



2024 marks the 30th anniversary of the Alabama Supreme Court Commission on Dispute Resolution and the Alabama Center for Dispute Resolution. So much has happened since alternative dispute resolution (ADR) was introduced in Alabama. We owe a debt of gratitude to the circuit and district court judges and the Alabama State Bar Task Force on ADR for petitioning the Alabama Supreme Court in 1994 for the establishment of the Commission. There is not enough room in this newsletter to recognize by name the countless professionals who have made ADR what it is today, but we are so much better for their contributions! I would be remiss if I didn't highlight a few though: J. Noah Funderburg, Marshall Timberlake, William Coleman, Charles Boyd, Rod Max, and Judy Keegan. We have established rules for mediation, an ethical code for mediators, a published roster of neutrals, guidelines for arbitration proceedings in Alabama where no arbitration forum is specified, and statutes on court mediation and confidentiality in mediation. We've seen the adoption of the enactment of the Collaborative Practice of Law and more recently, the integration of technology through the Administrative Office of Courts Online Traffic Resolution and Small Claims Online Dispute Resolution. Many professionals have made ADR a reality in Alabama benefiting litigants and the courts. Our ADR journey continues thanks to the collaborative efforts of the bench and bar. We hope you will take a look at the "ADR" issue of the September/October 2024 edition of the *Alabama Lawyer* magazine. Many thanks to the Alabama State Bar for making that happen. Many thanks to our ADR authors for their contributions to the magazine: Jimmy Walter, Jon Lewis, Virginia Miller, Francis Ross Nolan, Hon. Brent Craig and Chris Colee. Many thanks to hundreds of neutrals who are making a difference in the lives of litigants across the state!



From the Desk of the Alabama State Bar Dispute Resolution Chair Allen Schreiber

As Chair of the Section this year, I want to begin by thanking Eileen Harris, the Center’s Executive Director, for the hard work she does to promote dispute resolution for all of us. If you volunteer or work in this area, you immediately realize Eileen has dedicated herself to our field of dispute resolution and has committed herself to making ADR accessible and available to everyone. So, thank you Eileen!

Also, I would like to recognize Jon Lewis for his job as Chair last year. The programs he put together were an amazing success and his work on celebrating our 30-year anniversary of the Alabama Center for Dispute Resolution was impressive. If you missed the recent September issue of the Alabama Lawyer magazine, please read it. There are many great articles that are a “must read.” Thank you, Jon!

This year we will continue offering CLE opportunities and you will receive notice of the topics well in advance so that you can gather most, if not all, of your CLE requirements for the year. My personal goal this year is to concentrate on promoting diversity. I firmly believe we need more diverse choices of mediators/arbitrators that will represent a broader range of our community.

Please let me know if you have any interest in serving on committees or have any other interest in promoting dispute resolution. I am looking forward to a very successful year for our section and I hope you will involve yourself in our efforts.

Allen
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ALABAMA STATE BAR ANNUAL MEETING JUNE 2024 ADR HIGHLIGHTS



Thank you to the Alabama State Bar Dispute Resolution Section for sponsoring a panel discussion during the 147th meeting of the Alabama State Bar. Many thanks to Michael Upchurch, Holly Sawyer, Jon Lewis, Eileen Harris, Tom Methvin and Angeline Sperling for sharing “Pearls of Wisdom from Alabama Mediators” on June 26th, 2024 during the conference.



Pro Bono Mediator Award Recipient Holly Sawyer

Holly participates in the court-ordered Parents are Forever Family Mediation Program since it began in 2014. Holly provided free mediation services in 18 cases under the Parents are Forever Family Mediation Program during 2023 and 138 cases since 2014. Holly has been instrumental in promoting mediation awareness to mediators, attorneys, and the public. She served as an instructor/panelist on a free 60-minute MCLE webinar on family law and mediation. Her many years of service have provided a direct benefit to parents, families, as well as to the court.



From the Desk of the Alabama State Bar Dispute Resolution Immediate Past Chair Jon Lewis

The Dispute Resolution Section of the Alabama State Bar has had a highly productive and impactful year, making significant strides in promoting alternative dispute resolution and providing valuable educational opportunities for Alabama lawyers.

