

MARCH 2021

ADR NEWSLETTER



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ADR SECTION SEEKING NEW LEADERS: NOW IS THE TIME TO GET MORE INVOLVED

The disruption of the last year has resulted in many changes to our world, and changes to the practice of ADR. The future of ADR is at a crossroads as we redefine dispute resolution professional practice post-pandemic. We are seeking individuals who want to be a part of leading the ADR Section into the future.

The ADR Section needs to fill vacancies on our Executive Council, the driving force behind the ADR Section. We want to include a diversity of perspectives, experiences, and geographical location to our Executive Council, including lawyers and non-lawyer ADR professionals from throughout greater Colorado.

Now is the time to get more involved. We have extended the application to **March 15, 2021**. To access the leadership application and for more Section information see our webpage at: <https://www.cobar.org/For-Members/CBA-Sections/Alternative-Dispute-Resolution>. To submit an application, please e-mail your completed application to Katie Null Roberts at knull@cobar.org by March 15, 2021.

ADR COMMITTEE NEWS

DIVERSITY AND INCLUSION COMMITTEE

- The EDI Committee will be meeting via Zoom on **Thursday March 4** at 3:00 p.m. We will be discussing topics including providing resources for professional development to newer ADR practitioners and outreach to diverse law students and lawyers.

- The Committee is also sponsoring a speed mentoring event on **Thursday March 18** at 5:30 p.m. that will permit newer ADR practitioners (or folks who are interested in becoming mediators or arbitrators) to ask questions and receive tips from experienced ADR professionals



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in an informal, fast-paced, small group format. This is a great chance to network and gain insight into how to gain experience, grow your ADR practice and deal with thorny issues that may come up in your mediations or arbitrations.

Registration is free. Please contact Katie Roberts to register for the meeting and/or speed mentoring event: Knull@cobar.org.

- The ADR Section members are encouraged to do the 21-day Racial Equity Habit-Building Challenge in March (starting on the first day of the month is a simple way to keep track). Most of the individual challenges take 15-30 minutes to complete, although there are a couple of hour-long (or longer) podcasts/videos. We suggest that members buddy up for both accountability and to provide a way to process the materials on an ongoing basis. For more info, go to https://www.americanbar.org/groups/labor_law/membership/equal_opportunity.

PROGRAMS COMMITTEE

ADR for Family Law – Beginning, During and After Your Case: The Pro's and Con's of Mediation, Arbitration, and PC/DM's"

Alternative Dispute Resolution is one of the most important aspects of litigation. In most cases, mediation is Court-ordered, but parties can agree, before or after mediation, to resolve their disputes in arbitration, divesting



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the Court of jurisdiction. With either or both mediation and arbitration, parties may agree to the appointment of a parenting coordinator and/or decision-maker to assist them in resolution of disputes with respect to clarification of implementation of existing Court Orders. This CLE will discuss the pros and cons of ADR for family law – beginning, during, and after your case.

Speakers: Courtney Cline, Justin Ross, James Keil, Cyndi Brewster

Date and Time: March 19, 12:15-1:45

Applied for 2 General credits

RSVP: <https://www.cobar.org/Calendar/Event/sessionaltcd/FAM031921>

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ADR SECTION RESOLUTION CORPS

The ADR Section is accepting applications from mediators interested in joining the Resolution Corps. The **ADR Section Resolution Corps** was established for the purpose of providing Members and the public with access to a panel of dispute resolution professionals with knowledge and expertise in virtual mediation.

The list of ADR Resolution Corps panelists will be made available to the public via the CBA website and the ADR Section may collaborate with courts, organizations and agencies in need of qualified dispute resolution professionals.

For more information on this project please review the Rules and Regulations (attached) and consider submitting an application. Questions about this project may be directed to: holly.panetta@gmail.com or to the ADR Section Liaison, Katie Null at knull@cobar.org.

UPCOMING EVENTS & PROGRAMS

Programs

- ❖ The **Spring Membership Drive** is underway!! Remember to submit your February activities to participate. Earn points and win prizes by attending Section events. Encourage your colleagues to join the Section, provide an article for the Colorado Lawyer or get a Member Spotlight published in the newsletter. To participate, simply email your February activities to

holly.panetta@gmail.com. The membership drive continues through May and Section members with the highest points will be announced at the June meeting.

Events Calendar

- **March 4:** EDI Committee Meeting at 4:00 PM
- **March 5** Membership Meeting at 12:00 PM
- **March 5-6:** ABA Representation in Mediation Competition at DU
- **March 18:** EDI speed-mentoring event at 5:30 PM
- **March 19:** CLE: ADR for Family Law – Beginning, During and After Your Case: The Pro's and Con's of Mediation, Arbitration, and PC/DM's".
- **March 31:** Colorado Humanities speaker series on Changing the Legacy of Race & Ethnicity, featuring Colorado Poet Laureate, Bobby LeFebre, and panelists speaking about the Latinx/Hispanic experience.

Visit <https://coloradohumanities.org/programs/changing-the-legacy-of-race-ethnicity/> for more info.

CHAIR'S CORNER



Welcome to our newest Members:

Brian Luther, David Shimokwa, Kirk Samelson, Matthew Kilby, Michelle LeFlore, Robert Merring and Sara Bush.

