

## **Profession:**

Mediator, Arbitrator, Approved Trainer, Hearing Officer & Adjunct Law Professor

## **Work History:**

Partner and Co-founder, Associates in Dispute Resolution LLC, 1999-present; Adjunct Professor, Alternative Dispute Resolution (Interviewing & Counseling, Negotiation, Mediation and Arbitration) Washburn University School of Law, Spring Semesters 2007-2012; Special General Counsel/Legislative Liaison, Midland Group, 1990-03; General Counsel/Litigation Director, Kansas Legal Services, Inc., 1973-01; Litigation Director, Farmer Assistance Counseling and Training Service (FACTS), 1984-01; Director/Mediation Coordinator, Midland Mediation & Settlement Services, 1995-01; Officer, United States Air Force, 1966-70.

## **Alternative Dispute Resolution Experience:**

Has served as a Mediator/Arbitrator in more than 4,500 matters arising in federal, state and administrative agencies. These matters include civil rights, commercial law, consumer fraud, consumer protection violations, contract law, constitutional law, construction law, corporate dissolution, domestic relations, domestic relations division of assets, employment law, environmental law, fair debt collection practices, fair housing, FSLA, insurance claims/bad faith, international disputes, material and latent defects, malpractice, labor law, lemon law, personal injury, public policy residential construction, real estate, truth-in-lending, workers' compensation, Section 1981 and 1983, toxic tort, regular education/special education disputes, securities, water law issues, wills, trusts and estates, zoning disputes, and design and development of internal dispute resolution systems. Settlements have ranged from a few thousand dollars to several million dollars.

Approved by the Kansas Supreme Court as a mediator and mediator trainer in all categories. Serves on arbitration panels for the American Arbitration Association, FINRA and National Arbitration Forum. Certified by the Kansas Department of Education as an approved special education mediator and due process hearing officer.

## **Multi-Party Dispute Resolution Experience:**

Resolved numerous collective/class actions involving consumer/merchandising practices act violations, employment discrimination; FSLA; multi-party cases involving asbestos contaminants, personal injury, toxic tort, product liability and contract/construction disputes.

## **Litigation Experience:**

More than 27 years' civil litigation experience in state and federal courts. Primary areas of practice include civil rights, constitutional law, and general civil litigation. Has successfully litigated several class action civil rights matters in both state and federal court, including the establishment of due process rights for individuals facing mental health commitment, and conditions-of-confinement in state and local institutions. Has served as lead trial counsel in hundreds of federal and state trial proceedings and administrative law matters including: civil rights, contract law, consumer fraud, consumer protection violations, corporate liability issues, constitutional law, domestic relations, fair debt collection practices, fair housing, material and latent defects, lemon law, Native American law, residential contract and construction, real estate law, truth-in-lending, Section 1983, and special education disputes.

## **Professional Licenses:**

Admitted to the Bar: Kansas and Missouri  
U.S. Court of Appeals, Tenth Circuit  
U.S. District Court: District of Kansas  
U.S. District Court: Western District of Missouri  
Kickapoo Tribal Court

## **Professional Associations:**

American Bar Association (Dispute Resolution, Labor & Employment, Tort Trial & Insurance Section, Trial Tort & Insurance Sections, Immediate Past-Chair Family Law Section ADR Committee)  
American Arbitration Association (Commercial & Employment Panels);  
FINRA Dispute Resolution;  
International Academy of Mediators (Distinguished Fellow & Governor)  
International Mediation Institute  
Chair, Kansas Supreme Court's Council on Dispute Resolution  
Kansas Appleseed (Board of Directors)  
Kansas Bar Association (Alternative Dispute Resolution Section, Past-President);  
Kansas Association of Counsel for Children (Past-President);  
Kansas Trial Lawyers Association;  
Topeka Bar Association (Alternative Dispute Resolution Committee, Past-Chair);  
Kansas Supreme Court Advisory Committee on Dispute Resolution  
Kansas Supreme Court Advisory Committee on Child Support Guidelines  
Kansas Supreme Court Advisory Committee on High-Conflict Dispute Resolution  
Kansas City Metropolitan Bar Association;  
Heartland Mediators Association  
Mediators Without Borders, Charter Member  
National Academy of Distinguished Neutrals, Charter Member  
National Arbitration Forum

## **Education:**

Washburn University (BBA, 1966);  
Washburn University School of Law (JD, 1973);  
University of Washington School of Law (LLM, 1976).

