



Australian Dispute Resolution Association Inc.

*Supporting and transforming the community of dispute resolution practice By providing leadership, direction and growth.*

ABN 75 535 099 840 ADRA is not registered for GST

ADRA acknowledges the traditional owners of this land and pays respect to their Elders past, present and emerging.

## ADRA DRAFT Minutes for Monday 24 April 2023

ADRA - Australian Dispute Resolution Association Inc. is inviting you to a scheduled Zoom meeting.

Topic: ADRA APRIL Meeting - Special Guest - Amanda White.

Time: Apr 24, 2023 04:30 PM Canberra, Melbourne, Sydney

Join Zoom Meeting

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## **Board Members:**

- |                                         |                                                   |
|-----------------------------------------|---------------------------------------------------|
| 1. <b>President:</b>                    | Dr Katherine Johnson                              |
| 2. <b>Vice President:</b>               | Helen Miedzinski                                  |
| 3. <b>Secretary:</b>                    | Sam Bektas                                        |
| 4. <b>Assistant Secretary:</b>          | Katherine Johnson                                 |
| 5. <b>Treasurer:</b>                    | Margaret McCue                                    |
| 6. <b>Accreditation Officer:</b>        | Josephine Reyes (?)                               |
| 7. <b>Honorary Membership Officers:</b> | Wendy Buchanan, Jane Houselander,<br>Allan Parker |
| 8. <b>Events Co-Ordinator:</b>          | Sam Bektas                                        |
| 9. <b>Honorary Student Mentor:</b>      | Nell Kim.                                         |

## **Guest Speaker: Amanda White: Cognition, mental disorders and capacity in the legal context**

**IT Guests:** Kristan Bekus, Tony Enderby  
**CPD Participants:** Lynda Smyth, Bianca Bennett

## **Meeting attendees:**

Katherine Johnson, Josephine Reyes, Geoff Charlton, Margaret McCue, Peggy Lim, John Keogh, Marilyn Waugh, Victor Berger, Nell Kim, Lynda Smyth.

**Apologies:** Sam Bektas, Mary Walker, Ruwan Wathukarage, Dennis Nolan.

ADRA Board resolved that:

### **1. Approval of MINUTES for 28 March 2023:**

**Moved:** Margaret McCue  
**Seconded:** Peggy Lim

### **2. President's Report:**

- **ADRA warmly thanks Dr Amanda White for her very engaging and comprehensive talk on *Cognition, mental disorders and capacity in the legal context* and thanks her for permission to record her talk for the benefit of ADRA members. Amanda's talk and her notes will appear on the ADRA website under *recordings*.**
  - **Venue:**

Katherine rang Emma Lynch, functions manager for the Law Society, to apologize that no one attended the Law Society for the March Meeting and confirmed that ADRA would still prefer to use the room in future provided all goes well. Katherine publicly thanked Peggy Lim and Margaret McCue for their consistent use of the Law Society room.
- **Mediator Standards Board.**

Josephine confirmed that there are still some ADRA members whose names have not been listed on the MSB list despite her approving their application some time ago. Katherine proposed that a gift such as movie tickets or Uber eats etc, to the value of \$25/person should be sent to those affected members for their patience during the upgrading of the ADRA website. This suggestion was not considered helpful; instead,

Josephine publicly apologized to Marilyn Waugh for the names of her staff not being added to the MSB list once approved in November 2022.

It is hoped that once Jenny Watson from MSB returns from leave to assist with adding Josephine's name on the MSB portal this problem should be solved. Dennis Nolan's name can also be included if Dennis is willing.

- **Sylvia Garabaldi** contacted me via Linked-in from Canada to talk to ADRA about her group. Katherine invited Sylvia to Amanda's talk this afternoon but unfortunately the time difference means that it is still Sunday in Canada so she was unable to attend. Sylvia and Katherine will attempt a meeting via Zoom or teleconference and take it from there.
- Katherine also received an email from **Jean Lynch** who inquired about ADRA's willingness to provide a Complaints Handling Mechanism for Divorce Coaches and asked if she could briefly explain the role of divorce Coaches to the ADRA Board. She provided Katherine with information about Divorce Coaching which Katherine agreed to pass on to the ADRA Board. Once Jean recontacts Katherine, we can organize a time for her to present to the Board. Katherine has forwarded Jean's information to the Board.

ADRA can formulate a separate list for Divorce Coaches and a separate list for FDRPs as part of the Mediator Profile in the *Find a Mediator* project. Both Divorce Coaches and FDRPs require a complaint handling mechanism but do not require NMAS accreditation. Should any FDRP or Divorce Coach wish to have accreditation as a mediator, the applicant must demonstrate that they have also fulfilled the necessary criteria to be listed on the MSB panel and fulfill their obligations as FDRPS or Divorce Coaches with the Attorney General's department.

