



HON. PAUL D. HERBERT (RET.)

Mediator • Arbitrator • Referee



Your Partner in Resolution

Hon. Paul D. Herbert (Ret.) is a distinguished legal professional with a rich background in the judiciary, known for his legal acumen, impartiality, and commitment to justice. With a legal career spanning more than four decades, Judge Herbert has earned a stellar reputation as a seasoned jurist and effective settlement judge, marked by a keen understanding of the law and a passion for resolving complex legal matters.

Judge Herbert began his legal career as a research attorney for the California Court of Appeal, First and Fifth Districts. Transitioning to private practice in 1986, Judge Herbert joined Ropers, Majeski, Kohn, Bentley, Wagner & Kane, eventually serving as Partner for over a decade. During his time there, he focused on handling a variety of civil case types including insurance coverage and bad faith litigation, appellate litigation, as well as plaintiff-side products liability and class action cases. From 2001 to 2005, Judge Herbert returned to the Court of Appeal as a senior appellate attorney for Justice Mark Simons. He resumed private practice afterwards, serving as a Partner at several firms where his work focused on business, employment, and insurance litigation. His diverse legal background encompasses extensive trial practice, appellate work, and a comprehensive understanding of both plaintiff and defense perspectives in civil litigation.

Judge Herbert was appointed as a Judge of the Alameda County Superior Court in 2013. During his tenure, Judge Herbert served in a variety of civil and criminal assignments, including five years as a Civil Direct Calendar Judge. In this role, he navigated the complexities of civil cases, honing his skills in managing diverse legal matters. Judge Herbert served over five years as an unlimited civil case settlement judge, where he assisted in the resolution of all types of civil cases except family law. As a settlement judge, he garnered a reputation for his strong negotiation skills, understanding of nuanced legal issues, and ability to guide parties to mutually beneficial resolutions.

In 2024, Judge Herbert retired from the bench and joined ADR Services, Inc. to serve as a mediator, arbitrator, and referee. Drawing upon his extensive settlement experience in the courtroom, he now focuses on fostering collaborative solutions and resolving disputes in all civil case types. Judge Herbert's unique blend of legal expertise, interpersonal skills, and commitment to fair and efficient resolution, positions him as an invaluable resource for those seeking alternative avenues to settle disputes.

AREAS OF EXPERTISE

- Business / Commercial Contract
- Class Actions
- Complex Litigation
- Employment / Wage & Hour
- Insurance Coverage & Bad Faith
- Personal Injury
- Products Liability
- Real Estate

JUDICIAL EXPERIENCE

Judge, Alameda County Superior Court, Oakland, CA

2013-2024

Judge Herbert has served in a variety of civil and criminal assignments, including five years as a Civil Direct Calendar Judge in Department 20 and over five years as an unlimited civil case settlement judge, assisting in the resolution of all civil case types except family law.

PROFESSIONAL EXPERIENCE

- Partner, Frassetto Herbert LLP** 2011-2013
- General civil litigation.
- Principal, Of Counsel, Payne & Fears, LLP** 2006-2011
- Complex civil litigation.
 - Employment and business litigation.
 - Civil appellate litigation.
- Partner, The Louderback Law Firm** 2005-2006
- Prepare employment and business litigation cases for trial and appeal.
 - Insurance coverage and bad faith litigation.
- Senior Appellate Attorney, California Court of Appeal, First District** 2001-2005
- Research and prepare civil and criminal opinions on appeal.
- Partner/Shareholder, Ropers, Majeski, Kohn, Bentley, Wagner & Kane** 1986-2001
- Direct litigation team in complex product liability litigation, insurance coverage and bad faith litigation, and discrimination cases.
 - Associate from 1986-1990 handling civil discovery and trial preparation in the areas listed above, and general civil appellate practice.
- Research Attorney, California Court of Appeal, First and Fifth Districts** 1983-1985
- Research and prepare civil and criminal opinions on appeal.

EDUCATION

- UC Law San Francisco (Formerly UC Hastings College of the Law), J.D.** 1982
- International & Comparative Law Review, Associate Publications Editor, 1981-1982.
- University of Santa Clara Law School, Dean's List** 1979-1980
- University of California, Berkeley, B.A. in Psychology, Honor Student** 1977

PROFESSIONAL AFFILIATIONS

- Member, State Bar of California, Bar No. 104527 (1982).
- Admitted to practice before all California state courts (1982), and the United States District Court, Northern District of California (1982).
- Member, Bar Associations of Alameda, San Francisco and Marin Counties.

HOBBIES

- Latin and ballroom dancing; bicycling; devoted Warriors and Giants fan.