

JOINT ADR COMMITTEE
Minutes
February 22, 2006

Present: Chair Rebecca Thiem, Chair; Dr. James Antes (by phone); Judge Lee Christofferson (by phone); Daniel Dunn (by phone); Richard Gross; Rep. Kim Koppelman; Joanne Ottmar (by phone); Tim Richard (by phone)

Unable to attend: Jack Marcil; Kristine Paranica; Laurie Natwick

Also present: SBAND staff Bill Neumann

The Chair called the meeting to order at 9:12 am.

Gross/Dunn. Motion to approve the minutes of the last meeting. Carried.

The Chair, Dan Dunn Kim Koppelman and Dick Gross reported on the Committee's meeting with the Supreme Court. The Committee understood the Court wanted the Committee to address family law ADR and access issues. Funding issues were also discussed at the meeting.

Christofferson/Koppelman. Motion to add the following sentence at the end of Rule 8.8(b): "If a party qualifies for waiver of filing fees under NDCC section 27-01-07 or if the court determines on other grounds that the party is unable to pay for ADR services, and free or low-cost ADR services are not available, the court may not order that party to participate in ADR and the court may not order that the court will pay for ADR services." Carried.

Gross/Ottmar. Motion to submit Rule 8.8, with the changes added by the Committee, to the SBAND Board of Governors and the Supreme Court for consideration. Carried.

Ottmar/Gross. Motion to approve for use the ADR Neutral Reporting form as submitted in the Committee's materials. Carried.

Gross/Christofferson. Motion to approve the International Centre for Dispute Resolution's 4th Annual Miami International Arbitration Conference for continuing training credit under Rule 8.9. Carried.

The Committee discussed the possibility of seeking formation of a sub-committee or task force to study and make recommendations regarding family law ADR. By consensus it was agreed the Chair should visit with the Chief Justice regarding the formation of such a sub-committee or task force.

Adjourned, 10:22 am.

Respectfully submitted,

William A. Neumann, SBAND staff