



Alternative Dispute Resolution Section

Washington State Bar Association

1325 Fourth Ave., Ste. 600
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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
Sasha S. Philip
Lish Whitson

EXECUTIVE COMMITTEE MINUTES

February 18, 2022

12:00pm – 1:30pm PST

Present: Mel Simburg, Mary Juetten, Carol Betts, Joanna Roth, Melissa Fuller, Dee Knapp, Kyle Berti, Craig Beles, Alan Alhadeff (joined at 12:15), Sasha S. Philip (joined at 12:30).

Guests: none

WSBA: Carolyn MacGregor (joined at 1pm)

Reflective Check-In

Opening: Confirm quorum (majority: 7 of 12 current voting members)

- a. Agenda Additions and Changes (Melissa will take notes in March for Mary)
- b. January Meeting Minutes Approved

Debrief of DEI Guided Discussion on January 24, and February 15 follow-up. Mel invited sharing – Joanna redid her appreciation for Carol; and others affirmed the positive nature of the meetings. Dee summarized the collective need to redefine our purpose.

ExCom Membership: Openings in officers and at large members; potential new members; outreach for new members to be done by all.

- Courtland will run for Chair, Mary as Vice Chair, Dee as Secretary and will need a Treasurer.
- Dee will have to resign as At Large and run for the position.
- Query re being a lawyer and member of the bar to be an Executive? To be discussed with Carolyn.
- Will have 3 At Large positions.

Action item: Thank you notes to Roger and Emily to be sent by Chair.

Action item: Mel and Carol to discuss marketing action plan; all will be doing outreach for new members.

- a. Complete list of open positions and nominations (Mel report on changes: 1 officer and 3 at large open)
- b. Section Election Set-up Form (Done and submitted)
- c. Position Descriptions (Draft ready for review)
- d. Post position descriptions online
- e. Maintain info re process, deadlines, candidates
- f. Leverage Section communications tools
- g. Set up online application portal

Promoting Informed Use and Best Practices of ADR

www.wsba-adr.org

- h. Recruit to diversify ExCom [How will we do this?]
- i. Gather final candidate info

Northwest Collaborative Futures Conference: (Mary, Alan, Melissa, Lish)

- a. Final financial report, lessons learned, next steps.

Action: Mary to reach out to Sharon and Mediate.com after WSBA receives the check about lessons learned and future collaboration.

NWDR - Thank you notes. NWDR Planning Committee Nancy Highness, Chris Goelz, Paige Garcia, Joel Greene, Mary Hancock, Donna Lurie, Phil Cutler

Action: Mel to send a card to each along with a gift certificate for pizza; Melissa to find addresses. Perhaps Carol can create a WSBA Thank you card with her skills.

Treasurer's Report: N/A

WSBA News:

- a. Staff report: (Carolyn MacGregor) [Discuss whether to take a position on bifurcating WSBA (see Julianne's email of 2/17 at 5:25 p.m.)] -
Address Listserv unsubscribes and annual purge – added to listserve within 30 days and once per year re-input the names to purge those that did not renew so it goes back to original email address with WSBA. Discussion of senior status and will hold off. Would need to have a bylaw change to have senior/inactive still vote – expand DEI. **Action:** Mary to research our bylaws (Info sent by Mel after the meeting).
Action: Carolyn to recirculate the WSBA CLE platform options to Executive Committee (done during the meeting).
- b. BOG report: (Alec Stephens, Jr.) [BOG positions open: 2,9,10, at large.] – n/a

Possible CLEs (Consider collaboration with other Sections):

- a. IPS Possible CLE (Alan to take the lead with support from Carol and as a sub-committee of three to take off-line and recommend topics. Alan to involve Sarah, Dee, and Lish.) Alan had a meeting with IPS – potential topics; next step will be discussion of actual topic.
- b. In-person Arbitration (and Mediation?) During a Pandemic. – Melissa spoke with Bob – regional/national/state/county - issues ethical and logistics as Bob is traveling to OK to arbitrate (pandemic to endemic). Potentially 2 part – arbitration and mediation and outreach to ABA. Format and platform TBD. Try something small before the summer. Mel to involve the ABA DR section. Carol made the point that this is actually is a DEI issue as we move forward.
- c. Mediation in the Context of Family Law (Carol, Joanna) – to have a walking meeting on upcoming Sunday
- d. Collaborative Law for Business Disputes (Mary) [See January minutes] – defer to April for the fall. Call with Kevin Scudder next week – planned for fall with out of state speakers from GCLC.
- e. Mediation Dilemmas (Brown Bag)- (Melissa, Lish, Sasha) – will circle back.
- f. New Lawyers (Kyle) – spoke with Mel – do a basic primer CLE and work with Mel – mock mediation? Will reach out with tentative dates and format (in person in King County; statewide using Zoom). Re-use DR conference material Sasha mentioned for Primer
- g. Arbitration Cases at the U.S. Supreme Court (Craig - Brian Esler) – case law update (1 hour) – Craig will be the facilitator.
- h. How to Be an Effective Advocate in Mediation (Cutler handout) (or Mediation Advocacy Best Practices) – as a follow-up to f. Mel has materials to share and Sasha will circulate the Cutler handout to all. Discussion on

evaluative v. facilitative approach or spectrum. Mel, Carol (with change in name to Preparation/Participation – how to prepare for mediation), Melissa, Dee, Sasha.

Outreach Efforts:

- a. Listserve- Thank you to Sasha for sending out a note on the listserve that sparked ideas from members, including the book club. **Message from many that we need a conference or other content to provide value to section members.**
- b. Presentation to Muslim Community Network Association no longer scheduled (Mel & Joanna)
- c. Spectrum of DR
- d. Once a month post to listserv or social media- (Sasha, Adrienne, Paul, Craig) (Everyone?)
- e. Happy Hour. (Sasha, supported by Kyle and Courtland), Topics? Bob?
- f. Welcome message – Done by Mary and Mel and sent to Carolyn at WSBA.
- g. Section Book Club?

Retreat Follow-up:

- a. Discussion of follow-up items. Action item list:
 - i. Mission statement- Craig (circulated)
 - ii. Ning site and group io- the handoff - Carol has volunteered to lead the groups io set up; will get Ning admin info from Adrienne
 - iii. Restorative justice/ ADR-in-schools topic- Joanna
- b. Check-ins, metrics, mini retreats. (Any suggestions for 2022?)

Committee Reports (deferred).

- a. **Events:** [April Cherry Blossom walk?]
- 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 WSB request). Section Spotlight for Bar News?)
- c. **NWDRC** (Adrienne, Lish, Craig, Melissa Fuller & planning committee) (Redirecting conference website; future direction of conference?) (See above)
- d. **Legislation & Public Policy** (Paul & Joanna)
- e. **Professional Development & Membership** (Alan & [Kyle?]) Need another co-chair.
- f. **CLE development** (Alan, Paul, Carol, Mary, and Lish) (See above.)
- g. **Academic Partnerships** (Craig, Dee) (Q- plans for each law school?) (Combined law school event?)

Breakout Rooms. (Let Chair know what groups to create and which participants in each.) – no notes for this part – Not Done.

Adjourn at 1:30pm