

Maryland Administrative Office of the Courts
Business and Technology Case Management Program

Application to be Listed for Designation as a Business and Technology Mediator Pursuant to Maryland Rule 17-207(b)

Please file the original or a copy of this application, including supporting documentation, with the Administrative Office of the Courts, attention Pamela Harris, State Court Administrator.

Applicant Information

Full Name _____

Address (home) _____

Address (work) _____

Telephone (home) _____ (work) _____

Facsimile (home) _____ (work) _____

E-Mail Address _____

I am submitting this application to mediate business and technology cases in the following circuit courts:

- | | | |
|------------------------|------------------|-----------------------|
| _____ Allegany | _____ Charles | _____ Prince George's |
| _____ Anne Arundel | _____ Dorchester | _____ Queen Anne's |
| _____ Baltimore City | _____ Frederick | _____ Saint Mary's |
| _____ Baltimore County | _____ Garrett | _____ Somerset |
| _____ Calvert | _____ Harford | _____ Talbot |
| _____ Carroll | _____ Howard | _____ Washington |
| _____ Caroline | _____ Kent | _____ Wicomico |
| _____ Cecil | _____ Montgomery | _____ Worcester |

(3) Required additional experience for Business and Technology Mediators (17-205(b))

- a) _____ I am interested in business and technology cases, meet all of the general mediator qualifications, and, in addition to the 40-hour basic mediation training program required by **17-104**, in the two years prior to my submission of this application, I have conducted as a mediator at least five non-domestic circuit court mediations or five non-domestic non-circuit court mediations of a complexity comparable to a circuit court case (at least \$25,000 in controversy).

- b) _____ Of the five mediations noted in (a) above, (1) at least two of the mediations were among the type of cases assigned to the business and technology case management program (see below), or (2) in addition to the five cases mediated as described in (a) above, I have co-mediated, on a non-paid basis, two cases from the business and technology case management program with a mediator already approved to mediate these cases.

*Cases that are eligible for the **Business and Technology Case Management Program** are cases in which “[o]n written request of a party or on the court’s own initiative, the County Administrative Judge or that judge’s designee may assign the action to the program if the judge determines that the action presents commercial or technological issues of such a complex or novel nature that specialized treatment is likely to improve the administration of justice. Factors that the judge may consider in making the determination include: (1) the nature of the relief sought, (2) the number and diverse interests of the parties, (3) the anticipated nature and extent of pretrial discovery and motions, (4) whether the parties agree to waive venue if assignment of the action to the program makes that necessary, (5) the degree of novelty and complexity of the factual, legal, or evidentiary issues presented, (6) whether business or technology issues predominate over other issues presented in the action, and (7) the willingness of the parties to participate in ADR procedures.” Maryland Rule **16-308(c)**.*

Please list the five mediations that you conducted in the past two years, and note which two (or more) were among the type that were assigned to the business and technology case management program.

<u>Name of Co-Mediator or Self-Conducted</u>	<u>Non-court or name of Circuit Court</u>	<u>Subject of case</u>	<u>Date(s)</u>

- a) _____ If my application is approved for cases in the Business and Technology Case Management Program, I agree to serve as a co-mediator with at least two mediators each year who are seeking to meet the requirements of Rule **17-205(b)**.

- b) _____ If my application is approved for cases in the Business and Technology Case Management Program, I agree to complete any continuing education training required by the Business and Technology ADR Committee of the Conference of Circuit Court Judges.

(4) Ethics, Monitoring, Procedures and Other Requirements

_____ I agree to abide by the Standards of Conduct for Mediators adopted by the Court of Appeals, to submit to periodic monitoring of court-ordered mediation sessions by a qualified mediator designated by the circuit administrative judge, and to comply with reasonable procedures and requirements prescribed in the court's case management plan relating to diligence and quality assurance.

_____ I am willing to accept a reasonable number of referrals on a reduced fee or pro bono basis upon request by the court.

_____ I agree to be responsible for finding an appropriate (if requested, ADA accessible) location for mediation sessions that is convenient for the parties.

(5) Other Occupations

Please list any other occupations that you have or have had that may assist in your performance of duties as a mediator in a business/technology case.

(6) Professional Affiliations/Community Activities

Please list any professional affiliations and/or community activities that you consider relevant to your designation as a mediator.

(7) Criminal or Disciplinary Actions -- Pending Complaints

a) Have you ever been convicted of any crime in Maryland or elsewhere other than a minor traffic violation? If so, please provide details including the conviction date, the location and name of the court, the offense, and the sentence imposed.

b) Are there currently any criminal charges pending against you in Maryland or elsewhere other than minor traffic violations? If so, please provide details including the date of the alleged incident, the location and name of the court and the alleged offense.

c) Have you ever been disciplined by any court, administrative agency, Attorney Grievance Commission, or other disciplinary committee, agency or group in Maryland or elsewhere for unethical conduct or for the violation of any Code of Ethics? If so, please provide details including the date, the disciplinary body, the conduct at issue and the disciplinary action taken.

d) Are there any complaints or charges currently pending against you by any court, administrative agency, Attorney Grievance Commission, or other disciplinary committee, agency or group in Maryland or elsewhere for unethical conduct or for the violation of any Code of Ethics? If so, please provide details including relevant dates, the conduct at issue and the disciplinary body involved.

Required documentation — Checklist

I have attached the following:

- _____ A copy of my driver’s license, state identification card, passport or other official signed photo identification as proof that I am at least 21 years old.

- _____ A copy of a certificate or other proof documenting my completion of a basic mediation training of at least 40 hours that meets the requirements of Maryland Rule **17-104**, and proof of other mediation training courses completed.

- _____ An affidavit, affirming under the penalties of perjury and upon personal knowledge, that the information contained herein is true.

- _____ A copy of my resume, references, and/or other information to support my application as a mediator (optional).

I hereby represent that all information provided by me in this application is true and correct:

Signed: _____ **Dated:** _____
(Applicant)

Being listed for designation as a mediator *does not guarantee that you will receive any case referrals* from the circuit court nor does it establish court employee status for mediators. Please read Title 17, Chapters 100 and 200 of the Maryland Rules containing circuit court Rules applicable to alternative dispute resolution and to being listed for designation as a mediator.