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Patrick R. Burns

Lawyer, Arbitrator, Mediator

Patrick Burns focuses his practice on ADR and civil litigation. He is licensed to practice law in Minnesota, Wisconsin and South Dakota. Minnesota Lawyer named him one of 20 “Up and Coming Attorneys” in the state in 2007, and in 2010 he was named a “Rising Star” in ADR and litigation by *Minnesota Law & Politics*. Patrick is an active mediator and arbitrator who serves on the American Arbitration Association’s (AAA) national panels of mediators and arbitrators. Patrick also volunteers as a mediator through the Minneapolis Department of Civil Rights and Hennepin County District Court. He was formerly vice president of the Minneapolis office of the American Arbitration Association and served on active duty as an officer and trial lawyer in the Army JAG Corps. Patrick earned his B.S., M.P.A. and J.D. degrees from the University of South Dakota, where he is an adjunct professor of law. Patrick serves as a vice chair of the Minnesota State Bar Association Alternative Dispute Resolution Section. He is also pursuing an LL.M in Dispute Resolution from the Pepperdine School of Law Straus Institute for Dispute Resolution in Malibu, California.

EDUCATION

- LL.M, Dispute Resolution, Pepperdine University School of Law Straus Institute of Dispute Resolution (anticipated completion date - 2012)
- Graduate, United States Army Airborne Infantry School, Fort Benning, Georgia, 2001
- Graduate, The Judge Advocate General’s School of the Army, Charlottesville, Virginia, 2001
- J.D., University of South Dakota, 2000 (Editor, *South Dakotan Lawyer*; Graduate Assistant to the Dean)
- M.P.A., University of South Dakota, 2000 (Graduate Assistant to the Vice President of Academic Affairs)
- B.S., University of South Dakota, Philosophy and Speech Communication, 1993

PROFESSIONAL BACKGROUND

- Burns Law Firm, PLLC, 2010-Present
- Dady & Gardner, P.A., 2008-2010
- American Arbitration Association, Vice President, 2005-2008
- Bassford Remele, P.A., 2003–2005
- The United States Army, Captain and Judge Advocate (JAG), 2001–2003, Honorable Discharge
- Burns Law Firm, 1999–2001

SUMMARY OF QUALIFICATIONS

- Alternative Dispute Resolution — Selection by judges, lawyers and litigants as a mediator and arbitrator in private and court-referred mediation and arbitration. Qualified neutral under Rule 114 of the Minnesota General Rules of Practice for Civil Adjudicative/Evaluative and Civil Facilitative/Hybrid processes:
Mediation (30 hours), Hamline University School of Law - Dispute Resolution Institute, St. Paul, Minnesota, 2006
Arbitration, Minnesota CLE, Minneapolis, Minnesota, 2007
- Litigation — Experience as a trial attorney handling criminal defense, business, franchise and employment matters in military courts, state and federal courts and in arbitration. Significant additional experience handling construction-related matters, insurance coverage disputes and personal injury claims. Represents parties in mediations and arbitrations and in federal and state courts.
- Hennepin County Bar Association Legal Fee Arbitration Committee, Chair and panelist
- Minneapolis Department of Civil Rights Mediation Panel — mediator
- Hennepin County District Court Pro Bono Mediation Project — mediator

AREAS OF EXPERIENCE

- Arbitration and Mediation — Retained and sits as a neutral for a wide range of disputes. Representative examples in the past five years include claims of breach of contracts for sales of goods and services; disputes arising from sales of businesses; disputes concerning real estate sales, leases, financing and related issues; construction disputes; partnership disputes; commercial and consumer lending disputes; civil rights violation disputes; employer-employee termination-related litigation; consumer/debtor-financing agency disputes concerning payments, defaults, security, etc.
- Trial Lawyer — Has tried jury and bench cases and arbitrations. Representative litigation includes corporate and partnership governance disputes; disputes concerning fraud; disputes concerning enforcement of state and federal franchise laws; fraud claims; litigation concerning various types of commercial contracts; unfair competition litigation; disputes concerning sales of businesses; negligence claims; real estate & disclosure, franchise and dealership litigation; disputes concerning real estate sales and leases; employment disputes; insurance coverage disputes, etc.

