

MSBA ADR Council Meeting Minutes
October 1, 2009
8:00 a.m. – 9:00 a.m.
MSBA Office – Minneapolis

In attendance: John Schulz, David Lauth, Cynthia Waters, Marilyn McKnight, Linda Mealey-Lohmann, James Watchke (and MSBA liaisons Ashley Hacker and Elise Peterson)

1. Greetings: John is serving as interim Chair during Marge's absence. Marge hopes to return next month.
2. Treasurer's Report: No report but our finances are in good shape. The next bank statement should reflect receipt of member dues, and council plans to spend \$4500-5000 on grant program.
3. October CLE Program: AG Lori Swanson will present at University of St. Thomas Law School with room rental of \$350. We will provide refreshments (cookies only) and information about sandwiches available for purchase, as a catered buffet is expensive and many members bring their own lunch.
4. Monthly CLE Programs: November and December: Since Linda has not been able to confirm dates with Oscar Reed at "Boys to Men Circle Group", we will develop another program for November. David will get back to Duane Krohnke to invite Carmen Molina, family court judge from El Salvador, and Linda will invite Chinese scholars in her class to discuss mediation abroad; we will also ask Eduardo Wolle who has been doing training in South America to serve as a moderator.

January and February topics: Value of facilitative (vs. evaluative/other) mediation models in employment cases, possibly co-sponsor with Labor and Employment Section; Barriers to mediation of clergy sex abuse cases, David will contact Jeff Anderson as well as lawyer for clergy members or archdiocese;

Other ideas: Victim offender mediation with Mark Umbreit; dispute resolution in Hmong or Somali communities; Appeals court mediation

program; Large group mediations, such as conflicts within churches, and work by Lee Hamilton; Use of interest based negotiation and facilitative processes in government as reflected in President's words and approach and work of three retired governors; topic could also address gerrymandering and polarization. John will summarize program ideas and pass them along to Madge.

5. Grant program: Announcement is posted on the section website with link to application form. Application deadline is November 15. Council plans to screen requests with goal of announcing grants at December section meeting.

6. Uniform Collaborative Law Act: A representative from the Collaborative Law group asked to present about the new Collaborative Law Act to our section meeting soon. We reviewed our previous discussion that "Collaborative Law" is a legal process, not an ADR process under Rule 114. We will direct the rep to other sections (Civil Litigation, Labor & Employment, New Lawyers, Family Law) to provide education about this tool for lawyers.

7. Select ADR update and promotion: No report, but perhaps by Section meeting. Patrick sent reminder and update to section members. Ads will appear in October issues of *Hennepin Lawyer* and *Bench & Bar*. Members still report glitches and Patrick will meet with David Lauth and Dick Ericson. Discussed need for follow up with bar association to report problems with vendor.

8. Meeting space options: Council decided we don't need additional planning for alternate space now, but will keep information in case we anticipate attendance over 60.

9. RUAA: John and David read the proposed language changes and view them as minor; John will check with David A. and Leslie before the section meeting to determine if the changes are substantial and require a vote by the section.

Cynthia C. Waters