

SEPTEMBER 16TH PLANNING SESSION YIELDS MISSION FOR ROSTER SOCIETY

A MESSAGE FROM JANE MORLEY, Q.C., PRESIDENT

In our Roster Report of March 2002, we advised you that the Society had been engaged in discussions aimed at establishing a new dispute resolution organization and that the directors of the Society had endorsed the principle of "moving expeditiously to establish a new BC dispute resolution organization which will perform the functions of the BCAMI, MDABC, BCICAC and BCMRS [BC Mediator Roster Society]". We also advised you that, while these discussions would actively continue, our directors would make no structural changes to the Society until they had a clear vision of the governance and administrative structures of the proposed new organization, and until they were satisfied that the interests of the public and Roster members would be better served by such a new organization. A consultation with Roster members would also take place before any changes were made to the Society.

Discussions between BCAMI, MDABC, BCICAC and the Roster Society did continue throughout the spring and summer of 2000 and, during this time, a model for the governance and administrative structure of the new organization was developed.

The Society's directors decided that, in order to give the proposal the attention it deserved, the Board should conduct a full day planning session to consider the model and the future the Board saw for the Roster Society. In advance of the planning session Roster members were asked to provide their thoughts and comments regarding the Society's involvement in the creation of this new, integrated dispute resolution organization, along with other related issues, in a written questionnaire. Here is what happened at the planning session:

On September 16, 2002, the Society's Board met in the all-day planning session to discuss future directions for the B.C. Mediator Roster Society. Among the issues slated for discussion were:

- how the Society would respond to the proposal that it join with other dispute resolution organizations in British Columbia to establish a single dispute resolution organization;

- if the Society did not join with the other dispute resolution organizations, what - if any - changes should be made in the direction of the Society;
- if and how the Society should move towards greater financial independence from government.

The directors reviewed the context within which the discussions to create a new organization had taken place, the role of mediation in the current justice system in BC, and the proposed governance model and structure of the new dispute resolution organization. They also discussed the feedback which had been provided by 48 Roster members, in response to the Society's questionnaire.

As a result of these discussions, the directors concluded that:

- the feedback from Roster members did not provide the board with a clearly positive signal to move forward with the proposal to establish a new, integrated dispute resolution organization in British Columbia;
- a prevailing view among Roster members is that the Society's main strength is its credibility in maintaining a roster of trained and experienced

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New Members

The Board of Directors is very pleased to welcome the following recently admitted Roster members:

CIVIL ROSTER:

John A. Bancroft-Jones (Vancouver)
Anthony (Tony) Borzoni (Victoria)
Neill Brown (Abbotsford)
Colleen Cattell (Vancouver)
Barbara Cornish (Abbotsford)
Gary M. Cullen (West Vancouver)
Carol Evans (Nanaimo)
Richard Evans (Nanaimo)
Ron Fyfe (North Saanich)
Brian Gibbard (Burnaby)
Roger W. Haines (Prince George)
Douglas John Husband (Delta)
The Honourable
Roger P. Kerans (Victoria)
Robert Ryan Lawler (Victoria)
David M. Levis (Fort St. John)
Michael P. McCrodan (Vancouver)
Morley W. McKeachie (N. Vancouver)

Howard Nemtin (W. Vancouver)
Tom Northcott (Vancouver)
Emilia Péch (Vancouver)
Kirsten Ramage (Vancouver)
Doug F. Robinson, Q.C. (Vancouver)
Susan L. Rossi (Lumby)
F. Harold Saunders (Nanaimo)
Alan Schapiro (Vancouver)
Paul Taberner (Vancouver)
Avi Tal (Victoria)
Kenneth Thompson (Nanaimo)
Allan Trann (Victoria)
A. Anita Vergis (Vancouver)
James D. Vilvang, Q.C. (Vancouver)
Peter Leckie Wright (Vancouver)

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FAMILY ROSTER:

