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Lisbeth M. Bulmash, Esq.

JAMS Mediator and Arbitrator

Case Manager

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Biography

JAMS Neutral Lisbeth M. Bulmash, Esq., joins JAMS following nearly 20 years as a conflict resolution practitioner and a co-founder of an alternative dispute resolution (ADR) firm. She resolves civil and commercial disputes of all sizes, including complex multi-party disputes.

Before starting her ADR firm, Ms. Bulmash served as a litigation attorney in a diverse array of firms, including a law firm specializing in defense, a law firm representing primarily plaintiffs and a national property casualty insurance company. These varied legal experiences prepared Ms. Bulmash for her career in mediation and arbitration, where she primarily handles business commercial, personal injury, professional negligence, employment, estates/probate/trusts and real property cases. She has established a unique way of anticipating parties' needs and interests through her decades of experience.

ADR Experience and Qualifications

Ms. Bulmash has been a full-time neutral since 2002. Before practicing in the state of Texas, she had an active ADR practice in Michigan and Ohio. She has completed over 300 hours of mediation training. She obtained her initial mediation training at the Oakland Mediation Center in Bloomfield Hills, Mich., and her basic training workshop in family mediation at the Mediation Training and Consultation Institute in Ann Arbor, Mich. She is a frequent speaker and course instructor on a variety of ADR-related topics.

Representative Matters

Ms. Bulmash has resolved a wide range of civil and commercial disputes, large and small, over the course of her ADR career. Select case examples include the following:

Business/Commercial

- Arbitrator in credit card dispute between a Fortune 500 credit card company and consumer; the case included concerns regarding statute of limitations and death of consumer
- Large commercial dispute involving breach of a written contract between a financial broker and a real estate developer developing a significant hotel project
- Declaratory judgment action declaring ownership of mineral and property rights against two large corporations stemming from heirship rights from an estate
- Breach of commercial lease contract between a large restaurant and the owner of the shopping center
- Breach of a commercial lease contract with a written guaranty between a landlord and tenant
- Breach of contract between a homeowner and luxury pool builder; action included breach of contract, Texas Deceptive Trade Practices Act (DTPA) and Residential Construction Liability Act
- Breach of contract case between an owner of a commercial building and a roofing contractor; claims stemmed from breach of contract, breach of warranty and violation of the DTPA and Consumer Protection Act
- Consumer debt action between a large municipality and residents for amounts owed to utilities
- High-dollar complex breach of a lease agreement involving seven commercial parties
- Complex companion cases between two large corporations stemming from the sale of a portion of one company to the other; claims included breach of an asset purchase agreement and issues surrounding a noncompete clause and counterclaims for conspiracy, aiding and abetting, breach of fiduciary duty and requests for temporary and injunctive relief
- Dispute involving a homeowner against air conditioning contractor alleging breach of contract,

violation of DTPA, breach of express warranty and breach of implied warranty of fitness for a particular purpose

Employment

- Dispute between large foreign engineering company against a former CEO and employee for breach of contract, quantum meruit, unjust enrichment, conversion, common law fraud, fraud by nondisclosure and tortious interference with contractual relations
- Pre-suit wrongful termination of employment case brought by property manager/employee against large real estate property company involving ADA claims, FMLA claims and age discrimination claims

Estates/Probate/Trusts

- Resolved complex mediation involving a will contest between intestate heirs at law and a non-relative agent whose confidential fiduciary relationship along with insufficiencies in the will raised doubts about its legality and authenticity
- Mediation involving contentious dispute between a brother and sister regarding the estate administration of their mother's will and the division of assets; creative solutions were utilized to reach an agreement in this matter
- Mediation of a will contest in which two separate wills were submitted to the probate court by two adult children - one a natural in the administration of a mother's estate; mediation resolved the dispute and established a procedure for the probate of the estate and an equitable distribution of the mother's assets
- Mediated hotly contested guardianship dispute between seven parties for the resolution of ongoing conflicts between the guardian ad litem, step mother, natural mother, natural father and bank trustee over the care of an adult disabled child; issues centered around resolving past issues and disputes over the ward's care and determining a path for the future of the ward's medical and financial care
- Will contest between step-daughter and daughter more than four years after the death of the mother and an attempted administration of mother's will as a muniment of title; case creatively resolved the administration of the estate and settled issues between the daughter, extended family and step-daughter
- Mediated to settlement a complex guardianship dispute involving caregiving issues of an elderly ward and the transfer of her homestead prior to the initiation of the guardianship to her non-relative caregivers; the dispute involved issues between the ward's caregivers and siblings
- Mediation of will contest between step-father/husband of decedent/wife/mother and adult daughter of decedent; the will was challenged for its missing formalities

