

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Application for Mediators

Please complete the entire application, using additional paper if necessary. You may also attach a resume.

Name: Richard M. Smith

Firm or Office Name: McNair Law Firm, P.A.

Office Address: 11019 Ocean Highway, Pawleys Island, South Carolina 29585

Office Phone: (843) 235-4100

Office Fax: (843) 235-4101

E-mail Address: rsmith@mcnair.net

ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 1987

I.D. No.: 4201

Date admitted to the South Carolina Bar: 1986

Bar No.: 7967

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.):

Pennsylvania - 1993; Bar ID #63037

North Carolina - 2002; Bar ID #30217

Membership and positions held in bar, ADR and professional associations:

Assigned Member for the Resolution of Fee Disputes for the 15th Judicial Circuit
Certified Mediator

Are you a member in good standing in each jurisdiction where admitted to practice law? yes no

Have you, within the last five years, been publicly reprimanded or publicly disciplined for professional conduct?
 yes no

Have you, within the last five years, been denied admission to a bar for character or ethical reasons, or been
disbarred/suspended from the practice of law? yes no

EDUCATION

Year law degree received 1986

Law School Wake Forest

Other professional degrees received (including year and school):

University of Minnesota, M.A., Industrial Relations - 1981

Pennsylvania State University, B.S., Agriculture - 1975

LEGAL EXPERIENCE (A minimum of five years of law practice required)

Summarize legal experience (including teaching) since admission to the bar, particularly in the past five years:

General litigation practice for both Plaintiffs and Defendants. 90% of practice is litigation. 10% of practice covers various areas including trusts, real property and general business.

Percentage of practice in last 5 years representing plaintiff 50 % or defense 50 %

Percentage of Federal or State court practice in last 5 years: Federal 10 % State 90 %

Number of years engaged in active litigation: 28

EXPERTISE

Indicate all substantive areas in which you have expertise. Place a "1" by your strongest area(s) and a "2" by all other areas in which you have expertise. (Do not rank beyond "1" and "2.") After any category you have marked, please identify any sub-areas of expertise you have (e.g. "medical malpractice" after Personal Injury).

<input type="checkbox"/> Admiralty	<input type="checkbox"/> Security or Shareholders suits
<input type="checkbox"/> Antitrust	<input type="checkbox"/> Labor
<input checked="" type="checkbox"/> Contracts	<input type="checkbox"/> ERISA
<input type="checkbox"/> Environment	<input type="checkbox"/> Wrongful Termination
<input type="checkbox"/> Fraud or Civil RICO	<input type="checkbox"/> Civil Rights in Employment
<input checked="" type="checkbox"/> Insurance	<input type="checkbox"/> Other Civil Rights
<input type="checkbox"/> Miller Act	<input type="checkbox"/> Copyrights
<input checked="" type="checkbox"/> Personal Injury	<input type="checkbox"/> Patent
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Trademark
<input checked="" type="checkbox"/> Other (specify) <u>Estates; real prop.</u>	

Publications: _____

MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): _____

Have served as a mediator in approximately 25 cases in the above areas. Settlement rate is approximately 95%.

Other courts or organizations for whom you serve as a mediator (please note any certifications):

State Circuit Court

Number of mediations conducted: 25 Number of other ADR sessions conducted: 5

MEDIATION AND OTHER ADR TRAINING

<u>Course Provider</u>	<u>Course Content</u>	<u>Date</u>	<u>Place</u>	<u>No. of Hours</u>
South Carolina Bar	Mediator Training and Certification	April 2012	Columbia, SC	48.00

OTHER INFORMATION

Are you familiar with the statutes, rules and practice governing alternative dispute resolution in the District of South Carolina? yes no

Other relevant experience or skills or other information you would like considered in connection with this application: Have acted as counsel in approximately 100 mediations and 5-10 arbitrations.

Cities in which you are available to conduct mediation:

Columbia Charleston Greenville Florence
Other Myrtle Beach, Pawleys Island, Georgetown

Fees charged:

Hourly Rate: \$ 300 Minimum charge each mediation: \$ None

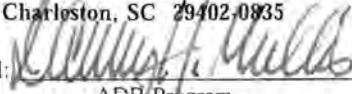
How do you bill for travel? (explain): One-half rate plus mileage.

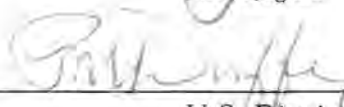
I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; the Rules for Lawyer Disciplinary Enforcement, Rule 413, South Carolina Appellate Court Rules; and the Local Rules of the District Court; (2) Provide mediation to indigents without pay if ordered by the Court; (3) Notify the Alternative Dispute Resolution Program Director of any change in the above facts or otherwise in my ability to perform duties as a mediator; (4) Disclosure of information contained in this application to litigants and other members of the public.

I certify that the foregoing is true and correct.

Signature:  Date: October 16, 2014
Applicant

Return completed application to:
Danny H. Mullis, Director
Alternative Dispute Resolution Program
United States District Court
Post Office Box 835
Charleston, SC 29402-0835

Reviewed:  Date: 10/21/14
ADR Program

Approved:  Date: 10/21/14
U.S. District Judge