

**Minutes**  
**Commission on Civil Court Alternative Dispute Resolution (ADR)**  
**March 31, 2011**  
**2:00 PM**  
**225 Spring St.**  
**Wethersfield, CT**

A meeting of the Commission on Civil Court Alternative Dispute Resolution (ADR) was held at 225 Spring St., Wethersfield, CT, in Room 4B at 2:00 p.m.

Members present: Hon. Linda K. Lager (chair), Hon. James W. Abrams, Hon. Kari A. Dooley, Hon. Robert L. Holzberg, Hon. Aaron Ment, Hon. Elliot N. Solomon, Hon. Dawne G. Westbrook, Attorney Christopher Bernard, Attorney Agnes Cahill, Attorney David W. Cooney, Attorney Sarah F. DePanfilis, Attorney Irene Jacobs, Attorney Patricia Kaplan, Professor Carolyn Wilkes Kaas (by phone), Attorney Jeffrey T. Londregan, Attorney Duncan MacKay, Attorney Arthur A. Palmunen, Attorney David A. Reif, Attorney Robert Simpson, Professor James H. Stark.

Also present: Hon. Barbara M. Quinn, Hon. Patrick L. Carroll, III, Attorney Joseph D. D'Alesio, Attorney Nancy L. Kierstead

At 2:00 p.m. Judge Lager called the meeting to order.

Agenda Items:

I. Welcome by Judge Lager:

Judge Lager welcomed the commission members to the meeting.

II. Approval of Minutes:

The minutes of the January 20, 2011 meeting were unanimously approved.

III. Report on Information Gathering:

Information gathered from focus groups, templates, survey of civil caseflow coordinators and chief clerks, along with statistics on ADR and pending civil cases was shared with members. It was noted that with regard to pending civil cases, 19% are claimed to a trial list and collections and foreclosures combined constitute 56% of pending cases. Judge Lager noted that more ADR may be occurring than has been captured in the ADR statistics due to issues with how these events have been coded into the system. A new mechanism for tracking Court Annexed Mediation (CAM) events has been instituted, which should result in more accurate

data in 6 months. Some recurring themes from the template responses were identified: training, credentialing, ethics, process, flexibility, evaluation or statistical information, and promotion. Members were encouraged to look at recurring themes obtained from the focus groups as well. Judge Lager encouraged the members to use the information gathered as a resource as they move forward with the work of the commission. Members were also provided with a copy of the Draft Final Report of the Connecticut Bar Association Standing Committee on Dispute Resolution in the Courts (2006).

IV. Discussion re: subcommittees:

A discussion was held on issues to be addressed and how to group those issues to form subcommittees. Four potential subcommittees were identified: 1) Substantive; 2) Procedural; 3) Training and Credentialing; and 4) Evaluation. Promotion of ADR programs was briefly discussed and it was determined that promotion will not be a separate subcommittee, but instead will be looked at by the whole commission after the subcommittees have made recommendations to the Chief Justice and a decision has been made on the recommendations.

V. Website and Wikispaces:

A demonstration of how to access the ADR Commission Wiki was given. The Wiki can be accessed from a link on the ADR Commission page on the Judicial Branch's website or directly by going to <http://adrcommission.wikispaces.com>. The public can view the content of the Wiki, but only commission members can add or edit information. Members were encouraged to use the Wiki to exchange ideas and as a way for each subcommittee to see what other subcommittees are doing.

VI. Other business:

A discussion was held on the need for a definition of success in the context of ADR. Suggested definitions were: "an equation that includes stakeholders, type of case, outcome and satisfaction of participants" and also, "a meaningful approach through an effective process that leaves all parties satisfied." It was agreed that in the context of ADR, success is not limited to settlement of the case.

Next steps: members will forward their preferences to staff regarding subcommittee assignments. Staff will draft subcommittee charges. Subcommittees may be in place by the end of April.

VII. Future meetings:

No date for a possible commission meeting in May will be set at this time. Subcommittees may move forward with meetings in May. Members were reminded that there will be a commission meeting in September 2011.

Adjourned at 4:00 p.m.