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: Rita M. McKinney

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

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Greenville, South Carolina 29602

Office Phone: 864-271-4940 Office Fax: 864-271-4015

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ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 1982 I.D. No.: 4852

Date admitted to the South Carolina Bar: 1797 Bar No.: 3861

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.):
United States Court of Appeals - 4th Circuit, 1982 ID # 9965

Membership and positions held in bar, ADR and professional associations: President Greenville County Bar Association, 1993; Board of Governors South Carolina Bar, 1997 - 1999 (see resume)

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

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

EDUCATION

Year law degree received 1979 Law School Northeastern University School of Law

Other professional degrees received (including year and school)
BA - University of South Carolina, Journalism, 1974

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:

Following graduation from law school in 1979, I clerked for U. S. District Court Judge Matthew H. Perry from late 1979 until early 1982. I was in the private practice of law from 1982 until January, 1999 when I became the Director of the S. C. Department of Labor Licensing and Regulation until January, 2003. I returned to the private practice of law in February, 2003. (see resume)

Percentage of practice in last 5 years representing plaintiff 10 % or defense 90 %

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

Number of years engaged in active litigation: 17 plus 2 years clerkship for United States District Court Judge

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).

____ Admiralty	____ Security or Shareholders suits
____ Antitrust	2 Labor and employment
____ Contracts	____ ERISA
____ Environment	2 Wrongful Termination
____ Fraud or Civil RICO	____ Civil Rights in Employment
____ Insurance	____ Other Civil Rights
____ Miller Act	____ Copyrights
____ Personal Injury	____ Patent
____ Product Liability	____ Trademark
1 Other (specify) Litigation	

Publications: _____

G-Bar News; South Carolina Trial Lawyer; LLR News; Workplace Security Guide

MEDIATION EXPERIENCE

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

40 hours civil mediation course completed in 1995; certified mediator; served as a mediator on court approved list; have mediated numerous cases on behalf of clients; served as lead mediator in Charleston, South Carolina Port labor dispute in January, 2001.

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

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

MEDIATION AND OTHER ADR TRAINING

Course Provider	Course Content	Date	Place	No. of Hours
Dispute Management, Inc.	Civil mediation	6/24-27/95	Memphis, Tenn.	40
(received 34 CLE credits)				

OTHER INFORMATION

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

Other relevant experience or skills or other information you would like considered in connection with this application:

Cities in which you are available to conduct mediation:

[x] Columbia [x] Charleston [x] Greenville [x] Florence

Other _____

Fees charged:

Hourly Rate: $ Negotiable Minimum charge each mediation: $ 150

How do you bill for travel? (explain): if by car, mileage
if flight, coach fare

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: Rita M. McKinney Date: 7/18/03
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: Danny H. Mullis Date: 7/22/03
ADR Program

Approved: _____ Date: 7/22/03
U.S. District Judge

3/2000

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EDUCATION

B.A. Journalism, University of South Carolina, Columbia, South Carolina (1974)

J.D., Northeastern University School of Law, Boston, Massachusetts (1979)

WORK EXPERIENCE

1999-2003, Director, South Carolina Department of Labor, Licensing and Regulation – State agency which:

- Administers laws and programs for workplace safety, child labor, payment of wages, mediation of labor disputes, inspection and licensing of elevators and amusement rides;
- Includes 39 licensing boards which regulate 100+ professions and occupations;
- Houses the South Carolina Fire Academy, a state-of-the-art training institution for public and industrial firefighters; and
- Includes the State Fire Marshal, responsible for ensuring compliance with national and state fire safety codes and standards.

1982-1999, Private practice of law, Greenville, South Carolina – litigation practice in state and federal courts

1992 – January, 1999, McNair Law Firm, P.A. (Shareholder)
1987-1992, Yarborough, Moore & Smock/Yarborough & Moore and later Yarborough, Moore & McKinney (Associate/later Shareholder)
1986-1987, Smith & McKinney, P.A. (shareholder)
1982-1986, Lathan, Smith & Barbare, P.A. (associate)

1979-1982, Law Clerk, United States District Court Judge Matthew J. Perry

PROFESSIONAL ACTIVITIES

President, National Association of Government Labor Officials (NAGLO)(association of states' highest labor/employment officials), 2002-2003

President, South Carolina Occupational Safety Council, 1999-2003

Chair, Governor's Workplace Security Advisory Committee, committee of South Carolina's leading workplace safety and health experts charged with identifying best practices for prevention and response to terrorism in the workplace. Produced "Best Practices – Workplace Security Guide" which provides checklists, model emergency preparedness/crisis management plans, risk assessment tools and reference and resource information – 2001-2003

Member, Board of Directors, National Safety Council – South Carolina Chapter

Member, Greenville County Bar Association, South Carolina Bar, American Bar Association

Greenville County Bar - President, 1993

South Carolina Bar - Board of Governors, 1997 –January, 1999
Judicial Qualifications Committee, 1995-1997
Ethics Advisory Committee, 1991-1992

Board of Directors, Legal Services Agency of Western Carolina, Inc., 1982-1989; Treasurer 1988; Secretary 1989

Permanent member, Judicial Conference of the United States Court of Appeals for the Fourth Circuit

Greenville Professional Women's Forum, 1985 – present; President 1988

St. Francis Women's Hospital, Professional Board of Counselors, 1993-1997

COMMUNITY ACTIVITIES

University of South Carolina Alumni Association, Board of Governors, 1998 – present; Vice President/President Elect, 2002
WINGS for Kids, Board of Directors, 1997-present
Palmetto Project, Advisory Board
Greenville Urban League, Board of Directors, 1994-1999
United Way of Greenville County, Board of Directors, 1993-1998
Leadership Greenville, 1998
Leadership South Carolina, 1990
Community Food Bank of the Piedmont Board of Directors, 1990-1994
Old Ninety Six Girl Scout Council Board of Directors, 1987-1992
Emrys Foundation Board of Directors, 1988-1990; President 1988-1989
Warehouse Theatre Board of Directors 1983-1987; President 1985-1986
Member, South Carolina Commission on Consumer Affairs, 1974 (Appointed by Governor John C. West)

HONORS

First Annual Order of Jessamine Award, presented by Greenville News-Piedmont Company to ten outstanding women of the Upstate, 1990
Outstanding Young Women of America
President of Student Body, University of South Carolina, 1973-1974