Vicki M. Bennett (Vancouver)
Cheryl Mustard Berry (Naramata)
Joyce W. Bradley (Vancouver)
Sally Campbell (Hornby Island)
Douglas R. Chalke (Vancouver)
Robert B. Finlay (Port Coquitlam)
Peter F. Grove (Vancouver)
Lawrence (Larry) A. Kahn (Richmond)
Patricia S. Lane (Victoria)
Carole A. McKnight (West Vancouver)
Jane Morley, Q.C. (Victoria)
Gerald F. Owen (Nanaimo)
Eugene Raponi (Victoria)
Ronald J. Smith (Kelowna)
Donna Soules (Ladysmith)
Colin L. Spencer (Campbell River)
Wayne E. Stilling, Q.C. (Surrey)
Deborah Lynn Zutter (Vancouver)

Update on Society Board of Directors:

Thank you to Peggy English, Michael Fogel, Tom Kalpatoo and Catherine Morris

June 2002 brought several changes to the Roster Society's Board of Directors, including the departure of four Board members: Peggy English (Vice Chair of the Roster Committee), Michael Fogel, Tom Kalpatoo (Vice President) and Catherine Morris (Chair of the Roster Committee).

As founding members of the Board, Peggy English, Michael Fogel, Tom Kalpatoo and Catherine Morris were key contributors to the Society's development during its first four years. Their efforts and commitment to advancing the field of mediation in B.C. made possible the creation of many of the standards and policies that are central to the Roster today.

The Society was particularly fortunate to have had Catherine Morris and Peggy English on the Roster Committee during these formative years. Their efforts in formulating the admission criteria, standards and procedures were of incalculable value, as was their work in building a solid, credible base for the Roster's operations. As Chair and Vice Chair of the Committee, Catherine and Peggy also played a critical role in setting the Society's current public-interest focus - a focus which continues to shape and guide the Society's path of development. The Society is especially grateful to Peggy for all her work in establishing the Family Roster, and to Catherine, who has generously agreed to remain as Chair of the Roster Committee.

Other changes to the Board in June included: Jane Morley, Q.C., replaced Jerry McHale, Q.C., as President; Ron Smith stepped into the position of Vice President; Ron Tucker assumed the combined position of Secretary-Treasurer; and Sally Campbell become Vice Chair of the Roster Committee. It is expected that several new directors will join the Board during the next few months. ◆

Celebrating Year Four: Society Activities During the Spring and Summer of 2002

In June 2002, the Society celebrated its fourth anniversary. There was much to celebrate, as the Society entered into one of the busiest, most productive periods since its incorporation. Following are some of the highlights from this time:

Family Roster launched: The Society met its target date and launched the Family Roster on June 14, 2002. Nine family mediators formed the first group of successful applicants. Since then, nine more have been admitted. A list of these mediators, along with their profiles, is posted in the "Directory of Family Mediators" at: www.mediator-roster.bc.ca/select-family.cfm

The launch included a revision to the Society's *Standards of Conduct* and several changes to the Society website, in particular to the "Directory of Mediators". The existing directory was reformatted to allow for two searchable sub-directories: one for Civil Roster members and the other for Family Roster members.

Promotion of the Family Roster has begun, and will continue during the fall of 2002.

Roster Society website traffic on the rise: More than 5,200 visitors browsed the Society's website between June 1 - September 1, 2002. Their visits resulted in 93,408 "hits". Since the launch of the website in May 1999, there have been over 31,000 visits to the site.

Website statistical reports indicate that the "Directory of Mediators" remains the most frequently visited section of the site.

Website development continues: In addition to the website developmental work associated with the launch of the Family Roster, a number of other modifications were made to the site during the spring and summer of 2002. These included the addition of a field for displaying information about areas of practical and professional experience in Roster members' individual entries.

A page containing information about private sector and non-profit mediation initiatives was also posted on the website, in the section called "Mediation in B.C." The page, titled "Initiatives Outside of Government", is still undergoing development. If you are aware of any initiatives in B.C. which are not listed on the page, please let us know. The page is located at: www.mediator-roster.bc.ca/mediationinbc_nongovernment.html

ICBC requires membership on the B.C. Mediator Roster: On June 26, 2002, the Insurance Corporation of British Columbia (ICBC) announced that as of August 15, 2002, mediators wishing to mediate ICBC claims would be required to be members of the B.C. Mediator Roster.

