



Alternative Dispute Resolution Section

Washington State Bar Association

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

2021-2022 Executive Committee

Mel Simburg, Chair
(open), Vice Chair
Joanna Roth, Past Chair
Courtland Shafer, Treasurer
Mary Juetten, Secretary

Kyle Berti, Young Lawyer Liaison

Alan Alhadeff
Craig Beles
Carol Betts
Melissa Fuller
Dee Knapp
Lish Whitson

EXECUTIVE COMMITTEE MINUTES

June 17, 2022

12:00pm – 1:30pm PST

Zoom Meeting Link:

<https://us02web.zoom.us/j/85812653666?pwd=M2ZLRTF4NUxhaE9VMGRRdTIwenZtZz09>

Present: Mel Simburg, Dee Knapp, Mary Juetten, Courtland Shafer, Joanna Roth (12:19pm), Alan Alhadeff (12:22pm); Craig Beles (12:41pm)

Guests: Chris Casillas, Paula Emery (at-large nominees)

WSBA: Carolyn MacGregor

Reflective Check-In

Opening: Confirm quorum (majority: 6 of 11 current voting members) –QUORUM

- Agenda Additions and Changes [Note: Please report only new info; not the same as last time.]
- May Meeting Minutes Approval (See Minutes) – Approved.

DEI Roundtable: (Mary, Dee) One minute each on “How do you define Equity?” – Mary will put the D & E as google documents.

ExCom Membership: Report from Nominating Comm: Voting ends June 19.

Treasurer’s Report: (Courtland) – Report through in April

– conference cost was approximately \$6K and reserves can absorb it; budget for in-person retreat & Nov Collaborative Law CLE.

WSBA News:

- ETHOS Committee Liaison: Paula Emery – has not been able to attend but will provide update after tomorrow; still accepting comments; two more meetings and send out something in August.
- Staff report: (Carolyn MacGregor) – ETHOS report; Budget due July 1st (drop-in session June 22nd); Elections results by July 9th; Open Sections night – July 7th noon to 1pm – Discussion series: informal facilitated discussions. Replaces the in-person event. Mel explained what had happened in the past. Carolyn invited questions in advance.
- BOG report: (Alec Stephens, Jr.) – not in attendance but Carolyn reported on new Directors.

Promoting Informed Use and Best Practices of ADR

www.wsba-adr.org

Section Documents Changes:

- a. **Bylaws:** Discuss and vote on proposed changes (Mary, Dee) (See proposed changes; Second vote) – Vote and now will go to WSBA GC. Two changes – Dispute Resolution name change; Inactive members to be on Executive Committee. Action: Dee will take out the word Alternative and then Carolyn to send template.
- b. **Mission Statement:** (Craig) See new draft circulated June 17th to small group – Craig will send out to everyone.
- c. **Website:** Section description, site change, content changes. (Carol, Adrienne) – no update.

Retreat Planning

- a. Planning for fall 2022 (In-person, remote, location?) – Potential return to in-person from Zoom. Historically – held to Sleeping Lady; from early Sept to early Nov. Discussion of in-person retreat and taking COVID precautions and potential outdoor. WSBA – fully vaccinated with one booster at this point, minimum that may be changed in July; we can have extra requirements as a committee. All agreed with in-person. Proposed Sept 9/10 – concern re securing dates this late in the year.
All day Friday and early adjournment on Saturday.
Content – TBD, objectives.
Consider Sept 23rd /24th and Sept 30th/Oct 1st Courtland to check out availability of Sleeping Lady; Alan proposed in Seattle using the Swedish Club (done in a day) or close by (Whidbey); Bellingham; Tacoma.
Action: Courtland, Mel, Dee, Mary – where, when, format one day or day and half.

Possible CLEs (Consider collaboration with other Sections):

- a. Collaborative Law Outside of Family Law (Mary) – Thursday, November 10th/ Mary will send in the form.
- b. IPS Possible CLE (Alan, Carol; and sub-committee with Dee, Lish, Sarah Sandford.)
- c. In-person Arbitration (and Mediation?) During a Pandemic. (Bob, Melissa)
- d. Mediation in the Context of Family Law (Carol, Joanna) – update in July.
- e. Mediation Dilemmas (Brown Bag)- (Melissa, Lish, Sasha)
- f. New Lawyers (Kyle, Mel) (basic primer, mock mediation; to be followed by “g” below)
- g. How to Prepare for Mediation (Cutler handout) [Mel, Carol, Melissa, Dee, Sasha]
- h. Arbitration Cases at the U.S. Supreme Court (Craig will facilitate Brian Esler) (1-hr case law update)
- i. Restorative justice/ ADR-in-schools topic- Joanna

Outreach Efforts:

- a. Once a month post to listserv or social media (Everyone)
- b. Listserv Lexology offer. (Mel: Report: Sent to Members; recommend ExCom try out for a while.) – reminder that free service is out.
- c. Happy Hour. (Sasha, supported by Kyle and Courtland) – Sasha has moved on so needs to be re-assigned.
- d. Section Book Club (Carol) - Dee reported on the book club – 10 people on the call and nice discussion. The Neutrality Trap. Follow-up meeting on July 7th at 5:30 (Dee to confirm).

Committee Reports:

- a. **Events:** Reach out to past committee members and past chairs for a reunion and opportunity to meet together and review paths forward? (Alan?)
- b. **Media & Communications** (Adrienne, Carol,) (Ending Ning Website; obtaining record of List Serve entries; onboarding packet/email; use of groups.io; marketing the Section (changes to WSBA website, including WSBA request). Section Spotlight for Bar News?)
- c. **NWDRC** (Adrienne, Lish, Craig, Melissa) (Redirecting conference website; future direction of conference?)
- d. **Northwest Collaborative Futures Conference:** Will the section express interest in participating in the next Collaborative Futures Conference? - Mary reached out to Sharon re plans for future but no response.

- e. **Legislation & Public Policy** (Paul & Joanna) (Q-Follow-up on **HB 1795** and impact on confidentiality in employer - employee mediation?) – no updates from the bar. Action: Joanna will follow-up/ Dee to forward her email to Paul. Paula will forward KCBA materials.
- f. **Professional Development & Membership** (Alan & [Kyle?]) Need another co-chair.
- g. **CLE development** (Alan, Paul, Carol, Mary, and Lish) (See above.)
- h. **Academic Partnerships** (Craig, Dee) (Q- plans for each law school?) (Combined law school event?)
- i. **GEICO case** – Paula to consider a CLE on this topic.

Adjourn at 1:30pm.

Current ADR Section Mission

The Alternative Dispute Resolution Section of the Washington State Bar Association promotes the informed use and best practices of alternative dispute resolution processes by:

- providing resources;
- educating members of the bar and the public; and
- addressing issues relating to the growth and development of alternative dispute resolution services in the State of Washington.

Proposed DR Section Mission

The Dispute Resolution Section of the Washington State Bar Association promotes the use of appropriate dispute prevention and resolution processes, by providing resources, developing programs, and addressing issues to:

- Enhance the skills of dispute resolution practitioners.
- Educate the public in the availability and use of party-determined solutions.
- Assist the growth and development of dispute resolution services in the State of Washington.