

The College of Labor and Employment Lawyers

LEADERSHIP FOR GREATER PURPOSE

NEUTRAL FORM

A Fellow of the College of Labor and Employment Lawyers has provided this form to you as part of the process of nominating you as a neutral provider of dispute resolution services for membership in The College of Labor and Employment Lawyers. Please complete this form and return it to the nominator for submission to the College. The standards for admission to the College are high and admission is limited in number. Thus, a candidate may not be admitted in a given year for reasons wholly unrelated to his or her qualifications. If you are not selected, the nomination forms will be destroyed and any new nomination will be considered without regard to the prior forms.

The qualifications for election are set forth in Articles II and III of the By-Laws of the College. The By-Laws require that nominees have been in the field of labor and employment law for at least 20 years and have proven to their peers, the bar, bench and public that they possess:

- ◆ The highest professional qualifications and ethical standards;
- ◆ The highest level of character, integrity, professional expertise and leadership;
- ◆ A commitment to fostering and furthering the objectives of the College;
- ◆ Sustained, exceptionally high quality dispute resolution services to parties, bar, bench and public; and
- ◆ Significant evidence of scholarship, teaching, lecturing, and/or distinguished published writings on labor and employment law.

In addition to the traits described above, a Fellow is expected to display other traits in the day- to-day practice of law. The list below is by no means complete, but is provided to nominators and nominees for their guidance in determining whether a candidate meets the expectations for a Fellow.

A Fellow is an individual who:

- ◆ Would stand out as a model of professionalism in deportment and impartiality; a person who should be emulated by other providers of dispute resolution services;
- ◆ Has earned the respect of the labor and employment law bar, of the dispute resolution profession, and of the community;
- ◆ Displays civility to parties, witnesses, and advocates in providing dispute resolution services;
- ◆ Avoids allowing ideological differences to affect his or her provision of dispute resolution services;
- ◆ Competently manages parties' activities in negotiations, discovery, motion practice, hearings, and other dispute resolution proceedings;
- ◆ Keeps confidential information that parties have not authorized the individual to disclose;
- ◆ Acts in such a way as to facilitate the parties' resolution of disputed issues;
- ◆ In adjudicatory proceedings, decides issues impartially and consistently with the record and application law;
- ◆ Is a student of the law; and
- ◆ Actively participates in the Labor and Employment Bar and contributes to the advancement of the law.

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Part B - Nominee Form For Arbitrators, Mediators And Other Neutrals Who Do Not Serve As Advocates

(Directions: This form is specifically designed for neutral providers of dispute resolution services. If, in addition to those services, you also represent clients as an advocate or did so within the past ten years, you must also complete question number 19.)

1. Your full name:
 2. Describe briefly the type of dispute resolution services you provide:
 3. Your office address, telephone, fax and email:
 4. Your residence address, telephone, fax and email (*not required but desired*):
 5. Your place and date of birth:
 6. Your undergraduate and legal education (degrees obtained, schools, and years):
 7. State and year in which you were originally admitted to the Bar:
 8. Subsequent state and federal bar admissions and the year of admission:

9. The College Bylaws state that “any person who has substantially met the qualifications as described in Article II, Section 3 for a period of not less than twenty years (or such shorter period of time as the Board of Governors may from time to time establish), devoting at least fifty percent (50%) of his or her time to the practice of labor and/or employment law, shall be eligible for election as a Fellow and to have all the rights and privileges of Fellows.”

Please attach a resume which includes specific dates and descriptions of your work in the labor and employment law field to demonstrate you meet this requirement. A maximum of three years in a judicial clerkship position, during the first three years of practice, may count towards the twenty-year requirement that must be met by a candidate.

