

DIVISION 1: LITIGATION AND DISPUTE RESOLUTION

STEERING COMMITTEE MEETING

ABA FORUM ON CONSTRUCTION LAW

Minutes for Monday, April 12, 2021 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

Tom Dunn (Chair)	Katie Kohm
Kelsey Funes	Rob Ruesch
Scott Griffith	Patricia Thompson
David Ponte	Daya Naef
Tony Lehman (GC)	MJ Torres-Martin
Michael Martin	Brett Hensen
Kelly Melchiondo	David Kent
	Lisa Colon
	Kelsey Funes

1. Chair's Report

(a) Forum News / Updates

- (i) Building For Good – [Racing for Good](#) (May 1-4) Kristen McDonough summarized the mission of Building For Good – the non-profit led by Forum leaders. She promoted Racing for Good early next month in hopes to fundraise and raise awareness about Building for Good.
- (ii) Forum June planning retreat was postponed to late July because ABA policies on in person meetings. Rob Ruesch reported the October 13-16 meeting in Seattle is planned for an in-person event. Tom requested that Rob (who is a co-chair of that meeting) report to us as to whether the practicum for that program (led by Joe) is a go.
- (iii) [AAA Virtual Construction Conference: Moving Forward in a New Decade](#) – June 9-10, 2021. Tom promoted this event and encouraged Division 1 members to review the agenda and sign-up for this AAA virtual conference.

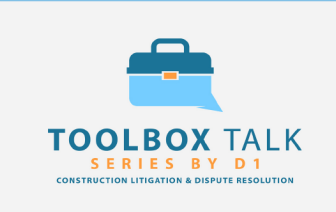
(b) Recap of March Division 1 Events

- (i) Napa Valley Wine School (3/24). It was awesome! Thanks George Fink.

- (ii) TTS – Mediation Opening Statements (3/25). What a great TTS it was. Vibrant, engaging and substantive. Thanks Patricia Thompson and John Bulman!
- (iii) Return on Investment of Construction Claims (3/31). We have 130+ attend. It was a very engaged audience and a great event with DPA. Brenda did a great job moderating and it was a great first program of our Concepts/Programs Committee led by Joe!

2. D1 Toolbox Talk Series – Jade Davis, Scott Griffith, David Ponte, Jennifer Millender, Daya Naef, Patricia Thompson

- (i) April 22nd TTS Topic is on Virtual Testimony: Lessons learned. Click on the link below to [register](#).



TOOLBOX TALK
SERIES BY D1
CONSTRUCTION LITIGATION & DISPUTE RESOLUTION

Virtual Testimony:

Lessons Learned from the Arbitrator's Perspective



William ("Bill") Franczek
Vandeventer Black, LLP
Divs. 1 & 13



Hon. Gill Freeman (retired)
JAMS
Div. 1

REGISTER [HERE](#)

When? Thursday, 4/22 at 12- 12:30 PM EST
Where? Via Zoom

Learn &



Discuss



for 30 mins!





