



## Gerald S. Clay

### Senior Counsel

Gerald S. (Jerry) Clay is a 50-year construction industry legal veteran. A founding partner of the law firm. Today, he primarily focuses on partnering facilitation, a process which prevents problems from escalating into disputes.

He has used partnering facilitation successfully for construction industry projects as well as other group endeavors outside of construction. In 1997, for example, he worked to bring together stakeholders from the Hawaii visitor industry to design legislation that included the creation of the Hawaii Tourism Authority (HTA) and the Transient Accommodations Tax (TAT). He has also partnered a number of incoming boards of directors, including the Hawaii State Bar Association incoming directors in 2013.

Beyond partnering facilitation, Mr. Clay addresses the continuing needs of developers, design professionals, contractors, subcontractors, engineers, material suppliers and sureties – both large and small.

He also assists investors who have lost money as a result of fraud, negligence or other wrongful acts committed by stockbrokers and financial planners.

Co-author of the popular book “Before You Sue” introduction to mediation, he has also published many learned articles and books on mediation, arbitration, and partnering facilitation. Today, he is a recognized pioneer in applying alternative dispute resolution and prevention to construction and business.

A graduate of the University of Michigan School of Law, Mr. Clay received his bachelor’s degree in business administration from the University of Pittsburgh. He is an adjunct professor at Hawaii Pacific University’s MBA program and has served as adjunct professor at the University of Hawaii Law School, teaching construction law.

Mr. Clay is a popular and frequent lecturer on the topics of mediation and construction law.

### Associations & Memberships

- Hawaii State Bar Association
- American Bar Association
- American Arbitration Association
- Dispute Prevention & Resolution, Inc.
- General Contractors Association of Hawaii
- Public Investors Arbitration Bar Association
- The National Academy of Distinguished Neutrals
- The American College of Civil Trial Mediators
- The International Partnering Institute
- Honolulu Rotary Club

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English

Alternative Dispute Resolution  
Construction Law  
Securities & Stockbroker Fraud

Construction  
Energy & Utilities  
Insurance  
Manufacturing  
Retail

# Gerald S. Clay

Partner

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English

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## Admission

Hawaii State Bar (1974)  
United States District Court for the District of Hawaii (1974)

## Education

J.D. (1967), University of Michigan School of Law  
Bachelors in Business Administration (1963), University of Pittsburgh

## Awards & Recognition

U.S. News Best Lawyers in America – 2017 Lawyer of the Year (Construction Law, Honolulu, Hawaii)  
U.S. News Best Lawyers in America (2017)  
Rated by SuperLawyer  
Honolulu Magazine's – Best Lawyers  
Author of *Before You Sue (an introduction to mediation book)*  
Author of *The Complete Guide to Creative Mediation* (as published in the AAA Handbook on Mediation)  
Author of *Mediation: Justice without Going to Court*, Hawaii Bar Journal, May 2016

