

Ellen F. Kandell

Summary of qualifications

Ms. Kandell has over 30 years of diverse legal experience in private and public sector law practice. She is an adjunct associate professor at the University of Maryland University College and Catholic University of America where she teaches Negotiation and Conflict Management. After graduating from Temple University Law School she served as Legal Counsel for the Senate of Pennsylvania and she authored a law review article about ground-breaking legislation which became law. Ms. Kandell joined a general civil practice in Philadelphia, where she specialized in complex litigation, estate and trust and general corporate practice. Then she was appointed as chief assistant city solicitor in the environmental division for the Philadelphia Law Department. Ms. Kandell returned to private practice specializing in business and environmental compliance matters before locating to Washington DC where she served as attorney advisor for the U.S. Environmental Protection Agency. She was trained as a mediator at Harvard Law School, has mediated over 500 cases, served as an arbitrator in over 100 cases and is a certified mediator in Maryland. She has designed and facilitated numerous public policy dialogues for diverse clientele.

Professional experience

President, Alternative Resolutions, LLC www.alternativeresolutions.net, Silver Spring, MD (1999-Present)

- Founder of company providing neutral conflict management services, arbitration, facilitation, training, and neutral investigations for private, public and nonprofit organizations. Responsible for business and new product development, marketing, planning and service delivery. Annually exceeded sales goals. Areas of mediation expertise include ADA, business, employment, environment and public policy, estate and healthcare.

- Representative *dispute resolution* assignments include:

U.S. Postal Service: Mediated over 300 employment discrimination and workplace cases under national Redress mediation program. Selected for Blue Ribbon Panel program for formal EEO complaints.

Space Telescope Science Institute: Served as ombudsman assisting employees with issues relating to organizational change, funding cuts and perceived workplace discrimination. Coached employees enabling them to address sensitive issues themselves thereby averting litigation.

Montgomery County Office of Human Resources: Developed peer review panel program implementation guidelines and conducted training for panel members. Conducted neutral fact finding investigations.

National Arbitration Forum: Arbitrator for commercial moving company disputes since 2004 with over 100 decisions issued.

Financial Industry Neutral Regulatory Authority: Public arbitrator for FINRA cases and trained as chairperson.

- Representative *facilitation* projects include:

Cheasapeake Bay Goal Line 2025: Facilitated 2.5 day meeting of diverse agricultural industry stakeholders to develop action plans for enhancing agricultural conservation in areas of phosphorus, nitrogen and ammonia management. Meeting resulted in outline of priority areas for white paper.

Maryland Department of Natural Resources: Facilitated tributary team leadership meeting to develop a consensus on teams' role in continued Bay restoration.

Department of Homeland Security: Conference of academic, association, industry and government leaders which resulted in an outline of common principles for the mission, infrastructure and administrative needs for a proposed National Center for Biosecurity. Interviewed select participants, made recommendations on meeting format and design and facilitated two day meeting. Conducted needs assessment and interviews of key stakeholders as prelude to meeting design.

City of Rockville: Facilitated dialogue between City, Montgomery College and non-profit association about future direction of F. Scott Fitzgerald Literary Conference.

Adventist Healthcare: Serve as facilitator of Gallup Q12 survey of employee engagement whereby teams throughout the company's healthcare facilities develop plans for improving workplace performance. Conduct focus groups for teams of employees.

Montgomery County Public Libraries: Strategic planning and team building retreat for top managers on organizational culture and change management concerns. Conducted organizational needs assessment, interviewed key managers and facilitated team meetings using a customized multi step problem solving process. Designed customized team building exercises. Retreat resulted in consensus on priority issues and time line for action items to address these issues.

Montgomery County Recreation Department: Conducted organizational assessment as prelude to the design and facilitation of kick-off meeting for new intra-departmental team. Activities at meeting resulted in team charter including performance goals, accountability standards and measures of success.

- Representative *training* projects include:

Maryland State Bar Association: Provided basic mediation training (40 hours) for lawyers and other professionals.

Maryland Court of Special Appeals: Provided advanced negotiation and mediation training for retired Circuit Court Judges for the Court's model appellate mediation program.

Maryland Department of Agriculture: Provided training in facilitation and meeting management skills for Maryland Department of Natural Resources

employees.

