

Idaho State Bar Dispute Resolution Section

Quarterly Section Meeting NOTES

August 20, 2014

12:00 – 1:00 pm

525 W. Jefferson Street

Boise, ID 83702

12:00 Introductions

Present: Grant Burgoyne, Jonathan Derek, Laurie Engelhardt, Jeanne Jackson-Heim, Jill Jurries, Annie Kerrick, David Lombardi, John McGown, Michael Spink, Christina King, Lessie Brown

12:10 Old Business

- Section survey: trends (PowerPoint attached)

12:30 Next Steps: Recommendations and Discussion of Survey

- Attendance at section meetings should be incentivized so participants feel like they are getting something out of attendance – there should be CLEs offered during every meeting.
- To increase participation from members located outside of the 4th district the section may want to:
 - Consider using video conferencing (which is available in the classroom at the ISB) and offer
 - Purchase lunch for groups of 3 or more members participating from the same remote location
 - Send officers to remote locations for occasional meetings
 - Ensure some amount of leadership practices outside the 4th District and pay for those members to come to quarterly meetings.
- One member questioned the possibility of this section taking some form of leadership in the state for to coordinate the efforts of various fractured DR entities. This activity is inline with the section mission of public leadership in the area of DR.
- Another member mentioned that there are elements of the law that encourage mediation that people don't know about – for example, the small lawsuit resolution act (mediation or arbitration like proceedings) and Rule 16 (court can order mandatory mediation). Maybe the section could collect the elements of the law that require or encourage and distribute to the members. This collection would be a helpful resource for members and non-members alike.
 - In this same vein, members discussed the benefit of creating a hand book on mediation in Idaho. The IMA, BSU, U of I ,and Concordia programs could collaborate to create the handbook using externs. **Handbook** may be useful to consumers and create teamwork and continuity amongst various groups. Possibly have a panel for CLE. The handbook would include: overview of mediation; summary of provisions; description of programs; what process looks like/what you can expect/section for participants; etc.

- Issue of definition and scope. Dispute resolution (mediation) takes place every day and most don't involve a professional or exchange of money. This section is unlike other because DR/mediation doesn't necessarily involve the practice of law. A member suggested that the section decide on standard definitions and a clear scope. Additionally, the section could provide written materials on where the practice of law stops and non-legal dispute resolution begins.

12:50 Proposals for a CLE for next session - Oct. 15, 2014

- No proposals at the time. Look to topics gathered on the survey. Annie Kerrick, stated that CLE units will be available.