

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: Joan Elizabeth Winters

Firm or Office Name: Law Office of Joan Elizabeth Winters, LLC

Office Address: 105 MAIN STREET
~~120 Saluda Street, Chester, South Carolina 29706~~

Office Phone: 803-581-8190

Office Fax: 803-581-8243

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ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 2004

I.D. No.: 9355

Date admitted to the South Carolina Bar: 2002

Bar No.: 68538

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

Membership and positions held in bar, ADR and professional associations: Member SC Bar, ABA, Member of Fee
Dispute Committee, Sixth Circuit, Member of SC Association of County Attorneys, Certified Civil Court Mediator

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

Are you currently the subject of any pending disciplinary proceeding in any jurisdiction? yes no

Have you, within the last 5 years, been denied admission to a bar for character or ethical reasons or disciplined for professional misconduct? yes no

EDUCATION

Year law degree received 2001 Law School University of South Carolina

Other professional degrees received (including year and school) _____

LEGAL EXPERIENCE (A minimum of 5 years of law practice required)

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

- 2005 to present - Attorney for Chester County
- 2003 to present - Sole Practitioner with emphasis on labor & employment/representing management only
- 2002 to present - Adjunct professor - Winthrop University (Employment law and Communications (MBA) teach certification course for human resource management (SHRM) teach non-profit management (Human Resources Management and Legal Basics) for certification course)
- 2007 - Presenting an Employment CLE for SC Association of County Attorneys
- 2001 to 2003 - Staff Attorney for Malone & Thompson, Columbia, South Carolina
- 1999 to 2001 - Clerk for Gignilliat, Savitz & Bettis, Columbia, South Carolina

Percentage of practice in last 5 years representing plaintiff _____ % or defense 100 %

Percentage of Federal or State court practice in last 5 years: Federal 50 % State 50 %

Number of years engaged in active litigation: 4

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 checked="" type="checkbox"/> Labor |
| <input checked="" type="checkbox"/> Contracts | <input type="checkbox"/> ERISA |
| <input type="checkbox"/> Environment | <input checked="" type="checkbox"/> Wrongful Termination |
| <input type="checkbox"/> Fraud or Civil RICO | <input checked="" type="checkbox"/> Civil Rights in Employment |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Other Civil Rights |
| <input type="checkbox"/> Miller Act | <input type="checkbox"/> Copyrights |
| <input type="checkbox"/> Personal Injury | <input type="checkbox"/> Patent |
| <input type="checkbox"/> Product Liability | <input type="checkbox"/> Trademark |
| <input checked="" type="checkbox"/> Other (specify) <u>Employ. matters</u> | |

Publications: _____

MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): _____
Aside from informal mediation in my role as County Attorney, I have not been selected to date to conduct mediation .

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

Number of mediations conducted: 0 Number of other ADR sessions conducted: 0

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	Circuit Court Mediation Certification	August 2005	Columbia, SC	40.00

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:
During law school, I worked for Dr. Dennis Nolan, Professor at the SC School of Law and Chair of the Labor and Employment section. Dr. Nolan was also the Chair of the national ADR organization and allowed me to assist him at the national conference in Atlanta as well as with other events for the group. As a result, I became quite knowledgeable about ADR and Mediation processes as well as meeting and speaking with many mediators.

I was a Human Resources Director for large construction company prior to becoming an attorney. I was in this position for many years and have a great deal of knowledge of both employment practices and construction practices as a result. Coupled with my legal expertise in this field, I bring a pragmatic approach to mediation along with recognizing compliance issues.

Cities in which you are available to conduct mediation:

Columbia Charleston Greenville Florence
Other Rock Hill, Anderson

Fees charged:

Hourly Rate: \$ 150.00 Minimum charge each mediation: \$ 300.00

How do you bill for travel? (explain): Bill for travel time at hourly rate only; expenses covered by law firm unless overnight stay is required or becomes necessary. With overnight stay, hotel and meal expenses billed along with hourly rate.

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: *[Handwritten Signature]* Date: 5/22/07
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: *[Handwritten Signature]* Date: 5/29/07
ADR Program

Approved: *[Handwritten Signature]* Date: 5/29/07
U.S. District Judge