



HON. MICHAEL D. MARCUS
Judge of the California State Bar Court
(Retired)



MEDIATION and ARBITRATION EXPERIENCE

Judge Marcus has successfully mediated the following types of cases: employment, wage and hour, commercial, legal malpractice, personal injury, wrongful death, real property, premises liability, product liability, construction defect, intellectual property, medical malpractice, eminent domain, environmental/toxic tort, police misconduct and civil rights. He has developed a reputation as a skilled, knowledgeable, personable and forceful mediator.

Judge Marcus has arbitrated the following types of cases: employment, commercial, partnership, medical malpractice, professional liability, personal injury, fee disputes and insurance coverage.

SUMMARY OF LEGAL BACKGROUND

Judge Marcus brings an extremely broad legal background to mediation. He was an experienced and successful trial lawyer, former law firm partner and judge. Judge Marcus has taught at law schools, is a legal author and bar leader, as well as an efficient and effective mediator and arbitrator.

AREAS OF EXPERTISE

Professional liability including legal malpractice; employment issues; complex litigation; business disputes; tort causes of action including breach of fiduciary duty and fraud; legal ethics; fee disputes; discovery disputes and evidence.

MEDIATION HONORS

- *Los Angeles Daily Journal "Top 40" Neutral in California, 2007*
- *Super Lawyer (Neutral), 2008*

EDUCATION

- Legal: UCLA School of Law, Los Angeles, California
1964 – 1967
Degree: JD
- College: University of California, Berkeley
1962 – 1964
Degree: BA in Political Science

- Oberlin College, Oberlin, Ohio
1960-1962

JUDICIAL EXPERIENCE

- Judge of the State Bar Court, November 1995 – December 2001
 - Supervising Judge of the Hearing Department, November 2000 – December 2001
 - Assistant Supervising Judge of the Hearing Department, May 1996 – October 2000
- ◆ In his 6 years on the State Bar Court, Judge Marcus presided over approximately 160 trials involving such issues as breach of fiduciary duty, fraud, conflicts of interest, the failure to perform competently, misappropriation and client abandonment; wrote lengthy decisions containing findings of fact and conclusions of law for each of the trials and was involved in over 400 settlement conferences with a settlement rate of about 95%.

LEGAL EXPERIENCE BEFORE JUDICIAL APPOINTMENT

- **Partner**, Coleman & Marcus (1987 – 1995)
Los Angeles, California
- **Of Counsel**, Sanger, Grayson, Givner & Booke (1985 – 1987)
Encino, California
- Deputy District Attorney (1968 – 1985)
Office of the District Attorney
Los Angeles, California

PUBLICATIONS

Judge Marcus is a prolific writer who has written about mediation tactics, mediation ethics, arbitration ethics, trial preparation, legal ethics, prosecution discovery and the destruction of evidence for such organizations as the State Bar of California, the California Continuing Education of the Bar (CEB), the California District Attorneys Association, the San Fernando Valley Bar Association and the California Attorneys for Criminal Justice. He is also the author of *Trial Preparation for Prosecutors (2nd Edit.)*, Lexis Law Publishing 2002, and has contracted with the West Group to write *California Courtroom Conduct: The Do's and Don'ts of Litigation*. Judge Marcus is also the author of a popular series of monthly articles on “Mediation Messages” and “Arbitration Insights.”

TEACHING AND LECTURING

Judge Marcus taught evidence at the USC Law Center and he has lectured on legal ethics at the California State Bar's annual meeting, to the California Judge's Association, for the CEB and at many prominent law firms.

Judge Marcus has also been a member of the faculties at Southwestern University School of Law, The National College of District Attorneys in Columbia, South Carolina and was a clinical instructor at the UCLA School of Law as well as an adjunct professor on trial skills at Pepperdine University School of Law.

BAR ACTIVITIES

- Member, Board of Governors, State Bar of California, elected 2007
- Trustee, Los Angeles County Bar Association (LACBA), 1979-1980
- Chair, Professional Responsibility and Ethics Committee (LACBA), 2005-2006
- Chair, Criminal Justice Section (LACBA), 1977-1978
- Member, Conference of Delegates, 1968-1993

FORMAL ALTERNATIVE DISPUTE RESOLUTION TRAINING

“Mediating the Litigated Case,” a 42 hour program offered by the Straus Institute for Dispute Resolution at Pepperdine University School of Law.

“Mediating Complex Construction Disputes,” an 18 hour program offered by the Straus Institute for Dispute Resolution at Pepperdine University School of Law.

