

**State Bar of Texas**  
**ADR Council Meeting**  
June 23, 2017  
Offices of John DeGroot  
501 S. 2<sup>nd</sup> Avenue, Suite A-700  
Dallas, Texas 75226

Meeting called to order at 1:03 pm by John DeGroot

**Attending in Person:**

Bass, Courtenay  
Bergman, Trey  
Bulmash, Lis  
Clote, Paul  
DeGroot, John  
Harrell, David  
Martinez, Daniel  
Rivera, Guadalupe  
Roberts, Gene  
Specia, John

**Attending by Phone:**

Jury, Jeff  
McLain, Linda  
Schooler, Lonnie  
Tolchin, Andrew

**Not Attending:**

Coover, Ann  
McGowan, Gary  
Phillips, Donna  
Speedlin, Phylis

**Approval of Minutes**

John DeGroot suggested to change the minutes to reflect that today's meeting change from May 23 to June 23. Gene Roberts moved to accept the minutes with the change of date. Courtenay Bass seconded the motion. The motion was approved by majority voice vote.

**Treasurer's Report**

Because of normal change in section leadership, a formal report will be provided by email after SBOT Chair's training, within 30 days from today's date. Trey Bergman will continue

to work with SBOT's accounting department. Council members are reminded to send receipts for today's meeting to Linda McLain.

We anticipate being over budget this year because of roadshows that were not contemplated in original budget. Our only source of income is membership dues.

At the next meeting, we anticipate examining the budget and making strategic choices on use of monies.

## **Committee Reports**

### *Annual CLE Program. David Harrell*

1. CLE will be January 26, 2018
2. The planning committee will meet on July 21, 2017, at SBOT headquarters. Mary McDonald is SBOT CLE rep. The committee will consider whether to offer a one-half day CLE before the full-day CLE.

### *Case Updates & Blogs. Linda McLain*

Linda McLain reports that she is working on transitioning some of the blogging duties from Gene Roberts. The section received another Top 10 post from Texas Bar Today.

### *Mediator Ethical Standards. Lis Bulmash*

An ethical roadshow is planned for Dallas on November 13, 2017, at the Belo Mansion. Suzanne Duvall will speak on mediation ethics and Lonnie Schooler will speak on arbitration ethics. This event will be co-sponsored by the Dallas Bar Association ADR Section. No costs are anticipated except for travel costs.

John DeGroot asked Lis Bulmash to look into sending a postcard to members of DBA ADR Section and SBOT ADR Section.

Judge Rivera suggested to pair up with other SBOT sections as part of the training provided by other sections. This can be a unique presentation to partner with other sections.

### *Frank Evans Award Committee. Lonnie Schooler*

Lonnie Schooler advised that he wants to present names for this award to the council to consider and approve at next meeting, encouraging all of us to submit names to those who are deserving of the award.

*Nominating Committee. Lonnie Schooler*

Lonnie Schooler advised that we elect officers and members in January. Lonnie asked for 3-4 people to serve on the nominating committee, preferably from different geographic areas of the state, preferably west, east, and north Texas. Courtney Bass agreed to be on the committee. John Specia agreed to be on the committee. Gene Roberts to reach out to Bob Black to see if he knows anyone to recommend on the council.

We will likely need to have three nominees.

*Other committee reports*

Website and Calendar Committee. Daniel Martinez agreed to assist with this committee. Daniel will examine criteria for listing items on training, photos of new board members, and related matters.

*CLE Committee Question. David Harrell.*

David Harrell asked whether the council wanted to have an one-half day CLE in addition to the regular CLE? There was a discussion about the efficacies of the half-day CLE, with a general consensus to explore the one-half day CLE. Further discussion included whether the SBOT could video the CLE for later viewing, financial incentives to participants for a package deal for the one-half day CLE and the one-day CLE, and whether small-group facilitated discussions for participants who report to the general group should take place.

*Alternative Resolutions Newsletter*

Many council members are not receiving the newsletter and questions arose about who uses the newsletter and reads it. The question was presented on how to make the newsletter better and more accessible. Gene Roberts suggested moving the newsletter to a quarterly email from the chair with highlights to articles that are posted on ADR Section website.

Judge Rivera moved to transition the newsletter to a blog-type newsletter format, assuming the SBOT has no issues, consisting of a quarterly email from the chair sent to the membership. Judge Specia seconded. Approved by majority vote (one dissent).

*Special Publication Discussion/Opportunity. Lonnie Schooler*

The Institute for Transnational Arbitration publishes the World Arbitration & Mediation Review quarterly, which recently lost its publisher. Would Texas Bar Books be a substitute publisher and would the ADR Section be willing to sponsor this publication if Texas Bar Books is willing to publish? There is no financial expectations, but having our logo on the publication.

Lis Bulmash moved to allow Lonnie Schooler to explore the possibility of Texas Bar Books publishing World Arbitration & Mediation Review and to explore coordination with ITA. Seconded by David Harrell. Motion passed unanimously.

*ADR Roadshows. Lonnie Schooler & Paul Clote*

Lonnie reported that past roadshows were very successful and the importance of relying on local bar leadership to assist with the roadshows. Preliminary discussion of planning a roadshow in September in East Texas and Dallas on November 13, 2017. Justice Rivera will continue to assist with roadshows. Sarah Keathley from Corsicana will be contacted by John DeGroot for a 2018 roadshow. Discussion of a 2-day, 4-city tour in the Valley. Lonnie, Daniel, and Judge Rivera will coordinate sites and dates.

*ADR Handbook. Jeff Jury*

Jeff is taking lead on this project. Jeff is working with Jennifer Alvey, the editor, to coordinate on appropriate formatting of articles. Jeff will work with Texas Bar Books to develop publishing deadlines.

*ADR Section Membership.*

A suggestion was made to send postcards to membership because members are not receiving emails or newsletters. Gene Roberts will send email to John DeGroot with the following emails for council members who are not receiving emails: Paul Clote, Trey Bergman, Courtney Bass, John DeGroot, and Judge Specia to Andrew Tolchin who will investigate this with SBOT.

*Training*

SHSU will offer training in The Woodlands on October 6-7. The Association of Attorney Mediators will have training in September.

2:37 pm Judge Rivera and Judge Specia left the meeting.

Consensus to promote SH program, with Gene Roberts to determine if CLE approved, first.

*Legislative Calendar*

Lis Bulmash reported on proposed Insurance Code section that was not passed. The proposed legislation would have required mediators to determine “bad faith” participation. Perhaps a blog post from Mike Amis on the most recent legislative update would be appropriate.

### *Next Council Meeting Date & Location*

The Council agreed that the next meeting will take place at 9:00 am on September 8, 2017, by telephone conference, for one hour.

### **Old Business**

John DeGroot reminded the council of the Strategic Planning Session and that we should consider have a speaker's bureau that we can push to other SBOT sections and for roadshow speakers to consider having their presentation captured on video for those who cannot participate in person.

### **New Business**

Daniel Martinez asked about past efforts to establish a dispute resolution center in the Valley. Daniel will contact Donna Phillips to discuss and to present as an agenda item at the next meeting.

Future conference call number and password for our meetings is: 866.548.4716  
passcode:

Andrew Tolchin discussed efforts by lower courts to send matters to local DRCs

Andrew Tolchin moved to adjourn the meeting; Courtenay Bass seconded. Motion to adjourn passed unanimously.

Meeting adjourned at 2:52 pm.