



# RCBA Dispute Resolution Service, Inc.

*A Nonprofit Corporation*

4129 Main Street, Suite 100 | Riverside, CA 92501 | Phone (951) 682-2132 | Fax (951) 682-0106 | Email [drs@riversidecountybar.com](mailto:drs@riversidecountybar.com)

Christopher G. Jensen  
*President*

**Re: RCBA Dispute Resolution Service Panel Membership**

Michelle Ouellette  
*Vice President*

Dear Counsel:

Michael G. Kerbs  
*Chief Financial Officer*

Thank you for your interest in becoming a panel member of RCBA Dispute Resolution Service (DRS). In 1994, the Riverside County Bar Association formed this organization as a nonprofit corporation for the purpose of providing quality mediation and arbitration services at a reasonable rate in Riverside County and surrounding areas.

James O. Heiting  
*Director-at-Large*

Harry J. Histen  
*Director-at-Large*

In addition to providing private arbitration and mediation services directly to and for attorneys, insurance companies, and pro per litigants at the flat rate of \$300.00 per hour (split between the parties), DRS also has a contract with the County of Riverside to provide mediation services to the Riverside County Superior Court. Accordingly, our panel members are paid \$225 **per hour** for conducting private hearings directly through DRS, and \$150 **per case** for court mediations. (To be considered for panel membership for our private or court programs, please specify your interest on your application.)

Luis E. Lopez  
*Director-at-Large*

Elliott S. Luchs  
*Director-at-Large*

L. Alexandra Fong  
*RCBA President*

All applications are subject to review by the DRS Board of Directors. Prospective applicants must be an active attorney member, or a retired judge, with the State Bar of California and in good standing with the legal community. Additionally, DRS panel members must meet the following qualifications:

- Applicant must be an active member of the RCBA;
- Applicant must be licensed to practice law in California with at least 10 years of experience;
- Applicant must have 20 hours of mediation training/continuing legal education or 6 hours of mediation training/continuing legal education and 40 hours of experience as a mediator.

Enclosed herein please find a copy of the membership application. We have also included more information about the court mediation programs administered by DRS. Should you have any questions about our programs or application procedures, please do not hesitate to contact our office. Thank you kindly for your consideration.

Sincerely,

**RCBA Dispute Resolution Service, Inc.**

*Enclosures*



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## Arbitrator/Mediator Application

Check the program(s) you wish to participate in:

- DRS Court Settlement Conferences/Mediations
- DRS Arbitrations/Mediations

(Please Print)

### A. CONTACT INFORMATION

Name \_\_\_\_\_ CA State Bar # \_\_\_\_\_

Firm Name \_\_\_\_\_

Business Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email Address \_\_\_\_\_ Cell # \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_

### B. QUALIFICATIONS / BACKGROUND INFORMATION

1.) I am (check all applicable boxes):

- an active member of the State Bar of California for at least 10 years
- a member of the Riverside County Bar Association
- a retired judge in California

2.) Date Admitted to State Bar of California \_\_\_\_\_ Years of Active Bar Membership \_\_\_\_\_

I am also admitted to practice law in the states listed below:

State \_\_\_\_\_ Date Admitted \_\_\_\_\_ Bar # \_\_\_\_\_ Years of Active Membership \_\_\_\_\_

State \_\_\_\_\_ Date Admitted \_\_\_\_\_ Bar # \_\_\_\_\_ Years of Active Membership \_\_\_\_\_

Are you in good standing in each state where you are licensed to practice law?  Yes  No

If "No," provide an explanation here: \_\_\_\_\_

\_\_\_\_\_

3.) Mediation/Arbitration Training

<i>Organization</i>	<i>Course Title</i>	<i>Hours</i>	<i>Date(s)</i>

4.) Mediation/Arbitration Experience (List any affiliations with Dispute Resolution Providers)

<i>Organization</i>	<i>ADR Services You Provided (Mediation, Arbitration, Settlement)</i>	<i>Dates (Begin &amp; End)</i>

How many mediations of litigated cases have you mediated? \_\_\_\_\_

Have you ever been removed by a court as a mediator?  Yes  No

If "Yes," describe the circumstances including the court, the date you were removed and the reasons for your removal. \_\_\_\_\_

\_\_\_\_\_

Languages other than English in which you can conduct mediation \_\_\_\_\_

5.) Professional Background:

Please indicate the approximate number of Superior Court cases in which you have had principal responsibility in the last five (5) years:

Personal Injury \_\_\_\_\_ Business \_\_\_\_\_ Family Law \_\_\_\_\_

Other \_\_\_\_\_

Please indicate the approximate number of Superior Court cases you TRIED in the last five (5) years:

Personal Injury \_\_\_\_\_ Business \_\_\_\_\_ Family Law \_\_\_\_\_

Other \_\_\_\_\_

Have you ever been disciplined by the State Bar of California or by a bar association or other professional licensing entity in any state or by a court of record, including being sanctioned or held in contempt?

