Minutes of the Meeting of the Board of Directors
of the ADR Institute of Alberta, held in the Jasper Boardroom,
The Westin Calgary, Calgary, Alberta on September 10th, 2016

Present: Dolores Herman, QMed (President & Chair),
Barrie Marshall (Vice President),
Kevin Kelly, QArb, QMed (Treasurer),
John Welbourn, CArb (Secretary),
Gayle Desmeules, QMed (Director),
Joanne Munro, CMed (Director),
Michelle Simpson, CMed, CArb (Governance Committee Chair),
Wendy Hassen, CMed (ADRIC Rep),
Alasdair MacKinnon, CMed, QArb (Director),
Paul Conway (Executive Director) (non-voting).

Not attending: Stan Galbraith (Past President, PRT Rep)
Jeffrey Jessamine, QArb (Director).

1. Welcome & Agenda Review

1.1 Barrie Marshall called the meeting to order at 8:07 a.m.

1.2 The proposed Agenda was reviewed. Item 4.3 - Introduction of the new Manager Marketing & Communications - the new Manager will not be attending. No additions were requested. Motion to approve the Agenda as presented was passed unanimously (Herman/Hassen).

2. Minutes of Previous Meetings

2.1 Motion to approve the minutes of the meeting of June 4, 2016 and the revised minutes of the teleconference meeting of June 14, 2016 was passed unanimously (Hassen/MacKinnon).

3. Declaration of Conflict of Interest

Item 5.2 - ADRIA Course Monitoring Policy - Michelle Simpson reiterated that she had audited a course.

Item 6.6 - Michelle Simpson and Joanne Munro confirmed that they are ADRIA course instructors.

No other potential conflicts were declared.

4. Business Arising (ADRIA)

4.1 AAMS Representation
Barrie Marshall advised that he had been approached by Don Goodfellow to join the AAMS Board of Directors. He will accept only if the ADRIA Board approves. Discussion ensued regarding the potential conflict that may arise if one person sits on both Boards. Barrie will clarify if the invitation is intended for him personally or as a member of the ADRIA Board. He will decline if the former and may accept if the latter.

4.2 Participating in Law Day Events

The Executive Director has contacted the Edmonton and Calgary Law Day chairs and will contact the provincial chair regarding ADRIA participation in 2017 events. He proposed mock arbitration and mediation role plays as contributions. Michelle Simpson is the chair of the Canadian Bar Association Alberta ADR section and will assist in coordinating ADRIA's participation.

4.3 Introduction of Manager Marketing & Communications

The ED apologized that the new Manager, Kristy Rhyason, was not able to attend. He outlined her skills in social media and webdesign and provided information on the terms of her contract with ADRIA.

5. ADRIA Bylaw and Policy Updates

5.1 ADRIA Advertising Policy

The ED advised that a committee had been struck which intended to present a draft policy to the November, 2016 Board meeting. The issues involved are complex but proposed that ADRIA accept advertising in the newsletter and on the website from members and for member events, as well as paid advertising for non-members and their events. Joanne Munro questioned including paid non-member events that conflict with ADRIA courses. Wendy Hassen noted an historical tension between ADRIA members offering for-profit courses that compete with ADRIA courses.

Michelle Simpson requested that the draft policy be vetted in advance by the Policy Committee.

5.2 ADRIA Course Monitoring Policy

Motion to adopt the draft policy as presented was passed unanimously. (Simpson / Herman)

Action Item - Michelle Simpson to incorporate the new Policy into the Board Policy.

5.3 LINK Membership

The ED proposed the $75.00 ADRIA LINK Membership be expanded to include other categories of non-income earning individuals (e.g. full time post-secondary students, retirees, unemployed due to personal, family or medical circumstances). The proposal has been reviewed by ADRIC and considered by the affiliates.

Motion to adopt the expanded ADRIA LINK Membership as presented was passed unanimously. (Munro / Herman)

Action Item - Michelle Simpson to determine if this is a policy to be included in Board Policy.

6. Reports

6.1 President

Dolores Herman advised that ADRIC had felt unable to recognize Wendy Hassen as the ADRIA representative on the ADRIC Board until Chuck Smith's term had expired. When requested Chuck had resigned from the ADRIC Board to facilitate Wendy's appointment. The issue is timing - ADRIC Directors' terms in office do not coincide with ADRIA Directors' terms.

Dolores also noted that there had been discussion regarding Stan Galbraith, the ADRIA past president, participating in the Presidents Round Table ("PRT") with the current presidents of the other affiliates. The matter has been resolved.

