

Biography of Bruce E. Avery

Name: Bruce E. Avery

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Everybody has a special talent, a skill that gives them satisfaction and pleasure. Some are tap dancers, some are prize fighters. I am neither. I help people solve problems.

Over my 30 years of experience in resolving legal conflicts, I have learned and practiced problem-solving techniques that benefit and satisfy both parties without losing sight of my clients' needs and feelings.

My foundation for this approach comes from my 20 years in the Army. During my five years as an enlisted man, I served as an ombudsman for the residents of lower-enlisted housing areas. The next 15 years I served in the Judge Advocate General's Corps (JAG), negotiating claims against the Army. Over that time, I successfully resolved disputes both grand and small, from claims brought by US and foreign civilians and local governments (as well as other national governments) against the United States down to neighbor-to-neighbor arguments over parking spaces.

Since 1993, after I retired from the Army, I have restricted my practice to family law, predominantly in Montgomery County, Maryland. First as a solo practitioner and now in partnership with my daughter, Prudence Upton, at Avery & Upton, I have handled hundreds of divorce, child custody, child support, visitation, and other family issues, most often bringing them to resolution without the need for a trial.

I am certified as a mediator in both general civil matters and family law, focusing on property and child-related issues. I serve as a facilitator for the Family Law Division of the Montgomery County Circuit Court.

On the personal side, my wife and I raised two daughters into adulthood. Prudence is a lawyer and Sarah has a PhD from Rutgers University and is a writer and tutor. My granddaughters, 6 and 4, live with us and help me stay in touch with how the younger children act.

I am admitted to practice before the Supreme Court (1984), Supreme Court of Kentucky (1976), Court of Appeals of Maryland (1992), and the DC Court of Appeals (1993). I am also admitted before the various US military appeals courts. I am a member of the Bar of the Republic of Korea.

I was a founding member and served as President of the Collaborative Dispute Resolution Professionals, Inc. (CDRP), and I am a member of the the International Academy of Collaborative Professionals, and the Maryland Collaborative Practice Council. I am a founding member of the Collaborative Practice Training Institute (CPTI) and serve on its faculty. I am a member of the Maryland State Bar Association, the Kentucky Bar Association, the DC Bar, the American Bar Association, the American Association for Justice, and the Bar Association of Montgomery County.

Every year I take several courses, workshops, and seminars to learn new skills and sharpen old ones.

Training:	Provider	Year	Hours
Basic Collaborative Training	Paliser Group	2004	13
Basic Mediation	MICPEL	2005	40
Marital Property Mediation	MICPEL	2005	20
Custody Mediation	MICPEL	2005	20
IACP Annual Meeting	IACP	2005	15
IACP Annual Meeting	IACP	2007	15
IACP Annual Meeting	IACP	2008	15
Taking the War Out of Our Words	Ellison	2007	7
Collaborative Negotiations	Slovin	2007	7
Collaborative Team Training	CDTT	2008	20
Negotiation Workshop	Harvard Negotiation Project	2008	40
Basic Collaborative Training**	Blue Ridge Legal Services	2008	14
Interdisciplinary Team Training	Gamache, et al.	2009	23
Interdisciplinary Team Training**	CPTI/MICPEL	2009	22
Selecting the Best Collaborative Process	Tesler & Thompson	2009	6
Law for Non-lawyers**	CPTI	2009	3
Jumpstarting Your Collaborative Prac** X2	CPTI	2009	2
Jumpstarting Your Collaborative Prac**	CPTI	2010	2
The Collaborative End Game	Himmelstein/Miller	2010	7
IACP Annual Meeting	IACP	2010	15
Interdisciplinary Team Training**	CPTI	2010	22
Military Family Law**	BAMC Family Law Section	2010	1
Interdisciplinary Team Training**	CPTI/AOC	2011	23
Interest Based Negotiations**	CPTI	2011	30

Upcoming

IACP Annual Meeting	IACP	2011
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I am presenting a 90 minute workshop on Informed Consent.

** I was one of the trainers.

AVERY & UPTON

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BRUCE E. AVERY

Family Law Attorney – Rockville, Maryland (1992 - present)

As solo practitioner (1992 - 2003) and partner in three-member firm (2003 - present) assist individuals in resolving divorce, custody, support, and child access cases using mediation, collaborative practice, negotiation, and, if need be, litigation.

