



Ruth Franklin, PE, Esq.

Biographical Information

RUTH FRANKLIN | MEDIATOR | FACILITATING INFORMED DECISION-MAKING THROUGH ADR

Overview

Ruth Franklin is a licensed Professional Civil Engineer as well as a seasoned Attorney admitted to the California, Arizona and Utah bars, and has practiced as a dispute resolution professional for 20 years. Ms. Franklin has resolved matters after the construction project has completed and also specializes in resolving disputes while the project is underway by creating project specific resolution processes that enable closure of contentious claims while preserving the project completion schedule. In 2007, Ruth Franklin joined the firm of HOLDEN WILLITS MURPHY PLC where she has a focused practice in the area of dispute resolution and mediation.

Ms. Franklin advanced her dispute resolution process development experience by working as Senior Attorney to Intel Corporation, Worldwide Construction Claims Management, where she provided both the legal strategy and dispute resolution evaluation within the corporate environment to resolve hundreds of multi-million dollar (US) disputes that arose during construction projects located in Ireland, Israel, Malaysia, India, Philippines, China as well as throughout the United States of America. (1999 -2006) Ruth served as a dispute resolution board member (DRB) rendering recommendations after party-based investigative analysis. In addition, she empanelled DRBs for specific contentious disputes and created unique processes to be used by the DRBs to investigate and resolve disputes. It was not uncommon for these matters to involve several different subcontractors, as well as the owner and the general contractor or design builder where the claims ranged upwards to \$50M.

Ruth Franklin also works within the corporate environment developing and delivering unique training programs to assist managers and employees in gaining the benefits of dispute resolution processes. Ms. Franklin has trained other mediators, DRB members, and is a frequent speaker at seminars attended by mediators throughout the United States of America. Ruth Franklin is Chair of the Executive Council of the Alternative Dispute Resolution Section of the Arizona State Bar Association and is a past Executive Council member of the American Arbitration Association.

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Applying her unique blend of civil engineering knowledge combined with legal experience Ruth Franklin has resolved matters that involved: contract and specification interpretation; change order disputes; architectural and engineering design deficiencies; construction management; substitution of “in kind” materials; methodology for calculation of payment quantities; substantial completion and release of retention funds; acceleration and constructive acceleration claims; delay and liquidated damage claims; construction defect in industrial, commercial, single family and multifamily developments.

Ms. Franklin has worked with multi-party disputants such as contractor, developer, owner, government, engineer, architect, and insurance professionals to achieve resolution of complex disputes.

Main ADR Practice Areas:

Construction disputes both during and after project completion; Engineering and Design Professionals disputes; Complex Commercial disputes involving purchase of business and real estate; Negotiation Strategy development during the deal and also during the dispute resolution phase; Creation of unique dispute resolution processes to address the particular issues presented.

Professional Affiliations:

The Dispute Resolution Board Foundation; American Bar Association Forum on Construction Industry and Section of Dispute Resolution; State Bar of Arizona Alternative Dispute Resolution Section Chair 2009; State Bar of Arizona Construction Section Member; Commercial and Construction Mediator Panel Member of the American Arbitration Association; Association for Conflict Resolution.

ADR Education and Teaching:

Faculty, American Arbitration Association, Effective Use of DRBs to Avoid Costly Litigation, 2009; Association for Conflict Resolution Advanced Commercial Mediation Institute, 2009; Faculty, State Bar of Arizona, Private Arbitration Update: Fundamentals and Best Practices, 2007, 2008, and 2009; Faculty, State Bar of Arizona, Construction Section 2008 Program; Faculty, American Arbitration Association National Neutrals Conference, 2003 and 2008; Faculty, American Arbitration Association Commercial Arbitrator Training, 1998; Faculty, American Arbitration Association National Construction Arbitrator Training, 1997 and 1998; Faculty, American Arbitration Association Construction Mediator Training, 1997.