

# Alternative Dispute Resolution Section

Washington State Bar Association  
1325 Fourth Ave., Ste. 600  
Seattle, WA 98101-2539



## 2010 Executive Committee

David H. Black, Chair  
Jeff Bean, Chair-elect  
Debra Synovec, Past Chair  
Courtland Shafer, Treasurer  
Anamaria Gil, Secretary  
Rina Goodman  
Hon. Heather Van Nuys

## **1004 MEETING** **MINUTES**

Steve Crossland  
Paul McVicker  
Hon. Robert Alsdorf  
Lish Whitson  
Mark Baumann  
Sherman Knight

### Roll Call:

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|--|---|--|
| <input checked="" type="checkbox"/> David Black      | <input checked="" type="checkbox"/> Rina Goodman    | <input type="checkbox"/> Lish Whitson            |
| <input checked="" type="checkbox"/> Jeff Bean        | <input type="checkbox"/> Hon. Heather Van Nuys      | <input checked="" type="checkbox"/> Mark Baumann |
| <input type="checkbox"/> Debra Synovec               | <input checked="" type="checkbox"/> Steve Crossland | <input type="checkbox"/> Sherman Knight          |
| <input checked="" type="checkbox"/> Courtland Shafer | <input type="checkbox"/> Paul McVicker              |  |
| <input checked="" type="checkbox"/> Anamaria Gil     | <input type="checkbox"/> Hon. Robert Alsdorf        |  |

QUORUM

### OTHERS

Felicia Maltzby, CPW Washington Liaison

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### 1. Review & Adopt prior minute(s)

- 1002 Move & Approve
- 1003 Move & Approve

### 2. Modifications to current agenda

Added as Matter 1004-4: Report by Rina Goodman re: Education Committee

### 3. Public Comments/Correspondence

#### a. April 15, 2010: Julia Gold – Volunteer Needed

*Need 7 mediators to mediate an employment discrimination case for Negotiation class students, who will play the roles of a client and attorney (there will be 8 mediations happening concurrently). This will be happening on Wednesday, May 19th, from 1:30 to 2:20, meet in room 118. She can give parking passes, and eternal gratitude! Please let her know if you can do it or not, thanks so much for considering...*

*Julia Ann Gold  
University of Washington School of Law  
W. H. Gates Hall  
Box 353020  
Seattle, WA 98195-3020  
206-685-6804*

**b. April 15, 2010: Kathy Kline – Two Scholarships for NW DR Conference**

*Two scholarships are available. Must submit by Tuesday, April 20, 2010. Application below: [17th NW DR Scholarship Application \(2\).pdf](#).*

No discussion

**c. April 13, 2010: Chris Goelz – MBB looking for Board Members.**

*Mediators Beyond Borders looking to expand board. Interested parties should contact: [Chris.Goelz@ca9.uscourts.gov](mailto:Chris.Goelz@ca9.uscourts.gov).*

No discussion

**d. April 12, 2010: Judy Berret- WSBA forward from Uniform Laws Commission re: Outreach**

*Outreach for suggestion. Ideas due June 10, 2010. Current Projects. Forms. Sent to Courtland to upload to web LegCom. Announcement?*

No discussion

**e. March 29, 2010: Brian Halcomb (WYLD)**

*WYLD has new program for outreach to other sections. 15 WYLD members doing outreach (Adrien, i.e.)*

No discussion

**4. Consent Agenda**

None.

**5. Financial Report (Treasurer)**

Courtland reported on highlights from budget. We are getting more revenue from dues than expected. Our expenses are down somewhat due to belt-tightening efforts. We might be able to have an annual retreat if revenue trends continue.

**6. Old Business**

**a. Interim EVotes**

**1) Matter 1003-2 (CPW Liaison Offer) - PASSED**

*Motion (Jeff): Move that we send a letter to the Collaborative Professionals of Washington (“CPW”) to offer that they send a liaison to attend our Executive Committee meetings.*

Jeff introduced Felicia Maltzby, as the CPW liaison to the Executive Committee. The committee enjoyed a great discussion about how the CPW and ADR Section can work together to promote mutual interests. Welcome Felicia!