- Mediation between siblings and step-siblings contesting the application of will to probate as a Muniment of Title more than four years after the death of the testator (mother/step-mother)
- Mediation involving guardianship of elderly mother and dispute between adult children regarding her care; unique and creative solution created to uphold least restrictive alternatives to guardianship and to avoid future conflicts between the children regarding the mother's future care
- Complex guardianship and estate issues between the grandparents and natural father of a minor child following the death of the natural mother
- A will contest brought by the daughter of decedent/father against a nonrelative party claiming to inherit the estate in a will filed for probate
- Dispute stemming from the heirship of estate between the widow of decedent and adult child from decedent's first marriage
- Opposition to probate of will as a muniment of title between the best friend of decedent and natural child of decedent
- Complex dispute of estate of deceased mother between seven siblings
- Dispute involving heirship issues and determination of administrator issues in a large family with six children, one deceased child and five children (grandchildren) of deceased child
- High-conflict estate dispute involving the appointment of an executrix between a stepmother/widow and the three daughters of decedent (stepdaughters)
- Declaratory judgment action to set aside previous agreement alleging that one sibling had used fraud and breach of fiduciary duty to convince the other sibling to enter into a family settlement agreement on the heirship action

Health Care

- Arbitrator for the Texas Department of Insurance balance billing dispute program for matters involving providers and health plans, which have included emergency room care and anesthesia care; will have arbitrated over 160 cases by the end of April 2021
- Mediation of a labor management relations dispute between an employee and healthcare system employer

Personal Injury/Insurance

- Mediation of auto bodily injury case for front seat passenger in collision involving complicated damages
- Automobile bodily injury claim brought by a passenger on a bus; liability and damages were extensive
- Multi-million-dollar personal injury claim stemming from an auto accident involving an employee and his commercial employer; plaintiff alleged extensive and complex medical injuries

- Property insurance case brought by a property owner against an insurance carrier alleging agency and vicarious liability, violations of Texas Insurance Code, Texas DTPA claims and breach of contract for denial of a property insurance claim
- Underinsured motorist claim stemming from a rear-end motor collision

Real Property

- Complicated property action between national bank and property owner involving the bank's deed of trust lien and the defendant party's subsequent purchase of a home through a foreclosure sale
- Multi-million-dollar eminent domain action between university and private landowners
- Property tax appraisal dispute involving multi-million-dollar commercial property and local government tax authority
- Declaratory judgment action to quiet title on a property and prevent foreclosure between a homeowner and the bank

Institutional Litigation/Religious

- Complicated case involving compliance and enforcement of law regarding religious institution's constitution and by-laws between the religious institution's board of trustees and its deceased leader's widow; petition demanded enforcement and compliance with the constitution and bylaws of the institution
- Case involving pre-suit employment dispute between religious head and board of directors of a religious institution

Eminent Domain

- Mediated a multimillion-dollar eminent domain case involving the acquisition of a commercial business by a public university for the building of a new parking garage and football stadium
- Mediated case between a state and a development company over the acquisition of a piece of land needed for a highway expansion
- Mediated case between a school board and a private landowner for an addition to a school campus
- Mediated dispute between a city and a homeowner over the appropriation of land being acquired for the expansion of an intersection

Family Law and Divorce

- Mediated high conflict divorce; resolved division of assets and issues surrounding custody and visitation of minor child
- Mediated custody dispute between conservator parents and natural mother of a minor child;

developed creative program to resolve differences between the parties and strengthen support of minor child

Honors, Memberships, and Professional Activities

Completed Virtual ADR training conducted by the JAMS Institute, the training arm of JAMS.

