

## IAM 2020 MID-WINTER BOARD MEETING

### Minutes

ICC - 33-43 avenue du Président Wilson, 75116 Paris, France  
February 4, 2020 - 1-5 PM and February 5, 2020 - 8 AM- 12 PM

#### Day 1 of 2 - February 4, 2020 - 1-5 PM

Having established a quorum, President Chuck Doran welcomed the Board of Governors who were present and called the Winter Board Meeting to order at 1:04 PM.

In attendance were President Chuck Doran, President Elect Jon Fidler, VP Michel Kallipetis, Treasurer Larry Rute, Past President Lee Jacobson; Governors, Claude Amar, Steve Paul, Louise Senft, Rob Daisley, James Peter, Paul Van Osselaer; guest Gene Moscovitch; and by teleconference, Governor Joyce Mitchell, Marvin Johnson and guest Paul Monicatti.

Administration: Richard Rejino

Welcome and Approval of Agenda – Chuck Doran (1:00-1:10)

**The agenda was approved as presented.**

#### *Consent Agenda*

1. Approval of Minutes from Scottsdale Board Meeting  
**After review, a motion was made to accept the minutes as presented. The motion carried unanimously.**
2. Committee Reports
  1. Conference Reports
    - i. Scottsdale - Richard Rejino  
The report was accepted as presented – Larry Rute congratulated the MCC team for their proactive approach to the financial challenges in Scottsdale. R Rejino reported the conference showed an approximate loss of \$1200. He emphasized the importance of sponsorships to help curb costs.
    - ii. Denver (spring 2020) - Paul Van Osselaer  
P Van Osselaer reported that the keynote speaker, Brig General Linell A. Letendre had been secured. Plenary speakers were in place and workshops presenters were still a work in progress. It was decided to make breakfasts a purchase option for guests/spouses. P Van Osselaer proposed that the induction ceremony take place during the Friday dinner because of the need to honor the inductees and recognize this event as a highlight to their career. Dress for banquet is “smart casual.”

It was also stressed that the board should invite non-members (ADR and Law firms), especially in the Denver area, to the conference. R. Daisley challenged that each board member invites 5 people to the conference and send the names to R Rejino and J Hand. Lastly R Rejino indicated that registration would be up by the end of the second week of February.

iii. Montreal (fall 2020) – Richard Rejino

R Rejino gave an overview of the report. He noted that a proposal for guest events had been received and would be reviewed in the coming weeks. The report was accepted as presented. Paul Van Osselaer agreed to Chair the program for this conference.

iv. Tampa (spring 2021) – Richard Rejino

R Rejino reported he has scheduled a site visit in Tampa to select the conference hotel on March 11<sup>th</sup>. Local member, R. Daisley strongly advocated the Tampa Water Street location because it is a new property and will be ready in time the 2021 conference; furthermore, he and his wife, Chantal will be available during Mr. Rejino's visit.

Considering that this conference is celebrating the 25<sup>th</sup> anniversary of IAM, M. Kallipetis recommended that planning for this important occasion begin now. He stressed that founding members should be invited to attend and that the conference programming should have strong international appeal. In addition, R Rejino suggested a 25<sup>th</sup> anniversary book to commemorate the occasion.

v. Zurich (fall 2021) - James Peter

J. Peter reviewed the state of the Zurich conference planning. He reported that the Swiss mediation group is willing to partner with IAM, but that he needed approval from the board to negotiate how IAM will work with the Swiss Mediation Group on the following points:

- Each organization pays for costs in proportion to the number of attendees
- Profit or loss would be split between the organizations proportionately to the number of participants each one brings.
- Meeting room and banquet rental costs be split 50/50

Mr. Peter suggested that there would likely be fewer Swiss/European attendees because the conference will be primarily an English conference. He projects that 30-40 non-north American mediators would attend. L Jacobson advised that a financial loss should not be the only lens through which having a conference in a European location should be viewed. If the IAM is committed to being "international," then there may be some initial growing pains and that IAM is in a good financial position to absorb losses if needed.

**The board agreed that Mr. Peter had approval to negotiate a mutual agreement with the Swiss mediation group regarding sharing costs and profit/loss.**