2) **Matter 1003-5 - PASSED**

Motion (Dave): Move that we approve launching of new web site at wa-adr.ning.com.

3) **Matter 1003-6 - PASSED**

Motion (Dave): Move that we pay monthly fee of \$29.95 so site is free of Google Ads (\$24.95) and can use our own current URL [www.adr-wa.com](http://www.adr-wa.com) (no Ning in URL - \$5.95).

4) **Matter 1003 -8 - PASSED**

Motion (Rina): Move that we approve Jeff spending up to \$150 to purchase WSBA ADR banner for our info table at Northwest DR conference table.

**b. Matters**

1) **0912-6: Lish e-mail suggestion to amend bylaws, Motion?**

Lish was not present to discuss. It is probably too late to address this issue before the annual meeting. We will need to resolve this issue of when officers are elected (May) and when they start (September).

Jeff Bean will address this issue when he looks at committee assignments this summer.

2) **1002-1: Desk book Pace Discussion**

(1) *Feb: Lish expressed some concern that things are going forward, or not going forward, without direction from us. Desk book Committee need to get together to determine whether we have the right people, right timeline, whether Collaborative Law.*

(2) *Feb: Consensus: let's have a discussion next month with Heather's input.*

(3) *Comment? Concerns were expressed that all we have is a table of contents at this point. Sherman expressed concern that the desk book idea is "losing steam". Discussion ensued about the target market for the desk book and content. Dave asked Sherman to contact Lish and Heather to discuss further and report back at next meeting.*

(4) No update. Discussion whether Desk book Committee requires new leadership. Courtland will send an e-mail to Heather. Toni Doan will reach out to Margaret Morgan.

3) **1002-2: Mediator of the Year Award Discussion**

(1) *Feb: Deferred for clear request from WMA.*

- (2) *Feb: Discussion regarding whether we should have our own reward; some concerns raised about what standards would be used; Mark may lead an ad hoc group investigating standards and what an award program would look like.*
- (3) *Comment? We have declined to do anything this year because of timing. Home/Resolution?*
- (4) No discussion. Dave will strike from Agenda.

**4) 1002-4: Courtland and Mediation Certification Discussion.**

- (1) *Committee concludes that if we should choose, we could have an opinion in mediation certification. It's a very contentious and divisive issue. Before doing anything, we would want to have more opinions – a member poll? What's the Executive Committee's opinion on how wide a net to cast on getting opinions?*
- (2) *Education Committee on issue of symposium or educational idea, with Courtland from Legislative Committee.*
- (3) *Rina will follow up with Courtland about this.*
- (4) Consensus that this issue is not ripe for a motion. It is a controversial issue. Issue started with legislative committee, and should probably end with legislative committee, but also relevant to education committee. Matter stricken from agenda.

**5) 1002-5: WSBA proposed Article IX amendments.**

- (a) Status report.

*Bar's suggestion to amend Article 9 regarding how sections are created or terminated. Discussion. If anyone has thoughts or comments, the comment period still remains open for a month or so.*

Materials were circulated at the 1003 meeting. Toni says that this issue is on the Board of Governors' agenda this month. The WSBA bylaws have been reviewed. If anyone has thoughts or comments about the proposed amendments to Article 9, the window for comments is closing quickly. The matter is stricken from agenda.

**6) 1003-2: (R) CPW Report: Jeff**

*Background: Jeff reports that he met with CPW. There was a consensus that it may be worthwhile to have a CPW liaison to this board. Felicia Malsby offered to send a liaison. Membership to the ADR Section is encouraged. Jeff and Dave will follow up.*

Status: Done. Thanks Jeff!

**7) 1003-7: (Q) Copy Materials for Next DR Conf.**

*Copy for materials at next DR. Re: the ADR Conference, we are having a table there for the ADR Section, a computer so people can see our new website, and handouts, etc. PowerPoint discussed. Need someone to commit to creating content. Dave, Steve and Lish will work on content.*

*Need people from board to sit at the table during breaks. We will circulate schedule and ask for sign ups during breaks.*

We will probably not have a Power Point presentation, but we will have a computer to promote the new website.

