

GENE ROBERTS

DIRECTOR, STUDENT LEGAL & MEDIATION SERVICES

SAM HOUSTON STATE UNIVERSITY

Box 2191 Huntsville, Texas 77341-2191

Mobile: (214) 457-8229 Office: (936) 294-1717

gene.roberts@shsu.edu

PROFESSIONAL SUMMARY:

An attorney by trade and a conflict resolution professional by passion, I have provided high-level legal advice, always coupled with business decisions in mind to individuals and companies. Believing that a significant amount of time, energy, and resources are depleted because of unproductive methods of dealing with disputes, I have focused on conflict resolution skills.

My peers have selected me for leadership positions in the ADR community, including (1) President of the Association for Conflict Resolution, Dallas Chapter; (2) Secretary and Chair of the ADR Section of the Dallas Bar Association; (3) Member of the Board of Directors and President of the Texas Association of Mediators; and (4) Council Member for the State Bar of Texas' Alternative Dispute Resolution Section. My speaking engagements include professional ADR groups, legal associations, students, and business professionals.

CORE QUALIFICATIONS:

- Negotiation theory and practice
- Effective advocacy
- Sound advice
- Workplace conflict resolution
- Oral communication skills
- Intellectually curious

EDUCATION:

Southern Methodist University, Dallas, Texas

- Juris Doctorate, 1998
- SMU LAW REVIEW, Articles Editor, 1997-1998
- Recipient, John Kennedy Scholarship
(Outstanding Male Graduate, 1998)
- Law School Dean Search Committee, 1997-1998
- Dean's List, Spring 1997
- President, Student Bar Association, 1997-1998
- Quarter-finalist, 1997 Vial Hamilton Mock Trial Competition
- Best Advocate, Quarter-final round
- First Place Team, 1997 Client Counseling Competition
- Best Brief Finalist, 1996 Jackson & Walker Moot Court Competition

Oxford University, Oxford, England (Summer 1996)

- Employment Law and International Business Transactions

The University of Houston, Houston, Texas

- Master of Arts, Political Science, 1994
- Teaching Assistant (research and teaching responsibilities)

Lamar University, Beaumont, Texas

- Bachelor of Science, *cum laude* 1989
 - Political Science (major), Psychology (minor)
 - 4.0 Average in major
 - Undergraduate research assistant

MEDIATION TRAINING:

The University of Texas School of Law Center for Public Policy Dispute Resolution, Austin, Texas
Pepperdine University, Straus Institute for Dispute Resolution, Malibu, California
Dispute Resolution Center, Austin, Texas

EXPERIENCE:

Sam Houston State University

Huntsville, Texas 2013-Present Director, Office of Student Legal & Mediation Services

I help individuals understand their rights and responsibilities, comprehend the complexities of the legal system, and develop a proactive and productive strategy for the situations they face. This includes one-on-one education about the law, preparing legal documents (letters, pleadings, wills, powers of attorney), and preparing students for court.

In addition to individual counseling of students on legal issues, I provide training and presentations to student groups on legal matters and how to handle conflict productively and professionally. I also provide mediation services and conflict coaching for students in conflict.

North Texas Negotiations

Dallas, Texas 2011-2013 Owner

North Texas Negotiations is dedicated to providing alternative dispute resolution (ADR) services for businesses and individuals to promote fair and expedient conflict resolution outside of the courtroom. Our services included mediation, conflict training, conflict coaching, and Christian conflict resolution.

Roberts Law Firm

Dallas, Texas 2007- 2013 Founder and Shareholder

Founder of a law firm dedicated to providing quality legal services. Areas of practice include mediation, business conflicts (breach of contract, deceptive trade practices), real estate litigation (boundary dispute, contract for deed, landlord-tenant), labor and employment (sexual harassment, separation agreement, age discrimination), bankruptcy (representing court-appointed chief restructuring officer), wills and estate planning, collections (representing New York-based company; representation of state bank in defense actions), and corporate matters (drafting notes and bills of sale for Georgia-based client, drafting minutes, resolutions, and consents for Texas limited liability company). Acted as first chair in all disputes handled, including trials by court and trials by jury.

Bracewell & Giuliani LLP (formerly Bracewell & Patterson LLP)

Dallas, Texas 2003-2006 Trial Associate

Areas of litigation practice: financial institution; complex commercial; trademark and copyright infringement; misappropriation of company and trade secrets; real property issues; title insurance defense; fraud; Deceptive Trade Practices Act; contract disputes; conspiracy; commercial landlord/tenant; garnishment, sequestration, extraordinary remedies, and injunctive relief. Responsibilities: manage docket, take and defend depositions, conduct settlement negotiations, engage in discovery, draft and argue motions, argue at hearings for summary judgments, temporary restraining orders, and motions to compel.