Dolores will be attending the October PRT at the ADRIC conference in Toronto.

6.2 Executive Director

Report is attached.

Joanne Munro expressed concern that students completing course requirements were not getting sufficient practical experience before applying for the Q.Med. designation. John Welbourn and Michelle Simpson expressed similar concern regarding Q.Arb. designation applicants.
Barrie Marshall suggested the PRT should be advised of the ADRIA Board's deep concern that the Q.Med. and Q.Arb. designations lead the public to incorrectly believe that designation holders have sufficient practical expertise in the field indicated.

Dolores requested that in addition to the quantitative analysis of ADRIA courses offered, the Executive Director also provide the qualitative analysis of courses delivered.

6.5 White Paper Action Plan Committee

Alasdair MacKinnon advised that the White Paper had been circulated widely with subsequent presentations to Provincial Ministers and ADMs, the Queen's Bench Associate Chief Justice, Provincial Court Deputy Judge, and other provincial and federal agencies. Presentations and meetings will continue with a further report and recommendations to be delivered at the November Board meeting.

6.3 Treasurer

Kevin Kelly reviewed the balance sheet and comparative year-to-date analysis. Net income to date is ~$91,000.00 generated primarily from ADRIA education (course and private contract) programs. He noted that private training contracts are important to maintain future income and growth.

6.4 Governance Committee

No report.

6.6 ADRIC Reports

6.6.1 ADRIC Rep

Wendy Hassen noted an ADRIC Board teleconference scheduled for September 15. She asked for Board clarification of what was appropriate information for an affiliate's representative to share with the ADRIC Board and for that representative to share with the affiliate Board. The concern is a potential for conflict arising between the individual's separate responsibilities to the 2 Boards.

ADRIC circulates meeting agenda in advance of the event. The Board consensus was the ADRIC representative should review the agenda with the ADRIA President and Executive Director prior to the ADRIC meeting and declare any perceived conflict at the start of the meeting.

6.6.2 MoU Task Force

Wendy Hassen advised that the Task Force was still waiting for responses from some affiliates and stakeholders. She anticipates further developments at a joint MoU and PRT meeting at the ADRIC conference. Wendy will report at the November Board meeting.

6.6.3 Presidents' Round Table

The Executive Director and Stan Galbraith had attended a September 6, 2016 teleconference. Minutes of the meeting were circulated.

6.6.4 Advocacy

No report.

6.6.5 Membership and Marketing

(from the minutes of September 6, 2016 PRT meeting) ADRIC will be ready to launch iMIS by the end of the month. A demonstration will be available at the Toronto conference.

6.6.7 Roster Development

Michele Simpson advised that the office of each provincial ombudsman had been contacted to inform of ADRIC member services offered. Attention is now turning to contacting the corporate world.

6.6.8 Education

Michelle Simpson advised that ADRIC intends to redevelop the National Arbitration course. Funding has been allocated in the ADRIC budget.

6.6.9 Insurance

The Executive Director continues to work with the national insurer to clarify and expand coverage. He noted that ADRIC and ADRIO had recently signed a joint 3 year renewal. ADRIA has worked with ADRIC and restructured its coverage at a significantly reduced cost.

7. ADRIA / ADRIC - specific issues

7.1 Sharing of Associate Member Data

The Executive Director advised that ADRIC does not receive associate member data from all affiliates. Privacy of information and ADRIA privacy policy are concerns. Further, full ADRIA membership is diminished if associate ADRIA members received all ADRIC info and full member communications.

Michelle Simpson suggested that the matter is one of policy to be addressed at an ADRIA AGM.

7.3 Waiver for Retired Judges

ADRIC has determined that the waiver will not be automatic, but rather on an individual applicant basis only.

7.4 Pro-rated designation fees

ADRIC has approved a discount schedule to be determined by the date an applicant's designation is approved, and that includes a second quarter discount.

7.5 Instructor Licensing MoU et al.

The Executive Director advised that a 5 year MoU has been signed with ADRIC regarding licensing fees to be paid by ADRIA for the exclusive right to deliver ADRIC introductory mediation and arbitration courses in Alberta.

Joanne Munro advised that the ADRIC instructor application form is excessively long and requires too much detail.

Lunch Break - 12:00 noon to 1:15 p.m.

7.9 ADRIC Corporate Memberships

ADRIC has asked if ADRIA would grant membership to an Alberta representative of an ADRIC corporate member.

