

If you watch USA Network, or you follow any national list serves or blogs about mediation, you have probably heard about the new TV show, Fairly Legal. If you're like me, you were curious, and concerned, about how a mainstream prime-time show is going to portray a mediator and mediation in general.

The main character, Kate Reed, is played by Sarah Shahi. (For those of you who don't recognize her, Sarah got her start as a Dallas Cowboys Cheerleader!) Kate lives on a boat, travels to work on the ferry, and wears very high heels with red soles. Her wardrobe beats mine!

Kate, the character, practiced law for five years but is now a mediator. Apparently she has a general practice, since in the first episode Kate mediated: (1) between an armed robber and a coffee shop owner; (2) between an engaged couple and the singer, the actor and the cupcake maker who allegedly messed up their marriage proposal; (3) the engaged couple themselves; and (4) between a father and son about control of the family business.

It is hard to describe Kate's style. Even Len Riskin would have trouble figuring out where she falls in the grid. Kate considers herself a "problem solver." She describes her work by saying "people come to me with their problems and I fix them." Apparently she will use whatever method works.

I support mediators using the style that works for the parties and is comfortable for the mediator; however, there are some limits. I consider self-determination and informed understanding of the parties very important. Perhaps Kate goes over the agreement to mediate and describes the process during the commercial breaks.

Kate used some methods I didn't learn in any mediation trainings. She was appointed by the Court to mediate a dispute between an engaged couple (I never got their names so we will call them John and Rose), and the actor, singer and cupcake maker John had hired to help set the stage to ask Rose to marry him. John wanted to re-enact a ride on a trolley car. During the trolley car ride, things went badly and Rose dropped the ring, which had belonged to John's grandmother. During the mediation, Kate figures out the dispute isn't with the singer, actor and cupcake maker, instead the issue is that John thinks Rose didn't do enough to hold on to his grandmother's engagement ring. Understanding John's feelings, Kate purported to destroy the watch that had belonged to Rose's father and was her gift to John. No worries though – the destruction of the watch was all a ruse, and John dropped the claims against the others and forgave Rose. John and Rose even got married right there, in the courtroom!

The conversation in the mediation community has been focused on whether Fairly Legal will do harm to mediators and the understanding of mediation by the public. At the very least, it will bring mediation further into the mainstream of society. It will give us an opportunity to answer questions and have conversation. As one judge-now-mediator said to me "I'll probably learn as much from Kate as I did from Judge Judy." I guess it's like being a doctor and watching ER or being a forensic scientist and watching CSI. At least someone knows your profession exists!