Memberships and Affiliations

- Member, Board of Directors, Association of Attorney-Mediators, 2021–2024
- Approved Arbitrator, Office of Insurance Commissioner (OIC), Washington State, 2022–present
- Member, American Health Law Association, 2022–present
- Arbitrator, Balance Billing Arbitration Panel, Commonwealth of Virginia State Corporate Commission, 2021–present
- Member, Texas Department of Insurance Independent Dispute Resolution Balance Billing Program, 2020–present
- Member, Planning Committee, North Texas Probate Bench Bar Conference, 2020
- Board Member, Probate Section Board, Collin County Bar Association, 2018–2021
- Board Member, Texas Mediator Credentialing Association, 2018–present
- Board Member, University of Michigan Club of Dallas, 2017–present
- Council Member, ADR Section, State Bar of Texas, 2016–2021
- Member, Probate Section, Dallas Bar Association, 2016–2020
- Member, ADR Section, Dallas Bar Association, 2014–2018
 - Chair, 2017
- Member, North Texas Chapter, Association of Attorney-Mediators, 2013–present
 - Officer, 2015–present

Selected Awards and Honors

- Credentialed Distinguished Mediator, Texas Mediator Credentialing Association, 2022
- Volunteer of the Month, Dallas Court Dispute Resolution Center, December 2021
- Credentialed Advanced Mediator, Texas Mediator Credentialing Association, 2019
- Spirit Award, Dallas County Dispute Resolution, 2018
- Trailblazer Award, Dallas County Dispute Resolution Center, 2015
- Credentialed Distinguished Mediator, Texas Mediator Credentialing Association, 2013–2014

Selected Publications

- “Crossing Cultural Boundaries in Mediation,” Dallas Bar Association, *Headnotes*, 2018

Selected Presentations

- Panelist, Estate Planning/Probate Section Meeting, Collin County Bar Association, “Simplifying the Uncontested Prove-Up Probate Process,” March 2022
- Presenter, ADR Section, State Bar of Texas, “The Mediator’s Toolbox,” January 2022
- Speaker, 2021-2022 Season Opener, Mediation Association of Northeast Ohio (MANO), October 2021
- Presenter, 17th Annual Symposium, Texas Mediator Credentialing Association, “Back to the Future Part IV: Returning to a 'New Normal',” October 2021
- Presenter, Alamo Area Mediators Association, “Back to the Future Part IV: Returning to a 'New Normal',” August 2021
- CLE Presenter, ADR/Negotiation Course, Texas A&M University School of Law, August 2021
- Presenter, ADR Section, Dallas Bar Association, “Keeping the Peace During Times of Racial, Political, Cultural and Social Strife,” 2021
- Presenter, Mediator Training Class, University of North Texas at Dallas College of Law, “Mediation Theory, Practice and Communication Skills of the Mediator,” 2021
- Panelist, Texas Mediator Credentialing Association, “Covering the Basics: New Mediator Q&A,” 2021
- Presenter, Association of Attorney-Mediators, “Avoid Bias: How to Maintain Your Status as an Impartial Mediator During Times of Racial, Cultural and Social Strife,” 2020
- Presenter, Dallas County Dispute Resolution Center, “MSA Drafting Tips Avoiding Post-MSA Litigation and Online Mediations: Breakout Rooms and MSA Signing in Zoom,” 2020
- Panelist, ADR Section, Dallas Bar Association, The Impact of COVID-19 on Mediations, 2020
- Presenter, “5 Steps to a Successful Probate Mediation,” North Texas Probate Bench Bar Conference, 2020
- Panelist, ADR Section, Dallas Bar Association, Issues Regarding Mediation and Arbitration, 2020
- Moderator, “It’s Intergenerational: The Differences Within Ourselves,” Texas Mediator Credentialing Association Symposium, 2020
- Presenter, “Resuscitation of Mediation: Remediation,” Association of Attorney-Mediators Annual Conference, 2019
- Moderator, “Diversity in Mediation,” Texas Association of Mediators Annual Conference, 2019
- Moderator, “Crossing Cultural Barriers: Multiple Perspectives on the Impact of Culture and Diversity in Mediation,” Advanced ADR Course, ADR Section, State Bar of Texas, 2018

Background and Education

- Co-Founder and Mediator, Mediators360, 2013–2020
- President, Bulmash Mediations LLC, 2003–2020

