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MAR 02 2001

CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

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:** YOUNG, PAULA M.
2. **Address:** McCarthy, Leonard, Kaemmerer, Owen, Lamkin & McGovern, L.C.
16141 Swingley Ridge Road, Suite 300
St. Louis, MO 63017
3. **Telephone Number:** (636) 532-7100, ext. 291
4. **Facsimile Number:** (636) 532-0857
E-Mail: pyoung@mlklaw.com

5. **State the standard hourly fee for your services as a neutral.** \$190

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

"Mediating Civil Cases," MU Law School Center for the Study of Dispute Resolution, Columbia, MO (Spring 1999), 16 MCLE hours.

"A Practitioner's Perspective on Mediation," Bar Association of Metropolitan St. Louis (BAMSL) ADR Committee, St. Louis, MO (Spring 1999), 1 MCLE hour.

"Second Annual Dispute Resolution Conference," BAMSL, St. Louis, MO (May 1999), 4 MCLE hours.

"Mediation: Local Rules and Tips from the Experts," St. Louis Lawyers Association, St. Louis, MO (Spring 1999), 1.2 MCLE hours.

"Arbitrator Training," Better Business Bureau, St. Louis, MO (Summer 1999), 26 MCLE hours.

"Alternative Dispute Resolution and Other EEOC Initiatives," BAMSL Labor & Employment Law Section, St. Louis, MO (Fall 1999), 1 MCLE hour.

"Advanced Mediation Training Seminar," Association of Attorney Mediators, St. Louis, MO (Fall 1999), 7.8 MCLE hours.

"Advanced Practices Institute: Advanced Mediation Skills," Society of Professionals in Dispute Resolution, Miami, FL (February 2000), 18 MCLE hours.

"Tips for a Successful Intellectual Property Mediation," BAMSL Patent, Trademark & Copyright Section, St. Louis, MO (March 2000), 1 MCLE hour.

"Environmental Alternative Dispute Resolution," BAMSL Environmental & Conservation Law and ADR Committees, St. Louis, MO (March 2000), 1 MCLE hour.

"Fee Dispute Resolution Program Volunteer Training," Missouri Bar, Lake of the Ozarks, MO (April 2000), 6 MCLE hours.

"Third Annual Dispute Resolution Day Conference," BAMSL, St. Louis, MO (May 2000), 4.1 MCLE hours.

"Ninth Annual Conference on Emerging Issues in Mediation," U. of Wisconsin (Nov. 2000), 21.9 MCLE hours.

"Association of Attorney-Mediators Quarterly Workshop," Association of Attorney Mediators (Jan. 2001), 1.8 MCLA hours.

"Basic Mediation Training," Co-Trainer Washington University School of Law/Public Service Project (Jan. 2001), 16 MCLE hours.

"Advanced Mediation Training Seminar," Association of Attorney Mediators (March 2001), 7.8 MCLE hours.

TOTAL: 134.6 MCLE hours in theory, practice and techniques of mediation and arbitration.

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

Please see attached description.

8. **If the answer to any of the following questions is yes, please explain circumstances on a separate sheet and attach.**

I have never been disciplined for a violation of any code of professional ethics or responsibility. I have never been found guilty of a felony. I have never been found liable for fraud or other intentional tort. I have never had a professional license revoked or suspended. I have never had any legal malpractice judgements entered against me.

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

Missouri Bar
Twenty-First Judicial Circuit Court of Missouri
Twenty-Second Judicial Circuit Court of Missouri
U.S. District Court, Eastern District of Missouri
Better Business Bureau's National Panel of Consumer Arbitrators
Association of Attorney-Mediators
American Bar Association Section on Alternative Dispute Resolution
Missouri Bar Association Alternative Dispute Resolution Committee
Bar Association of Metropolitan St. Louis

- Alternative Dispute Resolution Committee
- Alternative Resolutions to the Courthouse Program
- Fee Dispute Committee

Association of Conflict Resolution (formerly SPIDR)
National Association for Community Mediation
Association of Missouri Mediators

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

Please see attached description.



March 1, 2001

PAULA MARIE YOUNG

PRESENTATIONS

- Visiting Instructor, "Interest-Based Conflict Resolution and the Issue of Power Balances," Webster University, Introduction to Law Class (Feb. 2001).
- Co-Trainer, "Basic Mediation Training," Washington University School of Law, Public Service Project (Jan. 2001).
- Trainer, "Negotiation and Conflict Resolution Skills," Missouri Arts Council Conference (Oct. 2000).
- Moderator, "Your Newest Customer: The Government – How to Get Federal, State & Local Governments to Buy from You," NAWBO Chapter Meeting (Oct. 2000).
- Moderator, "Mediation Role Plays," BAMSL Third Annual Dispute Resolution Day Conference (May 2000).
- Speaker, "Y2K: Are you Covered Legally and Financially?" Chesterfield Chamber of Commerce (Winter 1999).
- Lecturer, "Insurance Company Insolvency – Claims Against Companies in Receivership," Missouri Bar CLE (1995).
- Lecturer, "Tortious Interference with Contractual Relations," Missouri Bar CLE (1990).

