

**MSBA – ADR Section Meeting  
September 8, 2009**

Minutes

The meeting was called to order at approximately 12:10 p.m. A list of attendees is attached.

1. Greetings. John Schulz, filling in for the chair, welcomed the attendees; those attending in person introduced themselves.
2. Treasurer's Reports. The interim-chair reported that the section has a balance of approximately \$10,000 before receipt of dues for the current year in the amount of \$6,000-\$7,000 has been accounted for.
3. Legislative Update. William Pennwell and Leslie McEvoy reported that the "Legislation" page on the website has been updated, and that the committee will work to improve the page.
4. Monthly CLE Programs. The interim-chair reported that two programs are set for this year, including the end of consumer arbitration by National Arbitration Forum and AAA and what's going to happen next. Location of programs may change if registration exceeds the capacity of the President's Room. Members are requested to pass along their ideas for future programs to the ADR council; previous programs are posted on the ADR section website for reference.
5. Other Business.

Grant Program. The interim-chair reported that the grant program is in the second year of funding. Application deadline is November 15, 2009. The council plans to review applications in time to announce grants at the December section meeting.

Meeting space issues for CLE's. The interim-chair reported that attendance at monthly CLE's has gone up in the last year so the section may need to find larger space.

Volunteers for Patrick Henry Peer Mediation Program. The interim-chair asked members to please let council know of interest in participation. Help is needed for coaches to observe a peer mediation and give feedback to the participants. Some training ahead of time will be provided. The council will invite some participants from the peer mediation program to speak at a monthly section meeting.

Select ADR update and promotion. The interim-chair reported that the most of the kinks have been resolved. The section plans to conduct a promotion and advertising in the months ahead.

Announcements . The 12<sup>th</sup> Annual ADR Institute will be held on October 30, 2009, and a speaker from the Arizona State University School of Law will discuss peacemaking within Native American communities.

The Association for Conflict Resolution will hold its annual conference on October 7-10, 2009, in Atlanta.

6. Program: Mediator Certification and Mediator Codes of Conduct. Carolyn Chalmers, Director of the University of Minnesota Office for Conflict Resolution, and Steve Erickson, Co-Founder of Erickson Mediation Institute and current co-chair of the Task Force on Mediator Certification of the Association for Conflict Resolution, Washington, D.C. gave a presentation on the practice standards and codes of conduct for mediators, including tension between the principle of self-determination and what is observed in mediation of litigated matters; assuring balance of power and informed decision-making; certification to measure skills and abilities not just course content; need for stronger enforcement mechanisms to ensure quality; diversity of subject matter and mediator backgrounds; pressure to lawyers/judges for evaluative process such as early neutral evaluation or settlement conference; and need for consumer education to understand what to expect of a thorough nuts-and-bolts process rather than a shortcut.

The meeting adjourned at approximately 1:30 p.m.

Respectfully submitted,

Cynthia C. Waters, Secretary