2. Mentorship – Claude Amar (for Wendy Kramer) gave a brief overview of the Mentorship report, which was accepted as presented  
C Amar reported that two mentees were leaving the program to apply for IAM membership and that there are currently nine in the mentee program. Regarding the WMMP – idea is to create a “tinder app” for mentee and mentorship for mediation.
  3. Pro-Bono – Lee Jacobson (for Greg Derin)  
The report was accepted as presented. L Jacobson indicated that pro bono work can be highly rewarding and strongly advocated that IAM members reach out to large firms to let them know of their pro bono offer.
  4. Communication and Outreach – Chuck Doran (for Christine Masters, Chair) – the report was accepted as presented. C Doran explained that Keith Seat is no longer editor-in-chief of the blog and that Christine Masters has taken over the chair of the committee; furthermore, he encouraged the BOG to submit articles for the blog.
  5. Membership - Rob Daisley
    - i. Recruiting Committee – Jeff Hand  
R. Daisley reported on behalf of J. Hand that there are two prospects for the Denver conference, but that more are needed. He noted that network and process for recruitment is in place and encouraged each board member to submit five potential prospects for IAM membership to the committee.
    - ii. Member Services Committee – Elaine Gordon  
C. Doran encouraged that the board begin recruiting younger members now; that 70% of members who are between 60-80 years old will likely retire within in ten years or less. The board committed to reach out to 5 people and invite them to Denver conference and beyond. R. Daisley suggested that the board contact each prospect personally and follow up with J Hand. J Peter suggested that IAM focus on states/countries that are not represented in the IAM.
  6. Diversity & Inclusion Committee – Chuck Doran (for Marvin Johnson)  
The report was accepted as presented. M Johnson hopes to have a committee chair designated by February or March 2020 and will report to the board in Denver. M Kallipetis recommended consideration of international members for the committee.
  7. SIR – Chuck Doran (for Jerry Weiss)  
The report was accepted as presented. There was no discussion.
3. Hong Kong Symposium (March 16, 2020) - Michel Kallipetis
- M Kallipetis reported that the Hong Kong symposium is still scheduled and that the corona virus is a concern, but Hong Kong has not yet closed the borders. M. Kallipetis noted that member, Jody Sin will provide an update to him when she arrives in Paris on Thursday.

As a part of the discussion, the question of compensation for board members who participate in these types of training functions was broached. C. Doran supported a forming a policy that reimburses a member for expenses to some degree for IAM training events, particularly if there is a profit, but none if there is a loss. Various opinions were expressed, including the distinction between serving on the board and the volunteering for training events in regards to compensation; that IAM is not in the training business and it is not part of its mission; and the potential for significant costs being incurred if there is a reimbursement policy, especially if it is opened up to general membership. After discussion the board agreed that a policy should be developed. C Doran asked for volunteers to work on a policy. Denise Madigan is willing to participate in a supportive role. Louise Senft noted her willingness to provide a summary of what other international organizations do for discussion in Denver.

4. Winkler/Osgoode/IAM Conference (May 14, 2020) - Jon Fidler

The Winkler Report was accepted as presented. J Fidler reported that the brochure is being prepared and will be sent to R Rejino for posting to the website within the next month.

*Voting Agenda*

5. Treasurer's Report—Larry Rute

1. Approval of January 2020 Financials

**After review, a motion made and seconded to accept year end financials. The motion carried unanimously.**

R Rejino asked for permission to reorganize the financial statement to make it easier to digest the information. The board agreed and asked to see a side by side comparison of the current and newly proposed formats.

2. 2020 Budgets

i. IAM CY20 Org Budget motion

A question was asked about the threshold of having too much in cash reserves as a non-profit organization. The board agreed that the question should be posed to the IAM CPA and ask for the evaluation in writing.

**A motion was made seconded to accept the 2020 Budget as presented. The motion carried unanimously.**

ii. Denver Conference

**After review, a motion was made and seconded to accept the Denver budget as proposed. The motion carried unanimously.**

iii. Montreal Conference

**After review, a motion was made and seconded to accept the Montreal budget as proposed. The motion carried unanimously.**

6. Listserv Summary (Denise Madigan)

D Madigan presented the Summary as a means to harvest the wisdom of IAM from the Listserv. She suggested that one volunteer follow a specific thread and compile, edit, and summarize the discussion into a document that would be accessible to the membership on the IAM website. She noted that volunteers could be IAM members or even law students. The board agreed that the project should go forward and that the interim project leader will be D. Madigan. Ms. Madigan accepted and will reach out to members who are interested; furthermore, she invited the board to let her know if they want to participate. Suggestions were made to ask new members to participate and give them the opportunity to learn the history about IAM; the need to be careful about author confidentiality; to use one or more of the Mentees; that a subject be restarted periodically to keep each summary document current.

**A motion was made and seconded to adopt listserv project as outlined in the proposal. The motion carried unanimously.**

7. Mentorship / Fellowship – Chuck Doran (for Wendy Kramer) (3:25 – 3:30)

C Doran explained that the committee wished to oversee the mentee application process and recommend financial aid to attend an IAM conference. Concerns were expressed about giving the committee the power to grant money without board approval; that there could be a reduction of funds potentially affecting others for whom the funds are also intended; that the committee chair have the safeguard to say that the board has final approval.

