



United States Court of Appeals for the Sixth Circuit

Circuit Mediator

Vacancy Announcement No. 17-24

ABOUT THE COURT

The federal Judiciary seeks talented and motivated individuals to participate in its mission of ensuring equal justice under law. The federal Judiciary offers work/life balance, competitive benefits, and teams with dedicated professionals. The United States Court of Appeals for the Sixth Circuit is one of 12 regional federal courts. Circuit courts hear appeals from the district (trial) courts located within their circuit, as well as appeals from decisions of federal administrative agencies. Headquartered in Cincinnati, the Court serves Kentucky, Michigan, Ohio, and Tennessee. For more information about the federal court system, please visit: www.uscourts.gov and www.ca6.uscourts.gov.

POSITION INFORMATION

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| Location | Cincinnati, Ohio | Tour of Duty | Full-Time |
| Opening Date | December 6, 2017 | Salary | CL 31 (\$99,125 – \$161,084) <i>Salary commensurate with qualifications in accordance with U.S. Court Guidelines</i> |
| Closing Date | To ensure consideration, applications must be received by January 15, 2018 . The position will remain open until filled. | | |

POSITION OVERVIEW

The Circuit Mediator, who serves under the direction of the Chief Circuit Mediator and under the administrative umbrella of the Circuit Executive, presides at mediations in civil appeals. The primary purpose of circuit mediation is to settle appeals and any related cases. Duties of circuit mediators include leading discussions of procedural and substantive legal issues, conducting analyses of an appeal's settlement value, and probing each party's interests in an effort to help the parties create and explore options to continued litigation. Refer to the complete Position Description attached to this announcement.

QUALIFICATIONS

Position Requirements:

- Graduation with a Juris Doctor (JD) from an accredited law school, admission to practice before the highest court of a state or territory of the United States

- A minimum of seven years of progressively responsible post-graduate experience in the practice of law, litigation, negotiation, and mediation, or equivalent experience.
- Demonstrated aptitude for collaborative problem-solving and consensus building.

Other selection criteria include:

- Knowledge of and experience working with the Federal Rules of Civil Procedure and the Federal Rules of Appellate Procedures.
- Knowledge of all aspects of civil law and legal procedures.
- Ability to analyze complex legal and practical aspects of an appeal.
- Ability to deal persuasively and tactfully with strong-willed and sophisticated counsel and parties and to develop creative and practical solutions in appeals cases involving a wide range of disputes and personalities.
- Ability to work independently without supervision, exercising judgment and discretion to maintain party confidences, control direction of negotiations, and modify the subsequent course of proceedings.
- Understanding of the dynamics, costs, impacts, and strategies of the litigation process.

BENEFITS

Employees of the U.S. Courts are not classified under the civil service; however, they are entitled to the same benefits as other Federal employees. Benefits include: health, dental, vision, life, and long term care insurance, annual and sick leave, paid holidays, retirement, and the judiciary's supplemental benefits. For additional information about benefits with the federal judiciary, visit www.uscourts.gov/careers.

CONDITIONS OF EMPLOYMENT

Visit <http://www.uscourts.gov/careers> for citizenship requirements. Positions with the United States Courts are considered "at will" and are not subject to the employment regulations of competitive service. Appointment to position is provisional pending suitability determination by the court based on results of a background check. Employees are subject to the [*Judicial Code of Conduct for Judicial Employees*](#). Employees are required to use Electronic Fund Transfer for payroll direct deposit. The Court of Appeals is an Equal Opportunity Employer.

APPLICATION PROCEDURE

Submit a letter of application emphasizing experience relevant to the position, detailed resume, salary history, and list of three professional references to the Human Resources Office at: ca06-humanresources@ca6.uscourts.gov or Human Resources Manager, United States Court of Appeals for the Sixth Circuit, 100 East Fifth Street, Room 503, Cincinnati, Ohio 45202. The Court will communicate only with those applicants selected for an interview.

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| Job Title | Circuit Mediator | CL-31 |
| Occupational Group* | Professional Line | |

Job Summary

Circuit mediators facilitate and conduct confidential settlement discussions among parties and their counsel in civil appeals. Circuit mediators function with a high degree of independence and manage their dockets autonomously, with very limited direction from the Chief Circuit Mediator.