Practice also included direct contact with presidents and chief executive officers of businesses, including president and chief executive officer of a world-wide industrial manufacturer, president of security services company, senior vice presidents of two out-of-state financial institutions, in-house counsel for a national title company, and the general counsel of an out of state oil exploration company.

Appellate briefing and arguments:

Guerra v. Regions Bank, 188 S.W.3d 744 (Tex. App.—Tyler 2006, no pet.) (obtained affirmation of summary judgment on behalf of Regions Bank; case related to allegations of negligence in opening a checking account with the court determining that a bank owes no duty to someone who is not a customer).

Singer v. First Baptist Church, No. 02-05-00361-CV, 2006 WL 1920346 (Tex. App.—Fort Worth July 13, 2006) (not designated for publication) (requested that the Court of Appeals affirm the summary judgment in favor of First Baptist Church on issue of a right of reentry to real estate).

Firm service:

- Coach for SMU Law School's representative to the Texas Young Lawyer Association Moot Court Competition (2003-2006) (team advanced to semi-final round, 2003; team awarded second-place brief in 2004 and 2006)
- Dallas Bar Association, Young Lawyer's Leadership Class (2004)
- Recruitment of law students for permanent legal positions

Settle & Pou, P.C.

Dallas, Texas 1998-2003 Litigation Associate

Areas of practice: representation of financial institutions, collections, third-party insurance defense (areas include wrongful death in an airplane crash, premises liability in an apartment shooting incident, stock fraud, dram shop, personal injury, and construction), condemnation, eminent domain, constitutional tolling, residential landlord/tenant disputes, commercial landlord/tenant disputes, defense of wrongful foreclosure, DTPA, contract disputes, *ad valorem* taxation. Drafted incorporation documents for non-profit enterprise.

Firm Service:

- Monitoring developments in no-evidence summary judgment practice for litigation section.
- Member of the firm's web site committee, with responsibilities including initial development and design of firm's web site and responsibility for obtaining approval from State Bar of Texas for web site.
- Firm's discovery forms drafting section.
- Recruitment of law students for permanent positions.

INTERNSHIP:

14th District Court of Appeals

Houston, Texas Summer 1997

Judicial intern to the Honorable Wanda McKee Fowler. Performed legal analysis of civil and criminal issues. Analysis performed included in two published decisions. Drafted portion of decision for two points of error for published opinion. Performed statistical analysis and graphic demonstration for Continuing Legal Education presentation given by Judge Fowler.

COURT ADMISSIONS:

- State Bar of Texas, 1998
- United States District Courts for the Northern, Southern, Eastern, and Western Districts of Texas
- United States Fifth Circuit Court of Appeals

AFFILIATIONS AND COMMUNITY SERVICE:

- Texas Association of Mediators (2007-Present)
 - President (2014)
 - President Elect (2013)
 - Co-Chair of the Annual Conference (2013)
 - Board of Directors (2010-2012)
- Walker County Bar Association (2013-Present)
 - Vice President (2014)
 - Continuing Education Director (2013)
- External Examiner External Examiner for the Dispute Resolution Program, SMU (2013)
- Supreme Court, SHSU Student Government Association (2013-2014)
- Huntsville Leadership Institute (2013)
- State Bar of Texas Alternative Dispute Resolution Section
 - Councilmember (2013-2015)
 - Chair, Cases and Blog Subcommittee (2014)
- Dallas Bar Association
 - Immediate Past Chair (2013)
 - Chair, ADR Section (2012)
 - Secretary (2009-2011)
- Instructor, Legal Writing and Research, SMU (2011-2013)
- Board Member, Dallas County Dispute Resolution Center (2011-2013)
- Association of Attorney Mediators (2011-2012)
- Texas Mediator Trainers Roundtable (Present)
- College of the State Bar of Texas (2007-Present)
- Association for Conflict Resolution—National (2007-2010)
- Association for Conflict Resolution—Dallas Chapter (President-Elect 2009; President 2010)
- Volunteer mediator, Dispute Mediation Service, Inc. (2007)
- Associate, Patrick Higginbotham American Inns of Court (2000)

- SMU Mustang Club (2002-2011)
- Northway Christian Church (1996-2013)
 - High School Sunday School Teacher
 - Outreach Ministry (Chair, 2001 & 2004)
 - Board Secretary (2004)
 - Member, Executive Committee (2004)
 - Member, Diaconate (2001-2004)
 - Chair, Strategic Planning Committee (2011-13)
 - Elder (2011-13)

SPEECHES AND PUBLICATIONS:

"An Empirical and Normative Analysis of the Impact of Televised Courtroom Proceedings," 51 SMU L. REV. 621 (1998)(cited in at least seventeen scholarly journals, including AM. BUS. L.J., TEX. L. REV., DEPAUL L. REV., AM. J. TRIAL ADVOC., VA. J. SOC. POL'Y & L., WM. & MARY BILL RTS. J. and in *Allowing Cameras and Electronic Media in the Courtroom: Hearing on S. 721 Before the Subcomm. on Administrative Oversight and the Courts of the Senate Comm. on the Judiciary*, 106th Cong. 43 (2000) (statement of Lynn D. Wardle).

