

Richard Fullerton

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MEDIATION – ARBITRATION - DRBs

CONSTRUCTIVE OPTIONS

Mediation - Arbitration - Dispute Review Boards (DRBs)

- business/public entity
- commercial/highway/residential construction
- dispute review boards (DRBs)
- employment/EEO claims
- homeowner/common interest communities

PROFESSIONAL BACKGROUND

Saunders Construction, Inc. - Englewood CO

Executive Vice President - 1984 to 1996 - responsible for operations of commercial building construction. Supervised all Project Managers teams and support personnel; responsible for project budgets, schedules, quality control, safety performance client satisfaction, risk management and legal affairs. Employment responsibility for 50-person office including hiring, employment standards, personnel guidelines, training.

Project Manager/Estimator - 1974 to 1984 - managed multiple projects involving budgeting, estimating, scheduling, contracting, documentation, cost control and team relations

ALTERNATIVE DISPUTE RESOLUTION (ADR) TRAINING

AAA Cyber Security – (ACE 20) 2019, (Updated ACE 20) 2020
AAA Arbitrator Performance and Demeanor ~ Meeting Participant Expectations (ACE 18) 2018
AAA Managing the Arbitration Process Following the Preliminary Hearing 2017
AAA Best Use of Med-Arb: The Advantages 2016
AAA Drafting Arbitration Clauses: The Basics and Beyond 2016
AAA Challenges at the Preliminary Hearing, 2015
AAA Large, Complex Construction Disputes: The Dynamics of Multi Party Mediation, 2014
AAA Advanced Mediator Training, 2009
AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE005) 2009
AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2007
AAA Arbitrator Ethics & Disclosure (ACE003), 2006
AAA Dealing with Delay Tactics in Arbitration (ACE004), 2005
AAA Pro Se: Managing Cases Involving Self-Represented Parties (ACE002), 2005
Lincoln Institute, Land Use Mediation Training, 2003
AAA Construction Arbitrator II Training: Advanced Case Management Issues, 2002
AAA Arbitrator I Training: Fundamentals of the Arbitration Process, 2002
DRBF /CDOT - Dispute Resolution Boards, 2009: Early-Stage Dispute Resolution for Construction Projects, 2010; DRB Administration & Practice Training 2013
University of Denver, Masters Certificate in Alternative Dispute Resolution, 2002
CDR Mediation Training, 1999

EDUCATION

University of Denver - Master of Applied Communications, ADR focus (2003)
College of William & Mary - Bachelor of Arts - Business Administration (1969)

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

Summary of ADR cases

Construction/real estate (98 cases)

EEO/employment (78 cases)

HOA/CIC (40 cases)

CDOT and county Dispute Review Boards (26 projects in Colorado, 2 projects in Nevada, standing/on-demand DRBs as chair and board member)

250 additional cases in protection orders, victim-offender, citizen-police, and high-risk dialogue.

DISPUTE RESOLUTION PUBLICATIONS

“An Argument for Admissibility”, *The DRBF Forum*, February 2017

“Dispute Resolution Boards: Commercial Construction Has Much to Gain – *The Daily Journal* March 15, 2011

“The Ethics of Mediation-Arbitration” *The Colorado Lawyer* May 2009

“Recommended Education/Training and Experience for Professional Mediators” *The Colorado Lawyer*, March 2008

“Impact of Senate Bill 06-089 on Dispute Resolution between Associations and Unit Owners” *Community Associations Institute* 2006

“More Effective Mediation” *Colorado Construction Magazine* 8/2005

“Searching for Balance in Conflict Management: The Contractor’s Perspective” *Dispute Resolution Journal*, vol. 60, no. 1 (Feb.-April 2005)

“Can Arbitration Fulfill Its Obligation to the Construction Industry?” *Colorado Construction Magazine* 4/2005

PROFESSIONAL AFFILIATIONS

American Arbitration Association - construction arbitration and mediation panelist

Colorado Department of Transportation – Dispute Review Board member and chair

University of Denver University College – adjunct faculty for graduate program in Communication Management/ADR studies

US Postal Service REDRESS Mediation Program – employment/EEO mediation

ADR COMMUNITY PARTICIPATION

Mediation Association of Colorado

Past member of Board of Directors and Ethics Committee

Dispute Resolution Board Foundation

Member