



# 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

October 16, 2015

12:00 – 1:30pm

1. **Roll Call** – Meeting called to order at 12:00 p.m.
  - a. In-Person: Julianne Unite, Craig Beles, Helen Ling, Mel Simburg, Paul McVicker, Alan Alhadeff, Lish Whitson, Sasha Philip
  - b. Via Phone: Courtney Kaylor, Jenna Bruce
2. **Meeting Minutes:**
  - a. No objections to adoption of September meeting minutes. September meeting minutes approved.
3. **Financial Report (Treasurer – Courtland Shafer):**
  - a. August financials are in, but not the September year-end financials. As of August 31<sup>st</sup>, the section had a deficit of \$3,159.89 over FY15. Since the budget expected a deficit of \$23,443.50 for FY15 so we are doing much better than budgeted. We are not concerned with the FY16 budget supposedly involving a negative balance on September 30, 2016. The section has successfully weathered the “no NWDR Conference” year. The current balance of the section is over \$37,000.
4. **Chair Updates (Alan Alhadeff, Craig Beles, Courtney Kaylor):**
  - a. Julianne updates the committee WSBA events. Fall Open Sections Night will be in Spokane on October 22<sup>nd</sup>. This is a good time to recruit new and young lawyers. Also, on November 16<sup>th</sup> there will be a Legislative Primer, a mandatory meeting for sections participating in the legislative process. FY 2015 closed as of September 30. Submit any expenses by October 30.
  - b. The Fall Section Leaders Meeting went well.
    - i. There was a discussion regarding increasing age diversity in the section. Also, Sue Strachan, outreach specialist, spoke about professionalism. Craig contributed to this discussion.
    - ii. Julianne adds that there was an overview of the Sections Policy Workgroup. It was raised that current section leaders are not part of the workgroup. The response was to open all meetings to everyone. If leaders would like to participate, they are more than welcome.

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- iii. Craig adds that the International Law Section is interested in doing something with us involving arbitration. There was also discussion about unifying sections. We should revisit our branding to include not just mediation, but arbitration.
  - iv. Bill Hyslop made a speech about trying to set up WSBA to address the 21<sup>st</sup> century practice. Paula Littlewood also made similar points.
  - v. We want our section to be a welcoming group and make people feel welcome. Craig comments that it's really wrong that we have the second lowest number of young lawyers.
- c. Craig updates the committee on the upcoming annual retreat. 13 people have confirmed attendance. The committee discusses facilitators from the past and Craig asks if there are certain approaches or attitudes that we would prefer. Mel asks that we take a step back and determine what our goals and objectives.
- i. Lish gives background of the annual retreat. Usually the chair or an executive committee member would facilitate, but for Lish's year, we got a professional facilitator. There was criticism and praise for using a professional facilitator. Lish says the responsibility is on us to carry out the action items, not on the facilitators.
  - ii. Craig says that in terms of guidance, this retreat has themes of inclusion and facilitating a culture of ADR in WA. At the retreat, perhaps we set down criteria that our efforts have to meet, for example, do things that have an impact. We can brainstorm ideas of what a perfect world would look like, then look at what is possible within a certain timeframe and how we can do it. Other points of discussion will include:
    - 1. Incorporating people from around the state. This has been an issue that WSBA has been dealing with for the past 50 years;
    - 2. Attracting young lawyers and racially diverse attorneys;
    - 3. How to further the cause of ADR. We do this already through Paul and the Legislative Committee and Alan with his law school efforts, but we can focus more on the specifics once we decide where we want to put our efforts; and
    - 4. The NWDR Conference.

## 5. Committee Reports:

### a. Legislative Committee (Paul McVicker):

- i. There is not much happening, the legislature is not in session. On the long term agenda, items include early mediation in family law, FFA issues, and Bill 1353 on the horizon.
- ii. The bench bar committee for early ADR in family law is meeting monthly with Judge Parisien leading the way. This meeting is by invitation only. Paul has been attending and says it's going swimmingly. The committee is looking at a rule relative to early discovery, deadline issues, and when to have the status conference.

### b. Education Committee (Paul McVicker):

- i. The CLE over this weekend had 19 people attend. It was very well received and the training was excellent.

- ii. There will be an NLE in January where Kris Bundy, Commissioner Watness, and Sasha will be speaking on mediation. NLE is interested in doing more in partnership with our section. Paul communicated with Asmahan at the bar about doing a general overview of arbitration and mediation. There is a draft outline that Paul has. Sasha clarifies that she will follow up with Asmahan about doing a reception afterwards and “add-ons” for future events to incorporate ADR programming. We need to have a more sustained effort in connecting to NLE. Jenna reports that the past seminars have 90-130 attendees with the networking events bring about 30 people. Sasha is the Executive Committee’s liaison to the NLE department.
- c. Media & Communications Committee (Adrienne Keith Wills):
  - i. No report.
- d. Land Use and Environmental Mediation Committee(Courtney Kaylor):
  - i. The committee is looking at its website needs. Since we are not able to update the group sites via Ning, the committee is considering having a page on the WSBA site as a temporary measure.
  - ii. They are also finishing up on the pilot project report and continuing to meet quarterly at Courtney’s office.
  - iii. Julianne asks about the upcoming brown bag mini CLE happening on October 28. This seminar will be similar to last year.
- e. Membership Committee (Helen Ling):
  - i. Craig asks that we coordinate for Open Sections Night coming up.
- f. Law School Partnership and ECCL Taskforce (Alan Alhadeff):
  - i. The KCBA had an event last night with 30-40 people. It was a great collaboration. The taskforce shared their findings and it will be taken up by the BOG in January and through the spring. The ADR portions include recommending early mediation.
    - 1. Lish asks if there is any buy in from superior court judges. Alan says yes, many judges are getting behind this recommendation, at least from King County. There is a real fear about the growing number of pro ses. Justice Stephens was on the taskforce as well which gives credence that we are moving in the right direction. Sasha adds that the taskforce made sure to have several judges serve on the taskforce.
    - 2. The BOG will probably approve these recommendations between June and September of next year.
    - 3. Also, the ECCL taskforce decidedly said these recommendations do not apply to family law.
- g. Northwest Dispute Resolution Conference Planning Committee (Sasha Philip):
  - i. Sasha relays the planning committee’s request for sponsorship again this year. Last year, \$4,500 was given with \$2,000 earmarked for scholarships.
    - 1. **Lish moves that we support the NWDR Conference at a minimum of what we have done in the past. Sasha seconds. Motion passes unanimously.**
    - 2. Lish urges people to send in RPFs.  
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**h. Adjourn** – 1:30 p.m.