



Georgia Commission on Dispute Resolution Meeting

Wednesday, August 24, 2016, 2-4 PM
State Bar of Georgia, Room #1

AGENDA

- I. Call to Order: Judge Charles E. Auslander III
- II. Meeting Minutes from February 24, 2016: Approved via email
- III. Committee Reports:
 - Standing Committees
 - Budget Committee: Judge C. Andrew Fuller
 - Ethics Committee: Mr. Hubert J. Bell, Jr., Esq.
 - Ethics Opinion 6
 - Training Committee: Ms. Melissa C. Heard, M.S.S.W.
 - Liaison Committee: Mr. Raymond G. Chadwick, Jr., Esq.
 - Special Committees
 - Strategic Plan Research Subcommittee: Mr. Tim Hedeem, Ph.D.
 - Revision of Guidelines in Domestic Violence Cases Subcommittee: Judge Auslander and Ms. Tracy Johnson
- IV. Director's Report: Ms. Tracy Johnson
 - FY 2015 Data Collection
 - ADR Institute
 - Judicial Council report
 - Outreach campaign
- V. Chairman's Report: Judge Auslander
 - Commission Membership
 - Marketing: Use and display of CODR seal
- VI. New Business: Judge Auslander
 - Next Meeting Dates: November 2, 2016; February 1, 2017; May 3, 2017
- VII. Executive Session
 - Trainings and Credentials Committee - Appeals
- VIII. Adjournment



Georgia Commission on Dispute Resolution

Meeting Minutes

Wednesday, August 24, 2016,

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

Hubert J. Bell, Jr., Esq.; Raymond G. Chadwick, Jr., Esq.; Mary Donovan, Esq.; Chief Judge Sara L. Doyle; Melissa C. Heard, M.S.S.W.; Timothy Hedeem, Ph.D.; Stefani R. Lacour, Esq.; Patrick O'Connor, Esq.; and Vjollca Young. Chief Judge Carlisle Overstreet and Edith B. Primm, Esq. participated by phone.

Tracy Johnson, Executive Director, Office of Dispute Resolution

AOC staff members present were: Bianca Bennett, Project Coordinator; Shinji Morokuma, Esq., Program Director, Office of Court Professionals; Zan Patorgis, Esq., Legal Compliance Officer; Linda Smith, Education Certification Officer; and Jeffrey Thorpe, Research and Statistical Analyst

Guests present were: Patti Anderson, Cobb County ADR Program; Ed Berry, Chattahoochee Judicial Circuit ADR Program; Steve Gold, Registered Mediator; Caitlyn Lowter, 7th Administrative District ADR Program; Jody Overcash, District Court Administrator, 7th Administrative District; and Laura Lynn Swafford, Gwinnett Judicial Circuit ADR Program. Charlotte Smith, Henry County Juvenile Court ADR Program; Casey Martinez, Eastern Judicial Circuit ADR Program; and Irene McCall, Atlantic Judicial Circuit Juvenile Court ADR Program participated by phone.

I. Meeting called to order

Judge Auslander called the meeting to order. Judge Auslander introduced the new State Bar President and Commission Member, Patrick O'Connor, Esq., as well as the new Executive Director, Tracy Johnson. Members and guests introduced themselves.

II. Minutes

a. February 24, 2016 Minutes.

The minutes of the February 24, 2016, Commission meeting were approved prior to the meeting via e-mail vote.

b. Approval of May 11, 2016 Executive Meeting Minutes

Mr. Hugh Bell offered the motion to approve the minutes. Ms. Melissa Heard seconded the motion. The minutes were unanimously approved.

III. Committee Reports:

a. Budget Committee: Judge Auslander

Judge Auslander gave the report for Judge Fuller. Commission members were provided copies of the FY 2016 year-end budget report as well as the current year-to-date 2017 budget report. Ms. Johnson reported that the Commission was under budget for FY 2016 and is currently within budget for all categories for FY 2017. There was no further discussion.

b. Ethics Committee: Hubert J. Bell, Jr., Esq.

Mr. Bell presented Ethics Opinion 6 which had been approved by the Ethics Committee and sent to the Commission prior to the meeting for comments. With no further discussion, Judge Auslander called for the vote on the Committee's motion to approve Ethics Opinion 6 for publication. All voted to approve the opinion with one abstaining.

Mr. Bell reported that there were no current complaints before the Ethics Committee.

c. Training Committee: Melissa C. Heard, M.S.S.W.

Ms. Heard reported that the Committee had reviewed three appeals for registration. One registration was provisionally approved with stipulations for further training and the other two would be discussed in Executive Session.