Hearing Examiner – District of Columbia Department of Employment Services (1992-1994)

Independent contractor hearing examiner for the Hearings and Adjudications Section. Decided Workers' Compensation cases based upon written transcripts and documentary evidence.

Chief, Claims – V Corps, Frankfurt, Germany (1989-1991)

Supervised eight Claims Offices. Provided risk management and legal advice on all areas of Army operations in Central Germany, including land owner/occupier liability, transportation, police, child care, and medical operations. Served as Military Magistrate issuing search authorizations to police and customs authorities. Investigated all serious tort claims, including medical negligence, brought by US personnel arising in Central Germany. Managed legal services for deployment of more than 7,000 soldiers to Southwest Asia. Principal tort claims instructor at the 1989 European Claims Conference. Conducted Continuing Medical Education classes in medical negligence, risk management, and credentialing.

Chief – US Armed Forces Claims Service Korea (1987-1989)

Managed the Department of Defense Claims Program in Korea. Provided risk management legal advice to all levels of US military in Korea on all facets of their operations. Settled and investigated all serious tort claims, including medical negligence, brought by US personnel in Korea. Responsible for US investigation and settlement of all claims brought by Korean nationals arising from US operations in Korea. Negotiated government-to-government settlement of claims issues. Principal medical claims instructor at 1988 and 1989 Pacific Claims Conferences. Conducted Continuing Medical Education classes.

Tort Team Chief – US Army Claims Service, Ft. Meade, MD (1984-1987)

Supervised Army Tort Claims activity in fourteen states and at four Army Medical Centers and four Army Community Hospitals. Provided risk management advice and claims guidance and assistance to Army installations concerning the investigation, settlement, and defense of all tort claims arising from their operations. Individually investigated and settled the most serious cases, including claims of wrongful death, failure to diagnose cancer, and obstetric negligence. Settled more than \$4,000,000 in one-year period ending in May 1987. Principal medical claims instructor at the 1985, 1986, and 1987 Army Claims Workshops.

Region Judge Advocate – US Army Northeast Region Recruiting, Ft. Meade, MD (1980-1983)

Legal advisor to the commander of organization operating in fifteen states and Europe. Advised on contract, civilian and military personnel, criminal, and administrative law issues.

Assistant Staff Judge Advocate – US Army Japan (1977-1980)

Subject matter expert concerning international affairs, contracting, claims, and administrative law. Chief of Legal Assistance 1978-1980. Reviewed all Army contract actions in Japan for compliance with Department of Defense fiscal policies. Member of the US/Japan Joint Committee Procurement Subcommittee.

Claims Judge Advocate – Ft. Knox, KY (1976-1977)

Operated the Affirmative Claims Program for Kentucky, Indiana, and Ohio.

Education:

Hobart College, Geneva, NY, 1971, BA in Sociology and Political Science
University of Louisville, Louisville, KY, 1976, Juris Doctor
Judge Advocate General's School, Charlottesville, VA, 1977, Basic Course
Judge Advocate General's School, Charlottesville, VA, 1984, LLM equivalent
US Army Command & General Staff College, 1987, Graduate

Bar Admissions:

Kentucky Supreme Court 1976
United States Supreme Court 1984
United States Court of Appeals for the Armed Forces 1984
Republic of Korea 1989
Maryland Court of Appeals 1992
United States Court of Appeals for Veterans Claims 1992
District of Columbia Court of Appeals 1993

Professional Associations:

Kentucky Bar Association
Maryland State Bar Association
DC Bar
American Bar Association
Federal Bar Association
Association of Trial Lawyers of America
Bar Association of Montgomery County
International Legal Society (Tokyo and Seoul)

Training

See biography

Military Service – US Army:

Enlisted: 29 July 1971
Retired: 1 September 1991, at the rank of Major

Other:

Chairman, Board of Trustees, Pilgrim Church UCC, 1994 – 1997
Treasurer, Pilgrim Church UCC, 1997 – 1999
Member, Board of Trustees, Pilgrim UCC, 2000 – 2005
Listed in Who's Who in American Law

Personal:

Born: 16 August 1949, Boonville, New York
Married: 21 June 1969 to Margaret Avery
Children: Sarah Avery and Prudence Upton