

VERDICTS & SETTLEMENTS

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The Human Angle

Neutral Halim Dhanidina brings a kind empathy to dispute resolution, attorneys say.

By Shane Nelson

Special to the Daily Journal

Raised by parents who immigrated to the U.S. from East Africa, retired appellate justice Halim Dhanidina knows a thing or two about standing out.

"Because of my background, I've developed a sense of profound empathy with people who are different," Dhanidina said, describing how that perspective plays a role in his approach as a mediator.

"So much of the mediation world is about trust, and trust, I think, ultimately stems from empathy," he continued. "You really have to have an understanding of where people are coming from, what their motivations are and what their desires are. I spend a lot of time in my mediation practice trying to develop that relationship in a short period of time with people who are different from me and different from each other. And that's something that's always come very naturally to me because of my background."

Before he retired from the 2nd District Court of Appeal in April 2021, Dhanidina was for a time the highest-ranking Muslim jurist in the nation, and he wrote nearly 300 opinions during his three years on the appellate bench. In 2012, Dhanidina was the first Muslim superior court judge appointed in California, spending six years on the bench in Los Angeles. Dhanidina worked the previous 14 years in the L.A. District Attorney's office, prosecuting felony cases in the hardcore gang and major crimes divisions.

One career question Dhanidina said he still fields relatively frequently is: Why did you step down from the 2nd District Court of Appeal after only three years?



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"For me to make that my last and final stop - as it is for so many people - I was going to be doing essentially the same type of work for probably nearly two decades," Dhanidina explained. "And I just had the feeling that there was more left for me in my career and different challenges awaited."

Practicing in the private sector for the first time, Dhanidina transitioned into commercial litigation at Umberg/Zipser LLP and then moved into white collar criminal defense at Werksman Jackson & Quinn LLP before joining Signature Resolution as a full-time private neutral in August 2023. He's since been handling employment, personal injury, commercial and professional malpractice cases as a mediator and an arbitrator.

Neutrality and efficiency were key areas of focus while Dhanidina was on the appeals and trial court benches, and he said the same is true now as an arbitrator.

"Not taking sides, not wanting one side to prevail over another - I took that really seriously," Dhanidina insisted. "And arbitration is designed to be a more efficient process. That's something I feel like I have in my blood. I certainly did when I was a judge. That mattered a lot to me. And I take that same sort of frame of mind into arbitration."

Before mediations, he likes to receive briefs from all the parties and speak over the phone with counsel.

"I schedule calls so we can discuss not only the briefs, but sometimes there's useful information the attorneys intentionally do not put

Halim Dhanidina

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in the briefs,” Dhanidina explained. “Oftentimes, the human angle is what’s discussed in those pre-mediation calls, and that helps me develop a strategy for how I want to approach the mediation.”

Early in his mediations, Dhanidina said he works to build rapport and trust through listening so that he’s on firmer footing for more evaluative conversations later in the day.

“I think I can offer both attorneys and their clients unique perspectives that help them assess their case more fully ... and make sure everyone understands the potential risk factors involved in continuing with open-ended litigation,” he said. “That’s when we can really start to distinguish between a party’s wants and their needs. You go to trial asking for what you want. You go to mediation thinking about what you need. And that shift of focus is often what gets us to a place of resolution.”

Irvine defense attorney Miko Sargizian has used Dhanidina to mediate a complex, multi-plaintiff employment dispute, and she said he is very intuitive.

“He’s able to understand the position both sides are taking without anyone having to say too much,” Sargizian said. “Because he’s been a justice and he’s been a practicing attorney - when he comes into the room he already knows what’s going on. ... He’s just really quick to understand the situation for both sides.”

Irvine defense attorney Elizabeth V. McNulty used Dhanidina recently to resolve what she described as a high-exposure personal injury case, and described him as terrific listener and an even better communicator.

“He’s invested in the process,” McNulty said. “You hear neutrals described as just ‘someone who’s carrying water back and forth.’ He was anything but. He really did a phenomenal job of communicating the disparity between the two rooms.”

McNulty added that Dhanidina’s experience on the appellate and trial court made a big difference.

“Having sat on the bench, he has insight into the real soft points and exposures each side faces,” she explained.

“And he’s able to capitalize on those by saying, ‘I’ve been here. I’ve seen this. These are some things you really need to be considering and that your clients need to be considering.’ And I think that’s just invaluable.”

Los Angeles plaintiffs’ attorney Rahul Ravipudi has used Dhanidina to resolve half a dozen personal injury disputes. He described Dhanidina as a hyper-intelligent mediator who operates with a kind empathy.

“He’s not one of those mediators where they’re just the messenger and say, ‘Well, the plaintiff has asked for this. How do you want to respond?’” Ravipudi said. “He actually gets actively involved to make sure everybody understands the strengths in what they’re saying and the weaknesses in what they’re saying and then helps work people off their positions where appropriate. He doesn’t just try to move people to move people. He tries to do it for the right reasons.”

Dhanidina said he’s been thoroughly enjoying his new role as a private neutral and mentioned the

work has a great deal in common with what first inspired him to enroll at UCLA School of Law in the 1990s.

“I thought maybe I’d go into diplomacy for the State Department or the UN because I was interested in using law to resolve global conflicts and negotiate peace agreements,” he recalled. “All these years later in my career, I feel like I’m kind of doing the same thing on a micro level - negotiating peace agreements, trying to keep parties from getting in their own way and resolving disputes by helping people work it out together. So in a certain sense, I feel like this is what I always thought I was going to be doing.”

Here are some attorneys who have used Dhanidina’s services: Rahul Ravipudi; Panish Shea Ravipudi LLP; Elizabeth V. McNulty, Evans Fears Schutter McNulty Mickus; Miko Sargizian, Littler Mendelson PC; Arash Homampour, The Homampour Law Firm PC; Sabrina H. Strong, O’Melveny & Myers LLP

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