

William B. Bohling

Resume

Judge Bohling has served as a mediator since his retirement from the bench in 2004. His mediations focus on high-conflict, complex, and multiparty commercial, tort, employment and probate cases. As a recognition of his reputation for integrity, tenacity, and resourcefulness, he has been listed in the Mountain States Super Lawyers, and the Best Lawyers in America from 2008 to the present, has been individually profiled in Utah Business' 2013 Legal Resource Guide and was named Best Lawyers' Salt Lake City **2013, 2017, 2019 and 2021 Mediation Lawyer of the Year**. He has an AV rating with Martindale-Hubbell, was awarded UCCR's 2005 Peacekeeper Award, and the Peter Billings 2010 Award for Excellence in Dispute Resolution. He is also a Distinguished Fellow of the International Academy of Mediators.

Judge Bohling has been a speaker and trainer of negotiation and mediation topics before numerous organizations including the International Academy of Mediators, the American Bar Association (Section of Dispute Resolution), Federal Bar Association (Utah Chapter), J. Reuben Clark (BYU) Law School, Utah Council on Conflict Resolution, Utah State Courts, and the Utah State Bar.

His 50-plus-year legal career includes 3-years at the Department of Justice's Antitrust Division, 5-years as a law professor, 16-years in private practice, and 11-years on Utah's district court bench. Judge Bohling was named the Utah State Bar's **1993 Distinguished Lawyer of the Year** and its **2004 Judge of the Year**.

ADR Experience and Qualifications

Judge Bohling's mediation training and experience date back to 1993 when he joined US A & M's mediation panel, and the Utah federal district court's mediation panel. After his appointment to the Utah district court bench, he became the chair of the state judicial council's ADR committee. For ten years he was actively engaged in promoting mediation in the state and in establishing a court-annexed mediation program. While on the bench he presided over many settlement conferences and informally mediated numerous disputes. In 2001 Bohling and a team of stake holders, instituted the first mental health court in the state of Utah. It was among the first in the nation. Offered as an alternative to incarceration, its objective was to help find housing and provide treatment, supervision, accountability and a sense of community to mentally ill offenders. The program was a success. Though always constrained by limited resources, similar courts have been established throughout the state and in many other states of the nation. He was also the trial judge who presided over State Farm Mutual Insurance Company-v-Campbell, 538 U.S. 408 (2003), among other significant civil cases. Since 1993 Judge Bohling has been a student of mediation and has sought out recognized teachers throughout the country. Following his retirement from the bench in 2004, he has been engaged full-time in a mediation practice involving disputes between represented parties.

Background and Education

Judge, Utah Third District Court (general jurisdiction), 1993-2004
Shareholder, Jones Waldo Holbrook & McDonough, 1979-2003 (associate, 1971-73)
Associate Professor (with tenure) Texas Tech University School of Law, 1975-78
(Ass't Professor, 1973-75) (courses: antitrust, business torts, contracts, economic regulation)
Trial Attorney, United States Department of Justice (Antitrust Division), 1968-71

LLM, University of Michigan Law School, 1978 (trade regulation)
MA (Economics), Texas Tech University, 1977
JD, University of Utah College of Law, 1968 (law review)
BS (Electrical Engineering), University of Utah, 1965

Memberships and Professional Activities

International Academy of Mediators (2008-present)
American Bar Association (Dispute Resolution Section), 2006 - present
Utah Dispute Resolution, Board of Trustees, 2005 - 2007
Utah Council on Conflict Resolution, 2004 - present
Chair, Judicial Council's Ad Hoc Committee on Alternate Dispute Resolution, 1994-2004,
Salt Lake County Mental Health Court (founding judge), 2001-04
Utah Judicial Conduct Commission, 2000-03
US District Court for the District of Utah's Roster of Mediators, 1993 - 95, 06-07.
US A & M's Panel of Mediators, 1993
Utah State Bar, 1968-present

Honors

Best Lawyers' Salt Lake City 2013, 2017, 2019 and 2021 Mediation Lawyer of the Year
Peter Billings 2010 Award for Excellence in Dispute Resolution
Best Lawyers in American, Mediation (2008-present editions)
Mountain States Super Lawyers (2008-present editions)
Peacekeeper Award (Utah Council on Conflict Resolution), 2005
Government Service Award (Utah Spring Mental Health Conference), 2005
Community Hero Award (National Alliance for the Mentally Ill) 2004
Judge of the Year (Utah State Bar), 2004
Distinguished Lawyer of the Year (Utah State Bar), 1993

Representative Mediation Training

Eric Galton & Tracy Allen, Specialized Mediation, Strauss Institute for Dispute Resolution,
Pepperdine University School of Law, Malibu, Ca (2008)
Randy Lowry & Jack Etheridge, Advanced Mediation: Skills & Techniques, Strauss Institute for
Dispute Resolution, Pepperdine University School of Law, Malibu, Ca (2007);
Kenneth Cloke, Into the Heart of Conflict: Mastery for Mediators, Summer Learning Forums,
Harvard Negotiation Insight Initiative, Cambridge, Ma (2006 & 2007),
Erica Fox & Mark Thornton, Beyond Yes Two: The Next Step in the Journey, Summer Learning
Forum, Harvard Negotiation Insight Initiative, Cambridge, Ma (2006);
William Downes & Brian Florence, Domestic Mediation, Utah Dispute Resolution, Salt Lake City,
Ut (2005);
Judy Mares-Dixon & Dan Dozier, The Mediation Process, CDR Associates, Boulder, Co. (2004);
Hon. Henry Blizzard, Mediation, American Academy of Judicial Education, Seattle, Wa (1998)
James Holbrook, Mediator Training, United States District Court for the District of Utah, Salt
Lake City, Ut (1993);