This year, we had some key accomplishments, starting with our extensive free CLE Programming. The Section co-sponsored an impressive lineup of eight free CLE events in collaboration with the Alabama Center for Dispute Resolution, attracting over 1,000 attendees. These events covered a wide range of topics, including:

- Empathy in mediation
- Mediator ethics
- Marketing resolution strategies
- Family law mediation and private judging
- Overcoming mediation impasse
- Employment mediation
- Mediating car accident cases
- Mediation in wills and trusts

The Section also maintained strong partnerships with other organizations. The ABA provided members with access to national conferences at discounted rates. We also shared information about the Georgia State Bar Dispute Resolution Section conference, fostering inter-state knowledge exchange. Of course, we also provided support for the Alabama State Bar by serving as a Bronze Sponsor for the 147th Annual Meeting of the Alabama State Bar and by presenting a CLE event during the annual meeting: “Pearls of Wisdom from Alabama Mediators.”

Looking Ahead

The Section is poised to continue its momentum: Planning for more free CLE programs are already in the works. The ABA held its Dispute Resolution Practice Development Institute on September 12-13 virtually. We will continue to collaborate with the Georgia Bar’s Dispute Resolution Section, and we will look to collaborate with other State Bars and ADR organizations.

We look forward to continuing to promote ADR to our communities, and we are honored to have the following officers lead us forward:

- Allen Schreiber – Chair
- Steven Gregory – Vice Chair
- Honora Gathings – Treasurer
- Lang Floyd – Secretary
- Joan-Marie Sullivan – Member at Large (till 2025)
- Greg Vaughn – Member at Large (till 2025)
- Angeline Sperling – Member at Large (till 2027)

With Grateful Appreciation!

The Center wishes to thank a generous donor who made a \$2,000 anonymous donation in July 2024 to support the work of the Center!

The Alabama Center for Dispute Resolution, Inc. (the Center) is a 501(c)(3) and is a registered charitable organization with the Alabama Office of the Attorney General (18-509).

Free CLEs October and November

When: October 17, 2024 at Noon (CST) by Zoom

Topic: “Factors that Drive Value in Motor Vehicle Mediations & Breaking an Impasse”

Presenter: Attorney Greg Vaughan

Register in advance for this meeting no later than October 16, 2024 by 4:00 p.m.:

<https://us06web.zoom.us/meeting/register/tZAuc-ysrzgtHtDygNxpWS61LJzza7BdgsC>

After registering, you will receive a confirmation email containing information about joining the meeting.

This course has been approved for 60 minutes of MCLE credit by the Alabama State Bar.

The course is co-sponsored by the Dispute Resolution Section of the Alabama State Bar, the Pro Bono Committee of the Alabama State Bar and the Alabama Center for Dispute Resolution.

When: October 24, 2024 at Noon (CST) by Zoom

Topic: “Mediation in Alabama – Pro Bono Mediation Programs”

Presenter: Eileen Harris with the Alabama Center for Dispute Resolution

Register in advance for this meeting no later than October 23, 2024 by 4:00 p.m.:

<https://us06web.zoom.us/meeting/register/tZYlfuGprzMjHNOtKc8j2UFL1IxTLDcVqziZ>

After registering, you will receive a confirmation email containing information about joining the meeting.

This course has been approved for 60 minutes of MCLE credit by the Alabama State Bar.

The course is co-sponsored by the Dispute Resolution Section of the Alabama State Bar, the Pro Bono Committee of the Alabama State Bar and the Alabama Center for Dispute Resolution.

When: November 6, 2024 at Noon (CST) by Zoom

Topic: “Did You Know There is a Rule for That?”

Presenters: Attorney/mediators Cooper Shattuck and Allen Schreiber will discuss mediation rules in Alabama.

Register in advance for this meeting no later than November 4, 2024 by 4:00 p.m.:

<https://us06web.zoom.us/meeting/register/tZMoceCqrj0rGtak4CKmHvWh7awKJmhOQwwe>

After registering, you will receive a confirmation email containing information about joining the meeting.

This course has been approved for 60 minutes of MCLE credit by the Alabama State Bar.

The course is co-sponsored by the Dispute Resolution Section of the Alabama State Bar and the Alabama Center for Dispute Resolution.

Future Free CLE’s in 2025:

January:	Recent Trends in Mediation (A “wrap” of 2024)
February:	The Most Common Mistakes to Avoid in Mediation
March:	The Role of a Mediator: the Mediator and the Participants Perspectives
April:	Preparing for Mediation
May:	Ethics and Confidentiality in Mediation
June:	Impasse

Guidelines for Arbitration Proceedings in Alabama Now Available

The Alabama Supreme Court Commission on Dispute Resolution (the Commission) developed an exemplar arbitration model for parties to use by agreement in arbitration proceedings in December 2023. The model was developed for use in which no forum has been specified in the arbitration agreement, or in which the parties jointly prefer to proceed with arbitration using this model rather than the arbitration forum specified in the arbitration agreement (for example, AAA).

