

Building Your ADR Practice

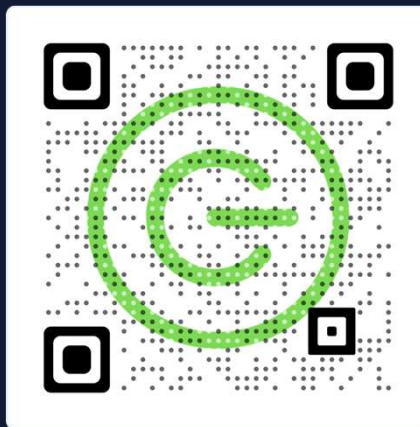
Branding, Marketing, and Referrals

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Get the Slides and Workbook



Susaneguthrie.com/ISBA-AAAA

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The room is full of skilled neutrals.

**Skill is not
the problem.**

Visibility is.

3

The average mediator takes

3 to 5 years

to build a sustainable practice.

Tonight we compress that timeline.

4

Meet Jordan

A composite of every talented mediator who is not getting the work they deserve.



Good track record. Zero complaints. A handful of cases. And a practice that has not yet found its footing.

5

When someone asks Jordan what they do:

*"I'm a mediator.
I handle all kinds of disputes."*

**Competent. Professional.
And completely forgettable.**

Tonight we fix that.

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SECTION I

Branding

What you are known for, and who knows it

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Branding is not a logo.

It is not your colors. It is not your website.

**Branding is how people understand
what you do, who you serve, and why you.**

*If your referral source or ideal client cannot describe you in one sentence,
you do not have a brand.*

You have a resume entry.

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Jordan's Four Niche Decisions

Walk the questions. Watch the picture come into focus.

What type of case?

Employment disputes

Home turf after 10 years of litigation

Who is your ideal client?

Employment attorneys

Former colleagues who are plaintiff's counsel

What complexity level?

Complex multi-party

Where process design and patience actually matter

Emotional or technical?

Emotionally charged

The human story drives every employment dispute

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Wait. There is a problem.

Jordan has been reaching out to former colleagues who are plaintiff-side attorneys for referrals.

In mediation, selection requires agreement from both sides.

The moment a defense attorney perceives Jordan as plaintiff-leaning, Jordan is off the list. Before the conversation even starts.

ADR marketing operates differently than every other professional service.

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The goal is **not** to be everybody's mediator.

PLAINTIFF

Needs to feel the mediator understands their client's experience and what drives them to litigate

DEFENSE

Needs to feel the mediator understands institutional risk, carrier dynamics, and what moves employers toward resolution

The goal is to be the obvious choice for a specific type of dispute, trusted by everyone who walks into the room.

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Jordan's litigation background solves the problem.

10 years as an employment litigator.

Not just a credential. A neutrality advantage that works for both sides.

Knows how plaintiff attorneys build cases, calculate damages, and decide when to settle

Knows how defense counsel and carriers evaluate exposure and move clients toward resolution

Neither plaintiff advantage nor defense advantage. A litigation advantage that both sides trust.

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The Positioning Statement

BEFORE

*"I'm a mediator.
I handle all kinds
of disputes."*

Forgettable. Indistinguishable.
Zero referral clarity.

AFTER

*"I help employment attorneys on both
sides resolve complex, high-emotion
disputes before trial, drawing on 10
years of employment litigation."*

Clear. Distinctive.
Both sides say yes.

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The Visibility Funnel

If you are not being selected, it is a visibility problem. Not a skill problem.

VISIBILITY

FAMILIARITY

TRUST

SELECTION

Jordan is skilled. Jordan is invisible. We are about to fix that.

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T A K E N O T E

Think About Your Own Practice

- 1 What would your version of Jordan's four niche decisions look like?
- 2 Does your current introduction work for everyone who needs to say yes?
- 3 What background do you have that most mediators in your niche do not?
- 4 Try the formula: I help [audience] resolve [disputes] by [distinctive approach].

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S E C T I O N I I

Marketing

Getting your message in front of the right people, consistently

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What Is Not Working

Jordan's LinkedIn lists certifications and says available for mediation. No one is calling.

