

## THE SCOOP



JAMES BERNSTEIN

# Non-litigious way to solve cases

**C**an you make money by making peaceful settlements?

The folks at Mediation & Collaborative Action Group, a 1-year-old Melville firm, believe so, and they say that so far, they're profitable.

The firm deals with the non-litigious settlement of divorce cases, contracts between business partners, landlord-tenant disputes and elder care issues. It makes use of what's called the collaborative practice, and some lawyers — although not that many as of now — are involved, say the firm's partners.

"This is another frontier for Long Island," said **Bruce A. Mina**, one of Mediation & Collaborative Action's partners, and a certified public accountant. "We all understand the 'old-boy' system" where warring parties rage against one another while spending fortunes in court.

Lawyers do mediation work, to be sure. But Mediation & Collaborative Action says it is the only Long Island mediator offering staff with financial and mental-health backgrounds. **Rita Medaglio-Barrera** is a certified divorce financial analyst, and **Gloria Ciolli** is a social worker. Both are partners in the firm.

So far, the firm has handled 15 cases, revenues are about \$150,000, and it has made money. One of the keys is that lawyers involved agree not to litigate.



From left, Rita Medaglio-Barrera, Bruce A. Mina and Gloria Ciolli of Mediation & Collaborative Action Group, which deals with non-litigious settlement of various cases

Cases can be referred by lawyers, mental health professionals or financial experts, Medaglio-Barrera said. In literature the firm hands out, it distinguishes between the "collaborative" practice and "litigation." Under the "collaborative" practice, the literature says "You and your spouse control the process and make final decisions." Under litigation, it says a judge controls the process

"and makes final decisions."

Medaglio-Barrera says the firm works with lawyers and wants to broaden its relationship with them. But, she said, many lawyers are still "uninformed" about the practice. Collaborative law made its appearance in the metropolitan area only about seven years ago, having gotten started in Minnesota 20 years ago.

Amel Massa was among

the first collaborative lawyers in Suffolk County. Massa, with offices in Huntington and Garden City, said he began practicing collaborative law three years ago, after a training period.

"The collaborative process involves a different way of thinking," said Massa. "I do run across attorneys who are leery of it because it tries to stay out of the court process."

## Face-lift for old building

One of the oldest buildings in Patchogue, at 31 W. Main St., is about to undergo a major face-lift as part of the village's downtown rehabilitation project. The face-lift is made possible by a \$2.4-million grant to the village from the Empire State Development Corp., which said in an announcement Friday that the building, constructed in 1898, will continue to be used as a mixed-use office and retail facility. ESD said the project is expected to create more than 75 permanent full-time jobs.



Patchogue building at 31 W. Main St., will undergo a face-lift.

# Toyota's president to testify before Congress

BY YURI KAGEYAMA AND DAN STRUMPF  
The Associated Press

TOKYO — Akio Toyoda's appointment as the president of Toyota last June was full of promise. The grandson of the automaker's founder, he was expected to boost morale for the rank and file and help steer the company through a brutal slump in the auto market.

Eight months later, he is

being criticized as slow and indecisive as Toyota Motor Corp. grapples with the worst crisis in its 70-year history — global recalls ballooning to 8.5 million vehicles in four months. Its reputation for high-quality, reliable cars has been tarnished.

Toyoda, 53, said Friday that he plans to testify at a U.S. congressional hearing Wednesday about the automaker's recalls in the United States. The an-

nouncement came two days after he said he wouldn't and follows an onslaught of criticism from the Western and Japanese media about his reluctance to go to Washington.

Toyoda will testify before the U.S. House of Representatives Oversight and Government Reform Committee. By issuing the invitation, the committee had essentially forced Toyota to testify.

"I am hoping our commitment to the United States and our customers will be understood," he told reporters. He said he intends to explain steps the company is taking to improve safety, which includes a special committee he is leading.

Toyoda was criticized for being absent as the recalls surfaced in the United States in October. He did not speak publicly on the crisis until January,

when he was cornered by a Japanese TV crew at a conference in Davos, Switzerland.

Whether Toyoda can deftly handle a hostile grilling by U.S. lawmakers is in doubt. The U.S. government has opened a fresh investigation into Corolla compacts over potential steering problems. Toyota's earlier recalls have been over sticky gas pedals, floor mats that ensnare accelerators and faulty braking.