## **Recent Publications:**

Author, *AC Resolution, Developing Opportunities for Experienced Mediators to Improve the Mediation Profession*, Summer 2015, Vol. 14, No. 3.  
Co-author, *Mediating the Multi-Party Fair Labor Standards Act Case: Terminology, Tactics & Traps*, American Bar Association Spring Section Meeting, 2014.  
Author, *Successful Settlements that Last: How Mediation Best Practices Techniques Can Improve Your Settlement Strategy*, Trial Tort & Insurance Section Committee News, Fall 2011.  
Co-author, *Discrimination in the Workplace: How Mediation Can Help* American Arbitration Association Journal, February-April, 2000 (republished as a Chapter in the Handbook on Employment Arbitration in ADR, Second Edition, Jurist, LLC 2010)  
Author, *The Evolution of Commercial Mediation in the Midwest: Best Practices, Confidentiality and Good Faith*, Journal of the Kansas Bar Association, January 2010;  
Co-author, *Mediation Round Table: Improving the Quality and Effectiveness of Mediation*, Kansas Trial Lawyers Association Journal, Volume 26, Number 4, March 2003.  
Co-author, *The Changing Face of Arbitration: What Once Was Old is New Again*, Journal of the Kansas Bar Association, August, 2003

## Recent Awards:

Has received the Governor's Award for Exemplary and Distinguished Service to Children and Families.

He was elected in 2011 as Chair of the Kansas Supreme Court's Dispute Resolution Council

He has twice received the Kansas Bar Association's Outstanding Service Award.

He is a 2009-2019 *Super Lawyer* in Kansas and Missouri.

He is a 2011-2019 Who's Who of International Commercial Mediators

Best Attorneys in America 2015-2019

U.S. News "Best Law Firm" 2015-2019

## Speaking Engagements (2018-2013):

Adjunct Professor, Alternative Dispute Resolution (3-hour Course), Washburn University

School of Law, Winter-Spring, 2007, 2008, 2009, 2010, 2011 and 2012.

### 2018

- Washburn University School of Law, *Alternative Dispute Resolution & Child Advocacy*, Topeka, Kansas, January 19, 2018
- International Academy of Mediators – Mentee Webinar, *Utilizing Co-Mediation to Enhance Settlement Opportunities*, online training, March 28, 2018
- Kansas Bar Association, *Swimming with the Sharks: Negotiation Ethics for Guppies*, Topeka, Kansas, November 9, 2018
- International Academy of Mediators, *Mediation Preparation and Pre-Mediation Conferences*, Zurich, Switzerland, November 15, 2018

### 2017

- ABA Dispute Resolution Spring Conference, *The Challenge: Achieving Uniformity in State ADR Law*, April 21, 2017, San Francisco, California.
- Kansas Women Attorneys Association, Annual Conference, *Attorneys Currently in the Kansas Senate*, Wichita, Kansas, July 21, 2017.
- Kansas Bar Association, *Lawyer to Legislator*, Topeka, Kansas, August 23, 2017.
- Associates in Dispute Resolution, Annual CLE/CME, *Dispute Resolution Outside the Box*, Topeka, Kansas, September 29, 2017.
- Missouri Bar Association, *Swimming with the Sharks: Negotiation Ethics for Guppies*, Webinar, Topeka, Kansas, October 18, 2017.
- Missouri Bar Association, *ADR 101: Helping your Client Succeed without Going to Court – Arbitration 101*, Webinar, Topeka, Kansas, November 15, 2017.
- Kansas Bar Association, *Strategic Decision-Making in Preparing to Mediate Multi-Party Disputes*, Topeka, Kansas, December 1, 2017.
- Washburn School of Law, *Update on Dispute Resolution and Case Management Rules*, Topeka, Kansas, December 8, 2017.

### 2016

- Washburn University School of Law, *Alternative Dispute Resolution and Child Advocacy*, Topeka, Kansas, January 8, 2016.
- Heartland Mediators Association, *Scope and Design of Modern Corporate Dispute Resolution Systems*, Kansas City, Missouri, February 5, 2016,
- Arbitration and Mediators Institute of New Zealand, Inc., *Mediating Multi-Party Disputes, 21<sup>st</sup> Century Problem Solving*, AMINZ/IAM Conference, New Zealand, March 5, 2016.
- ABA Section of Dispute Resolution Spring Meeting, *Family Law Arbitration: An Idea Whose Time Has Come?* New York, New York, April 8, 2016.
- Heartland Mediator's Association, *Ethics in Parenting Coordination and Parenting Plans*, Topeka, Kansas, April 29, 2016.
- Missouri Bar Association, *Employment Mediation Secrets*, Lawrence, Kansas, June 17, 2016.
- Missouri Bar Association, *Mediation Secrets, Understanding the Special Dynamics of Employment Litigation*, Independence, Kansas, June 26, 2016.
- Kansas City Metropolitan Bar Association, *Maximizing your Effectiveness in Mediation*, Kansas City, Missouri, June 30, 2016.

- Kansas Bar Association, ADR CLE, *Taming the Octopus: What Litigators and Mediators Need to Know to Successfully Mediate the Multi-Party Fair Labor Standards Act Case*, November 18, 2016, Topeka, Kansas.
- Washburn Case Management Training, *Family Law ADR According to the Robed Ones*, November 10, 2016, Topeka, Kansas.
- Wichita Bar Association, *An Overview of Arbitration*, December 7, 2016, Wichita, Kansas.