The Commission is most grateful to former Commission member **Boyd Miller** who provided the framework and was the lead author of the guidelines.

The “Alabama Supreme Court Commission on Dispute Resolution Guidelines for Arbitration Proceedings in Alabama” may be found at the Alabama Center for Dispute Resolution website (https://alabamaadr.org/web/resources/files/2023_ALSCT_COMMISSION_ON_ADR_GUIDELINES_FOR_ARBITRATION.pdf)

The Alabama Supreme Court Commission on Dispute Resolution was formed in 1994 by order of the Alabama Supreme Court. The Commission promotes alternative dispute resolution throughout Alabama.

Thank you Pro Bono Neutrals—2023

Cassandra Adams	Brett Granger	James Russell
Stephanie Bain	William Gray	Malik Sanders
John Bentley	Fletcher Green	Holly Sawyer
Nettie Blume	Sandra Gregory	Yvonne Saxon
Sarah Bowers	Annie Guthrie	Joseph Allen Schreiber
Herbie Brewer	Alison Herlihy	Melissa Schultz-Miller
Jenna Brooks Smith	Thomas Hinote	Sara Senesac
John Bull	L.D. Holt	Kristina Sexton
John Bush	Carmen Howell	Geral Sills
Margaret Casey	Sam Irby	Janine Smith
Lynne Coker	Sharon Johnston	Moriah Smoot
Louis Colley	Christopher Jones	Angeline Sperling
C. Kevin Coonrod	Judith Kesterson	Fred Steagall
Samuel Crosby	Ross Kinder	Gerald Stringer
Katie Crow	John Lewis	Robert Thomas
Rudene Crowe	Amanda Lewis	Kelly Ann Traver
Latrice Dawson-Chaney	Jon Lewis	James Turnbach
Kelli Day	Larry Madison	George Van Tassel
Tonya Denson	Joseph “Trey” McClure	Gregory Vaughan
LaSheryl Dotch	Sonia Merchant Mawani	Barbara Wade
Melanie Duckworth	R. Boyd Miller	Rebecca Walker
Christine Evangelides Dodd	Tamika Miller	H. Bryan Wallace
James Fancher	James Owens	James Walter, Jr.
R.A. “Sonny” Ferguson	Hon. Deborah Bell Paseur	Thomas Whatley
J. Langford Floyd	Patrick Pendleton	Faith Whidden-Buster
Patricia Fraley	A. Riley Powell	LaShunta White-Boler
James Fullan	Robert Reed	Theresa Williamson
Ronald Gault	Ferris Ritchey	
Louis Geiger	Terrence Robinson	
Amy Gentle	Theodore Roose	
Edgar Gentle	Samantha Rush	
Randy Gibson		
Jeremy Gillentine		
Rebekah Graham		
Christy Graham		

The Alabama Center for Dispute Resolution thanks the following mediators who performed pro bono mediations in 2023!

OCTOBER IS A TIME TO CELEBRATE

The Center is delighted to join with the Alabama State Bar in recognizing and celebrating the pro bono efforts of the legal community during the month of October. Many of our registered neutrals are lawyers who generously share their time and talents to help improve our system of justice, our communities and clients.

We also celebrate with the American Bar Association the contributions of mediators during the third week of October. Alabama recognizes the great need to promote mediation as a means for litigants to resolve their cases by agreement rather than requiring the court's resources for a resolution and highlights the contributions of the Alabama Supreme Court Commission on Dispute Resolution, the Alabama Center for Dispute Resolution, the Dispute Resolution Section of the Alabama State Bar, state agencies, community-based mediation programs and pro bono mediation programs.

We join with the American Bar Association Section on Dispute Resolution to recognize the important role of ombuds on October 10th. We salute the efforts of the ombuds with the Alabama Department of Labor Workers Compensation Division and the Alabama Department of Senior Services.

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The Alabama Center for Dispute Resolution, Inc. (the Center) is a 501(c)(3) and is a registered charitable organization with the Alabama Office of the Attorney General (18-509). The Center develops, implements, administers, assists and manages alternative dispute resolution programs in the courts, neighborhoods, educational facilities and government agencies within the State of Alabama.