



AAA Mediation.org™

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West Palm Beach, Florida

Current Employer-Title Timothy McCarthy, PLLC - Manager

Professional Summary Served 27 years as a trial lawyer, focusing on commercial litigation and construction-related cases. Handled matters encompassing contracts, business disputes, and insurance issues. Represented a wide spectrum of business and governmental entities. Notable projects include the construction of the \$130 million Palm Beach County Courthouse and several multimillion-dollar oceanfront condominiums in Palm Beach County. Offered legal representation to developers, sureties, governmental agencies, general contractors, architects, engineers, subcontractors, and suppliers. Cases involved contract disputes, lien claims, and unjust enrichment claims arising from original construction and rehabilitation efforts.

Profession Attorney, Retired Circuit Court Judge, Arbitrator, Mediator, Special Master, Umpire

Work History Manager, Timothy McCarthy, PLLC, 2014-Present; Judge, Florida Circuit Court, 1998-2014; Trial Attorney, Boose, Casey, Ciklin, 1991-1998; Councilman and Mayor, Town of Lake Clarke Shores, Florida, 1985-1991; Trial Attorney, Merola, McCarthy & Cox, 1984-1991; Trial Attorney, Perry, McCarthy & Cox, 1980-1984; Trial Attorney, Levy, Plisco, Perry, Shapiro, Kneen, Kingcade & McCarthy, 1975-1980; Assistant State Attorney, Palm Beach County State Attorney's Office, 1973-1975; Assistant United States Attorney, South Bend, Indiana, 1971-1973.

Experience Seventeen-year tenure as a circuit court judge: 14 years as a civil circuit judge, including five years covering in the asbestos division; three years presiding as a family court judge.

Twenty-seven years of experience as a trial attorney, specializing in commercial, construction, contracts, business disputes, and insurance matters.

After working for construction contractors and subcontractors in the field and then as a millwright helper for Bethlehem Steel in the Basic Oxygen Lance plant, returned to college and law school, graduating from Notre Dame Law School in 1971. Served as an Assistant U.S. Attorney in the Northern District of Indiana from 1971 to 1973. Served as Assistant State Attorney for Palm Beach County from 1973 to 1975. Went into private practice and specialized in construction and commercial litigation from 1975 to 1998. Also served as an arbitrator and lawyer for AAA from 1985 to 1998.

Handled litigation, arbitration, and mediation issues involving disputes between business entities, developers, vendors, government agencies, architects, general contractors, subcontractors, and engineers. Areas of disputes included contract provisions, breach of contract, defective design and construction, delay damages, wrongful termination, water intrusion, wind damages, code violations, trade secrets, and other intellectual property disputes.

Board certified by the Florida Bar as a civil trial lawyer and business litigation lawyer from 1992 to 1998.

Mediator Experience	<p>Florida Board Certified Mediator from 1996 to 1998 and from 2014 to the present.</p> <p>Mediated disputes concerning construction, contract, personal injury and business cases involving developers, contractors, architects, engineers, government agencies, individuals, suppliers, insurance companies and employers.</p>
Representative Issues Handled as a Mediator	Issues involving liability, causation, damages, breach of contract, delay, proper parties, third-party responsibility, contributory negligence and insurance coverage.
Mediator Style & Process Preferences	<p>The mediator plays a crucial role in facilitating negotiations by going beyond being a mere message carrier. They encourage the parties and their attorneys to share non-confidential information, aiming to narrow down the contested issues and find common ground for agreement. Throughout the mediation process, the mediator ensures that the parties and their attorneys feel heard and understood, addressing their concerns and exploring positive alternatives for issue resolution. They artfully guide the parties towards reaching mutually beneficial outcomes.</p> <p>Summaries will be requested in advance of mediation sessions.</p>
Technology Proficiency	Utilize Zoom as the preferred technology platform for conducting hearings and meetings remotely.
Education	University of Notre Dame Law School (J.D.-1971); Indiana State University (B.S.-1968).
Professional Licenses	<p>Admitted to the Bar: Florida (1971), Indiana (1971); U.S. District Court: Northern District of Indiana, Southern District of Florida; U.S. Court of Appeals: Fifth, Seventh, and Eleventh Circuits; U.S. Supreme Court.</p> <p>Florida Supreme Court Certified Circuit Civil Mediator. Certified Insurance Umpire.</p>
Professional Associations	Palm Beach County Bar Association; Florida Bar Association.
Recent Publications & Speaking Engagements	Invited speaker at various seminars for trial lawyers and judges. Delivered lectures on trial practice, evidence, ethics, and specific subjects related to construction law. Accredited lectures and publications include "Construction Lien Rights," "Arbitration Pros and Cons," "Mediation," and "The Thirteen 10 Commandments of Construction." Presented to construction trade groups, as well as at Florida Bar Continuing Legal Education (CLE) events and Florida Judicial Conferences.
Mediation Rate	\$450 Per Hour
Languages	English
Locale	West Palm Beach, FL

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.