

MINUTES

**UTAH
ALTERNATIVE DISPUTE RESOLUTION PROVIDER LICENSING BOARD
MEETING**

September 8, 2010

**Room 475 – 4th Floor – 10:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 10:14 a.m.

ADJOURNED: 11:30 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Beverly Klungervik
May Romo

Board Members Absent:

Susan Bradshaw - Chairperson
Sue Petty

Guests:

DOPL Staff Present:

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

*Due to a lack of a quorum no decisions were made.
These minutes only reflect items which were discussed.*

ADMINISTRATIVE BUSINESS:

Welcome and Issue the "Oath of Office" to new Board Member Ms. Beverly Klungervik

Mr. Ormond issued the Oath of Office to Ms. Klungervik, and Welcomed her to the Board.

Election of 2010-2011 Board Chairperson

This issue was tabled until the May 11, 2011 meeting.

Approval of the May 14, 2009 Board Meeting Minutes

This issue was tabled until the May 11, 2011 meeting.

Board Member Training

Mr. Ormond conducted a PowerPoint presentation regarding the Duties and Responsibilities of a Board Member.

BUSINESS FROM PREVIOUS MEETING:

Certification Requirements

The current certification requirements were discussed for this profession. It was explained the Utah Administrative Office of the Courts monitors the Court Roster, and the ADR (Alternative Dispute Resolution) Committee of the Judicial Council ensures all requirements of Rule 4-510(11), Title 78B Chapters 6, 10 and 11 are met. Additionally it was clarified ADR's are not required to be registered on the Court Roster, or hold certification with the Division.

After a detailed discussion Ms. Klungervik recommended inviting Ms. Nini Rich, the administrator of the Court Roster; Judge Hansen, the current Chairperson of the ADR Committee; and a representative from UCCR (Utah Council on Conflict Resolution) to the May 11, 2011 Board Meeting, to determine how to better administer this profession. It was then recommended for either:

1. The Division and Court System regulate this profession in connection jointly;
2. The Court System solely regulates this profession, 58-39a will be deregulated; or
3. The Division solely regulates this profession.

It was commented the Court System would be reluctant to relinquish administration of this certification.

DISCUSSION ITEMS:

Proposed Rules Change

Mr. Ormond explained the Division is proposing the following changes to R156-39a-102 in:

- Section (6) "78-31b-1(5)" will be stricken and 78B-6-202 (8) will be added to reflect where this definition may be found;
- Section (11) "78-31b-1(8)" will be stricken and 78B-6-202 (9) will be added to reflect where this definition may be found; and
- Sections (7) and (8) will be stricken, due to these terms are no longer defined in Title 78B.

Mr. Ormond clarified at the last meeting on May 14, 2009 Board Members present recommended the above stated proposal. He added due to a lack of a quorum at the last meeting the Rules proposal has been submitted, and the Division anticipates holding a Rules Hearing with in the next three (3) weeks.

Statute Change Procedure

This issue was tabled until the May 11, 2011 meeting.

Court Roster

This issue was tabled until the May 11, 2011 meeting.

CORRESPONDENCE:

Executive Order - Ethics

This issue was tabled until the May 2011 meeting.

ADJOURN:

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved

(ss)
Chairperson, Alternative Dispute Resolution Provider
Licensing Board

Date Approved

(ss)
Bureau Manager, Division of Occupational & Professional
Licensing

Awaiting Formal Approval