



# Alternative Dispute Resolution Section

## Washington State Bar Association

1325 Fourth Ave., Ste. 600  
Seattle, WA 98101-2539

2015-2016 Executive Committee

Craig Beles, Chair  
Courtney Kaylor, Chair-Elect  
Alan Alhadeff, Past Chair  
Courtland Shafer, Treasurer  
Helen Ling, Secretary

Hon. Paris K. Kallas  
Paul McVicker  
Adrienne Keith Wills  
Joanna Roth  
Lish Whitson  
Sasha Philip  
Mel Simburg

### EXECUTIVE COMMITTEE MEETING MINUTES

January 15, 2016

12:00 – 1:30pm

1. **Roll Call** – Meeting called to order at 12:05 p.m.
  - a. In-Person: Craig Beles, Adrienne Keith Wills, Alan Alhadeff, Paul McVicker, Helen Ling, Paris Eriksen
  - b. Via Phone: Sasha Philip, Joanna Roth, Courtland Shafer, Courtney Kaylor, Dave Hiscock
2. **Meeting Minutes:**
  - a. Meeting minutes from November unanimously approved.
3. **WSBA Correspondence/Updates**
  - a. The Section Policy Workgroup began this bar year. Paris gives an update on the executive memo from the workgroup. January 19<sup>th</sup> is the next workgroup meeting. February 4<sup>th</sup> is the forum for feedback. There are two point Paris highlights from the memo.
    - i. It proposes a pooling of section funds – approximately \$1.2 million from dues and CLEs. The question to the bar is now to be responsible stewards of those funds moving forward.
    - ii. It also proposes a charter that would align with the bylaws that would apply to all sections. There would be some flexibility in the composition of each executive committee. Examples of changes include capping executive committee members at 15 and aligning the membership year with the fiscal year.
  - b. Paul says there isn't enough time for feedback and questions why the workgroup is moving so quickly. Adrienne asks when the change will take place. Paris responds that the BOG timeline is first reading in March, second reading and final approval in April.
  - c. Craig has experience of changes within the bar from the Bar Examiners Committee. He also hears that Paris is advocating for these changes. Paris says it helps other sections, often smaller sections who do not have the same level of funds.
  - d. Paul agrees to the purpose, but comments that the changes should be less communist and more democratic socialist. He compares this timeline to the ECCL taskforce which took 5 years. Sasha understands the rationale, but she has not even had the opportunity to read the full report yet. In the end, even if she agrees with the changes, she is concerned at the lack of opportunity to give feedback.

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- e. Adrienne asks to what extent we can give alternatives to the changes using the BOG meetings as benchmarks in the timeline. Paris says the workgroup welcomes alternatives and input and says the BOG liaisons are well informed about the workgroup. Paul suggests a better change would be to keep control of a certain percentage of funds. For example, the legislative committee wants to keep control of using funds when and for what purpose to use them. Some years, there are little costs associated to that line item so in subsequent years those funds may be used.
- f. Craig is cautious. He understands the administrative convenience and the concept that some people will benefit. However, others will also suffer from the changes. People do not like to give up power easily, so this change is a radical and wrenching experience. Using a cost benefit analysis, the changes would alienate more individuals than they are helping.
- g. Courtland explains from his perspective of submitting many budgets over the years that a big pool would pit sections against each other. People will be concerned with spending the budget down instead of focusing on the actual use of funds.
- h. Courtney says there are multiple goals of this project. One would be uniformity. She says we need to take a step back and ask if we need to be uniform and if so, by how much. The ADR Section is different in how we are managed. She echoes Courtland's concerns about the budget. Members have incentives for raising money for doing things they want to do. A big pot de-incentivizes people. Our participation in the NWDR conference is really unique and the new policies would have an unfortunate impact on our participation. Craig mentions it would also impact our retreat.
- i. Adrienne explains that pooling funds would disassociate peoples' work from the funds they raise. This would de-incentivize volunteers to take on certain projects.
- j. Courtland feels we are going after a fly with a sledge hammer, if underfunded sections are really the issue.
- k. Paul wants to do a written response, but it must be done very quickly. Courtland volunteers to take the lead on getting the first draft together. Craig mentions there are other sections talking about this issue and will discuss with Courtland offline.
- l. Craig and Paul explain that term limits are concerning. We would lose Courtland.
- m. Alan says we are collaborative and invest in other sections. We invest in forward changing programs. We funded research for the ECCL taskforce. We have a super active treasurer and doubling the position to secretary/treasurer would make no one want to volunteer. He suggests a middle approach. Perhaps to allow sections to keep the funds some of the years and try pooling it another year.

