

# BRENDA WAUGH

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## EDUCATION

M.A. <i>Eastern Mennonite University-Center for Justice and Peace</i> Masters in Conflict Transformation with Emphasis on Restorative Justice	2007-2009 <i>Harrisonburg, Virginia</i>
J.D. <i>West Virginia University</i>	1984-1987 <i>Morgantown, West Virginia</i>
B.A. <i>University of Virginia</i>	1979-1982 <i>Charlottesville, Virginia</i>

## EMPLOYMENT

ATTORNEY/MEDIATOR/FACILITATOR/CONSULTANT <i>Waugh Law &amp; Mediation</i>	2000-PRESENT <i>Charles Town and Martinsburg, West Virginia, Leesburg, Virginia District of Columbia</i>
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Provides mediation services in civil litigation, and disputes involving real estate, HOA, elder law, guardianship, small business, family, educational programs, small business, and estates. Facilitates processes for disputes in the workplace, and congregational and organization disputes. Design and facilitate restorative justice practices. Represented litigants in a variety of legal actions, including criminal litigation, crime victims' compensation matters, family law and civil litigation. Offices are located in the Virginia and West Virginia.

ADJUNCT PROFESSOR <i>Eastern Mennonite University-Center for Justice and Peace</i>	2012-2012 <i>Harrisonburg, Virginia</i>
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Designed and co-taught an on-line course to an international community of graduate students on Restorative Justice. Designed extensive visual components for on-line lectures and discussions with students and leading Restorative Justice Practitioners.

ADJUNCT LECTURER <i>West Virginia University College of Law</i>	2010-2011 <i>Morgantown, West Virginia</i>
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Designed and co-taught a course to third year law students on practice skills including interviewing and negotiation. The course focused on the development of conflict resolution skills for attorneys, including collaboration, listening and mediation skills.

ATTORNEY 1999-2000  
*Manford and Waugh, P.L.L.C.* *Martinsburg, West Virginia*

Represented litigants in a variety of legal actions, including civil litigation, family law matters, criminal litigation, child abuse and neglect proceedings, and crime victims compensation matters

ASSISTANT PROSECUTING ATTORNEY 1998-1999  
*Berkeley County Prosecuting Attorney* *Martinsburg, West Virginia*

Represented the State of West Virginia in the prosecuting of felony cases, including jury trials  
Prepared and assisted in the presentation of matters to the Grand Jury

ASSISTANT PROSECUTING ATTORNEY 1994-1998  
*Kanawha County Prosecuting Attorney* *Charleston, West Virginia*

Representation of the State of West Virginia in child abuse and neglect matters  
Litigated dependency cases and criminal cases involving allegations of child abuse and neglect

COUNSEL TO SENATE JUDICIARY COMMITTEE 1993-1996  
*West Virginia Senate .* *Charleston, West Virginia*

Drafted and presented bills to the Senate Judiciary Committee  
Provided an analysis of proposed legislation and tracked legislation through the legislative process, participating in drafting amendments and conference committee report

CLERK TO THE SUPREME COURT 1992-1993  
*West Virginia Supreme Court of Appeals.* *Charleston, West Virginia*

Clerked for the committee which developed the initial rules which were subsequently adopted by the court as procedures in family law matters  
Developed the first pro se packet of materials for family law litigants

ATTORNEY 1989-1992  
*Legal Aid Society.* *Charleston, West Virginia*

Represented low income clients in proceedings against the State of West Virginia Department of Human Services in obtaining public benefits and ancillary relief  
Represented victims of family violence in a variety of forums including divorce and family protection proceedings  
Implemented processes within organization designed to bring systemic relief to victims of family violence

OTHER POSITIONS:

Childbirth Educator, Morgantown, West Virginia, Substitute Teacher, Manassas, Virginia, Research Assistant, West Virginia University, Morgantown, West Virginia, Clerk, Law Office of Allan Karlin, Morgantown, West Virginia, Freelance Costume Designer, North Hollywood, California, Studio Wardrobe Coordinator, Saks Fifth Avenue, Beverly Hills, California, and Costume Designer, Hayloft Dinner Theater.

**OTHER EDUCATION:**

Northern Virginia Community College, George Mason University, Mary Washington College, Van Nuys Community College

**BAR ADMISSIONS**

Commonwealth of Virginia	April, 2018
District of Columbia	April, 2010
West Virginia	May, 1987
West Virginia (Southern District)	May, 1987
West Virginia (Northern District)	May, 1987

**CERTIFICATIONS AND ADDITIONAL TRAINING**

Virginia Supreme Court, Mentor	April, 2020
Virginia Supreme Court, Mediation for General District Court	April, 2010
Virginia Supreme Court, JDR	April, 2011
West Virginia Supreme Court, Family Court Mediation	June, 2013
International Academy Collaborative Professionals	January, 2013

**SELECTED WORKSHOPS AND PRESENTATIONS**

West Virginia Restorative Justice Project, Clarksburg, West Virginia. August 25-26, 2023. *A Collaborative Workshop: How Restorative Justice Helps to Create Stronger Communities.*

