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Spicer, Flynn & Rudstrom forms arbitration arm to settle alternative dispute resolutions

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by Christopher Sheffield

Settlement Solutions, one of the newest arbitration and mediation firms in Memphis, is going statewide.

Settlement Solutions was started in May by partners of the law firm Spicer, Flynn & Rudstrom to offer a lower cost alternative in the growing alternative dispute resolution area and serve a more rural clientele.

Eight Spicer partners and contract lawyers make up the staff in Memphis to cover West Tennessee, with six others serving Middle and East Tennessee from Spicer's offices in Nashville, Chattanooga and Knoxville.

The goal, says partner and founding member Rick Rudstrom, is to be able to serve all 95 counties across the state, not just the more metropolitan areas. Settlement Solutions is well positioned to do that given the experience of its attorneys, who largely practice insurance defense and spend a lot of time in the rural courthouses, he says.

While alternative dispute resolution has grown significantly in the last few years -- especially with the enactment of Supreme Court Rule 31 in 1996 calling for court-based alternative dispute solutions -- there have been few stand-alone practices established.

Baker, Donelson, Bearman, Caldwell & Berkowitz started the Center for Dispute Resolution division in 2005. The only other full-service firm is Memphis-based Resolute Systems, Inc.

Settlement Solutions started because Spicer's partners, several who are certified as Rule 31 mediators, were increasingly being asked to do that type of work and were told by clients that the rates at other firms were cost prohibitive. Settlement charges a flat rate of \$250.

Sandra McQuain, a principal with the public relations firm [Howell McQuain Strategies](#), says alternative dispute resolution shows no signs of slowing as companies try to curb costs. It is now often put in contracts that some sort of dispute resolution process must be attempted; courts are struggling to lighten case loads.

Setting up a separate entity is beneficial, McQuain says, because it helps reduce future conflict issues and allows for the hiring of outside mediators that are not necessarily partners or members of the firm.

"This gives them the opportunity to recruit some top notch people," she says.

Two of those include Judge Joe Riley, who retired in 2004 from the [Tennessee Court of Criminal Appeals](#), and J. Maxwell Williams, who most recently served as general counsel for [Memphis Light Gas & Water](#) for seven years.

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