**8) 1003-9: (R) Love dinner**

*Lela Love will need transportation from the airport to the NW ADR Conference. Maybe we could help with that. Also, in the past Board members have had dinner the night before with the speaker. This will be on a Friday night. We will need to pay for our own meals. Rena will look into details.*

Rina reports that there will be no dinner as Lela Love has family here she wants to visit. However, Rina is meeting Lela Love for breakfast or coffee the morning of the ADR conference at about 9:00 or 9:30 a.m. If you would like to join Rina and Lela Love for breakfast, please contact Rina.

**7. New Business (Reports, Motions, Motions/\$\$, Questions/Requests)**

**a. 1004-1: (R) WebComm report – Dave**

Dave gave us a tour of the new website. It's a great website with potential for more effective marketing, education, and communication among ADR Section members. We have 18% participation as of 3/1/2010. People who join the ADR Section can add events, blogs, and video. The website is moderated, to ensure consistency, quality and appropriate content.

ADR Section Members are encouraged to join on-line committees. Going forward, all of our communications should take place through web-site. This will ensure consistency and provide a resource for future ADR Section Committee members. Feedback about the website is encouraged. Perhaps the web committee can set up some training for getting the best use out of our new website.

Also, if you are on Facebook, please join the ADR Section as a fan. 100 + fans is the goal! After 100, we get our own "URL" and we can then provide a link directly to the fanpage.

**b. 1004-2 (Q) Web participation & Recruiting**

Dave wants to encourage everyone to join committees on-line, and generate activity on the new website. We need to take the lead on keeping the website fresh and active. Please make an effort to post new discussions, or link interesting ADR-related articles, photos, video, etc. For section members, photos and profiles are encouraged.

We also discussed a group membership recruiting e-mail. Toni Doan can send a broadcast e-mail. Felicia reminded us of great opportunities for promoting the ADR Section to Collaborative Law folks. Jeff will follow up with Felicia about that.

Discussion ensued re: increasing membership. If each of the Exec. Committee members were able to recruit two new members, we would reach our recruitment goals for 2010. Jeff has sent an e-mail to potential ADR Section Members. He will share his e-mail as a template with the Exec. Committee. A list of current and former ADR Section members is available on the website.

**c. 1004-3: (Q) Succession Plan Suggestions - Dave**

*Chair Elect, Positions 4, 7 & 8 (Paul, Mark and Sherman)*

We have to present a slate of recommended officers at the annual meeting. Dave will talk with Mark Baughman and Rina, who have both expressed interest in chair elect position. He will also talk with Paul, Mark and Sherman about positions 4, 7 and 8. There may be other vacancies on the board as well. Steve Crossland will be running for bar president and he will not be available. Also, Deborah's term will be up as past Chair.

An e-blast will also be sent to committee members as a whole re: new the positions.

If you have thoughts or comments re: the officer positions and vacancies, please contact Dave Black in the next week two weeks (April 30).

MOTION PASSED: Deborah will be placed into Steve's position when he vacates

**d. 1004-4: Education Committee Report.**

Report by Rina re: education committee. The Ed. Com. met today. The Ed. Com. is exploring the concept of a CLE. There had been discussion about 4 mini-CLE's over a one month period. However, according to Mark Sideman, this is not a productive use of time, energy, or CLE space.

Questions were raised: What are our goals in providing a CLE? Education, recruitment, revenue? What do we want to provide to the section membership? Who is our intended audience? Consumers or practitioners, and at what skill level? A survey was proposed to get a better sense as to what our members want. Also, discussion re: outreach vs. skill building for practitioners.

The Ed. Com. will invite Mark and Toni to the next Ed. Com. meeting. The Ed. Com. will evaluate and then open issue for Exec. Com. as to what survey should include.

Toni also mentioned the New Lawyer Education program series that is still in development. This might be another avenue for education and outreach re: ADR, and collaborative law. Steve will also send an e-mail. Adrian – Young Lawyers liaison. She can be a resource.

**8. Adjourn**