Partners for Justice Conference, Baltimore, Maryland. May 25, 2023. *Does Access to Justice include Access to A.D.R.?*

West Virginia Bar Foundation, West Virginia Leadership Institute, Stonewall Lake, Roanoke, West Virginia, May 20, 2023. *Civility and Organizational Leadership.*

American Bar Association, Dispute Resolution Section, Las, Vegas, Nevada. May 10, 2023. *Hijacked! Mediation, Self-Determination, and Controlling the Process.*

National Association of Social Workers, West Virginia Chapter, Charleston, West Virginia. May 5, 2023. *Seven Ways Social Workers Can Apply the Principles of Restorative Justice.*

Pennsylvania Council of Mediators, Harrisburg, Pennsylvania. April 29, 2023. *Hijacked! Mediation, Self-Determination, and Controlling the Process.*

Race Matters Greenbrier County, West Virginia Project for Restorative Justice, Lewisburg, West Virginia. March 10, 2023, *How Restorative Justice Helps to Create Stronger Communities.*

Will Work for Food (online) December 1, 2022. *The First Five Minutes: Maximizing the Potential for Success in Mediation.*

Virginia Mediation Network, Staunton, Virginia. September 17, 2022. *The First Five Minutes: Maximizing the Potential for Success in Mediation.*

American Friends Service Committee, (online) September 6, 2022. *Understanding Restorative Justice.*

West Virginia Bar Foundation, West Virginia Leadership Institute, Stonewall Lake, Roanoke, West Virginia, May 21, 2022. *Practice Better, Feel Better, Be Better.*

American Bar Association, Dispute Resolution Section (online) April 19, 2022. *The First Five Minutes: Maximizing the Potential for Success in Mediation.*

West Virginia Public Defenders, Charleston, West Virginia, February 7, 2022 and May 4, 2022, (online) *Boot Camp: What Every Public Defender Should Know about Restorative Justice.*

West Virginia Bar Foundation, West Virginia Leadership Institute, Stonewall Lake, Roanoke, West Virginia, May 22, 2021. *Practice Better, Feel Better, Be Better.*

Pennsylvania Council of Mediators, Harrisburg, Pennsylvania (online) April 23-24, 2021. *The First Five Minutes: Options to Maximize the Potential Success in Mediation.*

University of Richmond Public Interest Law Review Symposium, Richmond, Virginia, October 4, 2019, *A Proposal for Restorative Justice Based Lawyer Discipline.*

Virginia Mediation Network, Richmond Virginia, September 28, 2019, *The Alternatives in Alternative Dispute Resolution.*

West Virginia State Bar, July 24, 2019, *ADR is Not Alternative Anymore: What Every Lawyer Should Know about ADR.*

West Virginia Bar Foundation, West Virginia Leadership Institute, Stonewall Lake, Roanoke, West Virginia, May 11, 2019. *Practice Better, Feel Better, Be Better.*

Mediation Training Coalition, LLC, Front Royal, Virginia, October 8, 2018. *What Every Mediator Should Know About Collaborative Practice.*

West Virginia Continuing Legal Education, Stonewall Lake, Roanoke, West Virginia, June 3, 2018. *How to Make Your Law Practice Look More Like Mediation and Less Like a Cage Match.*

West Virginia Bar Foundation, West Virginia Leadership Institute, Stonewall Lake, Roanoke, West Virginia, May 18, 2018. *Civility Leadership.*

Hancock and Calhoun County Schools, Canaan Valley, West Virginia, October 20-22, 2017. *Restorative Justice Training Workshop for Senior Level Staff.*

Zehr Institute, Eastern Mennonite University, Harrisonburg, Virginia, October 24, 2017, *Restorative Justice and the Practice of Law.*

West Virginia Public Defenders, Stonewall Lake, Roanoke, West Virginia, June 15, 2017. *10 Ways Restorative Justice Can Help a Good Public Defender Thrash Out a Great Plea Agreement.*

West Virginia Bar Foundation, West Virginia Leadership Institute, Stonewall Lake, Roanoke, West Virginia, May 20, 2017. *Civility Leadership.*

Calhoun County Schools, Mount Zion, West Virginia, January 18-19, 2017, *Restorative Justice Introduction for Key Community Members.*

Restorative Lawyering, Zehr Institute (webinar), Eastern Mennonite University, Harrisonburg, Virginia, December 7, 2016, *The Restorative Practice of Law.*

West Virginia State Bar ADR Committee, Bridgeport, West Virginia, July 20, 2016, *I Get By With a Little Help from my Mediation Skills.*

Virginia Mediation Network, (webinar) Richmond, Virginia, February 3, 2015, *Challenges in Running a Mediation Practice.*

Virginia Mediation Network, Richmond, Virginia, September 27, 2014, *This is Interesting: Interest Based Mediation in General District Court.*

Shenandoah Valley Mediation Education Network, Front Royal, Virginia, October 22, 2013. *This is Interesting: Interest Based Mediation in General District Court.*

Virginia Mediation Network, Harrisonburg, Virginia, September 29, 2013. *Making Space for Mediation.*

Apple Valley Mediation, Front Royal Virginia, October, 2011. *Applying the Principles of Restorative Justice in Civil Disputes.*

