

JUDGE FRANKLIN I. KRAL (RET.)

The success of a neutral stems from early involvement in the case. Planning conferences with the parties are utilized to discuss the ADR process, submission of documents, identify issues, limit discovery, stipulate to exhibits and witnesses to be used in the presentation. This input, utilized in the privacy and confidentiality of the ADR process, provides the tools to bring the matter to a prompt, efficient resolution.

EXPERIENCE

Served on the Circuit Court of Cook County, Illinois for 29 years, the last 12 years spent as Supervising Judge in the Chancery Division dealing exclusively with construction and commercial litigation. ADR specialization is in complex construction and business related matters. Resolved hundreds of disputes using mini trials, arbitration, mediation, binding mediation, evaluative mediation and other ADR methods. Active participant in continuing legal education and lecture programs on the topic of Alternative Dispute Resolution.

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

Concentrates in applying customized ADR methods and techniques to commercial and construction disputes with varied subject matters: design build to performance or production requirements, economic loss, fee disputes, cardinal change, unforeseen conditions, economic adjustment, fast track projects, AIA contract interpretation, subterranean faults, subsoil movement, loss of productivity, critical path, job acceleration, stacking of trades, means and methods, economic impact, product warranty, apparent authority, mechanics lien, value engineering, workmanship quality, standards of the industry, subcontractor contribution allocation, failure to disclose existing conditions, manpower utilization, anticipatory breach, schedule slippage, audio visual installations, betterment, entitlement, scope changes, Statute of Repose application. PRIVATE PROJECTS: low rise, multi and hi rise residential, office & commercial, custom residences, condo conversions, rehabilitation, corporate and manufacturing parks, warehousing and mixed use, research and development parks, manufacturing plant, utility plant, shopping center and strip mall, tenant build-out, railroad, pipeline, irrigation system, franchise structures, HUD PUD project, subdivision development , offsite improvements, sports arena. PUBLIC PROJECTS: water & sewerage treatment plants, public service facilities, police & fire stations, municipal offices, airport, park, school, stadium, allocation and contribution from multi prime contractors, life safety violations, hydroelectric power plant, water main expansion, transit system renovation. SURETY & CASUALTY INSURANCE: policy interpretation, coverage issues, business interruption coverage, property casualty, errors & omissions, performance bond, professional malpractice, broker misrepresentation, overlapping coverage, design deficiencies, umpire loss appraisal disputes.

Capsulated case subject narratives and counsel references available.

ALTERNATIVE DISPUTE RESOLUTION TRAINING

AAA Arbitrator Continuing Education, Chicago, 7/03; AAA Construction Industry Arbitrator II Training, Chicago, 2/01; AAA Continuing Education, "Financial Analysis of Damage Claims, Warranties, Case Management Issues," Chicago, 11/00; AAA Continuing Education, "Sticks and Stones and Managing the Process of Arbitration", Chicago, 7/00; AAA Continuing Education, "Scheduling Damages and Discovery Management in Arbitration," Chicago, 5/00; AAA Substantive Construction Law Course, 11/98; AAA Construction Law Training, Chicago, 11/98; attended AAA Neutrals, Retreat, Orlando, 19/98; AAA Construction Industry Arbitrator Training Chicago, 2/98; Illinois State Bar Association ADR Training, Chicago; JAMS Advanced Neutral Training Program; Pepperdine University, Advanced Mediation, Straus Institute for ADR.

PUBLICATIONS AND SPEAKING ENGAGEMENTS

Co-author, "Real Estate and Construction Alternative Dispute Resolution Methods," ALTERNATIVE DISPUTE RESOLUTION, Illinois Institute for Continuing Legal Education, 2001 ed.; contributing author, ALTERNATIVE DISPUTE RESOLUTION IN ILLINOIS, Illinois Institute for Continuing Legal Education, 2001 ed.; co-author, "Alternative Dispute Resolution," MECHANICS LIENS IN ILLINOIS, Illinois Institute for Continuing Legal Education, 2000 ed.; editorial review staff member, LAWYERS HANDBOOK ON LAND USE AND ZONING, Illinois Institute for Continuing Legal Education; "Real Estate Crisis of the Inner City," CHICAGO BAR RECORD; panel member, "Seminar for the Construction Industry," Chicago Bar Association; moderator, "Construction Industry Seminar for Attorneys and Non-attorneys," Illinois Institute for Continuing Legal Education.

COMPENSATION

\$320.00 per hour for hearing and meetings,
\$220.00 per hour for pre hearing study, motions, conference calls, post hearing study, deliberation and preparation of Award/Judgment/Evaluation and reimbursement of travel expenses incurred outside of the Chicago metropolitan area.

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