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

Mr. Chadwick reported that Ms. Johnson had a good visit at the Augusta Judicial Circuit. She met with Program Director Debbie Goode as part of her outreach reach campaign to meet with all ADR Program Directors.

Mr. Chadwick reported that the follow-up Evaluative Mediation Task Force report meeting met before today's Commission meeting. As agreed during February Commission meeting, neutrals were invited to address any concerns, thoughts or issues, regarding the Evaluative Mediation Task Force report. The meeting was positive and productive. Mr. Chadwick stated while further discussions and considerations will be submitted in writing, it was decided that no formal actions will be presented before the Commission.

Mr. Chadwick reported that the next e-newsletter will be published by the end of the year.

e. **Strategic Plan Research Sub-Committee: Dr. Timothy Hedeem, Ph.D.**

Dr. Hedeem reported on the progress of compiling data for the research subcommittee. He highlighted Mr. Jeffrey Thorpe's recent statewide research concerning data collection and Ms. Johnson's previous and upcoming ADR programs tours.

Dr. Hedeem reported that the Committee will focus on the needs and interests of both the Commission as well as ADR program directors. He reported that he and Ms. Johnson have looked at the ADA Research Task Force and identified 10 data elements that should be collected for all court-based ADR. The Committee will seek feedback and research best practices for data collection.

f. **Revision of Guidelines for Domestic Violence Cases Subcommittee: Judge Auslander and Tracy Johnson**

Judge Auslander reported that the Commission has joined together with the Georgia Commission on Family Violence to work on revising the guidelines used by programs for screening, procedures, and protocols used for cases involving domestic violence. He reported that the Committee has adopted a set of Guiding Principles for this work stating that the four main principles are:

1. Safety
2. Self-determination
3. Best Practices
4. Practical Implementation

Judge Auslander reported that the Committee is working towards creating a set of guidelines to be approved by the Commission on Dispute Resolution and the Georgia Commission on Family Violence, and included in the Domestic Violence Benchbook. The Committee met in January, April, and July of this year and will meet again in September.

Ms. Johnson reported that a joint letter from the Commission on Dispute Resolution and Georgia Commission on Family Violence has been drafted to be sent with a survey to ADR programs across the State. The survey tool, created by the Fanning Institute and the University School of Law, will be used to identify court programs' current practices.

IV. Director's Report: Tracy Johnson

Ms. Johnson thanked the Commission for selecting her as the new director.

FY2015 Data Collection: Ms. Johnson reported that as of date, 20 of the 40 programs had submitted the requested data. The deadline was extended to August 30, 2016 and the annual report is due to be completed by September 30, 2016.

ADR Institute: Ms. Johnson reported that the planning for this year's ADR Institute is underway. The Institute is scheduled for December 9, 2016.

Judicial Council Report: Ms. Johnson stated that a report was submitted on behalf of CODR for publication in the meeting binder for the Judicial Council August 31st meeting. Ms. Johnson does plan to be present at all future Judicial Council meetings and provide a report for each meeting.

Outreach Campaign: Ms. Johnson detailed her efforts to reach out to Commission Members and Program Directors in her first 60 days. So far she has been able to visit with most Commission Members and has also had the opportunity to visit the program directors in Macon, Columbus, Gwinnett, and Augusta. She plans to continue her program tour this year.

Program Director's Retreat: Ms. Johnson reported on a recent survey of program director's for their desire and ability to attend a retreat. The main focus of the retreat would be to identify data elements needed for statewide reporting. Ms. Johnson is working on details of a proposed retreat to share with the Commission.

V. Chairman's Report: Judge Charles E. Auslander III

Judge Auslander asked Commission members to review the current and proposed terms commission member terms. He reminded members that Judge Adams' and Judge Doyle' terms would end at the end of this year and asked for suggestions for new appointees.

Judge Auslander reported on the idea of use and display of the CODR seal for marketing purposes. Commission members were given images of various organizations' logos in which members were allowed to use on their stationary, email signatures, brochures, etc. Judge Auslander wants registered neutrals as well as firms in which all neutrals are registered to be able to use the seal to indicate registration with CODR. Ms. Johnson is working on creating a Commission seal and Mr. Zan Patorgis is working to draft a policy for both individuals and firms.

VI. Executive Session

The Commission met in executive session to discuss two appeals for registration.

VII. Adjournment

The meeting was adjourned at approximately 3:30 p.m.

[Minutes prepared by Bianca Bennett and Tracy Johnson]

[Minutes approved via email September 7, 2016]