

**RETIRED JUDGE DANIEL EMERSON NASTRO
DISPUTE RESOLUTIONS**

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- 1955 Graduated St. Peter's College Cum Laude
1959 J.D., Fordham Law School
- 1971-85 Hearing officer for Board of Medical Examiners and Dental Examiners;
and Departments of Health Services, Liquor, Real Estate and Insurance
1974-75 On call Court Commissioner for Maricopa County Superior Court
1980-85 Judge Pro Tempore for Maricopa County Superior Court, served in
Criminal, Civil, Special Assignment and Domestic Relations
- 1985-99 Appointed to Maricopa County Superior Court, served in Criminal, Civil,
Special Assignment and Domestic Relations.
Chairman of Judicial Selection Advisory Board for Phoenix Municipal
Court 1987 - 1997
Chairman Indigency Determination/Contribution Attorney's Fees
Committee - 1991
- Participant in Maricopa County Superior Court Mandatory Settlement
Conference Project, which led to adoption of Maricopa County Superior
Local Rule 3.11. Served on the faculty of the Settlement Conference
Seminars for Superior Court Judges statewide
- 1990-96 Presided over experimental binding, advisory, interactive summary jury
trials with inclusion of high-lows. These are now known as mini or short
trials that can also have a high-low factor.
- 1992 Recipient of the Hon. Henry S. Stevens Award presented by the Maricopa
County Bar Association for Outstanding Service to the Legal Profession.
- 1993 County Bar Association for Outstanding Service to the Legal Profession.
- 1995 Jurist of the Year Award presented by the Arizona Trial Lawyers
Association and the Arizona Association of Defense Counsel
- 1999 Retired from Maricopa County Superior Court.
Presently operating Daniel E. Nastro Dispute Resolutions covering private
mediation and arbitration services
Recipient of Appreciation for Outstanding Service from American Board
of Trial Advocates

Daniel E. Nastro Dispute Resolutions

While presiding over my civil calendar in Maricopa County Superior Court in the late 1980s, and working to balance my division's case load, I was trying to find a way to keep my calendar solvent. Frequently, two cases would become due for trial on the same day. One would be transferred to the Case Transfer Division for reassignment to another Judge. Many times, the Case Transfer Division, could not timely find another judge to handle the case and would transfer that case back to the original trial judge to be reset for trial at a later date. These cases were experiencing heavy cost for cancelling their expert witnesses, as well as all other expenses.

During my experimental period of introduction of settlements conferences into Arizona, I developed other avenues to enhance arriving at a full agreement. When a settlement case was deadlocked, I utilized advisory summary juries enabling the attorneys to discuss their positions with the jurors to obtain insight into the risk potential and then assess the feasibility of settlement. Each side had 45 minutes to present their most critical facts to the four person jury. Later, we added the Binding Summary Jury Trials with a high/low and Interactive Jury Trials, still with an expedited time frame of one-two days. In the latter situation, the jurors would hear the agreed upon evidence in a condensed manner, then deliberate, and when they were sufficiently grounded in the case and its issues, return to the Court for further discussion and analysis of the issues deemed critical with the attorneys. Despite the comparative shortness of the trial, attorneys opined that they had never tried a case so completely with the knowledge that the jurors had fully considered all issues. Jurors' post hearing letters applauded the efficiency and effectiveness of the procedures and were pleased to have provided the service to the Court.

Today, Settlement Conferences, Mini Trials and Summary Jury Trials are routinely utilized resulting in reduced cost to the parties and the elimination of Court congestion. Hi/Lows are added by the attorneys with stipulated terms.