An Overview of Legal Issues Facing Church Leaders Who Work with Children. *Safe But Not Sorry: A Workshop on Standards of Care of Children and Youth in the Church*. Midway Hills Christian Church, Dallas, Texas. March 24, 2000 (conference included attendees from Oklahoma, Arkansas, and Texas).

Protecting Your eBusiness. *Adventures in eBusiness: A Seminar*. Houston Community College-Northwest (co-sponsored with the Texas Chamber of E-Commerce). June 8, 2000.

Legal Issues and the Internet. South Central Oracle Users Group Roadshow 2000. Marriott-Las Colinas. July 21, 2000.

Mediation in the Divorce Process. Northway Christian Church Divorce Recovery Program. March 2001; October, 2001; March 2002; October 2002.

Do Television Cameras belong in Jury Rooms? No, Presence of Cameras can Change Jurors' Deliberations, DALLAS MORNING NEWS, Dec. 3, 2002, at 15A (editorial in *Viewpoints* section, with "pro" side written by Chip Babcock).

The Role of the Paralegal in Settlement Negotiations. Legal Assistants of North Texas Association. The Wyndam Market Center, Dallas, Texas. January 13, 2005.

Mediation: Trying Your Case Before Trial. Texas Advanced Paralegal Seminar. Crowne Plaza Hotel, Dallas, Texas. September 20-22, 2006.

Confidentiality Issues in Alternative Dispute Procedures. HEADNOTES (published by the Dallas Bar Association). September, 2009.

Mediation as an Alternative Dispute Resolution Tool, Wichita Falls HR Management Association. Midwestern State University. Wichita Falls, Texas. April 13, 2010.

Alternative Dispute Resolution Tools. Wichita Falls HRMA Fall Conference. Wichita Falls, Texas. September 14, 2010.

Mediation Confidentiality. Advanced Mediation Class, El Centro College. Dallas, Texas. April 30, 2011.

Conflict Resolution in Small Groups. Northway Christian Church. Dallas, Texas. August 21, 2011.

Mediation—The Alternative Dispute Resolution Tool for HR Professionals. Wichita Falls Human Resource Management Association. September 13, 2011.

The New Masters of Mediation (Trade Secrets of the New Guys on the Block). Association of Attorney Mediators Advanced Mediator Training (Panelist). Dallas, Texas. September 23, 2011.

Mediation and Confidentiality: A Fresh Look. Conflict Resolution Network (SMU-Legacy). November 8, 2011.

Confidentiality in Mediation. University of North Texas-Dallas (Mediation Practicum Class). February 8, 2012.

Mediation and Confidentiality. Texas Association of Mediators' Annual Conference. The Woodlands, Texas. February 25, 2012.

Better Negotiations. University of North Texas-Dallas (Mediation Practicum Class). July 16, 2012.

Mediation and Confidentiality. Texas Advanced Paralegal Seminar (offered by the Paralegal Division of the State Bar of Texas). Crown Plaza Hotel, Addison, Texas. October 3-5, 2012.

25 Years of the Texas ADR Statute. Conflict Resolution Network. SMU-Legacy. November 13, 2012.

Resolving Workplace Conflicts: How to Orient Yourself and the Issue. Wichita Falls Human Resource Management Association. April 9, 2013.

Student Mediation, Apologies, and Title IX. Texas Woman's University Mediation Training (Kay Elliott, lead trainer). February 25, 2014.

Criticism: Giving and Receiving. Sam Houston State University Professional Development Conference. March 11, 2014.

How Perceptions Can Cause (and Resolve) Conflict. Sam Houston State University Professional Development Conference. March 11, 2014.

Mediation in Student Affairs. University of North Texas Higher Education Law Conference. March 24, 2014

Building Rapport, Understanding Issues, and the Mediator's Opening Statement. Texas Woman's University Mediation Training (Kay Elliott, lead trainer). May 12, 2014.

The Power of Perspective: How Perspectives Can Cause and Resolve Conflict. 19th Annual Houston Area Consortium of Career Centers Drive-In Conference. August 1, 2014.

"Meditation Logistics: Facilities, Food and Other Forgotten Details." (with John DeGroote). ALTERNATIVE DISPUTE RESOLUTION SECTION HANDBOOK (State Bar of Texas) (2015).

"Mediation in College and University Settings." (with Karey Barnes). ALTERNATIVE DISPUTE RESOLUTION SECTION HANDBOOK (State Bar of Texas) (2015).