

Georgia Commission on Dispute Resolution
MEETING AGENDA
Wednesday, April 29, 2-4 PM
State Bar of Georgia

I. Call to Order: Judge Charles Auslander

II. February 11, 2015, meeting minutes approved via email.

III. Committee Reports:

- Budget Committee: Judge C. Andrew Fuller
 - Ethics Committee: Hugh Bell
 - Training Committee: Melissa Heard
 - Liaison Committee: Ray Chadwick
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IV. Director's Report: Shinji Morokuma

- Renewal reminder for late renewal sent via email
 - Registrar modification made for out-of-state application fee
 - Searching for online site to post revised ethics exam; old exam shared with all trainers
 - Report from ABA DR Section Conference, April 15-18, Seattle
 - Report on Lynn Goldman's visit to Henry County Juvenile Court
 - Idea of rule change to allow neutrals to drop individual registration categories
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V. Chairman's Report: Judge Auslander

- Strategic planning sessions end, next steps
 - Updated data collection tool and guide, including definitions
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VI. New Business: Judge Auslander

- Request to allow CE waiver for neutrals age 70 and older
 - Request to allow CE hours to roll over from prior year
 - Next Meeting Dates: August 12; and November 4.
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VII. Adjournment

MINUTES: APRIL 29, 2015 MEETING
GEORGIA COMMISSION ON DISPUTE RESOLUTION

Chair Judge Charles E. Auslander, III called the meeting to order. In addition to Judge Auslander, Commission members present were:

Judge Charles E. Auslander, III, Chair; Chief Justice Hugh Thompson; Emily S. Bair, Esq.; Timothy Hedeem, Ph.D.; Mary Donovan, Esq.; Judge Gregory A. Adams; Melissa C. Heard, M.S.S.W.; Judge Sara L. Doyle; Edith B. Primm, Esq.; Judge C. Andrew Fuller; Hubert J. Bell, Jr., Esq.; Judge J. Carlisle Overstreet (by phone); Raymond G. Chadwick, Jr., Esq. (by phone); and Judge Stefani R. Lacour (by phone).

AOC staff members present were: Linda Smith; Zan Patorgis, Contract Attorney; Christopher Hansard; Kimberly Miller; and Shinji Morokuma, Director of Certification and Licensing.

Guests present were: Liesl Owen, Program Director, 6th District ADR Program (by phone); Pam Godfrey, 7th District ADR Program (by phone); Lawrence E. Harton, Jr., Program Director, DeKalb County Courts DR Center; and Jerry Wood, Program Director, Fulton County ADR Program.

1. Call to Order:

Judge Auslander called the meeting to order; members and guests introduced themselves.

2. Minutes:

The minutes of the February 11, 2015, Commission meeting were approved prior to the meeting via e-mail vote.

3. Committee Reports:

Budget Committee: Judge C. Andrew Fuller

Judge Fuller provided copies of the FY 2015 budget performance to date, noting that the Commission has spent 74% of its annual budget and reporting that the Commission anticipates a budget balance of \$574,341 for FY 2015. Judge Fuller answered Ms. Bair's question regarding the "Transfers" line item in the budget, clarifying that this line item should be removed because the funds are now included in a separate line item under the new MOU.

Ethics Committee: Hubert J. Bell, Esq.

Mr. Bell reported the GODR has no pending complaints against neutrals or programs. He reported that recently an individual applied for pre-certification, and after consideration the Committee unanimously approved the request.

Training Committee: Melissa Heard

Ms. Heard reported three new issues since last meeting, two of which have been resolved and one of which is still pending. All three issues involved neutrals whose registration had lapsed. In the first, the mediator worked out a resolution with the Committee. He completed training and is meeting the final requirements to register.

In the second, the mediator moved out of state and then her registration lapsed. She has resolved this through re-registering as an out-of-state mediator.

In the third, the applicant requested an appeal because she completed her training course, but has yet to receive her certificate because she is on a payment plan for the course. The Committee is awaiting information on the amount of time remaining on the applicant's payment plan.

