



Alternative Dispute Resolution Section

Washington State Bar Association

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

2020-2021 Executive Committee

Mel Simburg, Chair
Roger Moss, Vice Elect
Joanna Roth, Past Chair
Courtland Shafer, Treasurer
Adrienne Keith Wills, Secretary

Alan Alhadeff
Craig Beles
Gregg Bertram
Carol Betts
Lisa Brown
Dee Knapp
Sasha S. Philip
Lish Whitson

EXECUTIVE COMMITTEE AGENDA

October 16, 2020

12:00pm – 1:30pm

Location: Zoom conference

1. Roll Call & Approval of Agenda

In attendance: Mel Simburg, Adrienne Keith Wills, Courtland Shafer, Craig C. Beles, Lisa Brown, Roger Moss, Carol Betts, Gregg Bertram, Joanna Roth, Alan Alhadeff, Dee Knapp. From WSBA: Eleen Trang.

2. WSBA/Public Comments/Correspondence

- a. Annual Report of Section: Joanna acknowledged she will be working on this, although it's not due until December. Courtland will complete the financial parts not completed by WSBA.
- b. WSBA update:
 - i. New BOG rep not yet finalized.
 - ii. Our FY 2020-2021 budget was approved, with a slight reduction in the per member charge (to \$18.18 from \$18.75).
 - iii. This coming Tuesday the BOG will be meeting with the leaders of the minority Bar; Julianne Unite of the Bar sent e-mail announcement.
 - iv. On Nov. 10 from 9am to noon, there will be a fall section leaders meeting held via Zoom (with a social option starting at 8:30am). Mel encouraged Exec Comm members to attend as it is helpful for new and past Exec Comm members.
 - v. Eleen shared that we currently have 317 members, whereas we had 314 members this time last year.

3. Meeting Minutes

Promoting Informed Use and Best Practices of ADR

www.wsba-adr.org

Roger moved that the outstanding minutes from earlier in 2020 (June, July, August, and September) be approved. Craig seconded. Approved.

4. Financial Report (Treasurer – Courtland Shafer)

We have our financial information through August 2020. The end of September is the end of the fiscal year. Because there's a lot of reconciliation that happens in conjunction with that, Courtland does not expect to get updated financial information prior to the retreat in November. Courtland reported we are at "well over" \$30,000 in reserves and that our Zoom retreat will cut down on expenses (compared to an off-site retreat in the past). He will investigate when the last year's retreat charges were paid to ensure it's been charged to the correct fiscal year.

5. Chair & Vice Chair Updates

a. Retreat planning:

- i. Date: November 20-21, 2020. Theme: outreach. There will be no regular Exec Comm meeting that month because of the retreat. An agenda will be sent in advance of the retreat.
- ii. Roger noted that the Bar will be sending out a membership survey in the coming days with responses requested in advance of the retreat; Roger clarified that the survey responses are requested by Nov. 15.
 1. Adrienne will reach out to Eleen regarding an update to the survey for the purpose of identifying where survey respondents have received the survey invitation. (Now done) The purpose for this is to help us segment replies from the WSBA e-blast from those that may come from a Ning broadcast message.
- iii. We'll use VirBELA for the retreat cocktail hour social; spouses and partners invited. Mel recommended that Exec Comm members access this in advance to gain familiarity with it and customize their avatar.
- iv. Adrienne is compiling a cell phone list of all participants. She requested that folks provide her the cell number and preferred e-mail address if they haven't already. This prompted a discussion about prompt response to Section communications and alternate tools (ex. Slack).

6. Discussion

a. Section-sponsored CLE events

- i. We can collaborate with the Bar on a full day, half day, and/or mini-CLE events.
- ii. Mediation and Domestic Violence (Paul, Alan, Carol): Alan reported that there hasn't been more discussion since a conversation of several weeks ago. He said he would call Paul and Carol this coming Monday.

