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### **Professional Work Experience**

From September 2006 to January 2009, I served as a senior judge, attached to the Iowa Supreme Court. I handled routine and substantive motions as well as special projects.

From February 2007 to the present, I have been working as a mediator/arbitrator.

I have handled in excess of 1,000 mediations since February 2007. Those mediations included the following areas: dissolution of marriage; automobile personal injury; wrongful death; medical malpractice; legal malpractice; workers' compensation; employment discrimination; will contest; underinsured and uninsured motor vehicle insurance coverage; other types of insurance coverage; dramshop; breach of fiduciary duty regarding investment adviser; civil rights violations involving use of excessive force by police officers; probate disputes; construction disputes and all types of business litigation including breach of contract. My arbitration experience included mostly personal injury, property damage, and insurance coverage questions. During this period, I have received 37 hours of mediation training.

From February 1986 to September 2006, I served as a justice of the Iowa Supreme Court. My peers elected me chief justice in 2000, a position I held until I retired in September 2006. Besides administrative duties, I wrote hundreds of opinions (in excess of 600) in numerous fields of the law. On our court, assignment of cases for opinion writing was done on a random basis. There was no assignment based on individual's expertise.

From February 1979 to February 1986, I served as a district judge in District 5C (Polk County, Iowa). I was appointed by the Iowa Supreme Court as chief judge of the district (17 counties) in 1983. As a general jurisdiction trial judge, I presided over jury trials and bench trials. As chief judge, I presided over cases in addition to my administrative duties.

In 1981, I developed a settlement conference procedure in family court akin to mediation. I sat at the counsel table with counsel and litigants with the purpose of settling cases or at least reducing the issues for trial purposes. I was on the family law bench for one year during which time I handled hundreds of settlement conferences.

After my appointment as chief judge in 1983, I established a mediation program in Polk County for small claims cases. I recruited, at no expense to the judicial branch, retired

business people to serve as mediators. The program is still in existence and has served as a model for state-wide small claims mediation programs.

In 1985, I established a settlement conference procedure for civil cases, other than family law, again akin to mediation. I handled those settlement conferences until my appointment to the Iowa Supreme Court in 1986.

From June 1962 to February 1979, I was in private practice in Iowa. Upon being admitted to the Iowa Bar, I began practicing law with a law school class mate. Our firm merged with another Des Moines firm, Williams & Hart. And that law firm ultimately became Williams, Hart, Lavorato, & Kirtley. I was a partner from the time of the merger with Williams & Hart. I began practice as a general practitioner. Eventually I limited my practice primarily to civil litigation involving personal injuries resulting from automobile collisions, premises liability, dram shop liability, medical malpractice, products liability and workers' compensation. I also handled cases involving business litigation.

### **Education**

From September 1955 to June 1959, I attended Drake University, Des Moines, Iowa. I graduated with honors with a degree of Bachelor of Science in Business Administration. I majored in accounting. I was admitted to Phi Eta Sigma Fraternity (freshman honorary fraternity in recognition of high education achievement as a freshman) and to Beta Gamma Sigma Fraternity (honorary business fraternity comparable to Phi Beta Kappa in liberal arts).

From September 1959 to June 1962, I attended Drake University Law School. I graduated first in my class with the degree of Juris Doctor. I was admitted to the Order of the Coif (limited to top 10% of the class) and was assistant editor of the Drake Law Review.

### **Military Service**

From December 1953 to September 1955, I served in the United States Army. I was released three months early under a military program to attend college. I received an honorable discharge.

### **Professional Awards**

I received numerous awards in recognition of my achievements and service to the judicial branch over my almost 30 years of judicial work. A few of those included the following: In 1985, I received the Judicial Achievement Award from the Trial Lawyers Association of Iowa; in 1994, I received the Alumni of the Year Award from the Drake University Law School; in 1996, I received the Award of Merit from the Iowa Judges Association; in 2003, I received an Honorary Doctor of Laws degree from Drake University.

**Professional Organizations.** I am a member of the Iowa Bar Association, the Polk County Bar Association, the Iowa Academy of Trial Lawyers (admitted in 1976), and the American Academy of ADR Attorneys.