- Litigation Specialist, Hanover Insurance / Citizens Insurance / Allmerica Financial, 1995–2001
- Associate; Zamler, Mellen & Shiffman, P.C.; 1992-1995
- Associate; Phelan, Pope & John, Ltd.; 1989-1990
- J.D., Boston University School of Law, 1989
- B.A., University of Michigan, Honors, 1986
- Bar Admissions: Illinois, Michigan, New York, Ohio and Texas

Counsel Comments

- *"Lis Bulmash is an amazing mediator! She does more prep than any mediator I've ever used. JAMS is lucky to have her!"*
- *"Lis is the most prepared mediator I've ever worked with. Prior to our mediation, she called all counsel and familiarized herself with every detail of our case. This preparation was the key to settling our difficult case."*
- *"Lis did a phenomenal job mediating our difficult guardianship case. She spent the time and went the extra mile preparing for the mediation by calling all the attorneys ahead of time. This allowed her to understand everyone's position prior to the mediation, which allowed us extra time to work through the details and successfully settle the case."*
- *"I whole-heartedly endorse Lisbeth. She handled a complex probate controversy in only a half-day mediation. It was truly an amazing experience."*

News

- September 29, 2020
Lisbeth M. Bulmash, Esq., Joins JAMS in Dallas
<https://www.jamsadr.com/news/2020/lisbeth-m-bulmash-esq-joins-jams-in-dallas>

Events

- January 14, 2022
20th Annual Advanced Alternative Dispute Resolution Course
<https://www.jamsadr.com/events/2021/advanced-alternative-dispute-resolution>
- October 23, 2021
17th Annual Symposium
<https://www.jamsadr.com/events/2021/texas-mediator-credentialing-association-17th-annual-symposium>
- March 18, 2021
Keeping the Peace During Times of Racial, Political, Cultural and Social Strife

<https://www.jamsadr.com//events/2021/keeping-the-peace-during-times-of-racial-political-cultural-and-social-strife>

- December 11, 2020
Six Suggestions for Virtual Mediation Success
<https://www.jamsadr.com//events/2020/six-suggestions-for-virtual-mediation-success>
- December 2 - 4, 2020
A Virtual Tour of Zoom: A Hands-on Tutorial on Utilizing Zoom in a Mediation Session
<https://www.jamsadr.com//events/2020/a-virtual-tour-of-zoom>
- October 6, 2020
Avoid Bias: How to Maintain your Status as an Impartial Mediator During Times of Racial, Cultural and Social Strife
<https://www.jamsadr.com//events/2020/avoid-bias-how-to-maintain-your-status-as-an-impartial-mediator-during-times-of-racial-cultural-and-social-strife>

Publications

- May 17, 2022
How Best to Resolve Conflicts in the Health Care Setting
<https://www.jamsadr.com//blog/2022/how-best-to-resolve-conflicts-in-the-health-care-setting>
- November 12, 2021
[PODCAST] JAMS Neutrals on the Evolution of Trusts and Estates Disputes and Considerations for Selecting the Right Mediator
<https://www.jamsadr.com//blog/2021/podcast-jams-neutrals-on-the-evolution-of-trusts-and-estates-disputes-and-considerations-for-selecting-the-right-mediator>
- October 1, 2021
COVID Considerations when Choosing ADR Format
Dallas Bar Association
<https://www.jamsadr.com//blog/2021/bulmash-dbaheadnotes-covid-considerations-when-choosing-adr-format-2021-10>
- October 8, 2020
Mediation Can Offer Impartiality During Times of Racial, Cultural and Social Strife
Texas Lawyer
<https://www.jamsadr.com//files/uploads/documents/articles/bulmash-texaslawyer-mediation-can-offer-impartiality-during-times-of-racial-cultural-and-social-strife-2020-10-08.pdf>

Practice Areas

- Arbitration
- Business & Commercial
- Employment Law
- Estates/Probate/Trusts
- Family Law
- Health Care
- Higher Education & Title IX
- Insurance
- Personal Injury/Torts
- Professional Liability
- Real Estate & Real Property

Locations

- Dallas, Texas
- Houston, Texas

Available nationwide ›

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