evidence and the facts that are presented to me and arriving at a decision."

Los Angeles litigator Teresa Z. Youhanaie used Grignon recently as an arbitrator in a breach of contract case, and said the retired justice is extremely smart.

"She clearly pays attention and follows the evidence and the testimony very well, and you can tell that by the questions and comments she makes," Youhanaie said. "Her evidentiary rulings and rulings on motions are fair. I would say she is appropriately very respectful and

patient with sympathetic witnesses and really all witnesses. And at the end of the day, she rules straight up based on the facts and the law."

Running moot courts with attorneys preparing for appearances before the Court of Appeal is another area of private neutral work Grignon finds particularly satisfying.

"You look at the briefs as if you were a justice, and you get to hear the arguments and ask the questions you would ask," Grignon said. "And I find I can bring a lot of expertise to that, and it's very fulfilling to me."

Marina del Rey litigator Robert K. Kent worked recently with Grignon as a mediator on an investment dispute and described her as very patient and courteous.

"She also really grasped the factual and legal issues," Kent said, "and helped us work through some of them."

Kent added that Grignon was excellent with his clients.

"I don't want my client to ever feel they're being bullied or steamrolled," Kent said. "I want them to understand the process. And I think Judge Grignon is very good at making the clients feel they're being heard, making sure they're comfortable with what she's doing and that it's not some complicated process being shoved down their throat. She's just very, very patient with people."

Here are some attorneys who have used Grignon's services: Robert K. Kent, Law Offices of Robert K. Kent; Theresa Z. Youhanaie, Law Offices of Timothy D. McGonigle; Douglas B. Foster, Douglas B. Foster APC; Steve Wolfson, Law Offices of Steve Wolfson; Sean M. SeLegue, Arnold & Porter Kaye Scholer LLP.

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