



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 Chair
Joanna Roth, Past Chair
Courtland Shafer, Treasurer
Adrienne Keith Wills, Secretary

Mary Juetten, Young Lawyer Liaison

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

EXECUTIVE COMMITTEE MINUTES

February 19, 2021

12:00pm – 1:30pm PST

Held via Zoom

In attendance: Mel Simburg, Adrienne Wills, Carol Betts, Craig Beles, Mary Juetten, Courtland Shafer, Sasha S. Philip, Roger Moss, Alan Alhadeff, Lisa Brown, Lish Whitson.

Reflective Check-In

Opening

Agenda Additions and Changes

- No changes or additions.

January Meeting Minutes Approval

- Mel called for comments on the January minutes. Sasha noted that her name should be stated as "Sasha S. Philip".
- The minutes for January 2021 were approved.

Updates from the Chair

Nominating Committee of Joanna, Roger, Mary, and Mel

- Form has been turned into the Bar.
- Schedule: Applications for 3 at large and 3 officers due 3/15-4/16; Voting 6/7-20; New terms start in October.
- Application: Statement of Interest + link or bio.
- Committee members whose terms are ending should follow the application process.

Committee Assignments (Any ExCom Member not on a committee or project?) (See below for open slots)

- Everyone on the Exec Comm is to be a part of one or more sub-committees.

WSBA News

- No Bar staff were present to give any updates. Eleen Trang has left work with the Bar. Mel identified that it's possible that Julianne Unite (interim staff liaison) did not receive the invite.

Promoting Informed Use and Best Practices of ADR

www.wsba-adr.org

Outreach

Within Section

- Roger had the update that the staff person replacing Eleen would be preparing a new report of Section members for us to use for outreach.

Action Items:

Supporting Diversity (Dee, Sasha) (Coordinating with WSBA Diversity Specialist) (Diversity for ExCom: ethnic, geographic, age)

- No update

Inviting Guest Section Members to ExCom Meetings (Sasha)(Review Jan minutes)

- Sasha summarized that if someone seems to have interest and may be helpful to include, then they should be invited to the Meetings.

Not Limited to Section Members:

CLE development (Alan, Paul, Carol & Lisa) (Report on Jason Rosen presentation) (Collaboration outside WA?) (Mediation and Domestic Violence?) (Other?)

- Alan relayed that he's trying to connect with other sections re: ADR subject matter may be of interest to other Sections that we can provide.
- Lisa has reached out to the Health Law section and shared topic ideas with them. She asked whether there were other topics of interest to them. She was delayed in sending her messages so there's no response yet but she intends to follow up next week.
- Lisa reached out the FBA (Federal Bar Association) about a joint webinar and they expressed interest.
- Lisa noted that she and other Exec Comm members had an instructive conversation with Shanthi about CLE development.
- Lish expressed interest in being part of these efforts.
- Mary shared that the North Carolina Collaborative Law group had recently held an interesting presentation, addressing the topic of moving Collaborative outside of family law. She expressed that she would happy to work with others on a similar presentation here. Lisa expressed interest in this as well. Carol related that Joanna may have information on this and Mary noted she'd talked to Joanna.
- Lish noted we may also want to collaborate with the Inn of Court.
- Jason Rosen presentation: Roger noted it was a very lively conversation and that there was strong interest in follow-up/panel presentations.

Cross-Section & MBA (Minority Bar Association) Collaboration (Alan & Sasha)

- No updates.

Academic Partnerships (Craig, Dee, Sasha) (Q- plans for each law school?) (Combined law school event?)

- Craig said he hasn't heard anything from Gonzaga and he's not sure what the status is re: their interest to involve the Section in their ADR class.

- Dee spoke about Seattle U. She recently learned the ADR board is planning a Collaborative Law event. She'd proposed the idea of a happy hour with our Section but they've not expressed interest back. Dee offered to connect Roger to the student in charge of community events on the ADR Board.
- Sasha suggested hosting a happy hour where we invite students from the law schools' ADR boards and wondered whether March 4 (next scheduled event) might work. Dee noted there's a negotiation competition the next day; after that, the mediation/negotiation competitions are done so student availability may be better. April is better, and May is challenging because students would be in finals.
- Carol commented that law students may be interested in a conversation about how recent graduates may be able to earn income doing dispute resolution. Craig commented that Sasha had spoken on that in the past and Sasha offered to dig out her materials. Mel spoke to say that much of case resolution happens through DR and so most students will be encountering ADR in their practice even if they're not in the role of dispute resolution providers. Roger commented that the issue of making a living in dispute resolution is not age-specific. Mary shared her perspective that we should be very inclusive and frame the topic as 'this is how to make money' (regardless of someone's time in practice). Mel concluded that this topic sounds like it would be very interesting for a future happy hour.