Presentations

Probate Mediation: Dealing with the Dark Side of Blood and Money, **Salt Lake Estate Planning Fall Institute**, November 6, 2014

Commercial Mediation 101, **University of Utah Dept of Communications**, February 13, 2014

Some Commercial Mediation Insights: Things I have Learned from Eight Years in the Trenches, **UCCR Brown Bag Luncheon**, April 13, 2013

What I Wish the Other Side Understood Regarding Mediation, **Utah State Bar Litigation Section Quarterly Luncheon**, January 14, 2013

Remarkable Closings: Insights from Our Stories (moderated panel with Eleanor Barr, Mark Rudy, Jerry Weiss, and Tony Willis), **International Academy of Mediators 2010 Spring Conference**, Salt Lake City, Utah, March 13, 2010

Outstanding Advocacy in Complex Mediation (with Mark Rudy), *Mastering Complex Mediations*, **International Academy of Mediators & Utah State Bar**, Salt Lake City, Utah, March 10, 2010

Civility and Professionalism in Mediation and Litigation, *Annual Construction Law Seminar*, **Utah State Bar Construction Section**, Salt Lake City, Utah, October 2, 2009

Calm in the Face of the Storm: Spiritual Intelligence in Conflict (co-presented with Nan Waller Burnett), **ACR Family Section 2008 Mid-Year Meeting**, Park City, Utah, July 26, 2008

Introduction to Commercial Mediation, **Utah Dispute Resolution Basic Mediation Training**, Salt Lake City, Utah, June 6, 2008;

Fishbowl Demonstration: Mediating an Asset and Debt Allocation Case with Represented Parties, **UCCR Family Section**, Salt Lake City, Utah, February 19, 2008;

Mediation Musings: Tips and Trends (moderator), **Utah State Bar Summer Convention**, Sun Valley, Idaho, July 20, 2007

Effective Advocacy in Mediation: Advice Mediators Have for Attorneys (moderator), **Utah State Bar ADR Academy**, Salt Lake City, Utah, October 20, 2006

Report on Court-Annexed ADR: Is it Alive and Well, **UCCR's 5th Annual Symposium**, Salt Lake City, Utah, May 17, 2003;

Some Thoughts about Mediating Custody Disputes, **Utah State Bar Family Law Section**, Salt Lake City, May 10, 2002;

Journey to Wholeness, **UCCR's 4th Annual Symposium**, Salt Lake City, Utah, May 4, 2002;

Reflections on His Holiness the Fourteenth Dalai Lama's Visit, **UCCR's 3rd Annual Symposium**, Salt Lake City, Utah, May 12, 2002;

The Sea Change Emerging In Conflict Resolution: Introductory Remarks, **Court's Annual ADR Training**, Salt Lake City, Utah, January 26, 2001;

Successfully Surfing the Mediation Wave, **University of Utah Continuing Education**, Salt Lake City, Utah, April 10, 1997;

The Graduate Course: An Introduction to the Lifelong Cultivation of the Qualities of an Effective Mediator, **Court's Annual ADR Training**, Salt Lake City, Utah, January 10, 1997

Being a Peace Maker: The Lifelong Process, **Weed & Seed Training, National Bureau of Justice Assistance**, Salt Lake City, Utah, March 30, 1996

Peace Pilgrim and Her Message to Mediators: Introductory Remarks, **Court's Annual ADR Training**, Salt Lake City, Utah, January 24, 1996;

Court-Annexed Mediation: An Introduction to its Use in Family Practice, **Utah State Bar Family Law Section**, Salt Lake City, Utah, May, 19, 1995;

Introduction to ADR in the Courts, **Utah State Bar Spring Convention**, St. George, Utah, March 3, 1995;

Mediation in the Courts: Introductory Remarks, **Court's First Annual ADR Training**, Salt Lake City, Utah, January 25, 1995;

The Development and Promise of Court-Annexed Mediation, **Industrial Commission Antidiscrimination Division**, Salt Lake City, Utah, September 23, 1994;

Mediation Skills for Lawyers, **Utah State Court's Annual Judicial Conference**,

Midway, Utah, September 15, 1994;
Civil Disputes: Avoiding, Assessment, Alternatives and All Out War, **Utah State Bar and University of Utah Continuing Education**, Salt Lake City, Utah, December 8, 1993
Litigation: Avoiding, Preparing, Alternatives, **Utah State Bar and University of Utah Continuing Education**, Salt Lake City, Utah, December 17, 1992

Publications

Civility Among Litigators: A Winters Beginning, 1 **Voir Dire** p. 6-7 {1995)
Court-Annexed Mediation: Thirteen Questions, 7 **Utah Bar Journal** p. 31-33 {December, 1994)
A Simplified Rule of Reason for Vertical Restraints: Integrating Sylvania, Social Goals and Economic Analysis, 64 **Iowa L. Rev.** 461 {1979);
Franchise Terminations Under the Sherman Act: Populism and Relational Power, 53 **Texas L. Rev.** 1180 {1975)
Case Note, *State Preemption and Exercise of Municipal General Welfare Powers: A City's Anti-Prostitution Ordinance*, 1968 **Utah L. Rev.** 419
Case Note, *Constitutional Rights of Majority Not Violated by Action of Commission of Education to Reduce Racial Imbalance*, 1967 **Utah L. Rev.** 178

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09-23-2022