AMERICAN BAR ASSOCIATION
Forum on Construction Law

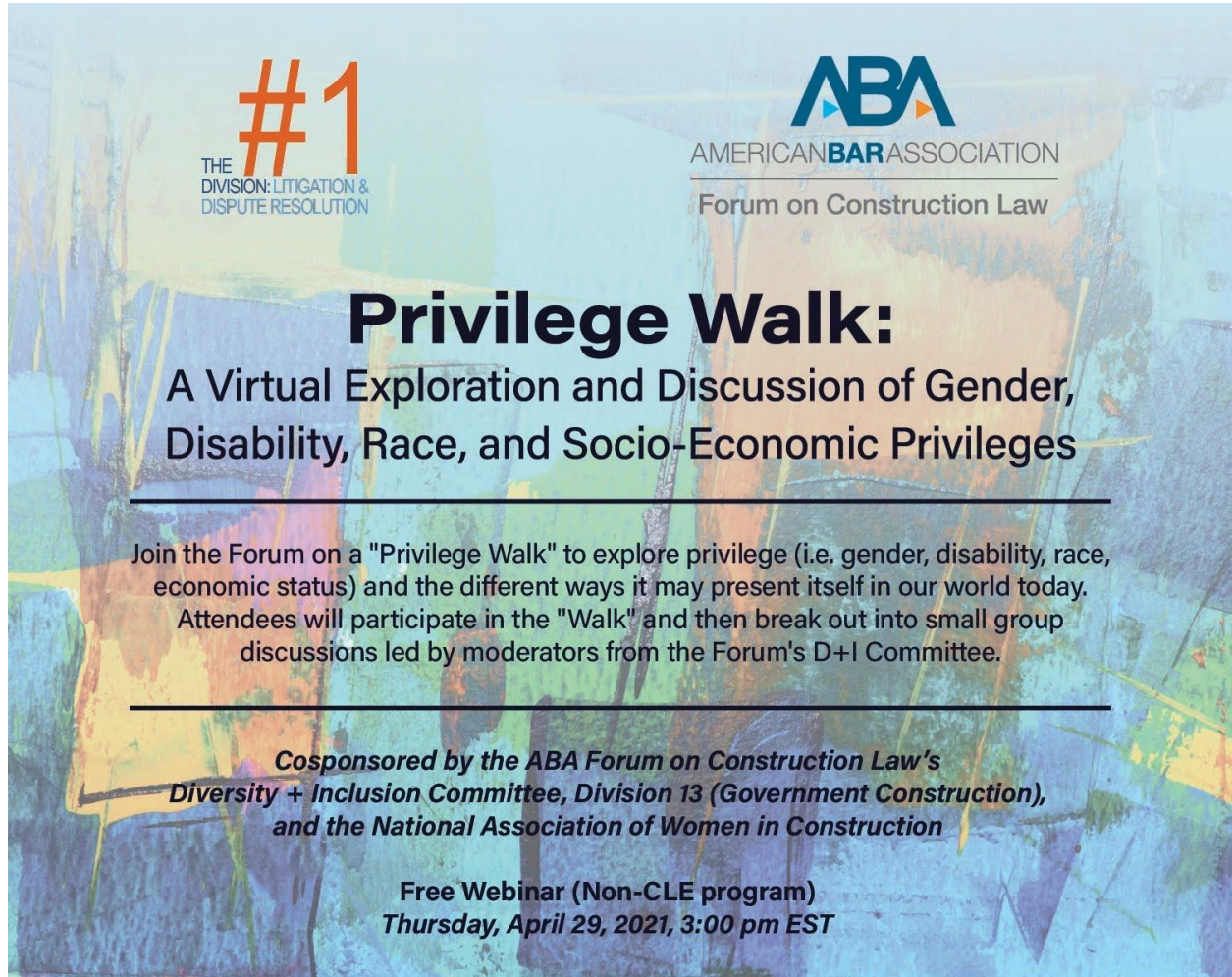


#1
THE DISPUTE RESOLUTION INSTITUTE

Questions?
C. Jade Davis
jadavis@shumaker.com

3. Concepts Book / D1 Virtual Programs Team – Joe Imperiale and Chris Stanek.

- (a) **Privilege Walk** – April 29 @3-4PM (**Nicky Steen**, Jessica Sabbath, Lexie Pereira). [Register](#) and Spread the Word: See flyer on next page



- (b) **Virtual Mediation Practicum** – TBD (Brenda). We are now considering to do this program in September. We will have more definite plans by next month's meeting. Those interested in helping out on this program should contact Tom Dunn.

- (c) **Virtual Jury Trial Practicum** – TBD (Jason). No updates.

4. The Dispute Resolver Blog.

- (a) Update. Tom reported that there has been regular content on the blog. We are ALWAYS looking for contributions. Contact Catherine or Tom to learn more and to submit an article for consideration.

- (b) Division 1 Neutrals – Tom would like to receive some assistance getting this program off the ground and more developed. This is a great way to meet and build working relationships with D1’s neutrals and provide content for D1’s blog!
- (c) Under Construction Column – Tom reported that two articles were included in the *Dispute Resolver* column of *Under Construction*. We will want to continue this moving forward.

5. Upcoming Social Events

- (a) Second Wine Tasting Event – more information to come!

6. Reports from Division 1 Liaisons to Forum’s Standing Committees

- (a) Young Lawyers – Chris Wise. No report
- (b) In-House Counsel – Edward Green. No report.
- (c) Membership – Roy Wagner. No report
- (d) Technology – Brett Henson. Brett reported that the technology committee is status quo. He anticipates to see an updated virtual meeting protocol soon. He encouraged attendees to consider the podcast going forward.
- (e) SPEC (Special Programs and Education) – George Fink. No report.
- (f) Diversity + Inclusion – Jessica Sabbath. No report.
- (g) Publications – Mike Lane. No report.
- (h) Marketing – MJ Torres-Martin. MJ reported on the following:
 - Law student writing competition. Need a list of construction law professors
 - National marketing assistant position is open.
 - Social media protocol is being finalized. It will be shared with us following the GC meeting.
 - MJ is going to send the list of construction industry groups with us so that we can find ways to collaborate like we are collaborating with NAWIC on the privilege walk program.
 - MJ reported the “I am the Forum” initiative is still in progress
 - MJ reported about the upcoming editions of ENR and the opportunity to write an article for this publication.

7. CLE Working Group

- (a) Report -- Bill Shaughnessy and George Fink. No report

8. Upcoming Meetings

- (a) Fall 2021 Meeting (Seattle, WA). Rob reported the program is a go but we still need ABA approval. We will start planning on the practicum if that is moving forward as well.
- (b) Midwinter 2022 (San Diego, CA)
- (c) Annual 2022 (New York, NY)
- (d) Summer 2022 (TBD – former Fall 2020 program)

9. Next Steering Committee Meeting:

Monday, May 10, 2021 3PM ET