

8TH JUDICIAL DISTRICT ADR PROGRAM

COURT ROSTER NEUTRAL EVALUATOR FOR CIVIL, or COMMERCIAL or MATRIMONIAL MATTERS

APPLICATION FORM AND INSTRUCTIONS

The 8th Judicial District ADR Program is assembling a Court Roster of neutral evaluators to handle civil, commercial and matrimonial matters pending before the Court.

Neutral evaluators will not be compensated for the first two (2) hours spent in ADR. Thereafter, neutral evaluators, who are not court employees and who are not employed by an agency having a contract with the Office of Court Administration, will be paid at an hourly rate they have listed on the Court Roster for neutral evaluation work. Billable time will include actual time spent in neutral evaluation sessions and up to one-half hour of pre or post preparation time for each scheduled session. Compensation exceeding \$1,500.00 is subject to prior court approval.

Neutral evaluators responsibilities may include:

- Coordinating with Court staff;
- Managing cases promptly and efficiently;
- Conducting neutral evaluations in accordance with the procedural and ethical standards related to neutral evaluation;
- Preparing agreements and/or disposition forms in a format acceptable to the Court.

Requirements for Court Roster membership include completion of at least six (6) hours of training in procedural and ethical matters related to neutral evaluation and either be:

- 1) A lawyer admitted to the practice of law for at least five (5) years AND have at least five (5) years of substantial experience in the specific subject area of the cases that will be referred; OR
- 2) A Judge, JHO, Court Attorney-Referee or Confidential Law Clerk to a Judge AND have at least five (5) years of substantial experience in the specific subject area of the cases that will be referred.

Appointment to the Court Roster is at the discretion of the Administrative Judge of the Eighth Judicial District in consultation with the Coordinator of the Unified Court System's Office of Alternative Dispute Resolution Programs. Admission will be competitive and will be based on each applicant's training, experience, education, and availability to conduct neutral evaluations. Applicants may be required to

participate in an interview process before a review committee appointed by the Administrative Judge.

Pursuant to the Rules of the Chief Administrator of the Courts, 22NYCRR 146.3b, neutrals shall be redesignated to the court roster every two years. In determining whether to redesignate any neutral, the neutral must show proof of compliance with the requirement that they attend at least six (6) hours of additional approved training relevant to their respective practice areas every two years pursuant to 22 NYCRR 146.5. Neutral evaluators may be removed from the panel at the discretion of the Administrative Judge in consultation with the Coordinator of the Unified Court System's Office of Alternative Dispute Resolution Programs.

To be considered for the Eighth Judicial District Court Roster of Arbitrators, please complete the enclosed application and return it to:

Mary Louise Hayden, Esq.
8th Judicial District ADR Program Administrator
92 Franklin Street
Buffalo, New York 14202

Include a copy of your resume or curriculum vitae with references along with your hourly rate. Please also indicate if you utilize a sliding fee scale in appropriate cases.

Answer all questions completely.

Inform your references that they may be contacted by the 8th District Administrative Judge's Office.

Sign and date the declaration at the end of the application.

8th JUDICIAL DISTRICT ADR PROGRAM

APPLICATION

Court Roster Neutral Evaluator- Civil, or Commercial, or Matrimonial Matters

A. General Information

Name: _____

Address: _____

Phone: _____

Email: _____

- I meet the training and experience requirements outlined above and are applying to be included on the Court Roster of Neutral Evaluators.

I am applying for Court Roster Neutral Evaluator for (please check all that apply)

- Civil Matters
- Commercial Matters
- Matrimonial Matters

B. Education

(Please list in reverse chronological order. Attach additional pages if necessary):

School	Graduated?	Major or Type of Course	Degree earned or expected

List any professional licenses you hold:

C. Neutral Evaluation Training

Please detail all neutral evaluation training you have taken (attach additional pages if necessary:)

Course	Instructor(s)	Date of Completion	Total Hours

Attach copies of certificates of completion for the above-referenced trainings. If no certificate is available, the review committee may request relevant syllabus or course materials or other documentation that will enable the committee to determine if the course meets the established requirements.

D. Neutral Evaluation Experience

How many cases have you conducted neutral evaluations in the last five (5) years? _____

On a separate sheet, please provide a brief statement (one page) outlining your substantial experience in the specific subject area of cases that will be referred.

State the percentage of your practice that consists of representing:

Plaintiffs _____%

Defendants _____%

E. Professional Fee

Hourly Rate: _____

Sliding Fee Scale Yes _____ No _____

<p>Answer all questions by placing an X in the appropriate column</p> <p>If you answer "YES" to any of these questions, provide details on an attached sheet</p>	YES	NO
<p>A) Except for minor traffic offenses and adjudications as youthful offender, wayward minor or juvenile delinquent:</p> <p>i) Have you ever been convicted of an offense against the law?</p>		
<p>ii) Have you ever forfeited bail or other collateral?</p>		
<p>iii) Do you now have any criminal charges pending against you?</p>		
<p>B) Have you ever received a discharge from the Armed Forces that was other than honorable?</p>		
<p>C) Have you ever been dismissed from any employment for reasons other than lack of work or funds?</p>		
<p>D) Are you currently in violation of a court order in any state for child or spousal support?</p>		

E) Have you ever been subject to any disciplinary action concerning your current or any past profession?

I affirm that all statements on this application (including any attached papers) are true.

Signature of Applicant

Date