

Jim Groton



Jim Groton is a retired partner of the law firm of Sutherland, Asbill & Brennan LLP, where he formerly led the Construction Practice Group and the Dispute Prevention and Resolution practice of that firm.

As a practicing lawyer during Atlanta's building boom in the 1960s he began to specialize in construction matters, transitioning from trial lawyer to trouble shooter, to behind-the-scenes counselor, to problem solver, to pioneer in the application of techniques for preventing, controlling, de-escalating, and achieving the earliest possible resolution of disputes. He has had a remarkable record of success in helping to "keep the peace" on numerous construction projects and in other business relationships and transactions.

Throughout his career Jim has embraced and used every conceivable ADR process. He has been a commercial and construction arbitrator since 1970 and has received awards for his service as an arbitrator. He has taught classes in mediation, and has been recognized for his pioneering in mediation. He was an early advocate of dispute prevention processes such as partnering and dispute review boards on construction projects. Over time his experience has convinced him that *pre-dispute* processes that prevent and de-escalate disputes (such as realistic allocation of risks, partnering, incentives to encourage cooperation, step negotiations and standing neutrals), are the

most cost- effective, relationship saving, and time saving of all ADR processes.

In retirement Jim has divided his time between dispute *resolution* work as an arbitrator, dispute review board member and standing neutral, and dispute *prevention* research, writing, training, advocacy, and consultation in the emerging field of proactively anticipating, preventing, controlling and managing problems that might otherwise escalate into disputes.

He devotes a substantial amount of pro bono time to educating business organizations, business leaders and corporate counsel in the principles and methods of proactive prevention of disputes. He has sponsored research into documenting the relative transaction costs of various methods of addressing disputes to provide empirical data for business executives making decisions about selecting the most appropriate methods for dealing with potential disputes. He is active in the work of the Construction Industry Institute, the National Academy of Construction, the International Institute for Conflict Prevention and Resolution (CPR), American Arbitration Association (AAA), and the European Proactive ThinkTank (PATT).

Jim is a former President of the American College of Construction Lawyers, an officer of the National Academy of Construction, and he has received many awards and honors for his construction and dispute resolution work. Since his “retirement” after 47 years of practicing law he has remained as active as ever, enjoying the luxury of freedom to pursue a variety of interests that are an extension of his career-long passion of preventing, mitigating, and finding efficient ways of addressing problems and potential disputes.

His most important current professional activity is his support

of the Global Pound Conference Series, which is engaged in an examination of what's good (and what's not so good) about current ADR processes, and what should be the dispute resolution processes of the future. He advocates the greater use of pre-dispute and pre-escalation processes that prevent disputes as an important part of the improvement of ADR for the future.

His office is in Atlanta and he can be contacted at jim.groton@sutherland.com or 404-853-8071