



AAA Mediation.org™

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Princeton, New Jersey



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Current Employer-Title Richard H. Steen, LLC, Attorneys at Law - Member

Panelist Video <https://www.adr.org/videoresume?paramName=303276307>

Profession Attorney

Work History Member, Richard H. Steen, LLC, Attorneys at Law, 2000-present; Vice President of Construction Claims, Hill International, Inc., 1981-2000; Legislative Counsel, New Jersey State Bar Association, 1977-1981; Staff Attorney, New Jersey General Assembly, 1976-1977; Associate/Clerk, Law Offices of George K. Meier, Jr., Esq., 1974-1976.

Experience Attorney in AV rated firm emphasizing construction, environmental and other complex business disputes, and alternative dispute resolution. Former Vice President of a construction consulting firm providing project management, construction claims, and litigation support services to the construction industry worldwide. More than 90% of practice involves construction, representing public and private owners, developers, lenders, architects, engineers, general contractors, vendors, specialty contractors, and subcontractors. Experience in dispute management and resolution includes substantial matters in litigation in federal/state courts, and through mediation, arbitration, or other ADR processes. Experience in domestic and international public and private projects in all industry sectors including power, industrial, process, pharmaceutical, highway and bridges, mass transit, environmental, healthcare, institutional, commercial and residential. Additional experience in real estate, business and professional liability disputes, association management and government relations.

AWARDS and HONORS: New Jersey State Bar Association 2012 Professional Lawyer of the Year Award, 1999 ADR Practitioner of the Year Award, 2002 Distinguished Legislative Services Award and 2007 Legends of ADR Award; Justice Marie L. Garibaldi American Inn of Court for Alternative Dispute Resolution 20127 Richard K. Jeydel Award for Excellence in Alternative Dispute Resolution; New Jersey Institute for Continuing Legal Education 2006 Distinguished Service Award; designated in numerous Best Lawyers and Super Lawyer publications.

Mediator for the American Arbitration Association since 1987, mediating primarily public and

Mediator Experience	<p>private sector construction and complex commercial disputes. Mediator and arbitrator for the United States District Court, District of New Jersey and the New Jersey Superior Court.</p> <p>Experience in mediating construction disputes involving a broad range of project participants including owners, developers, lenders, general and specialty contractors, subcontractors, equipment suppliers, construction managers, design professionals, insurers and sureties. Mediator in disputes arising out of all types of project contracting and delivery systems including public bid (single and multiple prime), lump sum, negotiated price, unit price, guaranteed maximum price, design-build and engineer procure construct. Mediated cases have involved all types of construction including power, industrial, process, pharmaceutical, highway and bridge; mass transit, environmental, educational, institutional, commercial, and single and multi-family residential projects.</p> <p>Additional mediation experience beyond the construction industry including complex general commercial and contract disputes, insurance coverage and subrogation claims, professional negligence, consumer fraud, real estate and development, employment, discrimination, government and public policy, and personal injury.</p>
Representative Issues Handled as a Mediator	<p>Issues in construction mediations have included all aspects of contract performance disputes including scope of work issues, timely performance, compliance with plans and specifications, defective plans and specifications, change order disputes, constructive changes, cardinal changes, differing site conditions, design professional errors and omissions, defective work, bad faith, wrongful termination, payment disputes, backcharges, construction liens, warranty disputes, surety bond disputes and other breach of contract issues.</p> <p>Have mediated contractual damages issues in claims and counterclaims ranging into the tens of millions of dollars including lost labor productivity and efficiency, delay and acceleration damages, liquidated damages, cost overruns, out of scope work costs, extended general conditions, extended home office overhead, labor and equipment escalation, extended equipment rental costs, lost profits, termination costs, excess completion costs and property damage claims.</p> <p>Issues handled in mediations outside of the construction industry have included insurance coverage and subrogation claims, real estate purchase disputes, misrepresentation, contract compliance, environmental pollution and contamination disputes, municipal easements, development bond issues, legal malpractice, negligent care, breach of employment agreements, marketing and sales agreement disputes, partnership disputes, guardianship and probate disputes, commercial lease disputes, equipment leasing disputes, government and public policy issues and personal injuries.</p>
Mediator Style & Process Preferences	<p>The hallmark of mediation is the flexibility of the process. Lawyers in the construction industry and their clients have embraced mediation and have been national leaders in the development of effective alternatives to adversary proceedings.</p> <p>The parties to a mediation have a large measure of control of the process and ultimate control of the outcome. The role of the mediator is to provide the parties with the opportunity to freely and confidentially discuss the dispute and explore a broad range of options for resolution. The mediator is a facilitator and guide in the communication between or among the parties. I will assist parties in developing settlement scenarios and will, only if invited with the consent of all parties, offer my views on the parties' positions, contentions and settlement proposals.</p> <p>An effective mediator helps the parties to thoroughly understand and prepare for mediation, defines and refines the process to maximize the opportunities for resolution and encourages the parties to persevere in the sometimes difficult task of understanding each other's views and the risks and benefits of settlement options and alternatives to settlement.</p>
Technology Proficiency	<p>Experienced and comfortable with virtual arbitration hearings and mediation sessions including familiarity with managing breakout rooms and screen sharing. Experience with several document management programs and with utilizing electronic exhibits and ESI protocols.</p> <p>Familiar with several computer project management systems for scheduling, cost control and document management.</p>
Education	<p>Drexel University (BS-1972); Seton Hall University (JD-1975).</p>
Professional Licenses	<p>Admitted to the Bar: New Jersey (1975); U.S. District Court, District of New Jersey (1975); U.S.</p>

Patent Office (1974); U.S. Supreme Court (1995).

Professional Associations New Jersey State Bar Association (Past President; Dispute Resolution Section, Founding Chair; Construction Law Section, Past Co-Chair); Fellow, The College of Commercial Arbitrators; Member, National Academy of Distinguished Neutrals; American Bar Association (House of Delegates; Forum on Construction, Division I Steering Committee; Litigation Section, Ethical Standards for Mediation Task Force); American Bar Foundation (Life Fellow); Justice Marie L. Garibaldi Inn of Court for Alternative Dispute Resolution (Master and Past President); Accredited Professional Mediator, New Jersey Association of Professional Mediators; Fellow, National Conference of Bar Presidents; New Jersey Corporate Counsel Association (Past Director and ADR Committee Chair); Mercer County Bar Association.

Recent Publications & Speaking Engagements Editor, NEW JERSEY STATE BAR ASSOCIATION CONSTRUCTION LAW SECTION NEWSLETTER (1997-1999) and "Construction and Public Contract Law," NEW JERSEY LAWYER, October 2002; contributing author, THE CONSTRUCTION DISPUTE RESOLUTION FORMBOOK, Wiley Law Publications, Spring 1997; co-author, PARTNERING IN DESIGN AND CONSTRUCTION, McGraw-Hill, 1995; editor, "ADR Comes of Age," NEW JERSEY LAWYER, August/September 1993. Authored or presented more than 300 seminars, lectures, programs and articles for professional and industry groups and publications on project management; arbitration, mediation and other ADR processes; engineering and construction law; and dispute prevention and management.

Mediation Rate \$550 Per Hour

Languages English

Citizenship United States of America

Locale Princeton, NJ

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.