Posting without strategy

Activity without intention produces noise, not results

Inconsistent visibility

Sporadic bursts create no momentum and no familiarity

Talking about services

Instead of solving real problems your referral sources actually have

Leading with credentials

Your JD is expected. Your insight is what differentiates you.

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Thought leadership is the strategy.

Educate. Do not pitch.

Jordan knows more about what drives employment disputes to trial, and what brings them to the table, than almost any attorney in the room.

Ten years of employment litigation is not a credential in this room.

It is a conversation. Use it.

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Jordan's First Piece of Content



Jordan Blake, Mediator

Employment Mediator | 10 years employment litigation

"What employment attorneys on both sides get wrong about mediation timing, and why it costs their clients money"

Not self-promotion. Proof of expertise. And it speaks to both sides of the table simultaneously.

Specific. Useful. Impossible to ignore if you handle employment disputes.

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One platform. Own it.

Jordan picks LinkedIn. That is where employment attorneys actually are.

ONE

Platform

ONE

Post or article
per week

90

Days of
consistency

Irregular bursts of activity do not build a practice. Consistent, targeted visibility does.

The workbook includes AI prompt starters to generate content ideas in under two minutes.

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TAKE NOTE

Think About Your Marketing

1

What do you know about your dispute type that the attorneys handling those cases do not? That is your content.

2

What is one article or post title you could write this week based on your experience that will resonate with your ideal client(s)?

3

Which platform are your referral sources actually on? That is your platform.

4

What would 90 days of consistent visibility look like for you in practical terms?

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SECTION III

Referrals

The engine that actually drives a sustainable ADR practice

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M Y T H

*"If I do good work,
the referrals will come."*

R E A L I T Y

**Good work is the price of entry.
It is not differentiating.**

Jordan did good work for three years. Jordan is still waiting.

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The Follow-Up Gap

WHAT JORDAN DOES

Case closes.

Sends a thank you email. Gracious,
professional, appropriate.

And then nothing.

WHAT HAPPENS NEXT

The attorney reads it, appreciates it, and moves on
to the next case.

Jordan's name is already fading.

*The thank you email is not a referral strategy.
It is a closing ritual.*

How many of you send a thank you after cases close? Now, how many follow up again after that?

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The thank you email opens the door.

These are what keep it open.

The check-in 60 days after the case closes

The brief note when something relevant comes across Jordan's desk

The LinkedIn comment on the referring attorney's post

The quick email when employment law developments affect that attorney's cases

The cumulative impact: I am still here. I still value this connection.

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The Referral System

1

Define Your Sources

Both sides of the docket, bar associations, and corporate counsel networks.

2

Make It Easy to Refer You

One sentence. Both sides can describe you accurately. If they cannot describe you, they cannot refer you.

3

Build the Relationship First

Show up where both sides gather. Outreach before you need anything.

4

Follow Up After Every Case

The thank you Jordan was already sending, plus the 60-day check-in and consistent lightweight touchpoints.

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TAKE NOTE

Think About Your Referrals

- 1 Who are the ten professionals most likely to refer you? Are you reaching both sides?
- 2 You are probably already sending the thank you email. What comes after it?
- 3 Can your referral sources describe who to send to you in one sentence?
- 4 What would a simple, consistent follow-up system look like for your practice?

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Jordan. One Year Later.

Year four. The practice that felt stuck at the three-year mark looks completely different.

- 01 A clear niche and a positioning statement anyone in the room can repeat
- 02 Consistent content building name recognition on both sides of the employment bar
- 03 Three attorneys, one plaintiff-side and two defense-side, now sending regular referrals
- 04 Those three attorneys are referring Jordan to each other

Jordan did not wait out the 3 to 5 year window. Jordan built through it.

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Your practice will not grow by accident.

Three things to do this week:

- 1** Draft your positioning statement using the formula from tonight
- 2** Choose one platform and write your first piece of thought leadership content
- 3** Identify three past referral sources, on both sides, and reach out personally

The workbook gives you the full toolkit. The Thought Leadership Playbook is where the complete system lives.

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GO DEEPER

Additional Resources

THE PRACTICE PLAYBOOK SERIES



Three books. One complete system for building a profitable ADR practice.

THE PODCAST



Weekly conversations on building and growing your practice.

Everything is available at susaneguthrie.com

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Get the Slides and Workbook



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Q&A

Let's talk about your practice.

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