PAULA MARIE YOUNG

PUBLICATIONS

- "Good Faith in Mediation," *The Missouri Bar Journal*, expected publication in Summer 2001.
- "The Story of the Bootless Coal Miner," *St. Louis Lawyer*, expected publication in April 2001.
- "One-Text Mediation Process: Clinton's Christmas 2000 Proposal to the Israelis and Palestinians," *St. Louis Lawyer* (Feb. 2001).
- "Empowered and Empowering," *St. Louis Lawyer* (Dec. 2000).
- "Online Mediation: A Personal Look at ADR on the Internet," *Missouri Lawyers Weekly* (Nov.13, 2000).
- "ADR – Ethically Speaking," *Missouri Lawyers Weekly* (July 31, 2000), reprinted in *ADR Report*, Vol. 5, no. 1 (Jan. 2001) and used in a class at Stetson University College of Law, St. Petersburg, Fla. (2001).
- "Blessed are the Peacemakers: How I've Been Transformed by Mediation Training," *Missouri Lawyers Weekly* (April 10, 2000).
- "Index Card Depositions: How to Disrupt the Expert's Linear Thinking," *Missouri Lawyers Weekly* (March 27, 2000), reprinted in *Minnesota Lawyers Weekly*.
- "Missouri State Appellate Courts Given Opportunity to Interpret Sudden and Accidental Pollution Exclusion," **ABA Tort and Insurance Practice Section**, *Insurance Coverage Litigation Committee News* (Fall 1999).
- "One Insolvency's Experience with Arbitration," *The Insurance Receiver* (Fall 1999).
- "Special Master Rules in Favor of Insolvent Company, Awarding Attorneys Fees and Assessing Penalties Against Reinsurer," **ABA Tort and Insurance Practice Section**, *Excess, Surplus Lines and Reinsurance Committee News* (Spring 1999).
- "Arbitration in Insurance Insolvency," **ABA Tort and Insurance Practice Section**, *Excess, Surplus Lines and Reinsurance Committee News* (Summer 1999).
- "Y2K Litigation at the Millennium," *Missouri Lawyers Weekly* (June 14, 1999).
- "Supervision, Rehabilitation and Liquidation of Troubled Insurance Companies," *Missouri Insurance Practice*, Ch. 2, Fourth Edition (1995 & Supp. 1997).

community mediation program sponsored by the United Neighbors Mediation Services in partnership with AmeriCorps, a volunteer organization with ties to Gen. Colin Powell. She has also served as a consultant to the Director for Citizen Engagement of FOCUS – St. Louis about local community mediation opportunities. She has also been asked to serve on an advisory board for Grace Hill's community mediation and community courts program.

Ms. Young is a volunteer mediator for Legal Services of Eastern Missouri, St. Louis Lawyers & Accountants for the Arts and for the Fee Dispute Committee of the Bar Association of Metropolitan St. Louis (BAMSL).

Ms. Young is Secretary of the local Chapter of the Association of Attorney-Mediators. She serves on the ADR Committees of the ABA, Missouri Bar and BAMSL. She is a member of the Society of Professionals in Dispute Resolution (SPIDR) and the National Association for Community Mediation.

Ms. Young is on the neutral roster for the Missouri Bar, the United States District Court for the Eastern District of Missouri and the rosters for the Twenty-First and Twenty-Second Judicial Circuit Courts.

SERVICES PROVIDED: Ms. Young offers conflict resolution as a mediator, facilitator, arbitrator, trainer, program administrator and dispute systems designer, helping people resolve disputes involving contract, business and consumer transactions.

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pyoung@mlklaw.com

PAULA M. YOUNG

PROFESSIONAL PROFILE

Ms. Young is a partner in the St. Louis law firm of McCarthy Leonard Kaemmerer Owen Lamkin & McGovern, L.L.C. She is a commercial dispute litigator, mediator, and arbitrator specializing in insurance, reinsurance and other contract disputes. She has represented both plaintiffs and defendants in cases involving antitrust, mortgage loan fraud, trademark, construction litigation, license agreements, will contests, non-compete contracts, and UCC Article 9 secured transactions. Before joining McCarthy Leonard, Ms. Young was an associate with the third largest firm in the world - Skadden Arps - in its Washington, D.C. office engaged in an oil and gas and public utility law practice.

She currently serves as General Counsel to the largest insurance insolvency in U.S. history. In that capacity, she has handled complex insurance coverage cases involving environmental losses, asbestos exposure, lead based paint ingestion and injuries caused by other defective products. She has also collected over \$57 million from reinsurers, including Lloyd's of London, on behalf of the insolvent insurer. Over \$22 million of that recovery was made through mediations in which she participated as an attorney-advocate.

Ms. Young has over 100 hours of training in the theory, practice and techniques of mediation and arbitration and spends much of her free time reading about dispute resolution techniques and negotiation skills.

Ms. Young's undergraduate and graduate degrees are from Washington University (B.A.1978, J.D.1982) and she is licensed to practice law in Missouri, Illinois and D.C.

She is the author of a number of articles on mediation and arbitration that have appeared in national, state and local legal journals. She is frequently featured in the *Missouri Lawyers Weekly's* "Focus on Alternative Dispute Resolution." The *Weekly* published her articles entitled "Blessed are the Peacemakers: How I've Been Transformed by Mediation Training," (April 10, 2000), "ADR - Ethically Speaking" (July 31, 2000) and "Online Mediation: A Personal Look at ADR on the Internet" (Nov. 13, 2000). The second article was about the lawyer's ethical duty to learn about, recommend and use ADR processes. The American Bar Association (ABA) and *The Insurance Receiver* have also published her articles on the use of arbitration in insurance insolvencies.

She designed and moderated a role-play program at the Third Annual Dispute Resolution Day Conference held in May 2000 that was co-sponsored by the Bar Association of Metropolitan St. Louis and the Association of Attorney Mediators. The role-play compared the use of a facilitative/transformational style of mediation against the use of an evaluative style. In October 2000, she presented a dispute resolution training program to arts administrators sponsored by the Missouri Arts Council.

Ms. Young is a member of the National Panel of Consumer Arbitrators for the Better Business Bureau. She also devised and implemented in the St. Louis County Associate Circuit Court a *pro bono* mediation program for small claims claimants. It involves the management and coordination of 28 volunteer mediators. She has been a consultant to the administrators of a