



Alvin L. Emch

Of Counsel

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A.L. Emch is Of Counsel in the Coal, Energy, and Manufacturing industry groups, focusing primarily on appellate issues, class action and complex litigation, commercial litigation, and product liability litigation. He practices out of the Firm's office in Charleston, West Virginia.

The best attorneys are ones who perform well under pressure, and you won't find an attorney better at this than Al. This unflappability stems from the simple fact that it's hard to fluster someone who has seen it all – Al is a veteran of Vietnam and the Persian Gulf and served as a pilot in the United States Air Force and West Virginia Air National Guard for more 23 years, retiring in 1993 with the rank of Lieutenant Colonel. A lifelong lover of flying, Al is a licensed commercial pilot with nearly 5,000 hours of flight time.

Perhaps the only thing that exceeds Al's real-world experience is his legal experience. Al has spent his entire legal career at Jackson Kelly and is practically synonymous with the Firm. He was the Firm's CEO from 2002 to 2007, and also held the positions of Administrative Manager of the Litigation Department from 1994 to 1999, member of the Executive Committee from 1999 to 2001, and Assistant Managing Member in 2001. His practice focuses on representing defendants in trial and appellate litigation at both the state and federal levels involving issues such as personal injury with a focus on deliberate intent and industrial accidents, product liability with a focus on aviation, toxic torts, class actions, mass torts, and other complex litigation.

As you might imagine, while Al is a dynamic and strategic thinker, he is also a stickler for rules – he quite literally wrote the book on some of them. Al was a member of the three-person committee that drafted the Local Rules of the United States District Court for the Southern District of West Virginia and later co-chaired the committee that revised the West Virginia Rules of Civil Procedure in 1998.

Al is also a longtime proponent of mediation (although you wouldn't guess that based on his impressive record in the courtroom). In 1987, Al and then Chief U.S. District Court Judge Robert Maxwell planned, organized, and implemented the first district-wide mediation program in a United States District Court in the country – a program that continues to this day. Al frequently serves as a mediator in matters pending before courts and administrative tribunals.

Al has received a multitude of awards and recognition, from premier legal publications to those from his peers, and was the only lawyer in West Virginia named to the BTI Client Service All-Star Team for 2009.

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Awards

- *Best Lawyers'* Charleston, West Virginia, Personal Injury Litigation – Defendants "Lawyer of the Year" (2016)
- Listed in the Litigation Section of *Super Lawyers® Business Edition* for Civil Litigation Defense (2013-2018)
- West Virginia *Super Lawyers®* for Civil Litigation: Defense Law (2012-2022)
- Top Ten List of West Virginia *Super Lawyers®* (2011-2018)

- Recognized as “Local Litigation Star” in West Virginia Section of Benchmark Litigation (2008-2021)
- Selected by his peers for inclusion in *The Best Lawyers in America*® for Bet-the-Company Litigation, Commercial Litigation and Personal Injury Litigation – Defendants (2003-2021)
- BTI Client Services All-Star Team for 2009, only lawyer named in West Virginia
- Ranked in *Chambers USA, America’s Leading Lawyers for Business* in the area of Litigation: General Commercial Law in West Virginia (2003-2021)
- Alumni Recognition Award from the Eberly College of Arts and Sciences of West Virginia University (2005)
- West Virginia State Bar Certificate of Merit (1988, 1986, 1982)
- Exceptional Performance Award, Defense Research Institute (1986)
- One of the Outstanding Young Men of America (1982)
- West Virginia Golden Horseshoe Award (1981)



Notable Legal Experience

- Trial and Appellate Litigation:
 - Personal injury, including deliberate intent and industrial accidents
 - Product liability, with emphasis on aviation
 - Toxic torts
 - Class actions
 - Mass torts
 - Complex litigation

Work History

- Jackson Kelly PLLC (1977-Present)
- WV Air National Guard, Pilot, Lt. Col. Retired (1977-1993)
- United States Air Force (1969-1974)

Practices

- Appellate
- Class Action & Complex Litigation
- Commercial Litigation
- Appellate
- Litigation
- Product Liability Litigation

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Industries

- Manufacturing

- Coal
- Energy

Education

- University of Virginia College of Law (J.D., 1977)
 - Research and Projects Editor, Law Review
 - Order of the Coif
- West Virginia University (B.A. in English Literature, 1969)
 - Phi Beta Kappa

Admissions

- West Virginia (1977)
- U.S. Court of Appeals, Fourth Circuit (1985)
- U.S. District Court, Northern District of West Virginia (1977)
- U.S. District Court, Southern District of West Virginia (1977)
- U.S. District Court, Eastern District of Texas (2018)