- **Email re Organizational Membership (WMO):**  
ADRA's current organisational membership is about \$250/year which allows 2 people from the organisation to be members of ADRA. There was little time left at the April meeting to further discuss the benefits for organisational membership, but Marilyn Waugh was asked to consider any possible benefits for her organisation to join ADRA as an organisation and to contact Katherine, Kristan and Tony to that effect by the May meeting.

Discussion was held last month about the possibility of securing Affiliate organizational membership from overseas organizations for an amount of \$100/annum AU as the joining fee. Josephine confirmed that \$100 AU was a reasonable sum for a yearly membership for Affiliate Asia Pacific organisations in Dispute Resolution and confirmed that she would send a list of those organisations willing to participate to Katherine by the May meeting.

There will be a distinction between Affiliate organisations that are not voluntary organisations who will pay \$100Au/annum, and those like Mongolia's NGO who are voluntary organisations with no funds but who can become Affiliates via a Memorandum of Understanding as set out in ADRA's Governance report. Katherine included a copy of the **Memorandum of Understanding** created between Mongolia's NGO in Family Relations and ADRA for Affiliate membership in the April Agenda to remind the Executive Board of the procedure for voluntary organisations to become

Affiliates as occurred with ADRA's 1<sup>st</sup> international Voluntary Affiliate organisation in Mongolia.

Josephine also confirmed that once ADRA was better known in the Asia-Pacific region re Affiliate membership there would be a better possibility that the *World Mediation Forum* could hold its world conference in Sydney after the next one which will be held in the Philippines. Holding the Forum in Sydney could increase ADRA's membership.

Such Affiliate membership will also become part of the *Find a Mediator* project to enhance ADRA's international reputation and its connection with the *World Mediation Organization*.

- **Mongolia Project:**

The Mongolian Non-Government Agency for Family relations (NGO) is now co-operating with the *Family Authority for Youth and Child Development*-a government funded organization - who will provide the NGO with 64 Mongolian families to undergo a thorough intake process by the end of 2023. Our trained Mongolian delegates from the NGO will interview each Mongolian family and then roleplay their findings with an Intake consultant to ensure that all the required intake steps have been taken to support the families with the mediation process prior to going to Court.

This process was deliberately chosen to enable Mediation in Family Law in Mongolia to develop organically and not be dependent on Government Funding. In this regard they are following the example of ADRA as a voluntary organization with aims to build community through dispute resolution. We wish our Mongolian affiliates the very best in their attempts to build a stronger Civil society via mediation in Family Law.

- **Women and Leadership Project:**

There have been several more emails sent by Nicholas from Women and Leadership offering scholarships to Women to do their course but as non-one has been interested to date, there is nothing further to report.

- **World Law Alliance:**

Discussion was held last month about inviting the *World Law Alliance* (WLA) to become an Affiliate member of ADRA. As there have been no joint projects with WLA to date, asking them to become an Affiliate member may best wait until ADRA has completed upgrading its website. Nothing further to report.

- **CADR:**

Katherine has had another follow-up meeting with Mary Walker about the future of CADR and to date the conclusion was that a website for CADR has been formed so CADR continues to exist and will again come to life when the time is right which will probably be once the ADRA website is complete. Keeping things on hold will be the best way forward for now.

- **Website Business:**

At the last meeting Katherine explained that the current plug-ins were not working on the ADRA website so access the old files was not available. The plug-ins have now been fixed so the documents can now be accessed. Trender has now started the *Find a Mediator* project and hope to present ADRA's upgraded and completed website at the 2023 AGM as the guest speakers. ADRA looks forward to being a relevant and

significant player in developing an international community of DR via its website and warmly thanks Trender for its courteous, patient, aesthetically pleasing and very effective work as it deals with its sometimes frustrated members navigating the website.

**Moved:** Peggy Lim  
**Seconded:** Margaret McCue

### **3. Mediator Practice Network (MPNs) sessions.**

Josephine confirmed that she would contact and Mark Rogers to develop a topic and a synopsis of the MPN session for **Friday 28 July 2023** via ZOOM from 2:00 pm – 6:00pm, instead of conducting 4 one-hour sessions. She further confirmed that she would send a brief resume of herself and Mark to Kristan and Tony **for the flyer to market the event.**

Josephine also stated that Sue Waterhouse was interested in participating and/or training at our MPN's and the Board unanimously agreed to that suggestion. Katherine contacted Sue by phone, received her email and sent her a link to this meeting, but unfortunately Sue has not attended. Katherine to contact Sue again and report back at the May meeting.

The subcommittee of John Keogh, Victor Berger and Margaret McCue formed in February was to report on how ADRA could attract young professional and corporations to participate in ADRA MPN sessions with the first being in September 2023. In the March meeting Margaret reported that she had identified 20 national partner Law Firms with Dispute Resolution departments that may be willing to assist ADRA enhance its vision and in April she confirmed that she sent each of the 20 Law Firms a circular to engage with and promote ADRA. In March, Victor reported that he spoke to John Keogh who suggested a video be played about a mediation and an analysis of that video could constitute the content of the MPN for September. Katherine suggested that such videos may still exist at UTS Library and Victor agreed to investigate that possibility. In April, Victor contacted UTS and was referred to the College of Law but was unable to contact John Keogh in relation to the video suggestion.