Association for Conflict Resolution, Annual Conference, San Diego, October, 2011. *Skilled Trade: A Guide to Effective Blending of Advocacy and Conflict Resolution Skills.*

Academy of Criminal Justice Sciences, Toronto, Ontario, Canada, March, 2011. *Illuminating Justice: Reflections on a Search for Restorative Justice After the Virginia Tech Tragedy and A New View on Lawyering: Teaching Conflict Resolution Skills to Future Defense and Prosecution Attorneys.*

Virginia Mediation Network, Richmond, Virginia, March, 2010. *The Custody Battle: Employing Principles and Practices of Restorative Justice in Mediation in Child Custody Conflicts*

Association for Conflict Resolution, Annual Conference, Atlanta, Georgia, October, 2009. Workshops Presented: *The Custody Battle: Employing Principles and Practices of Restorative Justice in Mediation in Child Custody Conflicts* and *The New Lawyer: From Swords to Plowshares.*

West Virginia State Bar, Flatwoods, West Virginia August, 2009. *Restorative Justice and Civil Mediation.*

National Conference on Restorative Justice, Annual Conference, San Antonio, Texas, May, 2009. *OWEHA: Six Characters in Search of Justice.*

Pennsylvania Council of Mediators, Annual Conference, Harrisburg, Pennsylvania, May, 2009. *The Custody Battle: Employing Principles and Practices of Restorative Justice in Mediation in Child Custody Conflicts.*

Child Welfare League of America, Annual Conference, Washington D.C., February, 2009. *The Role of the Professional in the Family Group Conference.*

Florida State University, Art and Design for Social Justice Symposium, Tallahassee, Florida, January, 2009. Film Presented: *Architecture and Justice.*

University of Massachusetts, Biennial Conflict Studies Conference, October, 2008. *Ally and Atticus: Seeking the Restorative Lawyer.*

Association for Conflict Resolution, Austin, Texas, September, 2008. *Ally and Atticus: Seeking the Restorative Lawyer.*

Family Law Instruction for West Virginia Continuing Legal Education, Coalition Against Domestic Violence, and West Virginia Legal Services, West Virginia, Multiple dates 1989-1992. Lectured on West Virginia family law and procedure to attorneys and advocates regarding family law and domestic violence.

### **SELECTED PUBLICATIONS**

*“Discipline Does Not Make an Ill Lawyer Well,” but Can It? Creating Effective, consumer Friendly and Humane Lawyer Discipline Systems by Adopting Principles, Values, and Processes Rooted in Restorative Justice*, 23 Richmond Public Law Review 247 (2019-2020).

*Who Will Choose the End Words? Structuring Justice Amid Tragedy*, Washington University Journal of Law and Policy, Vol. 35 (2011).

*Repro-Woman, A View of the Labyrinth from the Lithotomy Position*, 2 Yale Journal of Law and Feminism 5 (1990).

*A Theory of Employment Discrimination*, 40 Journal of Legal Education 113 (1990)

### **SELECTED PROGRAM AND INITIATIVE DESIGN AND IMPLEMENTATION**

Federal District Court for the Northern District of West Virginia, Drug Court, Clarksburg, West Virginia, *Restorative Justice Initiative*, July, 2021-present.

Wilson Workforce Rehabilitation Center, Fishersville, Virginia, *Designed and Trained Staff for system wide restorative practices implementation*, December, 2020-March 2023.

### **SELECTED MEMBERSHIPS**

Academy of Professional Mediators (2018-present)

Academy of Professional Family Mediators (2020-present)

American Bar Association (2011-present).

International Association of Collaborative Professionals (2011-present).

Eastern Panhandle Bar Association (2009-present).

National Association of Community and Restorative Justice (2023-present).

Virginia Collaborative Professionals (2018-present).

Virginia Mountain Valley Lawyers Alliance (2020-present).

Virginia Mediation Network (2012-present).

Virginia Women Attorneys Association (2023-present).

West Virginia Restorative Justice Project (2022-present).

West Virginia State Bar Commission on Children and the Law, (chairperson 1991-1994).

West Virginia Supreme Court Technology Summit (1999).

West Virginia Supreme Court Oversight Board (1995-1996).

West Virginia Juvenile Justice Committee (1992-1993).

#### **PUBLISHED OPINIONS**

Turner ex rel. Turner v. Turner, 223 W.Va. 106, 672 S.E.2d 242 (2008).

State ex rel. Games-Neely v. Sanders, 212 W.Va. 710, 575 S.E.2d 320 (2002).

State ex rel. Diva P. v. Kaufman, 200 W. Va. 555, 490 S.E.2d 642 (1997).

State ex rel. Amy M. v. Kaufman, 196 W.Va. 251, 470 S.E.2d 205 (1996).

State ex rel. Dillon v. Egnor, 188 W.Va. 221, 43 S.E.2d 624 (1992).

Bailey v. Facemire, 186 W. Va. 528, 413 S.E.2d 183 (1991).

State ex rel. Pries v. Watt, 186 W. Va. 49, 410 S.E.2d 285 (1991).