Professional Organizations

- West Virginia Bar Foundation, Fellow, former Board Member and President (2006-2008)
- American College of Trial Lawyers, Fellow
- American Board of Trial Advocates
- International Association of Defense Counsel
- American Bar Foundation, Fellow
- Fourth Circuit Judicial Conference, Permanent Member
- Visiting Committee, WVU College of Law (1990-1994; 2004-2008), Chair (1992-1994; 2007-2008)
- American Bar Association, Section on Litigation
- West Virginia State Bar, Committee on Judicial Improvement (1982-1989), Vice chairman (1985-1986), Chairman (1985-1989), Board of Governors (1990-1993)
- Kanawha County Bar Association
- West Virginia Law Institute (1989-2008), Governing Council (2000-2008)
- WVU College of Law Development Council (2003-2004)
- Defense Trial Counsel of West Virginia, Treasurer (1982-1984), Vice president (1984-1985), President (1985-1986), Board of Governors (1986-1989)
- West Virginia Task Force on Gender Fairness in the Courts and Committee on Implementation (1993-2006)
- West Virginia Civil Rules Committee (drafting new rules), Chair (1996-1998)
- Committee member and one of three Drafters, Local Rules of the U.S. District Court for the Southern District of WV (1994)
- West Virginia Indigent Defense Task Force (1999)
- West Virginia University Alumni Association
- University of Virginia Alumni Association

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Speaking Engagements & Publications

Speaking Engagements

- “The Art of Persuasion at Trial”, Defense Trial Counsel of West Virginia, 2015

- “Civility Among Lawyers and in the Courts, Top Twenty Rules of Civility,” Joint presentation with USDC Judge Frederick P. Stamp, Jr. and Harvey Peyton at West Virginia Bar Association Meeting in 2012 and at Judge John Field, Jr. Inn of Court in May 2013
- Panel Member, “Protective Orders: Keeping the Opposition out of your Client’s Closet,” Mid-Winter Seminar for the West Virginia Association for Justice, Feb. 2010
- Speaker at Defense Trial Counsel of West Virginia’s Annual Meeting, “Six Degrees of Separation - How the Kevin Bacon Rule Can Make You Proud to be a Lawyer,” June 2009
- Keynote Speaker for the West Virginia Center for Professional Development’s Advanced Placement Rising Scholar Dinner, Nov. 2007
- Co-author, “To Mass or Not to Mass? That is the Question. . .,” for the 2006 Mountaineer CLE Series
- “So, Inspire Me,” Address to Outstanding Graduates of Eberly College of Arts and Sciences of West Virginia University, Feb. 2005
- “Changing West Virginia,” Second Annual Leadership Conference at Stonewall Jackson State Park - “Challenge the Process,” June 2004
- IADC Annual Meeting & Seminar, “Medical Monitoring - Money for Nothing in the Mountain State,” 2000
- LAWV Seminar, “Historical Perspective on WV Rules,” 1999
- NBI Seminar, “Class Actions,” 1999
- National Business Institute Seminar, “Insurance Coverage Law in West Virginia,” 1994
- WV CLE Seminar, “Discovery, Motion Practice, and Alternative Dispute Resolution Under the New Local Rules of Civil Procedure of the United States District Court for the Southern District of West Virginia,” 1994
- Presentation at Annual Meeting of West Virginia State Bar, “Major Changes in the Federal Rules of Civil Procedure,” 1994
- West Virginia CLE Program, “Cross-examination of a Fact Witness,” 1992 and 1993
- Workshop for Judges of the 5th Judicial Circuit, “Alternative Dispute Resolution,” Orlando, FL, 1989
- Jackson & Kelly Insurance Industry Seminars on West Virginia Law, 1988, 1984, 1983
- Damages Seminar, WV CLE Program, “A Review of Recent Developments in Damages,” 1989
- National Business Institute Seminar, “Workers’ Compensation: Issues and Answers,” 1988
- Bridge the Gap Seminar, WV CLE program, “The Entrance of Defense Counsel and Written Discovery,” 1987
- Mountaineer CLE Series, West Virginia CLE, “Use of Experts,” 1986
- National Lawyers Guild, Law Awareness Day, “The Corporate Attorney and Pro Bono Work,” 1986
- State Bar Regional CLE Program, “Update on Decisions of Supreme Court of Appeals of West Virginia,” 1984-1987
- Panel member, West Virginia Bar Association
- Panel member, Kanawha County Bar Association

Writings and Publications

- Co-author, “To Mass or Not to Mass? That is the Question. . .,” a paper on mass litigation in West Virginia for the 2006 Mountaineer CLE Series
- “Back to the Future,” published in West Virginia University: Eberly College Magazine Arts & Sciences, Spring 2007
- “Leadership Through Introspection,” published in Executive Source magazine, Volume I, Fall 2002
- “Professional Liability of Non-Legal Consultants to Minerals Industry,” Proceedings of the Eastern Mineral Law Foundation Eleventh Annual Institute, 1990
- “Settlement Week Pilot Project Summary and Final Report: Some Thoughts on How to Conduct a Settlement Week Pilot Project,” jacksonkelly.com West Virginia Lawyer, May/June 1989
- “MANDOLIDIS - A Debate Between Plaintiff and Defendant - A View From the Defense,” West Virginia State Bar Journal, Spring 1984
- “Comparative Negligence in West Virginia: A Defense Overview,” 82 West Virginia Law Review 493, 1980

Community

- West Virginia Symphony Orchestra, Board Member and Personnel Committee Chair (2003-present)
- Charleston Chamber of Commerce and Development
- The Foundation for Youth and Government, Inc. (Non-Profit Educational Foundation), Former President and Treasurer (1982-2006)
- First Christian Church, Trustee and Elder
- West Virginia Region of Christian Church, Trustee (1996-2000)
- PRO-Kids, Inc., Board Member
- Legal Aid of West Virginia Campaign, Co-chairman
- United Way of Kanawha Valley, Lawyer Section Chair