Motion approved unanimously: ADRIA supports the proposal to grant associate member status to an Alberta representative of a current ADRIC corporate member based on the ADRIC program and nominal fee structure outlined in the ADRIC correspondence of August 24, 2016. If there are any changes to the program, including fee structure, then ADRIA will be consulted (Hassen/Desmeules).

8. New Business

8.1 Member access to ADRIA Minutes

Action item: Once approved, Board minutes will be posted in the Member Portal. The use of acronyms should be avoided.

8.4 Membership pins

Action item: Executive Director to consult the membership on the $ value and recognition value of membership pins.

10. Link to Membership, Events & Opportunities

10.2 Invitations to the next Board dinner (November)

Invitations should include AFMS president and executive, Daryl Willetts, Peter Portlock, the Edmonton members of the White Paper Task Force, and the Dispute Resolution Network executive.

8. New Business (resumed)

8.2 Community Mediation MJRC / CMCS

The Executive Director advised that community mediation programs have difficult financial issues resulting from reduced government grants. ADRIA's options to assist were discussed. Joanne Munro pointed out that ADRIA has students that need practical experience and MRJC has clients needing mediation services. The Executive Director suggested that space in the ADRIA offices be made available.

Action item: The Executive Director to ask MJRC for guidance on how ADRIA might assist.

7. ADRIA / ADRIC - specific issues (resumed)

7.2 ADRIC Committees & Communications

The Executive Director advised that he and Gayle Desmeules had started to clarify how ADRIC committees communicate and how to communicate with ADRIC. Wendy Hassen suggested that ADRIA not start the discussion with ADRIC until all affiliates have an opportunity to provide input at the Toronto conference.

7.6 Mediation designation experience requirements

The Executive Director advised that ADRIO accepts co-mediations for the experience component of the Q.Med. designation. Clearly the designation requirements are not applied uniformly by the affiliates. The Board concurs that the C.Med and C.Arb requirements are minimum standards and reiterated the need for ADRIC to revisit use of the term "Qualified".

7.7 Course Accreditation Process

The Executive Director noted that ADRIO receives revenue from ADRIC for providing Ontario based courses. ADRIC should consider sharing revenue with ADRIA for national accreditation courses provided by ADRIA. Discussion ensued on the need to consider the pros and cons of obtaining national accreditation of provincial training and education courses.

7.8 ADRIC Awareness Sub Committee

The Executive Director noted that there may be individuals on ADRIC committees that are not ADRIA members or supported by the ADRIA Board.

Action item: The Executive Director to request ADRIC to advise of any such appointments.

8. New Business (resumed)

8.3 ADR Services Update

8.3.1 Select & Appoint

The Executive Director advised that additional promotional materials for this service should be in place by the new year.

8.3.2 Directory

The Executive Director advised that a 2017 directory listing will require a designation.

8.3.3 Document Sharing

The Executive Director explained that the concept, yet to be developed, is that ADRIA act as a neutral 3rd party (escrow agent) for the delivery and exchange of documents and records primarily in arbitration proceedings.

8.5 ACR Conference

Baltimore, Maryland, on September 29, 2016.

8.6 Meeting with Justice Minister

The Executive Director confirmed the meeting was positive and constructive.

8.7 GOA Practicum

The Executive Director noted the practicum offers students who have completed ADRIA's 10 day Separation and Divorce Mediation course an opportunity to gain practical experience and be mentored by experienced family mediators with Alberta Justice. GOA benefits by potentially growing its staff and roster of mediators. ADRIA benefits from the increased exposure to and opportunities flowing from the course.

8.8 Fort McMurray Insurance Proposal

ADRIA had received a request from the insurance industry to submit a proposal for assistance in resolving insurance issues arising from the Spring, 2016 wildfires.

8.9 ADRIA Contractor Manual

The Executive Director expressed many thanks to Tammy and Jocelyn for the development of the Manual.

8.10 Evaluative ADR

Discussion deferred to next meeting.

9. Learning Opportunities - next meeting

9.1 Next Meeting

November 17 and 18, 2016 in Edmonton.

9.2 Strategic Planning

The Strategic Plan will be reviewed at the January, 2017 meeting. This meeting will also include Board evaluations and Policy review.

Action item: Michelle Simpson to develop a survey / questionnaire to assist with the Board evaluations.

10. Link to Membership, Events & Opportunities (resumed)

10.1 “On Board”

The Executive Director explained this is now an article in the newsletter. The next edition will be October / November.

11. In Camera Session

Not recorded.

12. Adjournment

The meeting ended shortly after 4 p.m.