Print Form

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

APPLICATION FOR APPOINTMENT AS NEUTRAL

In accordance with Rule 16.2 of the Local Rules of the Western District of Pennsylvania (effective June 1, 2006 for Judges Ambrose, Cercone, Hardiman and Schwab), I am applying to be added to the list(s) of neutrals with the United States District Court for the Western District of Pennsylvania. I have reviewed the Alternative Dispute Resolution Policies and Procedures (found on the Court's web site, *www.pawd.uscourts.gov*) and am supplying the following information in support of this application:

Please check the type(s) of neutral you are applying to be:

____***Mediator*** ____***Early Neutral Evaluator*** ____***Arbitrator***

Please complete the attached Certification of Experience

1. Name: _____

Office Address: _____

E-Mail Address (**required**): _____

Firm Affiliation (if any): _____

Office Phone: _____

2. Year admitted to practice before:

A. Pennsylvania Supreme Court _____

B. United States District Court Western District of Pennsylvania _____

3. Date admitted to practice before the highest court of a state other than Pennsylvania or the District of Columbia.

Court: _____ Date of Admission: _____

4. Set forth briefly in chronological order, with dates, the nature of your practice since admission to the Bar.

5. If any response to the following questions is yes, please explain circumstances on a separate sheet and attach.

a.) Have you ever been disciplined for violation of any code of professional ethics or responsibility?

_____

b.) Have you ever been found guilty of a felony? _____

c.) Have you ever been found liable for fraud or any other intentional tort? _____

d.) Have you ever had a professional license revoked or suspended other than for non-payment of dues? _____

e.) Have any legal malpractice judgments been entered against you? _____

6. Check all areas of legal practice or experience which best describe your legal background and indicate the percentage of your practice each type comprises.

____ Administrative Law	____ Admiralty	____ Business Litigation
____ Civil Rights	____ Contracts	____ Environmental Law
____ Insurance	____ Intellectual Property	____ Judicial Officer
____ Labor/Employment	____ Personal Injury	____ Personal Property
____ Products Liability	____ Professional Liability	____ Real Property
____ Tax	____ Antitrust	

7. Please indicate the divisions in the Western District in which you would be willing to serve as a neutral:

____ Erie ____ Pittsburgh ____ Johnstown

8. Which of the following best describes your present practice of law? Check One

____ My practice primarily consists of representing defendants.

____ My practice primarily consists of representing plaintiffs.

____ My practice is evenly split between plaintiffs and defendants.

9. My experience as an arbitrator, mediator, evaluator, court-appointed master, or other officer rendering service in a similar capacity is summarized below. (If more space is needed, send additional pages as attachments.)

10. Have you ever represented a party in a case that went to any form of Alternative Dispute Resolution (ADR)? If so, check:

Federal: _____ State: _____

Year: _____ What court: _____

Type of ADR forum: _____

Number of times you have been exposed to ADR _____

(arbitration, mediation, EEOC, etc.)

11. Please set forth all information regarding your **formal** training in alternative dispute resolution including a description(s) of the course(s) taken, number of hours, where and when it was given, and by what sponsoring organization. (If more space is needed, send additional pages as attachments.)

12. Please state /explain your rate of compensation for each type of ADR this application addresses.
Note that arbitration rates were set by Judicial Conference at its September 1990 meeting as per 28 U. S.C. sec. 658.

13. Are you willing to volunteer as a neutral without compensation from time to time for cases wherein the judicial officer has determined the parties are unable to pay for ADR?

____Yes ____No

14. Are you willing to provide training for mediators and other neutrals?

____Yes ____No

15. Please list the number and type of cases wherein you have served as a neutral. *(*Please indicate the type of ADR, i.e., mediation, evaluation, arbitration*)*

16. Do you carry insurance coverage for your ADR practice?

____Yes ____No

17. Please indicate any time restraints that may effect your availability.

18. If you are accepted as a neutral, you will be required to attend annual court-sponsored Orientation. Do you agree to participate?

____Yes ____No

19. Do you agree to abide by the Court's ADR Policies and Procedures?

____Yes ____No

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature: _____ Date: _____

- If you are a registered user of the Western District of Pennsylvania's ECF system, you must electronically sign the application and certification using the s/.
- If you are not a registered user of the ECF system, you must sign the application and certification, scan both of them as PDF documents.

Email both documents as attachments to: **PAWD_ADRCoordinator@pawd.uscourts.gov**

(Continue to CERTIFICATION OF EXPERIENCE on the next page.)

For Internal Use
A/NA_____

CERTIFICATION OF EXPERIENCE

Each person serving as a neutral in a Court ADR program shall be a member of the bar of this Court, a member of the faculty of an accredited law school, or be approved by this Court to serve as a neutral and be determined by a committee of Judges to be competent to perform the applicable duties, and shall successfully complete initial and periodic orientation as required by the Court. Additional minimum requirements for serving on the Court's panel of neutrals, which the Court may modify in individual circumstances for good cause, are as follows:

Please check the type of mediator to which you are applying:

Mediators.

_____ **Attorney Mediators.** Mediators who are attorneys shall have been admitted to the practice of law for at least 7 years and shall have:

- **i.** substantial experience with civil litigation in federal court;
- **ii.** completed 40 hours of mediation training, including training in the facilitative method of mediation;*
- **iii.** experience mediating at least five cases; and
- **iv.** strong mediation process skills and the temperament and training to listen well, facilitate communication across party lines and assist the parties with settlement negotiations.

* _____ If you do not currently have 40 hours of mediation training, you agree to obtain such training before 12/31/07. (Check if appropriate)

_____ **Non-attorney Mediators.** Non-attorney mediators may be appointed to a case only with the consent of the parties. Mediators who are not attorneys may be selected to serve on the Court's panel of mediators if they are knowledgeable about civil litigation in federal courts and have:

- **i**. appropriate professional credentials in another discipline;
- **ii.** 40 hours of mediation training, including training in the facilitative method of mediation;
- **iii**. experience mediating at least five cases; and
- **iv.** strong mediation process skills and the temperment and training to listen well, facilitate communication across party lines and assist the parties with settlement negotiations.

Early Neutral Evaluators.

_____ Evaluators shall have been admitted to the practice of law for at least 15 years and shall have:

- **a.** substantial experience with civil litigation in federal court;
- **b.** substantial expertise in the subject matter of the cases assigned to them; and
- **c.** the temperament and training to listen well, facilitate communication across party lines and, if called upon, assist the parties with settlement negotiations.

Arbitrators.

_____ Arbitrators shall have been admitted to the practice of law for at least 10 years and shall have:

a. For not less than five years, committed 50% or more of their professional time to matters involving litigation; or
b. Substantial experience serving as a neutral in dispute resolution proceedings.

I HEREBY CERTIFY THAT I MEET THE MINIMUM REQUIREMENTS FOR THE NEUTRAL SELECTIONS ABOVE. I FURTHER CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

IF APPLYING TO BE AN ATTORNEY MEDIATOR AND YOU DO NOT CURRENTLY HAVE THE REQUISITE 40 HOURS OF TRAINING, YOU AGREE TO OBTAIN SUCH TRAINING BY DECEMBER 31, 2007.

- If you are a registered user of the Western District of Pennsylvania's ECF system, you must electronically sign the application and certification using the s/.
- If you are not a registered user of the ECF system, you must sign the application and certification, scan both of them as PDF documents.

Email both documents as attachments to: **PAWD_ADRCoordinator@pawd.uscourts.gov**

Signature: _____ Date: _____