BAR AND COURT ADMISSIONS

- Minnesota
- South Dakota
- Wisconsin
- U.S. Courts of Appeal for the Armed Forces, Seventh and Eighth Circuits
- U.S. District Court for the Districts of Minnesota, South Dakota and Western Oklahoma
- U.S. Army Court of Criminal Appeals

ALTERNATIVE DISPUTE RESOLUTION TRAINING

- Pursuing Master of Laws in Dispute Resolution from the perennially number-one ranked law school for dispute resolution in the United States — Pepperdine University School of Law. Coursework is live and not online. Additional coursework at Hamline University School of Law, which is currently the number-two ranked law school for dispute resolution in the United States
- Advanced Mediator Training, American Arbitration Association, Minneapolis, Minnesota, 2010
- Minnesota CLE, ADR Institutes, Minneapolis, Minnesota, 2006-2008 and 2010
- Minnesota Rule 114 Certified Civil Arbitrator training (6.75 hours), Minnesota CLE, 2007
- Hennepin County Bar Association CLE, “Ask the Mediators: Candid Advice About What Works and What Doesn’t,” 2007
- The State Bar of South Dakota, Dispute Resolution CLE, 2007
- Minnesota CLE, Arbitration Series: “Ethical Considerations in Arbitration for Neutrals and Lawyer-Advocates,” 2007
- AAA “Arbitration Fundamentals & Best Practices for New AAA Arbitrators,” 2007
- Minnesota CLE, Mediation Advocacy, 2006
- AAA “Dealing with Delay Tactics in Arbitration (ACE004),” 2006
- AAA Staff Mediator Training, 2006
- Hamline University School of Law Dispute Resolution Institute, Minnesota Rule 114 Qualified Neutral (30 hours), 2006
- AAA “Arbitrator I: Fundamentals of the Arbitration Process,” 2005
- AAA “Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics,” 2005
- Faculty, AAA Arbitrator Training 2006-2008
- Various Other ADR Training and Seminars

TEACHING POSITIONS

- University of South Dakota School of Law, Adjunct Professor, Arbitration, 2007-Present
- Trained arbitrators and mediators nationally for the American Arbitration Association’s continuing education program for neutrals, 2005-2008
- Staff instructor for AAA Commercial Arbitration Training, 2005-2008
- University of South Dakota, Adjunct Professor, Speech Communication, 2000

HONORS AND AWARDS

- Named a Minnesota Super Lawyer’s “Rising Star” by *Minnesota Law & Politics*, 2010
- Named one of 20 “Up and Coming Attorneys” by *Minnesota Lawyer*, 2007
- Peer-review rated “Distinguished” in *Martindale-Hubbell*
- Named “Dillon Graduate Student of the Year,” University of South Dakota Department of Political Science, 2000

LECTURES AND PUBLICATIONS

- Faculty, “13th Annual ADR Institute,” Minnesota CLE, Minneapolis, Minnesota, October 29, 2010
- Certified Civil Arbitration Training, Minnesota CLE, Minneapolis, Minnesota, June 16, 2010