Listings purchased for Roster members in the *Lawyers Directory 2003* This year again, the Society purchased a listing for individual Roster members in the upcoming Canadian Bar Association (BC Branch) *Lawyers Directory*. Every member admitted to the Civil and Family Rosters prior to July 2002 will have their name, phone number, fax number and e-mail address appear in the publication (provided the member has agreed to make these contact points "public").

As in previous years, the listings will appear in the "Professional Services" section of the Directory. The cost of being included in the *Lawyers Directory* for individual mediators is normally \$40 plus G.S.T., per listing.

Ongoing advertising: The Society continued to advertise in the Vancouver Bar Association's bi-monthly publication for lawyers, *the Advocate*. For the fourth year in a row, an advertisement was placed in the Canadian Bar Association (BC Branch) *Lawyers Directory*. Listings in the Kelowna, Vancouver and Victoria telephone books were also purchased, for the third year in row.

Consultation with Roster members: In August 2002, Roster members were asked to provide their thoughts in a questionnaire about several key issues relating to the Society's future, including the proposal that the Society join with other organizations in B.C. to establish a single, integrated dispute resolution organization.

Forty-eight Civil and Family Roster members completed the questionnaire. The responses have been posted on the website "Discussion Forum", a bulletin-board style forum accessible only to Roster members and Society directors.

Society directors extend a special thank you to the members who responded. The feedback greatly assisted them in their discussions during the September 16th planning session. ❖

mediators in B.C., and that this credibility needs to be protected in any organizational changes contemplated by the directors;

- in light of the continuing confusion, both in the public and within the justice system, about what mediation is, there is benefit to having an organization focused specifically on mediation, rather than one that attempts to encompass all types of ADR practice, and which has a clear goal of promoting mediation;
- the public of B.C. would benefit from the continuation of an organization with the *primary* objective of serving the public interest, rather than one dedicated, or perceived to be dedicated, to pursuing the interests of its members;
- such an organization should support a move towards the regulating and self-governance of mediators by maintaining a credible list of competent mediators available to do mediation in B.C.;
- if the Society does not join with the other dispute resolution organizations, it should work towards financial independence from government; however, at least for the time being, continued government financial support for the Society should be sought. Arguably, it is warranted and appropriate, given that the Society provides a service that is needed by government to implement its identified key strategy of finding alternatives to litigation.

These conclusions led the Board to a decision not to pursue the initiative to establish a single, integrated dispute resolution organization to perform the functions of BCAMI, MDABC, BCICAC and the Roster Society.

The directors are grateful to those who put so much energy into this initiative. An earlier decision would have avoided unnecessary work by the members of the Alliance Committee who had volunteered their valuable time to the initiative. However, the thought that went into the development of the model for the new organization was necessary to the Board in its deliberations. The directors agreed that a continuing conversation with other organizations regarding collaboration in the future would be valuable.

Having made the decision that the Roster Society will continue, the directors drafted a mission statement for what they believe the Society's future direction should be:

Mission Statement: To serve the public interest in British Columbia by promoting the use of mediation through an accessible roster of competent mediators and public education about mediation.

The directors also began to formulate preliminary strategies for realizing this mission. It was decided that:

- the Society would work more actively to raise the public profile of the Roster;
- in order to support the Society's current and projected levels of growth, and to ensure that the quality of service provided could be maintained or improved, funding for the Society office's operations would be increased;
- the Society needs to secure its ability to grow by increasing and diversifying its financial resources. Possible ways and means for doing this would be discussed in depth at the October 2002 Board meeting.

As always, the Board welcomes feedback from Roster members. Please direct any comments you may have to the Roster Administrator, Susanna Jani. ❖

The Board of Directors

Jane Morley, Q.C. (President)
Ron Smith (Vice-President)
Ron Tucker (Secretary-Treasurer)
Sally Campbell (Vice-Chair, Roster Committee)

Terry Harris
M. Jerry McHale, Q.C.
Doug F. Robinson, Q.C.
The Honourable Mr. Justice David H. Vickers

The Roster Report is a membership newsletter,
published twice a year by
the B.C. Mediator Roster Society.

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