- iii. Other events: Bruce Heller has volunteered to present on mediation ethics. (Alan commented later that he'd rather put on a presentation because it's a request from a Section member rather than because a speaker has volunteered.)
 - iv. Gregg shared he's put on many ethics seminars over the years; he said 1.5 hours is more than enough time to address mediation ethics. If there's an interest in including arbitration ethics, then 2.5-3 hours would be merited. He doesn't think a half day or full day would be needed. Mel and Gregg discussed having these topics as separate, stand-alone topics; Gregg agreed that would be a good approach. Gregg noted that his mediation ethics materials are dated ('colorful but dated'). Gregg had to leave the meeting at this point.
 - v. We discussed family law mediation as a topic for a CLE presentation. Carol contributed an idea that many family law attorneys are doing mediation work but that they may not have a strong understanding of mediator ethics.
- b. Sections Collaborations: Alan and Gregg haven't connected on Section collaboration. Alan expressed that he thought the survey responses would be helpful. His view is that members of other sections may be most interested in how to get into professional dispute resolution work. Roger relayed that he'd presented on a real property topic (not as a CLE) and that their liaison later came to him to talk about putting together a CLE presentation on that topic. Alan suggested connecting with Gregg and Roger to work on topics.
 - c. ExCom Membership: responsibilities include regular monthly meeting attendance. Mel also noted that taking responsibility for specific projects is important, as well; he encouraged members to think about how they can contribute. Mel welcomed our new Exec Comm members and noted that we're working on turning our hard-copy binder into something electronic. Mel asked if the new members had any questions. Carol and Lisa both said they had no express questions however they are striving to learn how they can become involved and support projects.
 - d. Young Lawyers rep: Sean Pan has resigned as our young lawyer representative. (Young lawyers are defined as someone under 36 years of age or in practice for fewer than 5 years.) We can choose not to appoint anyone, or we can find someone informally to fill the spot, or we can start our search now for someone to be formally appointed to next Fall. Alan suggested that, if we identify what we want the rep to do, that will help us to find someone more likely to work on those things.

7. Committee Reports

- a. Land Use & Environmental Mediation Committee (Courtney Kaylor): No report
- b. Law School Partnerships (No chair at this time)
 - i. Gonzaga event (Roger, Sasha, Craig): It's coming this Thursday, Oct. 22 (being held virtually). It's a multi-section introduction to Gonzaga students of what each section does.
 - ii. Seattle U. (Dee): No social activities planned currently. The ADR board has been busy with competitions. Dee requested volunteers for judges or mediators for the evening of this coming Friday (Oct. 23) for the mediation competition; to be held by Zoom. There is

also a negotiation competition November 14-15 for which lots of volunteer support is needed; will also be held by Zoom. Contact Dee if interested.

- iii. Lisa asked if Exec Comm members have offered to guest lecture. Dee responded that she'd welcome speakers as well as assistance with competition preparation. Dee offered to reach out the negotiation class professor to see if he was interested in any guest lecturers.
 - iv. U.W.: Roger noted that he's talking frequently with Christine Cimini at the UW, and he offered to be in touch with her. Dee offered to support that effort, too. Roger related that Christine has received some seed money to support the development of a clinic like what he created in San Francisco.
- c. NWDR Conference Planning Committee (Sasha, Adrienne, Roger): Roger summarized the updates from the previous day's planning committee meeting. He's committee co-chair with Melissa Fuller. He says he and Melissa are "of one mind" on: (1) NWDR conference has been "maximally" inclusive; (2) NWDR conference needs to continue to be a collaborative event among key stakeholders who are making significant contributions to make it happen; (3) It will be a combination of on-line and in-person "stuff". Roger asked this group to think about whether it might be logistically easier in calendar year 2021 to do 3 small events (with each law school) versus one big event. Roger noted that the "fatigue factor" was evident to him. He also commented that there are some new potential sponsors (ex. tech companies).
 - d. Legislative Committee (Paul McVicker): No report
 - i. Uniform Family Law Arbitration Act
 - e. Professional Development Committee (Alan): Alan commented his other initiatives fall under this umbrella.
 - f. Media & Communications Committee (Adrienne)
 - i. Committee descriptions for Website: Adrienne suggested we make this a retreat item.
 - ii. Updating "Groups" and other website information: For group updates, Adrienne suggested that the upcoming retreat would inform what we want to say. Regarding other website information, Adrienne noted that minimizing/focusing some of what's on our site may help it work better and be easier to maintain.
 - iii. List serve use: Adrienne encouraged folks to send messages out directly. To assist with that, she'll send the list serve "to" address for easy reference.
 - iv. Executive committee members updated. Need profiles for Profiles for Gregg and Lisa.

8. Calendar of Events

- a. Section: As mentioned herein.
- b. Other events of interest. As mentioned herein.

9. Good of the Order. None

10. **Adjourn** at 1:33pm.