- Franchise Law Webcast Series (“The Accidental Franchise,” “Disclosure and Registration,” “Minnesota Franchise Relationship Law”), Minnesota CLE, Minneapolis, Minnesota, April, May and June, 2010
- “Elder Mediation and Alternative Dispute Resolution,” Elder Law Forum (guest on regional radio program broadcast in seven states) WNAX-AM, Yankton, South Dakota, November 15, 2009
- “Arbitration,” Hamline University School of Law, St. Paul, Minnesota, April 1, 2009
- “Arbitration,” Ramsey County Bar Association, St. Paul, Minnesota, March 27, 2009
- “Arbitration,” ADR Seminar, Hamline University School of Law, St. Paul, Minnesota, March 9, 2009
- “Tips for Choosing an Arbitrator,” ADR Section of the Minnesota State Bar Association, Minneapolis, Minnesota, February 10, 2009
- “Mediation and Conflict Resolution,” Bethel College, St. Paul, Minnesota, November 1, 2007
- Faculty, “10th Annual Minnesota ADR Institute,” Minnesota CLE, Minneapolis, Minnesota, October 19, 2007
- “Drafting Arbitration Clauses,” Minnesota CLE webcast, Minneapolis, Minnesota, October 18, 2007
- “Ask the Mediators: Candid Advice on What Works and What Doesn’t,” Hennepin County Bar Association, Minneapolis, Minnesota, September 27, 2007
- “Ethics in Arbitration,” Minnesota CLE webcast, Minneapolis, Minnesota, September 20, 2007
- “The American Arbitration Association in 2007: Leaders in Dispute Resolution,” Hamline University School of Law, Saint Paul, Minnesota, September 4, 2007
- “Using Arbitration to Resolve Intellectual Property Disputes,” Minnesota CLE webcast, Minneapolis, Minnesota, August 16, 2007
- “Minnesota No-Fault Arbitration — Current Topics and Trends from Three Perspectives,” Minnesota CLE webcast, Minneapolis, Minnesota, July 19, 2007
- “Drafting International Dispute Resolution Clauses & Working with a Third-Party ADR Administrator,” American Arbitration Association, Minneapolis, Minnesota, July 20, 2007
- “Alternative Dispute Resolution,” South Dakota Bar Convention, Aberdeen, South Dakota, June 21, 2007
- “Arbitration Fundamentals & Best Practices for New American Arbitration Association Arbitrators,” AAA, Minneapolis, Minnesota, June 5 & 6, 2007
- “Designing an Effective Employee Dispute Resolution Program,” Society of Human Resource Managers (SHRM), Elk River, Minnesota, April 11, 2007
- “Online Dispute Resolution Solutions,” Hamline University School of Law, Saint Paul, Minnesota, March 28, 2007
- “What Clients Need to Know About Intellectual Property Arbitration,” Merchant & Gould/Lindquist & Vennum, PLLP, Windows on Minnesota, Minneapolis, Minnesota, November 8, 2006
- Faculty, “9th Annual ADR Institute,” Minnesota CLE, Minneapolis, Minnesota, October 20, 2006
- “Fundamentals of ADR in North Dakota — Leading the Way in the 21st Century,” North Dakota Bar Association, Fargo, North Dakota, September 29, 2006
- “Mediation Advocacy,” Minnesota CLE Solo and Small Firm Conference, Duluth, Minnesota, August 7, 2006
- Panelist, “The Future of ADR,” 10th Anniversary Symposium, ADR Section of the Minnesota State Bar Association, University of St. Thomas School of Law, Minneapolis, Minnesota, May 23, 2006
- “Alternative Dispute Resolution,” City of Lakes Rotary Club, Minneapolis, Minnesota, March 15, 2006
- “Drafting Dispute Resolution Clauses & Working with a Third-Party ADR Administrator,” Hamline University School of Law, St. Paul, Minnesota, November 17, 2005

PROFESSIONAL ASSOCIATIONS

- American Bar Association (Dispute Resolution Section, Litigation Section, Solo/Small Firm Section and Forum on Franchising)
- The Minnesota State Bar Association (ADR Section, Vice Chair since 2005)
- Hennepin County Bar Association (HCBA Mentor Program participant since 2006; Leaders Impacting the Non-Profit Community [LINC] Graduate, Chair of the Legal Fee Arbitration Committee)
- Douglas K. Amdahl Inn of Court (Barrister)
- American Arbitration Association (AAA) Mediation and Arbitration Panels - neutral
- University of St. Thomas School of Law (Mentor Program participant since 2004)
- The State Bar of South Dakota (ADR Committee)
- The State Bar of Wisconsin ("Lawyer-to-Lawyer" volunteer)

PRO BONO ACTIVITIES

Active in establishing pro bono mediation program in Hennepin County. Appointed as mediator by Hennepin County District Court in numerous pro bono matters.

COMMUNITY INVOLVEMENT

- City of Lakes Rotary Club (International Service, Community Service and Youth Exchange Committees), Minneapolis, Minnesota
- Victory Memorial Drive Task Force (by appointment), Minneapolis, Minnesota
- Victory Neighborhood Association, Minneapolis, Minnesota
- Minneapolis Public Schools – volunteer
- Bob Burns Dakota Bowl Committee, Sioux Falls, South Dakota

CITIZENSHIP

United States of America

LOCALE

Minnesota — Minneapolis/St. Paul

Willing to travel locally, statewide, nationally or internationally to offer ADR services