 Resume Attached

10. Bar association memberships and offices you have held:

11. Please provide your Martindale Hubbell rating if you have one:

12. Memberships and offices in other legal and dispute resolution organizations: *(For each organization, provide specific information about your service including duties performed, time commitment, roles and positions held.)*

13. List any additional professional organizations to which you have been admitted: *(For each professional organization, provide specific information about your service including duties performed, time commitment, roles and positions held.)*

14. Publications you consider significant or relevant: *(For each publication, include where and when it was published and your role in the drafting, editing and publication process.)*

15. Speeches or presentations regarding labor and employment law to bar and similar organizations you consider significant or relevant: *(For each speech or presentation, include specific information about the audience and your time commitment and role in preparation and delivery.)*

16. Do you know of any complaint that has been made against you to any ethics committee of the bar, or with any dispute resolution agency or professional organization or of any disciplinary action against you? If so, state the nature of the grievance, the name of the committee, the disposition thereof and any other facts that should be considered by the College in understanding the nature of the complaint and any mitigating circumstances that explain whether the complaint has/had any merit.

Have any sanctions been imposed against you by a court or arbitration agency or professional organization? If so, state the name of the case in which the sanction was ordered, the court or arbitral forum in which the case was pending, the basis for the sanction, the type of sanction imposed, and any other facts that should be considered by the College.

17. Please indicate any other information that may appear to reflect unfavorably on the consideration of you as a Fellow and, on a separate sheet, any explanation you would like the College to consider.

18. References are an extremely important part of the diligence phase. **The optimal reference is someone who has detailed first-hand knowledge of your substantive work, civility, integrity and overall contribution to the profession and the community.** Please confirm with all of your references, particularly judges, their willingness to provide a reference reply to the College's inquiry. Failure to do so may result in a deferral of your nomination. **Electioneering or campaigning is considered inappropriate and strongly discouraged.**

Please provide names, addresses, phone numbers and email addresses for eight lawyers, judges, parties or other persons who can attest to your professional standing, integrity and leadership in the profession and community based on their first-hand experience with you. Where appropriate a broad array of references, including parties who have used your services, both attorneys and non-attorneys, or bar or professional committee members you have worked with, is strongly encouraged **with an emphasis on the last ten years.** Active practitioners should include the names and addresses of four attorneys, indicating their practice area, who have appeared before you as part of your list of references. Please do not include the names of your nominators or colleagues. (*Please use additional paper if necessary.*)

19. If you also serve as an advocate, or did so within the past ten years, please consider the following additional traits relevant to that role, and then list at least three and no more than six additional lawyers, judges, clients or other persons who can attest to your professional standing, integrity and leadership in the profession and community in your role as an advocate. Include at least two regular adversaries. Do not include the names of your nominators or law partners. (*Please use additional paper if necessary.*)
- ◆ Would stand out to newer attorneys, as a model of professionalism in deportment and advocacy; a person who should be emulated;
 - ◆ Has earned the respect of the bench, opposing counsel and the community;
 - ◆ Displays mutual respect in an adversarial relationship;
 - ◆ Presents an accurate picture of outcomes to clients;
 - ◆ Avoids allowing ideological differences to affect civility in negotiations, litigation and other aspects of law practice;
 - ◆ Engages in complete but not excessive discovery;
 - ◆ Seeks and agrees to reasonable accommodations on matters such as continuances;
 - ◆ Knows the workplace and has an active interest in resolving employment issues;
 - ◆ Is a student of the law; who engages in negotiations with an objective of agreement; and
 - ◆ Pursues settlement at appropriate stages in a proceeding.
20. Please review the qualifications for membership, as stated in the by-laws, as well as the desirable traits that the organization has further identified for membership, and attach a brief statement of how you believe that you demonstrate these characteristics in your practice. Please select at least three characteristics to address with specificity in your statement, plus any additional information that you believe relevant to consideration of your nomination for admission to the College.

I hereby certify that I have reviewed my Nominee Form (Part B) with my nominator to ensure that it is complete and thorough; and I certify that, to the best of my knowledge and belief, the foregoing information is true.

Nominee

Date