

Elliot G. Hicks, Esq.

Charleston, West Virginia

Professional Summary

Elliot Hicks is a Charleston, West Virginia-based mediator, arbitrator, and attorney with 44 years in law and over 550 cases mediated. He excels in resolving employment, construction, business, higher education, and institutional disputes for public and private clients. Recognized for a practical, thorough, and personable approach, he incorporates technology and advanced training to deliver efficient, effective results in both in-person and virtual settings. Mr. Hicks is honored by Best Lawyers in America and has led policy and governance efforts in West Virginia higher education.

Current Employer-Title

Hicks Resolutions - Owner

Profession

Attorney, Mediator, Arbitrator

Work History

Owner, Hicks Resolutions, 2014 - Present; President, Ellerbee Enterprises, Inc./Ellerbee Construction, Inc., 2014 - Present; Equity Member, Spilman, Thomas & Battle, PLLC, 2007 - 2014; Partner, Hawkins & Parnell, LLP, 2002 - 2007; Equity Partner, Allen, Guthrie & McHugh, 1999 - 2001; Equity Partner/Associate, Kay, Casto & Chaney, PLLC, 1984 - 1999; Solo/Small Firm Practitioner, 1981 - 1984.

Experience

Former high-level litigator, now engaged in dispute resolution as a full-time practice since 2014. A bar leader throughout his years of active practice, culminating in serving as President of the West Virginia State Bar, his community calls upon his experience in religious institution governance, higher education law and policies, commercial law, construction law, civil litigation, product safety, automobile and workplace machine safety and liability, and public policy.

Mediator Experience

Since 1999, I have mediated more than 550 cases encompassing a broad spectrum of disputes. My mediation experience includes:

Employment Law: Mediated disputes involving sexual harassment, discrimination (race, gender, age), wrongful termination, retaliation, ADA accommodation, wage and hour claims, and whistleblower matters.

Construction and Construction Law: Extensive experience as a mediator in cases involving construction defects, mold contamination, asbestos exposure, contract disputes (breach, cost overruns, change orders), zoning violations, project abandonment, payment disputes among owners, contractors, and subcontractors.

Business and Commercial Matters: Mediation of contract breaches, business dissolutions, partnership disputes, franchise issues, UCC claims, creditor-debtor workouts, and regulatory compliance disputes.

Higher Education and Institutional Governance: Served as a mediator in disputes involving student discipline, Title IX investigations, governance and staff/administration conflicts, academic accommodations,

and financial aid controversies for public and private universities, colleges, and religious institutions.

Professional and Product Liability: Mediated claims of medical malpractice, legal malpractice, product defect, premises liability, catastrophic injury, and wrongful death.

Regularly mediate multi-party, class, and complex cases, for both court-ordered and voluntary proceedings, in federal and state venues. Expertise is recognized by Best Lawyers in America for both dispute resolution and commercial litigation, and by Super Lawyers for dispute resolution.

Teach 20 -30 hours annually of continuing legal education focused on dispute resolution methods, and attend advanced mediation training sessions at major national and international forums.

Mediator Style & Process

Preferences

Recognized for a personable, practical, and challenging style as a mediator. I guide parties to directly confront and evaluate critical legal and factual issues likely to arise at trial, facilitating meaningful negotiation and resolution.

My mediation process includes thorough pre-session preparation to identify the parties' legal positions, underlying needs, and emotional drivers. I utilize a combination of evaluative and facilitative techniques, and am committed to ensuring all parties gain a clearer understanding of their case through mediation, even if a settlement is not reached at the session.

Conducting mediations for more than half of a 44-year law practice, in dispute resolution I have found the practice that best suits my capabilities and interests.

Technology Proficiency

Proficient in conducting mediations, hearings, and preliminary sessions via Zoom, Teams, and other remote conferencing platforms. Able to design and host hybrid proceedings that maximize accessibility, convenience, and participation for all parties, including advanced document and exhibit sharing for virtual and in-person formats.

Education

West Virginia University College of Law (JD - 1981); West Virginia University (BA, Political Science major and Sociology minor - 1978); Attended Washington & Lee University (1974-1976).

Professional Licenses

Admitted to the Bar: West Virginia (1981); U. S. District Court: Southern District of West Virginia (1981), Northern District of West Virginia (1985); U. S. Court of Appeals, Fourth Circuit (1991).

Professional Associations

- West Virginia State Bar (President, 1998-1999);
- Elected Fellow, American College of Trial Lawyers;
- Elected Member, Federation of Defense and Corporate Counsel;
- Fellow, American Bar Foundation;
- Fellow, West Virginia Bar Foundation;
- Elected Member, National Academy of Distinguished Neutrals.

Citizenship

United States of America

Compensation

Hourly Rate: \$380.00

Daily Rate: Not provided

Study Rate: \$380.00/hr

Cancellation: \$1,000.00/Day

Cancellation Period: 3 Days

Comment: Compensation rates, established by the national dispute resolution provider, are set forth in the applicable Consumer Mediation Procedures.

Languages

English