Yes       No

Have you ever been convicted or pleaded no contest to a felony or misdemeanor?  Yes       No  
(If "Yes," provide additional information in a separate attachment.)

Are you a defendant in any pending felony or misdemeanor proceeding?  Yes       No  
(If "Yes," provide additional information in a separate attachment.)

6.) Continuing Education: I understand that at least six (6) hours of continuing education or training every two (2) years, including recent developments in California mediation law, mediation ethics and mediation confidentiality are required and that I have a continuing duty to disclose my compliance to the DRS.

7.) Professional Liability: DRS will not defend or indemnify any ADR panelist who serves on our program. DRS panelists are encouraged to seek errors and omissions insurance from a qualified insurance provider.

8.) Types of matters I would take:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Bad Faith        | <input type="checkbox"/> Family Law                     | <input type="checkbox"/> Probate                  |
| <input type="checkbox"/> Bankruptcy       | <input type="checkbox"/> Insurance                      | <input type="checkbox"/> Products Liability       |
| <input type="checkbox"/> Business         | <input type="checkbox"/> Intellectual Property          | <input type="checkbox"/> Professional Malpractice |
| <input type="checkbox"/> Construction     | <input type="checkbox"/> Landlord/Tenant                | <input type="checkbox"/> Real Property            |
| <input type="checkbox"/> Contract         | <input type="checkbox"/> Lemon Law                      | <input type="checkbox"/> Tort Law                 |
| <input type="checkbox"/> Employment/Labor | <input type="checkbox"/> Medical Malpractice            | <input type="checkbox"/> Other _____              |
| <input type="checkbox"/> Environmental    | <input type="checkbox"/> Personal Injury/Wrongful Death | _____   |

9.) If selected as a mediator/arbitrator, I would like my fees paid to:

- Myself (Tax ID # \_\_\_\_\_)
- My Law Firm (Tax ID # \_\_\_\_\_)
- Public Service Law Corporation (*RCBA's free legal clinic*)

10.) Please attach a copy of your Curriculum Vitae.

I have read and will abide by the RCBA Dispute Resolution Service Mediation/Arbitration Rules and Procedures. I understand and agree that all matters assigned to me through the Dispute Resolution Service (DRS), including mediations, arbitrations or Court Mediations/Settlement Conferences, shall be conducted only in coordination with DRS and in accordance with its rules and procedures. Any continuing or future services that I perform in connection with any matter originally assigned to me through DRS shall be referred to and arranged through DRS. All payments for such continuing or future services shall be made by the parties to DRS, and I shall not solicit nor accept direct payment for services provided in connection with matters related to assignments through the Dispute Resolution Service.

I certify that the information provided on this application is true and correct.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## **DRS Court Mediation Programs**

RCBA Dispute Resolution Service (DRS) administers five mediation programs for the Riverside County Superior Court. These programs are funded by the Dispute Resolution Programs Act (DRPA) through the County of Riverside.

### **Family Law Voluntary Settlement Conference (VSC) Program at Riverside**

The Riverside Family Law Voluntary Settlement Conference (RIV VSC) Program was established by Judge Jackson Lucky, the Riverside Family Law Court and DRS in November 2010. The RIV VSC program was designed for family law cases wherein the parties have no legal representation. Later, the program was expanded to include cases with one side represented by counsel (if both side are represented, they're ineligible for the program). The litigants to those matters referred to the program have the opportunity to resolve their cases through mediation and file a stipulated judgment the same day. Approximately 75 percent of the cases referred to the program settle all issues and receive a judgment the same day. If all of the issues are not or cannot be resolved at the VSC, the program often still aids the parties in moving their cases forward to receive a judgment sooner.

The RIV VSC program is held on the first and third Fridays of each month at 8:30 a.m. at the Family Law Courthouse in Riverside, with approximately 10 cases on calendar each of those Fridays. DRS works with the Court to coordinate the assignment of a mediator from the DRS Riverside Family Law VSC panel to each case on each calendar date. DRS mediators are compensated a total \$150.00 stipend for each appearance.

### **Family Law Voluntary Settlement Conference (VSC) Program at Indio**

The Indio Family Law Voluntary Settlement Conference (IND VSC) program is held on the second Friday of every month at the Larson Justice Center in Indio at 8:15 a.m. Both parties to a matter must be unrepresented in order to be eligible for the IND VSC program. DRS works with the Court to coordinate the assignment of a mediator from the DRS Indio Family Law VSC panel to each case on that respective calendar date. There are no more than five cases referred to the IND VSC program each month. DRS mediators are compensated a total \$150.00 stipend for each appearance.

### **Trial Assignment Mediation Program at Riverside (TAM at Riverside, RIV TAM)**

DRS and the Riverside County Superior Court work in conjunction to provide the Trial Assignment Mediation program at Riverside. TAM at Riverside was designed to give the litigants a last opportunity to settle their case before the matter proceeds to trial the following week. A wide variety of civil cases are referred to TAM at Riverside for mediation, ranging anywhere from contract to probate law. The mediations are conducted at the Riverside Historic Courthouse every Friday at 8:20 a.m. DRS mediators are compensated a total \$150.00 stipend for each appearance.

