

ALTERNATE DISPUTE RESOLUTION COMMITTEE

SUBMITTED BY: Mary Kate Coleman, Esq.

Dear Mr. Blaner,

I am writing to report on the activities of the Alternate Dispute Resolution Committee for 2008-2009. It was a busy year! Please accept the following as my report.

Monthly Meetings

Last year we had eight meetings. We had programs at all of our meetings. The topics and speakers are as follows:

- September - P. Douglas Sisk, Director of Mediation for The Superior Court of PA spoke about appellate mediation in the Superior Court.
- October - Honorable Nora Barry Fischer spoke about Summary Jury Trials.
- November - Sally Griffith Cimini, Esq. spoke about the PBA ADR Committee and Lorrie Albert, Esq. made a brief presentation on Attorneys Against Hunger.
- December - Robert Creo, Esq., Louis Kushner, Esq. and Robert Peirce, Jr., Esq. spoke about Mediators Beyond Borders and their trips to Liberia with MBB.
- February - Jessica Lieber Smolar, Assistant U.S. Attorney spoke on "The Use of ADR by the Department of Justice."
- March - Paula Hopkins, Esq. and Lea Anderson, Esq. spoke on "What's Happening with Collaborative Law in Pittsburgh."
- April - Stanley Winikoff, Esq. spoke on "Arthur Andersen LLP v. Wayne Carlisle," a case argued before the U.S. Supreme Court involving arbitration issues.
- May - Krysia Kubiak, Assistant General Counsel at Duquesne Light spoke on "How Corporate Counsel Views ADR."

We did not meet in January so as to permit us to prepare for the 6th Annual Lawrence W. Kaplan Lecture in Conflict Resolution. Traditionally, we do not meet over the summer.

For the September, October, December and March meetings, we invited other sections or committees to join us. We invited the Appellate Section to join us in September; the Civil Litigation Section in October; the Public Service Committee in December; and the Family Law Section in March. The joint meetings enriched the program discussions, provided PR for the ADR Committee, and presented good networking opportunities for our committee members.

Kaplan Lecture

Our major activity of the year was sponsoring the Lawrence W. Kaplan Lecture in Conflict Resolution on March 31, 2009. This year marked the sixth year of the lecture. Our speaker was Nan Waller Burnett, M.A. speaking on "Calm in the Face of the Storming Client." We partnered with the Mediation Council of Western Pennsylvania and Conflict Resolution & Mediation Services of CVVC to present the lecture. Over seventy people attended the lecture. I wrote an article in the *Lawyers Journal* to publicize the lecture and our committee members provided information to a *Lawyers Journal* writer about the event so she could write an article about the event after it took place.

Other Events and CLE Programs

Additionally, we sponsored and spoke at other events throughout the year. In October, our committee co-sponsored Conflict Resolution Day and several of our committee members participated in the program as panel discussants. Committee members worked with a *Lawyers Journal* writer to produce an article on the Conflict Resolution Day event. In December, we co-sponsored a CLE program "View from the Bench: Best Mediation Practices For Advocates and Neutrals," featuring Honorable Arthur J. Schwab. In June, we presented a two hour CLE program, "Roadmap to ADR" at the Bench-Bar Conference.

Updates to Committee Page

We updated our committee page to include the ABA Code of Ethics for Arbitrators in Commercial Disputes and ABA/AAA/ACR Model Standards of Conduct for Mediators. We also posted the handout on the federal court ADR program that we prepared for the Bench-Bar Conference, "Comparison of Alternative Dispute Resolution Options for the Western District of PA's ADR Program."

Updates on ADR Related Issues

Members of our Committee kept us updated on ADR issues at our monthly meetings. Ann Begler, Chair of the SR1 60 Advisory Committee on ADR, routinely updated us at meetings on the status of the Advisory Committee's work. Karen Engro, Federal Court ADR Coordinator, regularly attended meetings and updated us on the Federal Court ADR program. Committee members who attended PBA ADR Committee meetings updated us on those matters. Michael McDowell updated us on the status of the Revised Uniform Arbitration Act at our November meeting.

Our Committee also acted as a clearinghouse of ADR related information. We routinely provided our members with notices of relevant articles, case summaries, trainings, conferences and events.

Other Activities

Additionally, our members attended and spoke at national, state and local ADR committee meetings, conferences, and programs. Several of our members attended the annual meeting of the ABA's DR Section in New York in April. Many of our members attended the June PBA Annual Meeting in Pittsburgh to see Ann Begler receive the PBA's Sir Francis Bacon Award for excellence in ADR. Honorable Lawrence Kaplan (Ret.) nominated Ms. Begler for this award. Additionally, members of our Committee spoke at the YWCA on mediation related topics during a series of panel discussions that were open to the public. Committee members worked with a *Lawyers Journal* writer to produce an article about these panel discussions.

Committee members, under the leadership of Laura Candris, recommended revisions to the federal court's ADR Policies & Procedures, which recently have been adopted by the court.

Additionally, we supported ACBA President Jay Blechman's "Impact 250" Initiative by drafting tips on how to resolve conflict and a fact sheet about mediation.

2009-2010 Committee Year

We have been busy over the summer planning for the 2009-2010 committee year. This year we expect to continue in the above fashion with similar activities. On January 5, 2010, we will present at the federal courthouse in Pittsburgh a slightly longer version of the "Roadmap to ADR" CLE program that we did at the Bench-Bar Conference. Our speakers for the fall meetings are as follows: Jennifer Behun and representatives of Conflict Resolution & Mediation Services of CVVC on "What's New in Community Mediation" on September 2nd; Joe Torregrossa, Program Director and Mediator for the Third Circuit Court of Appeals Appellate Mediation Program on "Appellate Mediation and Mediation in the Third Circuit" on October 7th; and committee member Gary Kaplan, author of *Executive Guide to Managing Disputes: Using ADR to Save Time and Expense in Business, Healthcare, and the Workplace* on November 4th. The Kaplan Lecture Committee continues to meet to prepare for the 2010 lecture.

Should you have any questions, please do not hesitate to call me.

Very truly yours,
Mary Kate Coleman
RILEY, HEWITT, WITTE & ROMANO, P.C.