

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

# A Bill

HOUSE BILL 1700

4  
5 By: Representative Lynn  
6 By: Senator Kennedy

## For An Act To Be Entitled

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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

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

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

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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."

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 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.

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 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.

1           SECTION 4. All laws and parts of laws in conflict with this act are  
2 hereb repeal ed.

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