Liaison Committee: Raymond G. Chadwick, Jr., Esq.

Mr. Chadwick reported no serious questions or concerns following a previous blast email sent inviting neutrals to contact Mr. Chadwick. He reported that Mr. Morokuma will send another such blast in the near future, which will also include a request for articles for the May newsletter.

Mr. Chadwick reported he has agreed to give a presentation as requested by program directors and discussed at the February 11, 2015, meeting, and that he is considering recruiting others to do the same, as needed.

4. Director's Report: Shinji Morokuma, Esq.

Renewal Reminder:

Mr. Morokuma reported the 2014 registration renewal "season" is coming to a close on April 30, 2015. Any renewals received after that date will be considered late, and those renewing late must complete additional CE hours. Two reminder emails have been sent to those whose renewals are still pending or have not been submitted.

Registrar Modification for Out-of-State Application Fee:

Mr. Morokuma reported the Registrar's automated system has been modified in order to receive the \$25 fee for applicants trained out of state approved at the February 11, 2015, meeting.

Online Site for Ethics Exam:

Mr. Morokuma reported that the ethics exam was recently shortened and updated to adhere more closely to the current ethics rules and procedures. Mr. Morokuma also reported he is now searching for an online server to which to upload the exam questions and answers in order to automate the exam-grading process. He hopes to have the automated exam system in place before the next meeting.

Report from ABA DR Section Conference:

Mr. Morokuma reported he and Mr. Hedeem attended the ABA DR Section Conference in Seattle from April 15-18, 2015. Mr. Morokuma hopes to bring one of the speakers from that conference to the annual ADR Institute in December 2015. The ADR Institute planning committee will meet in the next few weeks to begin coordinating that event.

Report on Lynn Goldman's Visit to Henry County Juvenile Court:

Mr. Morokuma reported Ms. Lynn Goldman was invited to the Henry County Juvenile Court to discuss reviving a delinquency mediation program in that jurisdiction. Approximately 30 members of the Juvenile Court attended the initial meeting with Ms. Goldman, who will continue to report back on the progress of this program. After the delinquency mediation program is reinstated, Henry County will also explore establishing a dependency mediation program.

Idea for Rule Change to Allow Neutrals to Drop Individual Registration Categories:

Mr. Morokuma reported many neutrals wish to drop the Domestic Relations category from their registration, and that the Commission rules never contemplated neutrals would wish to do so after paying to complete a training course in the area. Mr. Morokuma will meet with the Training Committee and, if necessary, the Commission to discuss the issue further.

5. Chairman's Report: Judge Charles E. Auslander, III

Strategic Planning:

Judge Auslander provided copies of the Strategic Plan and reported the Committee met earlier today to discuss implementing the Plan. The Commission voted to approve the Strategic Plan and Judge Auslander explained initial steps in implementing the Plan.

Data Collection:

Judge Auslander turned the floor over to Mr. Hansard and Ms. Miller, who provided copies of the updated data collection reporting form and reported that the final version is near completion and will be sent to each program in the next few weeks. The programs will have one month to complete and return the forms, and the results will be reported at the November 4, 2015, meeting, at the latest.

6. New Business: Judge Charles E. Auslander, III

Request to Allow CE Waiver to Neutrals Age 70 and Over:

Judge Auslander reported Mr. Denny Galis, Esq. requested the Commission consider waiving CE requirements for neutrals age 70 and over, similar to the waiver allowed by the State Bar of Georgia. Judge Auslander assigned this request to the Training Committee, to be assisted by Mr. Patorgis, to review before the Commission hears it.

Request to Allow CE Hours to Roll Over:

Judge Auslander reported Mr. Denny Galis, Esq. requested the Commission consider allowing CE hours to roll over from year to year. Judge Auslander has assigned this request to the Training Committee, to be assisted by Mr. Patorgis, to review before the Commission hears it.

Next Meeting Date:

Judge Auslander reported that the next two meetings will take place on August 12, 2015, and November 4, 2015.

7. Adjournment

The meeting was adjourned at approximately 2:50pm.