

July/August 2009



IDAHO STATE BAR ALTERNATIVE DISPUTE RESOLUTION SECTION

ADR Section News

Mediation Conference

The Idaho Mediation Association (IMA) is hosting its annual conference September 11th through 13th at Boise State University. The conference, entitled “Strengthening and Expanding Your Practice for Today’s World” will feature a wealth of topics presented by top notch trainers.

This year the ADR Section will be co-sponsoring a keynote presenter and two ethics workshops. National speaker Brigid Duffield (see below) will present a keynote address “Collaborative Law: It’s Coming to Idaho” along with four workshops over the duration of the conference. Perennial favorites Merlyn Clark and Maureen Laflin will present “Mediation Ethics: How to Ethically Move the Parties Toward Resolution” and ADR Section Chair Gary Schreiner will present “Dude, Don’t Get Sued: Ethics on Acid.”

The ADR Section has arranged for section members to receive the discounted IMA member rate, so take advantage of this great opportunity! CLE Accreditation is pending. For more information, visit <http://sites.google.com/site/imaspecialevents>

Law School to Host Negotiation Competition

The University of Idaho College of Law has been selected to host the north-west region’s ABA Law Student Negotiation Competition for the 2009-10 school year. This region includes approximately 14 law schools throughout Washington, Oregon, Montana, Idaho, and the nearby Canadian Provinces.

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Brigid Duffield— IMA Conference Keynote

Attorney/Mediator/Speaker, Brigid Duffield speaks nationally on a variety of legal and professionalism topics, educating the legal community, mental health professionals and the public on ways to resolve conflict.

Well-versed in resolving family disputes, she is an approved ACR Family Law Mediation Trainer and has authored articles on mediation, family law, and assistance for the impaired lawyer.

A 1984 graduate of John Marshall Law School, Brigid is active in several bar associations, the National Speakers Association and the Illinois Lawyers Assistance Program. She sits as a Hearing Chair at the Illinois Attorney Registration Disciplinary Commission and is an Arbitration Judge for the DuPage County Arbitration Center.

Brigid is the author of a new book, *The No BS Divorce, Secrets of a Divorce*



Brigid Duffield

Kathy Elton — IMA Conference Keynote

With over 20 years mediating for the Utah State Court system, Kathy Elton brings a wealth of experience, skills and knowledge to her work. As Director of Alternative Dispute Resolution Programs, she created and implemented mediation programs throughout the Utah State Court System. As Chair of the Utah Council on Conflict Resolution in 2006, Kathy was named Peacekeeper of the Year and in 2002 received the Community Builder of the Year award. Kathy is an IMA-certified trainer and is trained in all types of mediation, facilitation, group conferencing, conflict coaching, talking circles, and has consulted and presented training on dispute resolution processes across the country.



Section Sponsored Workshop Presenters

Some of your fellow ADR Section members will be presenting at the Idaho Mediation Association annual conference. The overarching theme for this year's presentations is mediation ethics. A brief CLE on mediator ethics was presented at one of the regular section meetings, and many of you requested more discussion on this important topic. Well, we listened, and the following presenters will be offering workshops at the IMA conference.

Merlyn W. Clark is a senior trial lawyer, experienced arbitrator and Certified Professional Mediator who received his J.D. from the University of Idaho College of Law. As a senior partner in the Boise office of Hawley Troxell, his practice focuses on complex civil litigation involving real property, contract and commercial law, business entities, and employment law. Clark was an Adjunct Professor of Negotiation and Settlement Advocacy Pepperdine University School of Law in 2000 and has been an Adjunct Instructor at the University of Idaho College of Law since 1996. He is a member of the National Rosters of Commercial Arbitrators and Mediators and the Employment Arbitrators and Mediators of the American Arbitration Association, among others

Maureen E. Laflin is Director of Clinical Programs at the University of Idaho College of Law. Professor Laflin's teaching and research focuses primarily on skills building. She has directed the Northwest Institute for Dispute Resolution since 1997. A Certified Professional Mediator, Laflin teaches ADR courses at UI and the Strauss Institute for Dispute Resolution at Pepperdine Law School. She has worked closely with state and federal courts and the bar to promote ADR in civil, domestic, and criminal arenas. She serves on the ABA Dispute Resolution's Mediator Ethical Guidance Committee and directs the College's Trial Advocacy program. Laflin served on the Evidence Rules Subcommittee which drafted the Uniform Mediation Act in Idaho and has published on the UMA, Criminal Mediation, and Mediation Ethics. She received her J.D. from St. Louis University in 1982

Gary Schreiner is Director of Family Court Services in the Sixth Judicial District. An attorney and mediator, previously in private practice, he has been involved in court-annexed mediation programs in Idaho and Utah, and coordinated mediation programs in the Seventh Judicial District for five years. Mr. Schreiner is highly active in promoting ADR throughout the state. He is chair of the Alternative Dispute Resolution Section of the Idaho State Bar and sits on the IMA Board of Directors. Mr. Schreiner is an IMA Certified Professional Mediator and Certified Mediation Trainer, and has received Master Mediator and Primary Trainer designations from the Utah State Courts. A mediator and trainer with a quirky sense of humor, Mr. Schreiner thinks ethics is a dull, but important, topic and needs to be livened up a bit. Just don't mind his singing.

Negotiation Competition (cont.)



The Law School hosts this competition only once every ten or 12 years, making this a rare opportunity to demonstrate to other regional law schools the quality of Idaho's alternative dispute

resolution programs and practice. As the host, the Law School also has the opportunity to be a central focus in this region for negotiation activities.

Several judges are needed for the negotiation competition. These judges should have both an interest in negotiation and experience with the process.

ADR Section members could provide high quality and experienced mediators and negotiators to judge the competition.

Section members are encouraged to volunteer their time for this great event.

The competition will be held November 7-8, 2009 at the Idaho Water Center in Boise.

Anyone interested in being a judge should contact Katie Ball, UI College of Law Externship Coordinator, at (208)870-8072 or ktball@uidaho.edu.

Volunteers Needed

The ADR Section needs YOU.

Yes, you. The one reading this between hearings or mediation sessions. We need your to help continue to make the ADR Section great (or even better).

And...if no one calls us, we may be calling you.

I always wondered why somebody didn't do something about that. Then I realized I was somebody.
- Lily Tomlin

Some Section needs:

- CLE Planning Committee
- Mediator Ethics Committee (details soon)
- Newsletter editor
- Etc.

If you would be interested in helping in any of these areas please contact Gary Schreiner at garys@bannockcounty.us or 208-236-7416

It is YOUR Section. Tells us what you want.

The section is here to serve you. Tell us what you would like to see from the Alternative Dispute Resolution Section.

Email your comments to:
garys@bannockcounty.us

- What benefits would you like to see from your membership?
- What CLE activities would you like to see the Section sponsor?
- How can we better serve the legal and greater Idaho communities?