Events: Happy Hour Northwest: NWDRC

- The next event is coming up in about two weeks on March 4. Roger asked for other Exec Comm members to step into hosting duties.
- Roger suggested that, for April or a later month, we focus a conversation on Collaborative Law and invite other Sections to participate. Carol noted that the Collaborative Professionals of Washington are having their annual CLE in early March and that might generate topic ideas for April.
- Carol indicated that she'd like folks to shift focus in a future event to talk about "mocktails" as opposed to cocktails only.

Reports (Rotating Order) (And if not covered above)

Legislation & Public Policy (Paul & Joanna) (Inquiries to us from WSBA Legislative Liaison:) (Roger on eviction mediation legislation)

- No report on legislation (neither Paul or Joanna present)
- Roger expressed no developments on eviction mediation legislation. Alan and Roger described that there may be some issues with the DR centers as the exclusive agent for dispute resolution. Alan expressed a concern about DR centers managing the system as well as being the providers. Alan spoke with Alan Kirtley on Kirtley's thoughts about separating mandatory mediation from the law and making it DR-center exclusive.
- Roger expressed that his understanding that legislation on landlord-tenant dispute resolution may be floundering.
- Alan noted that some characteristics of this issue echo the foreclosure dispute resolution of around ten years ago.

Media & Communications (Adrienne, Carol, Mary)

- Adrienne shared that Mary reviewed a past document summarizing our digital assets and Mary wrote back with some comments. Adrienne indicated she'll loop Carol in on the conversation.
- Mel expressed a request that digital "asset" information be combined with the materials from Paul's onboarding binder.

NWDRC (Adrienne, Sasha, Roger, Mary)

- See chat log

Land Use & Environment (Courtney)

- No report

Treasurer's Report (Courtland)

- Courtland has received the December financial report from WSBA.

Professional Development & Membership (Alan & ?)

- No additional information

Anything Else?

- Craig commented that we do understand everyone is very busy so there's no need to apologize for actions not yet taken.
- Alan expressed his thoughts we should engage more on what needs of other entities we can help serve versus simply pushing our ideas out.

Reflective Check-Out

- Mel asked everyone to review the meeting minutes and retreat minutes to see what actions they need to take.

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Chat log:

12:26:10 From Lish Whitson to Everyone : I am on the NWDR Conf. committee and I would be happy to serve on the CLE comm. Lish

12:41:15 From Sasha S. Philip (she/her) to Everyone : Sorry about that!

12:44:11 From Carol Betts (she/her) to Everyone : March 3,4,5 is the Collaborative Professionals of WA annual CLE/Convention

12:45:13 From Sasha S. Philip (she/her) to Everyone : Perhaps we can draw from topics that generate excitement at that convention for our April Happy Hour NW?

13:13:23 From Roger Moss to Everyone : Happy Hour Northwest "First Thursdays" registration link
When: Mar 4, 2021 05:30 PM Pacific Time (US and Canada)

Register in advance for this meeting:

<https://us02web.zoom.us/meeting/register/tZwvcemhpzgjG9XtGu5JnpaihlgXczPAxb4l>

13:13:38 From Craig Beles. Arbitrator to Everyone : Thanks Roger

13:15:18 From Mary Juetten to Everyone : Must go take care!

13:16:55 From Sasha S. Philip (she/her) to Everyone : Got to go hop on another Zoom call, sorry!

13:23:29 From Roger Moss to Everyone : Roger has to drop out presently. Concerning the NWDRC report, I'd say that a Jimmy Carter style cardigan sweater of malaise has descended on the planning committee and the whole conversation. On the other hand, a senior executive with AAA asked me "would it be okay if we sponsored your conference?" That was nice. Thanks everyone for your service and hasta la vista.

13:25:05 From CS to Everyone : Got to take a call. Treasurer's report- Dec. financials in.