## 2015

- Washburn University School of Law, Topeka, Kansas, presenting *Parenting-Time Dispute Resolution Techniques*, January 16, 2015
- University of Kansas School of Law, presenting *Commercial Mediation Best Practices*, Lawrence, Kansas, March 6, 2015.
- American Bar Association, Dispute Resolution Section Spring Meeting, presenting *Access to Justice Family Law Dispute Resolution Techniques*, Seattle, Washington, April 15-19, 2015
- Washburn University School of Law, Children and Family Law Center, 9<sup>th</sup> Annual Case Management Training, *The Mediation Half of Case Management*, Topeka, Kansas, August 13, 2015.
- Kansas Bar Association, Dispute Resolution Section, *A Litigators Guide: Preparing for Mediation* (webinar), Topeka, Kansas, August 27, 2015.
- National Employment Lawyers Association of KC, *Employment Mediation: A Mediator's Perspective*, October 1, 2015, Kansas City, Missouri.
- Associates in Dispute Resolution LLC Fall Conference, *Hot Topics in Dispute Resolution*, presenting *Considerations When Mediating the Complex Multi-Party FLSA Case*, Topeka, Kansas, October 9, 2015.
- Kansas City Chapter of National Employment Lawyers Association, *Preparing for Litigation*, Panel Discussion, Kansas City, Missouri, October 15, 2015.
- KIPCOR, Limited Case Management Review, Newton, Kansas, October 28, 2015.

## 2014

- Washburn University School of Law, Topeka, Kansas, presenting *Alternative Dispute Resolution and Child Advocacy*, January 6, 2014
- American Bar Association, Dispute Resolution Section, presenting *Mediating the Multi-Party Fair Labor Standards Act Case*, Miami, Florida, April 4, 2014
- University of Kansas School of Law, presenting *Mediation Best Practices*, Lawrence, Kansas, April 11, 2014.
- Washburn University School of Law, Topeka, Kansas, presenting *Domestic Case Management Guidelines*, August 14, 2014.
- Federal District Court, Western District of Missouri, presenting *Mediating Class and Collective Actions in Multi-Party Cases*, Kansas City, Missouri, September 24, 2014.
- Washburn University School of Law, Topeka, Kansas, presenting *ADR Best Practices and Ethics CLE*, November 14, 2014

## 2013 and Prior Years

For additional speaking engagement events, please visit our web site at [www.adrmediate.com](http://www.adrmediate.com)

## **Advanced Dispute Resolution Training:**

Has completed three separate 40-hour civil mediation training programs provided by the Kansas Bar Association; Kansas Department of Education, Special Education Mediation Training and Due Process Hearing Officer Training. U.S. Postal Service "Redress" Mediation Training, St. Louis, Missouri; U.S. Department of Justice, ADA Mediation Training, St. Louis, Missouri; U.S. District Court, Western District of Missouri, Advanced Mediation Training; and, Topeka Bar Association, Arbitration Training (40-hour).

Other advanced dispute resolution training events in which he has participated:

### **2018**

International Academy of Mediators, 2018 Spring Meeting, Edinburgh, Scotland, May 20-12, 2018.

International Academy of Mediators, 2018 Fall Meeting, Cleveland, Ohio, October 4-5, 2018.

American Arbitration Association, *Health Care Dispute Resolution*, Nashville, Tennessee, October 12, 2018

### **2017**

U.S. District Court, Western District of Missouri, Mediation & Assessment Program—Advanced Training for Outside Mediators, October 27, 2017.

International Academy of Mediators, 2017 Fall Meeting, *The Future is Here*, Austin, Texas, November 2-4, 2017.

Lathrop & Gage LLP, Labor & Employment – Executive Briefing, Kansas City, Missouri, November 16, 2017

### **2016**

International Academy of Mediators, 2016 Fall Meeting, *Perspective is Everything*, Vancouver, Canada, September 22-24, 2016,

Tri-State Regional Special Education Conference, Omaha, Nebraska, November 3-4, 2016

### **2015**

American Bar Association, Dispute Resolution Section Spring Meeting, Seattle, Washington, April 15-19, 2015

Lathrop & Gage Continuing Legal Education Program, Kansas City, Kansas, March 6, 2015.

### **2014**

International Academy of Mediators, 2014 Spring Conference, Chicago, Illinois, October 23-25, 2014

Tri-State Regional Special Education Law Conference, Omaha, Nebraska, November 6-7, 2014.

### **2013**

International Academy of Mediators, 2013 Spring Conference, Toronto, Ontario, Canada, May 9, 2013.

American Bar Association, 15th Annual Section of Dispute Resolution Spring Conference, Chicago, Illinois, April 4, 2013

International Academy of Mediators, 2013 Fall Conference, Paris, France, September 19-21, 2013.

### **2012 and Prior Years**

For additional training events for 2011 and prior years, please visit our web site at [www.adrmediate.com](http://www.adrmediate.com)