Montgomery County Recreation Department: Designed customer service training for Aquatics Team.

House of Ruth: Designed and conducted training for managing conflict with people in crisis. Performed similar training for other organizations.

Adjunct Associate Professor, University of Maryland University College (2005 to present)

- Teach conflict management and negotiation in face to face and on-line formats

Adjunct Professor, Catholic University of America (2006 to present)

- Designed new course in conflict resolution for Graduate Human Resources program

Attorney Advisor, U.S. Environmental Protection Agency Washington, DC (1990-1999)

- Co-chaired the enforcement subcommittee of Interagency Alternative Dispute Resolution (ADR) Task Force. Managed the Agency's ADR enforcement program and mediated complex multi-party cases. Developed expertise and wrote policies and guidance on numerous environmental legal issues including Brownfields, CERCLA, RCRA, Clean Air Act, hazardous and solid waste, corrective action, voluntary cleanup, tribal enforcement, endangered species and numerous administrative statutes and regulations. Reviewed and approved consent orders. Facilitated strategic planning retreat for top-level management as well as numerous workgroup and team meetings.

- Representative Projects include:

National ADR Pilot Initiative: Designed pilot training program to help U.S. EPA regions increase ADR use in RCRA and other media programs. Develop training objectives, designed and conducted training and meetings and consulted on application of ADR in regional cases. One region's ADR use increased eightfold as a result.

Cokemaking Stakeholder Meeting: Facilitated multiparty stakeholder meeting on iron and steel effluent guideline development which resulted in an open dialogue of divergent views.

Bush Valley Superfund Litigation: Conducted case assessment and convened and facilitated meeting of multiple and diverse stakeholder groups regarding cost allocation for clean-up of contamination at hazardous waste landfill.

Brownfields Initiatives: Led workgroup which wrote policy on liability of owners of property containing contaminated aquifers.

Model RCRA Corrective Action Consent Order and Enforcement Policy Workgroups: Managed agency-wide workgroups on hazardous waste enforcement issues; organized multiple national meetings; wrote briefing papers, developed consensus position on relevant issues.

Associate, Cooper, Rose, English, Summit NJ (1989)

- Developed expertise in environmental regulatory and compliance matters, due diligence work under New Jersey's Environmental Cleanup Responsibility Act (ECRA); underground storage tank regulations and general business and estate matters.

Chief Assistant City Solicitor, Philadelphia Law Department (1988)

Prosecuted and defended violations of federal, state and municipal air, water and solid waste laws and regulations; negotiated major consent decrees involving air emissions violations and PCB litigation.

Associate, Law Offices of Mitchell A. Kramer, Philadelphia, PA (1985-1988)

- Antitrust, commercial, contract and employment litigation; motion practice and complex litigation; estates and trusts.

Legal Counsel, Senate of Pennsylvania, Harrisburg, PA (1982-1985)

- Developed successful legislative initiatives for antitrust, education measures, and legal services funding; analyzed, drafted and negotiated amendments for education and judiciary committees; worked with diverse constituent and interest groups.

Education

- JD, *Temple University School of Law* (1982)
- BS, University of Maryland (1976)
- Certificate of Completion, Mediation Workshop, *Harvard University Law School* (1992)
- 300 + hours advanced arbitration, mediation and facilitation training

Honors, Awards & Publications

- *Mediation for Estate Planners: Managing Family Conflict*, ed. Susan Gary-wrote chapter, ABA, (2016)
- Pennsylvania's Antitrust-Rigging Act: A First Step Towards an Antitrust Law or the Only One? 30 *Villanova Law Review* 63 (1985)
- International Mediation Institute Certification (2014)
- Mediator certification-Maryland Council for Dispute Resolution (2000)
- Bronze Medal, U.S. Environmental Protection Agency (1994)
- Temple University Law School Moot Court, (1980-1982)

Professional memberships

- Member of the Bar, Maryland; PA and NJ (inactive)
- Maryland Council for Dispute Resolution, Certification Co-Chair, 2016-17; President, 2011-2012
- Montgomery County Bar Association, past chair Alternative Dispute Resolution Section
- Conflict Resolution Center Montgomery County, Founding Member