**A motion was made and seconded that the board authorize the Mentorship Committee to award attendance conference fee waivers, not including travel and accommodation expenses, to applicants who have submitted an application and fulfilled the criteria established by the Mentorship Committee, subject only to formal approval of the Board of Governors. The motion carried unanimously.**

8. Proposed CLE Solution – Richard Rejino (for Jerry Palmer)

After review and discussion of the CLE Solution it was decided that IAM should provide a mechanism to make CLE process easier for the member to apply for credit.

**A motion was made and seconded that the IAM provide a CLE kit as outlined in the report for members who attend an IAM conference and wish to apply for CLE credit on their own. The motion carried unanimously.**

9. Bylaws Updates – Steve Paul

In the course of discussing each Article, it was decided that the vote to accept the changes in substance would be done as a whole, and any modifications were to be noted by Steve Paul and presented in the final versions for final approval at the next board meeting.

1. Bylaws Update Working Group – Announce Committee Members
2. Confirm Scope

- i. Article II, Section 7 (EC composition); Accepted
- ii. Article VI - Committees (update Committees); Article 4 section 1: Accepted: changes accepted with slight revisions to the wording as follows: remove the phrase “without limitation”; add instead, “which have been previously approved as required.”
- iii. Article VIII Section 3 (update member categories); Accepted: Remove CLE and Finance Committee; add Diversion & Inclusion
- iv. Article VIII Section 3.5 (DFE revisions); RE: keeping “indicated a substantial reduction in their mediation practice.” Accepted with 1 opposed; regarding the 25% reduction of dues and 25% reduction of conference attendance is accepted.
  1. Update definition
  2. Revisit fee reduction
  3. What does the IAM do for members
- v. Article IX Section 1 (member dues); accepted: change: Dues paid by Dec 31; late fee of \$100 late charge if not paid by Feb 15.
- vi. Other updates per Minutes

10. Other Items

11. Review Agenda for Day 2

12. Adjourn – **The meeting was recessed at 6:05 PM**

**Day 2 of 2 - February 5, 2020 - 8 AM- 12 PM**

**President Chuck Doran reconvened the meeting at 8:15 AM.**

13. Agenda Review

14. Bylaws Updates

15. Knight Award – repurpose / rename (Michel Kallipetis)

1. Why
2. How (process)
3. Next steps

M Kallipetis provided a brief summary of the proposed change to the name of IAM’s highest award. The board agreed that the title Knights and Dames is somewhat arcane, carries a degree negative connotation for some international countries, and that it should be renamed.

Discussion included the following: that the name be changed to “IAM Gold Medal for Excellence”; that the award should be changed from a sword to a medal; that the timing is not optimal given that some members have vehemently opposed any change in the past; that the issue should not be pushed through and that member feedback is needed; that past recipients be contacted individually for their input.

The board unanimously agreed that the name should be changed; however, it was decided that more information was needed before a motion can be brought for a vote. C Doran volunteered to call recipients for their input. Additionally, M Kallipetis will add a 7<sup>th</sup> paragraph to the document stating that a name change of the award in no way affects or changes the original Knight/Dame awards that have already been bestowed; furthermore, if the new award takes the

place of the Knight/Dame Award, all recipients will receive the new award in addition to the one they already have.

16. SIR Status - Gene Moscovitch

The report as presented by G Moscovitch was accepted. A vote was taken on the two recommendations as stated below:

1. **A motion was made and seconded that out-going Scholar in Resident Dwight Golann, at the time of his stepping down from his current SIR position, will be informed that he has been granted the status of an Honorary member of the IAM, with all of its attendant benefits, in recognition of his outstanding service to the IAM. The motion carried unanimously.**

**A second Motion was made and seconded that future SIRs will receive an annual dues waiver and a conference fee waiver, excluding the banquet. The motion carried unanimously.**

2. **A motion was made and seconded that all future SIR's who are recruited to serve in this important, though uncompensated, position will henceforth be advised that, if selected by the Nominating Committee and approved by the Board to serve as an SIR, will become Honorary Members upon completion of their term. The motion carried unanimously.**

17. Open Discussion (11:05 - 11:45)

1. What the IAM is doing to meet the needs of our international members (Jon Fidler)  
Deferred until next meeting
2. Updated IAM logo (Chuck Doran) C Doran presented two refreshed versions for the IAM logo, which were well received. He urged board members to communicate any changes or suggestions to him.

18. Next Meetings / Wrap-Up

1. Upcoming Board Meetings – It was noted that the next board meetings are as follows:
  - i. March 8, 2020 - IAM Board Video Conference Call (10:30 AM to 12:30 PM ET)
  - ii. April 29, 2020 - Denver - Board Meeting

19. Close

**A motion was made and seconded to adjourn the IAM Paris Board Meeting at 11: 58 AM. The motion carried unanimously.**