Representative Duties

- Serve as mediator; resolve cases through facilitated negotiations. Conduct proceedings to mediate the settlement of claims. Identify and narrow legal issues through discussions with counsel and parties. Manage conflict between and among the participants. Encourage and assist the participants in considering and developing alternatives to continued litigation. Work with participants to clarify issues, identify underlying concerns and motivations, and develop an understanding of their respective needs and interests. Review, analyze, and evaluate merits of the case, share evaluation with counsel and parties. Review court pleadings, docketing statements, briefs, meditation statements, and case law. Assist counsel in drafting settlement agreements as needed.
- Answer questions about mediation. Keep abreast of developing dispute resolution techniques. Educate the public and bar about court mediation programs. Mediate cases referred by panel of judges or other court staff.
- Prepare statistical reports concerning the referral and disposition of cases, as needed.

Factor 1 – Required Competencies (Knowledge, Skills, and Abilities)

Mediation

- Knowledge of laws, legal codes, court rules and procedures, precedents, and government regulations in the subject matter of mediated appeals. Knowledge of changing alternative dispute resolution and mediation processes. Knowledge of national and regional litigation styles and practices.
- Skill in mediation techniques and tools. Ability to conduct mediation sessions in person and by teleconference. Skill in legal reasoning and critical thinking. Skill and ability to analyze and quickly synthesize complex data and law. Skill in analyzing, refining, and narrowing litigation issues through settlement discussions. Skill in negotiation. Skill in collaborative problem solving and consensus building. Skill in identifying and drawing out unexpressed concerns and analyzing related information to develop interests, evaluate options, and ask questions regarding those interests and positions. Ability to develop and help parties develop creative and practical solutions involving a wide range of disputes and personalities. Ability to sensitively provide "reality checks" to counsel and participants. Ability to manage conflict between often intensely emotional parties or in circumstances with participants of uneven levels of power or resources. Ability to command respect and control the mediation process within a voluntary environment. Ability to handle confidential information in a variety of contexts, such as observance of strict confidentiality from judges and other court staff, respect for confidences among parties during the course of negotiations and thereafter, and management of both private and public information flow in high-profile cases.

Court Operations

- Knowledge of court culture and philosophy.
- Ability to prioritize and manage personal caseloads consistent with the needs of the court.

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Judgment and Ethics

- Knowledge of and compliance with the *Code of Conduct for Judicial Employees* and court confidentiality requirements. Ability to consistently demonstrate sound ethics and judgment.

Written and Oral Communication/Interaction

- Skill and ability to communicate effectively and sensitively, both orally and in writing. Skill and ability to listen actively and quickly discern the meaning of intent behind verbal communications and to understand and assess information, ideas, and interpersonal dynamics. Ability to relate effectively to a broad array of people across the socio-economic spectrum, as well as people with different temperaments, occupations, and cultures.

Information Technology

- Skill in the use of automated equipment including legal research systems, word processing, spreadsheet, database, and electronic case management applications, and various other types of software. Skill in the use of computer-based teleconferencing system.

Factor 2 – Primary Job Focus and Scope

The primary focus of the job is to mediate and settle cases before the court. Circuit mediators facilitate negotiations and manage conflicts between parties. Responsibilities include helping parties and counsel to evaluate the legal merits of the case, to develop and understand their own and others needs and priorities, and to develop and evaluate their opinions. Circuit mediators assume full discretion in the handling of cases, determining whether to initiate, continue, or end settlement discussions under the very limited guidance from the chief circuit mediator. The incumbent's ability to mediate and settle a case lessens the burden on the court's caseload as well as decreases the costs to all parties involved in the case.

Factor 3 – Complexity and Decision Making

The job involves managing conflict in a context that is adversarial, often emotional, and evolving, that often involves complex legal issues. Incumbents conduct analysis and make decisions based within the context of professional standards, broad policies, and general goals. Circuit mediators facilitate the resolution of cases based on a thorough understanding of legal and conflict resolution concepts, practices, and requirements. Mediators generally function autonomously and manage their own docket with very limited guidance from the chief circuit mediator

Factor 4A – Interactions with Judiciary Contacts

The primary judiciary contacts are judges, chambers staff, peers, supervisors, and court staff in the context of mediation discussions and for the purpose of settling cases

Factor 4B – Interactions with External Contacts

The primary external contacts are attorneys, other government agencies, litigants, participants, and the public, for the purpose of mediating and settling disputes, as well as discussing procedural issues.

Factor 5 – Work Environment and Physical Demands

Work is performed in an office setting and off-site locations. Travel may be required.