Law firms that have utilized Judge Marcus as a mediator and/or arbitrator

Abdulaziz Grossbart & Rudman	Cox Castle & Nicholson
Abrolat & Teren	Daniels Fine Israel Schonbuch & Lebovits
Acker Kowalick & Whipple	Dempsey & Johnson
Adorno & Yoss	DLA Piper Rudnick Gray Cary
Alpert Barr & Grant	Drinker Biddle & Reath
Alschuler Grossman Stein & Kahan	Dummit Buchholz & Trapp
Anderson McPharlin & Connors	Early Maslach & VanDueck
Ault Schonfeld Jordan & Munro	Fisher Sparks Grayson & Wolfe
Baker Keener & Nahra	Foley & Lardner
Ballard Rosenberg Golper & Savitt	Folger & Levin & Kahn
Barton Klugman & Oetting	Ford & Harrison
Berger Kahn Shafton Moss, et al.	Ford Walker Haggerty & Behar
Berman Berman & Berman	Freeman Freeman & Smiley
Bingham McCutchen	Gibbs Giden Locher & Turner
Bird Marella Boxer Wolpert, et al.	Gilbert Kelly Crowley & Jennett
Black, Law Offices of Phillip E.	Girardi & Keese
Bonne Bridges Mueller O’Keefe & Nichols	Gordon & Reese
Bononi Law Group	Greenberg Glusker Fields Claman
Bradley & Gmelich	Greene Broillet & Wheeler
Bryan Cave	Grodsky & Olecki
Buchalter Fields & Younger	Hahn & Hahn
Callahan & Blaine	Haight Brown & Bonesteel
Callahan McCune & Willis	Harrington Foxx Dubrow & Canter
Carlsmith Ball	Hawkins Prata & Daley
Carlson Law Group	Hemer Rousso & Heald
Carlton DiSante & Freudenberger	Hill Farrer & Burrill
Caskey & Holzman	Hooper Lundy & Bookman
Chapman Glucksman & Dean	Hosp Gilbert Bergsten & Phillips
Charlston Revich & Wollitz	Houle & Houle
Cohen, Barry L. & Associates	Howrey
Cook Brown	Irell & Manella

Ivie McNeil & Wyatt
Jackson Lewis
Jeffer Mangels Butler & Marmaro
Katten Muchin Rosenman
Kirtland & Packard
Kreindler & Kreindler
Kroll Law Corporation
Labowe Labowe & Hoffman
LaFollette Johnson DeHaas Fesler & Ames
Landegger Baron Levenant
Lang Hanigan & Carvalho
Lapidus & Lapidus
Laughlin Falbo Levy & Moresi
Lavelly & Singer
LeBoeuf Lamb Greene & MacRae
Lewis Brisbois Bisgaard & Smith
Liebert Cassidy Whitmore
Lim Ruger & Kim
Lindahl Schnabel Kardassakis & Beck
Liner Yankelevitz Sunshine & Regenstreif
Lipsitz Green Scime & Cambria
Littler Mendelson
Locke Lord Bissell & Liddell
Loeb & Loeb
Lovretovich, Law Offices of Marcus
Magana Cathcart & McCarthy
Mancini, Law Offices of Marcus
Mandell Law Firm
Manning & Marder Kass Ellrod Ramirez
Maranga Morgenstern
McCune & Harber
McDermott Will & Emery
McNicholas & McNicholas
Meserve Mumper & Hughes
Michelman & Robinson
Miller Brown & Dannis
Mitchell Silberberg & Knupp
Moldo Davidson Fraioli Seror & Sestanovich
Morgan Lewis & Bockius
Morris Polich & Purdy
Murchison & Cumming
Murphy Pearson Bradley & Feeney
Musick Peeler & Garrett
Nemecek & Cole
Neufeld Law Group
Nordman Cormany Hair & Compton
Nossaman Guthner Knox & Elliott

Novian & Novian
Ogletree Deakins
Parker Mills & Patel
Patterson Ritner Lockwood & Jurich
Paul Hastings Janofsky & Walker
Peckar & Abramson
Pedersen Law & Dispute Resolution
Proskauer Rose
Reback McAndrews & Kjar
Richards Watson & Gershon
RivkinRadler
Robie & Matthai
Rus Miliband & Smith
Rutan & Tucker
Schaffer Lax McNaughton & Chen
Schwartz Daniels & Bradley
Sedgwick Detert Moran & Arnold
Seed Mackall
Severson & Werson
Seyfarth Shaw
Shapiro Rodarte & Freedman
Sheppard Mullin Richter & Hampton
Shook Hardy & Bacon
Snell & Wilmer
Squire Sanders & Dempsey
Stephan Oringer Richman Theodora
Steptoe & Johnson
Stolpman Krissman Elber & Silver
Sullivan Workman & Dee
Thelen Reid Brown Raysman & Steiner
Veatch Carlson Grogan & Nelson
VonEtten Suzumoto & Becket
Voss Silverman & Braybrooke
Walsworth Franklin Bevins & McCall
Wasserman Comden & Casselman
Waxler Carner Weinreb & Brodsky
Weissman Wolff Bergman Coleman
Weston Benshoof Rochefort Rubalacava
White O'Connor & Curry
Wilson Elser Moskowitz Edelman & Dicker
Wood Smith Henning & Berman
Zukor & Nelson