

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

SENATE BILL 216

4
5 By: Senator Bisbee
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For An Act To Be Entitled

8
9 AN ACT TO AUTHORIZE THE TRIAL AND APPELLATE
10 COURTS TO ORDER CERTAIN CASES TO MEDIATION; AND
11 FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO AUTHORIZE THE TRIAL AND
15 APPELLATE COURTS TO ORDER CERTAIN CASES
16 TO MEDIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 16-7-202 is amended to read as follows:
22 16-7-202. Duty and authority of the courts.

23 (a) It is the duty of all trial and appellate courts of this state,
24 and they are hereby vested with the authority, to encourage the settlement of
25 cases and controversies pending before them by ~~advising the reference thereof~~
26 suggesting the referral of the case or controversy to an appropriate dispute
27 resolution process agreeable to the parties, and, on motion of all the
28 parties, must make such an order of reference and continue the case or
29 controversy pending the outcome of the selected dispute resolution process.

30 (b) In addition, all trial and appellate courts of this state are
31 vested with the authority to order any civil, juvenile, except juvenile
32 delinquency, probate or domestic relations case or controversy pending before
33 them to mediation.

34 (c) If a case or controversy is ordered to mediation, the parties may:

35 (1) Choose an appropriate mediator from a roster provided by the
36 Arkansas Alternative Dispute Resolution Commission of those mediators who



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1 meet the commission's requirement guidelines for that type of case; or

2 (2) Select a mediator not on the commission's roster, if
3 approved by the court.

4 (d) A party may move to dispense with the order to mediate for good
5 cause shown.

6 ~~(b)~~(e) All courts are further granted the discretionary
7 authority to make, at the request of a party, appropriate orders to confirm
8 and enforce the results produced by such dispute resolution process.

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