



original

CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

NEUTRAL QUALIFICATION FORM
Pursuant to Local Rule 38

I am applying for inclusion on the list of neutrals to be maintained by the Circuit Clerk pursuant to Local Rule 38 of the Circuit Court of St. Louis County. The following information is supplied in support of this application.

1. Name: Oelbaum Stuart L.
(Last) (First) (Middle)

2. Address: 127 Kenrick Plaza
Suite 205
St. Louis MO 63119
(City) (State) (ZIP+4)

3. Telephone Number: 314-961-7210

4. Facsimile Number: 314-961-6476

5. State the standard hourly fee for your services as a neutral. \$130

6. List your appropriate training or equivalent experience in conducting alternative dispute resolution as required for certification under Supreme Court Rule 17.04.

I completed a three day program in October 1998 at Washington
University by the National Institute for Trial Advocacy on
Negotiation and Mediation. Attached is a copy of the
brochure and "diploma" for the course.

7. Please list all areas of substantive law or experience which are or have been a significant part of your professional background or practice.

Civil litigation - business and disputes
Litigation involving wills, trusts and estates

8. [If the answer to any of the following questions is yes, please explain the circumstances on a separate sheet and attach.]
- a. Have you ever been disciplined for violation of any code of professional ethics or responsibility? No
 - b. Have you ever pled guilty to or been found guilty of a felony? No
 - c. Have you ever been found liable for fraud or any other intentional tort? No
 - d. Have you ever had a professional license revoked or suspended for reasons other than non-payment of dues? No
 - e. Have any professional malpractice judgments been entered against you? No

9. List the courts and professional organizations in which you currently hold certifications as a neutral, mediator, arbitrator, or other ADR service provider.

None

10. In the space below, briefly describe your experience, qualifications, special areas of expertise, and any other reasons why you should be selected as a neutral.

In addition to the training described above and the experience I have in practicing law for 21 years, I have been actively involved in the Fee Dispute Committee of the Bar Association of Metropolitan St. Louis for over ten years. I have investigated complaints, counseled complaining parties, and served as an arbitrator. As arbitrator, I have written opinions deciding cases.



(Signature)

1/31/99

(Date)



“This program teaches skills that are vitally important to all lawyers in today's legal environment.”

Allyn D. Kantor
*Experienced litigator,
mediator, and arbitrator*
*Miller, Canfield,
Paddock and
Stone, P.L.C.,
Ann Arbor, MI*

NEGOTIATION AND MEDIATION SKILLS

A Systematic Approach

October 15-17, 1998

**Washington University
School of Law
St. Louis, Missouri**

NITA Training—A Systematic Approach

When you accept a case, it is impossible to predict whether it will go to trial or go to alternative dispute resolution. NITA training in negotiation and mediation can help you get the best results for your clients in these settings. In this NITA program, targeted to lawyers, you will learn the latest theory and practice of negotiation and mediation. Most importantly, you will use NITA's proven learning-by-doing methodology to conduct negotiations and mediations in realistic settings. This program boasts one of the lowest student/faculty ratios in the country. Our ratio of two students to every instructor ensures that you receive the individualized attention you need to master the techniques necessary for effective negotiation and mediation.

Negotiating For The Best Results

In the negotiation component, you will tackle the challenges of negotiation and reflect on how and why you negotiate. You will examine the negotiating process from an attorney-client perspective and learn how to obtain authority, how to communicate settlement offers to clients, and how to bring a dispute to closure.

Representing Your Client In Mediation

Alternative dispute resolution is rapidly becoming an important tool for attorneys who wish to handle clients' problems effectively in the modern legal environment. Mediation, as a form of ADR, is quickly becoming a mandatory step in most jurisdictions. Mediation and other ADR techniques can effectively curtail costs, save time, reduce client stress, and provide an arena in which parties settle differences with a win-win outcome. In the program's mediation component, participants will represent clients, assume the role of the client, and act as mediator using exercises specifically designed to build an understanding of the full mediation process. As in the negotiation component, experienced faculty will provide you with constructive critique of your performances.

Videotaping Your Performance

Some performance sessions will be videotaped. Videotaping allows you to see yourself as others see you. During private replay, you will be able to critique your own performance and discuss your personal style one-on-one with a faculty member.

Faculty

NITA's stellar faculty bring a wealth of negotiation and mediation expertise to this nationally-acclaimed program. The following faculty leaders for the program will be joined by other experts in the field.

Karen L. Tokarz

Karen L. Tokarz, Professor of Law and Director of Clinical Education at Washington University School of

Law, will serve as director of the Negotiation and Mediation Skills Program in St. Louis. Tokarz is a former litigator and nationally recognized clinical teacher with over 20 years experience. She has mediated civil rights and employment discrimination case on a private and court-ordered basis since 1991.

Mark K. Schoenfield

Mark K. Schoenfield has been the teaching team leader for NITA's Negotiation/Mediation Program in Chicago since it began in 1987. He has taught negotiation and other forms of dispute resolution to lawyer and businesses across the country for 20 years. Schoenfield is a partner with Schoenberg, Fisher, Newman & Rosenberg, Ltd., in Chicago, and heads their litigation and alternative dispute resolution group. He is a trial lawyer, arbitrator, mediator and author of numerous articles on client counseling, trial practice and negotiation, including *The McGraw-Hill 36-Hour Negotiating Course and Legal Negotiations: Getting Maximum Results*.

John W. Cooley

John W. Cooley is a former U.S. Magistrate in Chicago. He served as Assistant U.S. Attorney and as Senior Staff Attorney for the United States Court of Appeals for the Seventh Circuit, and was a partner in a Chicago law firm, specializing in business litigation. He is presently on the judicial panel of JUDICIAL DISPUTE RESOLUTION, INC. in Chicago and an Adjunct Professor of Law at Loyola Law School. Cooley is the immediate past President of the Chicago Chapter of the Society of Professionals in Dispute Resolution. His practice includes service as an arbitrator and mediator of construction and commercial disputes, a trainer in dispute resolution, and a consultant in dispute system design. He is the author of *Mediation Advocacy* and co-author of *Arbitration Advocacy* with Steven Lubet.

Judith M. Wolf

Judith M. Wolf is co-founder of the Arizona Mediation Institute. Wolf has been practicing law for more than 17 years and has concentrated her practice in the areas of litigation, mediation and arbitration. She serves as judge pro tempore on the Maricopa County bench and is a frequent lecturer in the field of mediation and arbitration for the Maricopa County Bar and State Bar of Arizona, as well as private continuing legal education groups. Wolf is a consultant/member of the Academy of Family Mediators and a mediator and arbitrator for the National Association of Securities Dealers (NASD).

Thomas F. Geraghty

Thomas F. Geraghty, Associate Dean for Clinical Education, Professor of Law and Director of the Legal



This program will be conducted at Washington University School of Law,

which moved into its new building, Anheuser-Busch Hall, in January 1997. In style and materials, this new building embodies the traditional architecture of the beautiful Washington University campus. The school provides state-of-the-art classrooms and audio-visual and technological capabilities that enhance NITA's hands-on, contemporary approach to legal training.

Participants Will Learn:

- Negotiation strategy, tactics and ethics
- Creative problem solving—lateral and vertical thinking
- Enhancing communication and managing emotions in negotiations
- Distinguishing interests from positions and exploring alternatives
- Competitive and collaborative negotiation techniques
- Stages of the mediation process
- Situations best suited for mediation
- Good faith, confidentiality and fairness in mediation
- Breaking impasses and facilitating settlements
- Ethical issues for advocates and mediators

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