We are thrilled to have you join us as effective mediators committed to promoting and protecting an environment that values and supports every person in an atmosphere of civility, honesty, cooperation, respect, and fairness. We look forward to having you join us at our upcoming events. Watch the ADR Community Page for announcements. Now that you are a member of the choir, please come sing!

-Michelle Sylvain, Chair

MEMBER SPOTLIGHT

Akshay Pradhan

akshay@hamptonpigott.com

His Work: Partner at The Law Firm of Hampton & Pigott.

His Experience: Business and non-profit law, estate planning, discrimination, and civil law.

Why He Joined ADR Section: I would like to be contacted for co-mediation mentoring opportunities.

Best Advice Ever Received: A close tie between the following two:

- Chase your passion, not money. If you chase your passion, you will automatically be good at it. As a result, money will come.
- If you don't like something, change it. If you can't change it, change the way you think about it.

Something Not Many People Know: I played with penguins in Antarctica.

How He Defines Success: When your source of livelihood is a result of living your dreams.

Most Important Skill Developed: Love everyone. Obviously, the application of "love" will change depending on your audience. Love for your spouse is different than the love you direct towards opposing counsel. Love goes beyond respect. Love yields genuine kindness and selflessness. This practice is not about saying, "I love you," or hugging. This practice is about having the "love everyone" *mindset*. By internalizing this concept, your outward interactions and behavior automatically become kind and genuine. Furthermore, this mindset will put a stop to anger, worry, fear, and anxiety. This mindset has resulted in countless successful and pleasant negotiations.

Hobbies/Interests: Reading, travel, meditating, playing soccer with my boys, dancing with my daughter, and enjoying a cup of coffee with my wife.



David M. Tenner

tenner@ridleylaw.com

His Work: Special counsel at Ridley, McGreevy & Winocur, P.C. I'm a trial lawyer, an arbitrator, a mediator, and a court-appointed special master.



His Experience: After getting my undergraduate degree from Colorado College (Go Tigers!), I graduated from law school at Georgetown in 1985. About 15 years ago, I started doing special master work. Shortly thereafter I started working as an arbitrator for the American Arbitration Association.

Why He Joined ADR Section: I'm an arbitration nerd. I love hanging out with other arbitrators and mediators and talking shop.

Best Advice Ever Received: It's nice to be important, but it's important to be nice.

Something Not Many People Know: I was the leading scorer of the 1980 Colorado College football team. (Don't be too impressed. I was the kicker).

How He Defines Success: The peace of mind that comes from knowing you were true to yourself and your values.

Most Important Skill Developed: 1. Active and engaged listening, and 2) Empathy, especially for the party that ends up on the losing end. (Both skills useful for both work and parenting, I've discovered).

Hobbies/Interests: I play hockey in the winter and tennis in the summer. Broncos, Avalanche and Rockies season ticket holder. I love cooking for friends and try to get to Hawaii at least once a year. I just completed the ABA's 21-Day Racial Equity Habit-Building Challenge. It was transforming.

Lynae Walker King
Lynae@lwmediation.com
303-481-4264

Her Work: I am an ODR contracted Small Claims mediator. I also have a private practice with a focus on Landlord/Tenant, HOA, Construction, Collection, Neighbor Disputes and post decree child custody and support issues.

Her Experience: I received my initial mediation training in 2006, and went on to win the Protection Order Mediator of the Year award in 2014 through JeffCo Mediation Services. This led me to my passion of working high conflict cases.

Why She Joined ADR Section: I joined the ADR Section to expand my services and network allowing the opportunity for growth and expansion.

Best Advice Ever Received: To follow my passion while being in service to others.

Something Not Many People Know: I was a professional musician for several years and have recorded 2 albums.

How She Defines Success: I define success as following your dreams and enjoying the abundances that is all around us.



Most Important Skill Developed: My most important skill is being able to allow my clients a safe place of empowerment and mutual resolution.

Hobbies/Interests: My family, my animals and gardening.

GOOD TO KNOW

Denver District Court, Civil/DR Divisions, now have Division inboxes. For example, courtroom 409's is 02Courtroom409@judicial.state.co.us. All the other DDC civil/DR courtrooms follow a similar pattern.

YOUR 2020-21 ADR EXECUTIVE COUNCIL:

Chair: Michelle Sylvain mssylvain3@gmail.com

Vice Chair: Wesley Parks wparks@cohenlawyers.com [Program Co-Chair]

Treasurer: Jim Carr jimcarrlaw@gmail.com

Secretary: Holly Panetta holly.panetta@gmail.com

At Large Members and Committee Chairs:

- Pat Ayd payd@consilia-cr.com
- Adam Foster adam@adamfosterlaw.com [Equity, Diversity and Inclusion Committee]
- C.J. Larkin cjlarkin@disputeapro.com [Legislative Committee]
- Marianne Lizza-Irwin mlizza-irwin@foothillsmediation.com
- Robin Rossenfeld r.rossenfeld@att.net [Program Committee Co-Chair, BOG/EC Rep]
- Marshall Snider msniderarb@comcast.net
- Karin L. Van Zee kvanzeelaw@earthlink.net