DIVISION 1: LITIGATION AND DISPUTE RESOLUTION

STEERING COMMITTEE MEETING

ABA FORUM ON CONSTRUCTION LAW

Meeting Minutes for Monday, August 10, 2020 Meeting

3:00 PM EST

Join Via Zoom

https://americanbar.zoom.us/j/6691783882?pwd=NUh3SE42eWMrc0ZrdW5pdEgyMFo0Zz09
Meeting ID: 669 178 3882
Password: 826501

1. **Steering Committee Roster (in attendance)**

Tom Dunn (Incoming Chair)	Katie Kohm
Cassidy Rosenthal (Immediate Past Chair)	Rob Ruesch
	Jason Rodgers-da Cruz
Nick Holmes (GC Liaison)	Chris Wise (YLD Liaison)
	Edward Green (In-House Counsel Liaison)



On the phone: Jessica Sabbath, Ed Lozowicki, and Ed Green

1. Chair's Report

(a) New Division Liaisons – Jessica Sabbath (D&I), George Fink (SPEC), and Brett Henson (Tech)

(b) Fall Meeting – postponed until summer 2021. Date/Location TBD.

(c) Planning Retreat – Tom Dunn will survey steering committee members to set a date in the early fall for the Division 1 planning retreat. This will proceed virtually.

(d) **REGISTER –**

(i) CLE – Wednesday, August 19th – Video Arbitration with AAA

(ii) Monthly Diversity Programs: August 20th 1PM (Tewanee Joseph). Nick Holmes gave a report regarding this program and invited all to attend and participate.

(e) Concepts Book – December 2020 – Volunteer Opportunities available. The concepts book is put together by various groups / divisions of the Forum. We are invited (and expected) to contribute a number of ideas for programs, events, and publications. This concepts book is given to the Chair Elect to plan her or his year of programing out. Joe Imperiale is going to take the lead for Division 1 to collect ideas and submit proposals for the concepts book for 2020. If you want to help Joe out with this venture, please contact Tom Dunn (rtdunn@pierceatwood.com).

2. Law School Outreach Event

Building Results: A Panel for Law Students interested in

Dispute Resolution and Construction Law

September/October ___, 2020 | 5-6:30 PM ET

Though they don't often wear hardhats, construction lawyers are often building one thing: results. Please join the ABA's Forum on Construction Law's Division 1 (Litigation & Dispute Resolution) for a focused panel discussion on litigation and dispute resolution in construction law. The distinguished panel will discuss why ADR and form contracts are so common in construction law, the general characteristics of construction litigation and arbitration, and other typical dispute avoidance forms in construction law, such as DRBs.

Following the panel discussion and a Q&A session, law students and/or recent law student graduates will be placed in virtual networking 'breakout rooms' to meet the panelists, fellow construction lawyers, and other law students with similar interests.

(a) Planning Team: Roy Wagner, Chris Sullivan, Lexie Pereira, MJ Torres-Martin

(b) Tom Dunn, Lexie Pereira, and Roy Wagner described the concept and event. They solicited ideas and volunteers for the Program. If you are interested in helping out, contact Tom Dunn.

3. D1's Litigation Tool Box Talk Series

(a) Planning Team: Tom Nocar, Scott Griffith, David Ponte

(b) Tom Dunn gave an overview of the program concept and solicited input and volunteers from the attendees.

4. Recruiting Efforts

(a) Create speaking/writing opportunities. Community / Networking. Tom emphasized that we have a place for all Forum members looking to get more active in the Forum. We will work with any interested members to make them feel welcome and to build their professional network of construction dispute resolvers.

(b) Video – Division 1 Opportunities (Katie Kohm). Katie reported as to her status. She will contact Karen Erger to make sure she has the proper name and reference for the new Guide mentorship program of the Forum.

(c) Social Media. Tom encouraged all to engage in Forum related social media posts and to make their own posts on the social media pages as well as ABA Connect. Tom explained the benefits of ABA Connect as well as to set your preference to immediate distribution for Division 1 so you timely get notice of the posts. Jason reported about his idea of creating an Instagram page for Division 1.

(d) D1 Swag – spend 2020 money ideas/comments. Tom provided some options for D1 promotional materials. Tom will make a selection before the end of the month and find a way to distribute to active / new / potential active D1 members.

5. The Dispute Resolver

(a) Editorial Team: Catherine Delorey, Megan Burnett, Patrick McKnight, Lexie Pereira, Christopher Wise.

(b) Contact Catherine Delorey (cdelorey@grsm.com) if you have an article to submit. These can be litigation tips, case summaries, or other litigation/adr articles.

(c) Division 1 ADR Neutral Series – Adrian Bastianelli, III was featured as the first neutral. Tom reported that we have a list of about 20 neutrals and we will expand upon that list as we get interested members. Lexie reported how she (or other editors) will work with the D1 ADR Neutrals to put these together.

6. CLE Working Group

(a) Planning Team: Bill Shaughnesy and George Fink

(b) Bill reported as to the purpose of this working group – which is to provide quality CLE ideas for the distance learning team's consideration. Bill/George have a list of topics and invite others to reach out to them for ideas or for potential speaking opportunities.

7. 2021 Meetings

(a) Midwinter Meeting: San Diego, California

(i) The Business of Construction: Think More Like a CEO, Less Like a Lawyer; Hilton San Diego Bayfront, January 20-22, 2021

(ii) Division Lunch: **NEED A VOLUNTEER**

(iii) Social Event: **NEED A VOLUNTEER**

(iv) Practicum: Tom will reach out to Luke LaRocca (one of the Co-Chairs of this Program) to discuss the practicum.

(b) Annual Meeting 2021: New York, New York

(i) The In-House Counsel Summit: Shining a Light on the Construction Issues Keeping You Up at Night; Sheraton New York Times Square; April 22-24, 2021

(ii) Division Lunch: **NEED A VOLUNTEER**

(iii) Social Event: **NEED A VOLUNTEER**

(iv) Practicum: In-House / Outside Counsel Practicum – Cassidy Rosenthal

8. Reports from Division 1 Liaisons to Forum's Standing Committees

(a) Membership – Roy Wagner reported about the membership committee exercising steps to analyze the membership numbers and how to reach out effectively to members to increase active involvement and to avoid losses of memberships.

(b) Technology – Brett Henson had no report as the meeting is occurring later this month

(c) SPEC (Special Programs and Education) – George Fink had no report

(d) Diversity – Jessica Sabbath and Nick Holmes reported about the diversity brunch virtual series and ways that the Forum can give value to Forum Diversity Fellows.

(e) Publications – Mike Lane had no report

(f) Marketing – MJ Torres-Martin reported regarding ENR advertisement and column. The column (approx. 200 words) is a good opportunity for D1 members to be published in ENR. She reported as to the trade associations and other affiliated groups with whom the Forum has dedicated liaisons. She suggested we reach out to those individuals for our CLE ideas to co-sponsor and assist.

(g) Young Lawyers – Chris Wise was in attendance but did not have anything new or different to report from the YLD.

9. Next Steering Committee Meeting: Monday, September 14, 2020 3:00 PM EST