### **Trial Assignment Mediation Program at Southwest (TAM at Southwest/Murrieta, MUR TAM)**

In January 2015, the DRS and the Riverside County Superior Court established a new TAM program at the Southwest Justice Center in Murrieta. TAM at Southwest was designed to give the litigants a last opportunity to settle their case before the matter proceeds to trial the following week. A wide variety of civil cases are referred to TAM at Southwest for mediation, ranging anywhere from contract to probate law. The mediations are conducted at the Southwest Justice Center most Fridays at 8:30 a.m. DRS mediators are compensated a total \$150.00 stipend for each appearance.

### **DRS/Court Probate Mediation Program**

DRS and the Riverside Superior Court work in conjunction to provide the Probate Mediation Program. This is a free to low cost mediation program for probate matters. The parties receive three hours of mediation for free through the program. After the first three hours, the parties may agree to pay a reduced hourly rate through DRS, if they wish to continue with the mediation session. The Court selects the cases that are to be mediated through this program and forwards DRS and the parties to the action a Notice of Referral. DRS is responsible for coordinating the assignment of a mediator to the case and scheduling the mediation session. DRS compensates the mediator a \$150.00 stipend for the first three hours and then bills the parties for additional time spent beyond the three hours (Mediators are compensated \$150.00 per hour after the first three hours, billable to the parties). Cases are typically referred from the Riverside, Temecula and Indio courts. The mediations are usually held at the Riverside County Bar Association.

(Note: The DRS/Court Probate Mediation Program panel is separate from the Court's Civil Mediation Program panel, however, both programs are very similar. DRS only schedules the matters referred to our office pursuant to a Notice of Referral from the Court.)



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## New Panelist Questionnaire

### 1. DRS Private Arbitrations/Mediations

- a. Will you accept private mediations through DRS?

*Note: Current rate is \$225.00 per hour, including all of your time spent on the matter.*

Yes       No

- b. Will you accept private arbitrations through DRS?

*Note: Current rate is \$225.00 per hour, including all of your time spent on the matter.*

Yes       No

### 2. DRS Court Mediations

- a. Would you like to join the panel for the TAM program at Riverside?

*Note: Mediators are compensated a \$150.00 flat fee per Friday. The program is held every Friday at the Riverside Historic Courthouse at 8:20 a.m. DRS will send you a calendar of the available dates and schedule you for specific dates pursuant to your availability.*

Yes       No

- b. Would you like to join the panel for the TAM program at Southwest?

*Note: Mediators are compensated a \$150.00 flat fee per Friday/Monday. The program is held most Fridays, and some Mondays (depending on the Trial Calendar) at the Southwest Justice Center in Murrieta at 8:30 a.m. DRS will send you a calendar of the available dates and schedule you for specific dates pursuant to your availability.*

Yes       No

- c. Would you like to join the panel for the Family Law VSC program at Riverside?

*Note: Mediators are compensated a \$150.00 flat fee per Friday. The program is held on the first and third Fridays at the Family Law Courthouse in Riverside at 8:30 a.m. DRS will send you a calendar of the available dates and schedule you for specific dates pursuant to your availability.*

Yes       No

- d. Would you like to join the panel for the Family Law VSC program at Indio?

*Note: Mediators are compensated a \$150.00 flat fee per Friday. The program is held on the second Friday of every month at the Larson Justice Center in Indio at 8:15 a.m. DRS will send you a calendar of the available dates and schedule you for specific dates pursuant to your availability.*

Yes       No

- e. Would you like to join the panel for the DRS/Court Probate Mediation Program?

*Note: Probate matters are scheduled for mediation upon referral from the Court. Mediators are compensated a \$150.00 flat fee for the first 3.0 hours of time. If the parties wish to go beyond the three hours, fees are incurred and billed to the parties at a reduced hourly rate. The mediator is compensated \$150.00 per hour for additional time spent beyond the 3.0 hours. Most of the mediations are scheduled at the Riverside County Bar Association Building in downtown Riverside.*

Yes             No

**3. Preferred Contact Method**

- a. Should DRS contact you or your legal assistant/secretary when there is a case?

Contact me direct.

Contact my legal assistant/secretary: \_\_\_\_\_

- b. Do you want to be contacted by e-mail?

Yes             No

- c. Do you have a cell phone number we may keep on file if we need to contact you in an emergency? And/Or do you wish for us to contact your legal assistant/secretary or office?

Yes, contact my cell: \_\_\_\_\_

Yes, contact my legal assistant/secretary: \_\_\_\_\_

Yes, contact my office.

**4. Preferred Hearing Location**

*For Private Arbitrations/Mediations and DRS Probate Mediation Program.*

- a. Are you willing to conduct hearings using conference rooms at the Riverside County Bar Association Building?

Yes             No

- b. Are you willing to conduct hearings using conference rooms at your office?

Yes             No

If yes, how much conference space do you have available (i.e. number of conference rooms available and how many persons per conference room)?

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