Nell Kim was willing to showcase skills in ADR with younger people and was willing to assist the steering committee to that effect.

**Moved:** Peggy Lim  
**Seconded:** Josephine Reyes

### **4. Follow-Up to Student Engagement Committee: -**

Although Victor's suggestion to contact Fiona and Nicole to learn how to do what they did at Granville Boys High, so that it could be replicated elsewhere was a very good idea in principle, the Board appreciated that such work could only be done in collaboration with Fiona and Nicky and if they were unwilling to collaborate for any reason, that ADRA should honour their reasons and engage in collaborative ventures that were agreeable to both sides such as developing Affiliate memberships. The Board confirmed that ADRA's immediate attention is to become digitally relevant in an increasingly IT world and this meant that ADRA maintains the very good relations it currently has with the NSW Bar Association and the NSW Law Society, both of whom have agreed to market our events for free when they each charge other organizations a considerable amount for doing so.

The Board confirmed that it was not appropriate at this stage to ask either the Law Society or the Bar Association for funds to sponsor events such as a high schools mediation competition as an alternative to Nicky and Fiona's work, especially when Mock Mediations are already being conducted in High schools by other organizations. ADRA thanks Victor for his passion to make the world a better place and acknowledges that it is such passion that effectively fuels the building of community.

**Moved:** Peggy Lim

**Seconded:** Margaret McCue

#### **5. Treasurer's Report: Statement from 11 March 2023 to 10 April 2023:**

The latest figures up to 11 December 2022 are **\$11,083.29** in our Society cheque account and **\$45,000.00** in our Term Deposit. Our PayPal and Stripe funds are transferred to the cheque account monthly. This equates to a total of **\$56,083.29**.

**Moved:** Peggy Lim

**Seconded:** Josephine Reyes

#### **6. Membership Officer's Report** (sent via email) Dennis Nolan:

##### **New Subscriptions & Renewal Orders:**

Date	Name
04/04/2023	Jillian Little
04/04/3023	Joanne Barounis
05/04/2023	Linda Smyth
21/04/2023	Naomi Holtring
21/04/2023	Hawkshaw Lucia

**Moved:** Josephine Reyes

**Seconded:** Victor Berger

#### **7. Accreditation Officer's Report:**

Josephine reported that there were three applications for accreditation, two of which had a completed form and one which she had to follow-up to confirm that accreditation was sought and if so to complete the form. She confirmed that she would forward the names of those whose accreditation were sought to Katherine for the May meeting. Josephine also suggested that a marketing exercise be held to promote and encourage more accreditation assessments by ADRA.

**Moved:** Peggy Lim

**Seconded:** Victor Berger

#### **8. Governance Report:**

The Board resolved to re-authorize a motion put at the October 2022 meeting: *that the Treasurer, Margaret McCue be duly authorized to do all things necessary to become a signatory on ADRA's account and that Margaret McCue be duly authorized to have full access to ADRA's electronic statements. The existing account holders, except for Wendy Buchanan, will continue to have full authority.*

There was no opposition to an agreement in principle that Margaret McCue should

be a signatory on the ADRA account given that Wendy Buchanan's illness prevented her from being available as a signatory. Seven days' notice was given to move the motion which was circulated at the March meeting, and which incorporated the 3 motions being proposed to refresh the signatories on the account. The appropriate Documents that the Bank requires to renew the forms to perfect the proposal have been circulated.

Margaret put forth the following motions:

**Moved:** Peggy Lim

**Seconded:** Josephine Reyes

## 9. Secretary's Report:

Sam is currently overseas, so this report is deferred to the next meeting. Correspondence covered by President's report.

**Moved:** Peggy Lim

**Seconded:** Victor Berger

## 10. General Business:

- **An Events Calendar has been sent to the Board for the upcoming year:**  
**April:** Amanda White,  
**May:** Geoff Charlton,  
**June:** Allan Parker,  
**July:** Professor Gabrielle Appleby,  
**August:** AGM, Ana Prawda -  
**September:** Andrew Wong,  
**October:** Planning Meeting, (Ruwan Wathukarage)  
**November:** Xmas Party.
- Victor stated that *Mediate.com* have agreed to become an Affiliate organization of ADRA provided that we include them on our website under an Affiliate tab which when clicked would go straight to their website. In turn, they are prepared for ADRA to be an Affiliate of their organization with a reciprocal link that goes to the ADRA website. The Board agreed and thanked Victor for his diligence in organizing this.
- There being no further general business the meeting concluded at **7.10pm**  
**Moved:** Peggy Lim  
**Seconded:** Josephine Reyes.

Meeting ended:

Minute Taker: **Dr Katherine Johnson**

Next meeting's special Guest: **Geoff Charlton** on

**Tuesday 23 MAY via Zoom** and in Room 301 at the Law Society for those in the city.