

Original sponsors: Clocksin and Phillips

Offered: 4/27/81
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 395 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing a citizens arbitration and media-
7 tion project be a state pilot project in nonjudicial
8 dispute resolution; and providing for an effective
9 date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

12 (1) for most Alaskans, mechanisms for the resolution of minor
13 disputes are unavailable, inaccessible, ineffective, expensive, or unfair;

14 (2) inadequacies in existing dispute resolution mechanisms result
15 in inadequately resolved disputes and grievances;

16 (3) the heavy emphasis in Alaska on formal judicial dispute
17 resolution, even in small claims proceedings, has limited exploration of the
18 possibility of alternative dispute resolution mechanisms; and

19 (4) faced with court delays, the intimidating nature of formal
20 court proceedings and prohibitively expensive attorney fees, most minor
21 disputes, or disputes in which a money judgment is not appropriate, go
22 unresolved, leading to citizen dissatisfaction with the dispute resolution
23 system provided by the state.

24 (b) The purpose of this Act is to

25 (1) authorize a citizens arbitration and mediation project to be
26 a pilot project in community-based, nonjudicial dispute resolution;

27 (2) allow the appropriation of matching money to a citizens
28 arbitration and mediation project, so that the project can perform the
29 function of nonjudicial dispute resolution; and

1 (3) provide for the gathering of information on the usefulness of
2 the chosen citizens arbitration and mediation project as a means of non-
3 judicial dispute and grievance resolution, to be studied by the legislature
4 to determine the value of implementing a statewide nonjudicial dispute
5 resolution program modeled on the pilot project.

6 * Sec. 2. SELECTION OF PILOT PROJECT. The Department of Community and
7 Regional Affairs shall select a citizens arbitration and mediation project,
8 under the provisions of AS 37.05.315(d), to be a pilot project in nonjudicial
9 dispute resolution.

10 * Sec. 3. MATCHING MONEY. The legislature may appropriate money for the
11 operation of a citizens arbitration and mediation project on a dollar-for-
12 dollar basis to match money raised by the project.

13 * Sec. 4. REPORTING. If money is appropriated to establish a citizens
14 arbitration and mediation project as a state pilot project, and is accepted
15 by the project, the project shall prepare a complete report on its activi-
16 ties, including statistical summaries, to be presented to the legislature by
17 February 2, 1982.

18 * Sec. 5. This Act takes effect immediately in accordance with AS 10.10.-
19 070(c).

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