#### **4. Financial Report (Treasurer – Courtland Shafer):**

- a. Courtland received the September financials. We lost around \$5,600 for the year which is not bad considering the biggest source of income, the NWDR conference, was not there. In the November financials, there is not revenue showing for the child centered mediation CLE. We will take a \$4,000 loss. Our reserves are at \$18,700 because we still have retreat charges and seminar expenses to come through. Craig asks for a prognosis for the remainder of the year. Courtland says we are doing pretty good. With the NWDR conference coming up, we will likely go positive. The average net of the conference has been \$8,000-\$10,000 to our section. We budget \$8,000 every year.

#### **5. Chair Updates (Alan Alhadeff, Craig Beles, Courtney Kaylor):**

- a. Craig and Lish will go to the Inn of Court meeting at Seattle University to get more information about creation of an ADR Inn of Court group.

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- b. Alan discusses creating opportunities for mediators:
  - i. The need for mediation;
  - ii. Need for a market;
  - iii. Access to the market;
  - iv. Mediators; and
  - v. Need feedback groups and ways to connect and learn. For example the ILCRG (Interlocal Conflict Resolution Group of King County) provides free mediations. Other examples include Kitsap County Family Law group, and Low Bono Section.
  - vi. Our section can create conversations. Joanna is interested in connecting and sharing ideas.
- c. Open Sections Night is next Thursday.

## 6. Committee Reports:

- a. Legislative Committee (Paul McVicker):
  - i. none
- b. Media & Communications Committee (Adrienne Keith Wills):
  - i. Adrienne has not received a lot of feedback from the executive committee members. The designer is pushing for payment and needs about 2 more hours to get this done. Adrienne talked with Courtney on what work should be done. Adrienne advises it is worthwhile to keep a positive relationship with this designer as she has the most experience when it comes to Ning.
  - ii. We have approximately \$3,500 left in the budget for the website. **Adrienne moves that we pay Jennifer, the designer, 50% of the remaining due amount which totals \$1,118.50. She will get the remaining amount after full completion of the process. Motion passes unanimously.**
- c. Land Use and Environmental Mediation Committee(Courtney Kaylor):
  - i. none
- d. Membership Committee (Helen Ling):
  - i. none
- e. Education Committee (Sasha Philip):
  - i. none
- f. Law School Partnership and ECCL Taskforce (Alan Alhadeff):
  - i. none
- g. Northwest Dispute Resolution Conference Planning Committee (Sasha Philip):
  - i. The program is set at this point. There is a young lawyer track on Thursday of 6 sessions throughout the day. We have committed \$4,500 and Sasha previously made the motion to

commit another \$3,000 for the reception at the Burke Museum. There are no issues with WSBA branding and tabling.

- ii. Craig will be making opening remarks to open the conference. He will reach out individually to Kathleen.
  - iii. Craig asks why we usually do the annual meeting in March. In the past, there has been a speaker and it brings the largest number of members. Alan wants to focus on what we're doing for the members, for example, giving them opportunities to connect. Sasha says we can ask a speaker from the conference. The total amount of time for the meeting is 1.5 hours and the speaker would talk for only 15 minutes. Adrienne recalls that the video replay at the lunch hour is new, so this will be the first year we will compete with the replays. Lunch is also now included in the conference, so we lost the edge of providing food.
  - iv. Sasha also mentions we had previously discussed having a dinner with the speakers. The planning committee does not have the bandwidth to handle this, so our committee should do it.
- h. Adjourn – 1:30 p.m.**