

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 602 of 1999
HOUSE BILL 1700

5 By: Representative Lynn
6 By: Senator Kennedy
7

For An Act To Be Entitled

10 "AN ACT TO AMEND ARKANSAS CODE 16-7-104 TO ALLOW THE
11 ARKANSAS ALTERNATIVE DISPUTE RESOLUTIONS COMMISSION TO
12 COLLECT FEES FOR TUITION AND REGISTRATION FOR
13 EDUCATIONAL PROGRAMS AND FOR MAINTAINING A ROSTER OF
14 NEUTRALS; AND FOR OTHER PURPOSES."

Subtitle

16 "TO AMEND ARKANSAS CODE 16-7-104 TO ALLOW
17 THE ARKANSAS ALTERNATIVE DISPUTE
18 RESOLUTIONS COMMISSION TO COLLECT FEES
19 FOR TUITION AND REGISTRATION FOR
20 EDUCATIONAL PROGRAMS AND FOR MAINTAINING
21 A ROSTER OF NEUTRALS."
22

23
24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26
27 SECTION 1. Arkansas Code 16-7-104 is amended to read as follows:
28 "16-7-104. Powers and duties of commission.

29 The commission shall have the authority and responsibility to:

30 (1) Promote in a systematic manner the appropriate use of
31 alternative dispute resolution;

32 (2) Provide education to the courts, other government agencies,
33 and the public on the methods, advantages, and applications of alternative
34 dispute resolution;

35 (3)(A) Establish standards and regulations for the certification,
36 professional conduct, discipline, and training of persons who shall be

1 eligible and qualified to serve as compensated mediators, negotiators,
2 conciliators, arbitrators, or other alternative dispute resolution neutrals in
3 and for state and local courts.

4 (B) However, nothing in this subchapter or in the standards
5 and regulations promulgated by the commission shall in any way prevent the
6 parties to the litigation from utilizing any recognized voluntary or nonprofit
7 program of dispute resolution;

8 (4) Develop recommended guidelines, including the types of
9 disputes which may be subject to alternative dispute resolution and standard
10 procedures for mediation, and other forms of alternative dispute resolution;

11 (5) Assist state and local courts and governmental and other
12 agencies with the development and implementation of alternative dispute
13 resolution programs;

14 (6) Develop standardized forms for use in state and local courts
15 and governmental and other agencies for the reference of cases to alternative
16 dispute resolution and for the purpose of monitoring the use of alternative
17 dispute resolution in the state;

18 (7) Establish fees to be levied by the courts and governmental
19 and other agencies and paid by parties utilizing alternative dispute
20 resolution processes; ~~and~~

21 (8) Apply for and accept gifts or grants from any public or private
22 source for use in maintaining and improving alternative dispute resolution
23 programs in the state; and

24 (9) Collect fees for tuition and registration of educational programs
25 and to assist in maintaining a roster of third-party neutrals."

26
27 SECTION 2. All provisions of this act of a general and permanent nature
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
29 Revision Commission shall incorporate the same in the Code.

30
31 SECTION 3. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

