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ANCHORAGE CITIZENS ARBITRATION AND MEDIATION PROJECT

An Introduction

The Anchorage Citizens Arbitration and Mediation Project (ACAMP) was recently formed as a non-profit corporation. This summary provides background about the method of resolving disputes known as mediation/arbitration, and describes how ACAMP will work.

WHAT IS MEDIATION/ARBITRATION?

In recent years there has been increased interest in mediation and arbitration as informal, inexpensive, community based nongovernmental approaches to resolving conflicts.

Mediation and arbitration are methods used to help people resolve their disputes. People with a dispute--a consumer complaint, a landlord-tenant dispute, a neighborhood problem with barking dogs--meet at a convenient time and place with a panel of three persons who are trained to help the disputing parties reach a settlement.

During the mediation/arbitration session, persons involved in the dispute tell their versions of the story. The panelists encourage disputants to talk about the problem, what they would do to solve it, and how to prevent it from happening in the future.

Finally, the panelists help the disputing parties negotiate a binding solution to the problem. If a negotiated settlement is not possible, a binding decision will be made by the panel.

Since 1974, roughly 100 community projects for the mediation and/or arbitration of minor civil and criminal disputes have been developed in approximately 28 states. States with the largest number of existing or developing programs include Florida, Ohio, New Jersey, Massachusetts and California.

Why the trend toward this method of dispute resolution? Historically, minor disputes were often resolved with the assistance of the extended family, local leaders and other community groups. Today, the influence of these groups has waned, and the courts are more frequently called upon to fill this role.

In the absence of adequate alternatives, the court is expected to resolve these matters. Yet many disputes require compromises not readily achieved by the winner-takes-all approach of adjudication. Extensive court delays, high costs and attorney fees, inconvenience, complex procedures and language, and high dismissal rates are further barriers to effective case resolution. Moreover, formal processing of minor disputes clearly adds to the burden of the courts, reducing the resources available to handle the remaining civil and criminal matters.

WHAT IS ACAMP?

Informal dispute resolution was endorsed by the American Bar Association in 1976. A year later, the Alaska Bar Association formed a committee to explore the development of a center in Anchorage where mediation and arbitration could be employed to help solve neighborhood problems. The Bar Association wanted to open a new route through the justice system, a route without the expensive toll of attorney fees. As a result, the Anchorage Citizens Arbitration and Mediation Project was incorporated in early 1981 as an independent, private, non-profit community dispute resolution project.

The Anchorage Community Arbitration and Mediation Project will focus on disputes which offer possibility of compromise, and where the parties are interested in arriving at a joint settlement.

The Project will receive referrals from many sources, including police, the courts, social service agencies, community groups, and individual citizens. Disputes will be limited to \$3,000. Once a dispute is brought to the project, persons involved in the dispute will be notified by mail. If they agree to use the services of the Project, a hearing date will be set. Each party must be willing to sign an agreement stating that the decision reached will be legally binding. The parties represent themselves, without attorneys.

Hearings may range in length from 30 minutes to several hours and will be conducted by a panel of mediators. Each panel will consist of a lawyer, a layperson, and a business person. All arbitrators will go through training, which will include lectures, role-played hearings and co-mediation with experienced hearing panelists.

Panelists will encourage resolution through discussion and agreement. Arbitration will be imposed only when all mediation attempts have failed. Mediation and arbitration resolutions will be signed as arbitration awards, which are final and binding in court. It is anticipated that enforcement of the award in court rarely will be needed. People tend to live up to the agreements which they help fashion.

ACAMP needs money and people to make the Project a reality. Prospective office volunteers, arbitrators, organizers, candidates for membership on the Board of Directors, and fundraisers can contact Elaine Andrews at 272-8401 (days) or Connie Sipe at 279-7917 (evenings) for more information.

ANCHORAGE CITIZENS' ARBITRATION AND MEDIATION PROJECT

PROPOSED BUDGET

Director's salary	\$25,000 plus benefits at 5,000
Office supplies	1,500
Telephone line	200
Office equipment (typewriter)	1,000
Training	4,000
Publicity	2,000
Miscellaneous	500
TOTAL	<hr/> \$39,200

In kind contributions:

Office space & furniture	Alaska Bar Association
Copy machine	Use of Bar Ass'n machine

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ARTICLES OF INCORPORATION
OF ANCHORAGE CITIZENS ARBITRATION AND MEDIATION PROJECT

DEPARTMENT OF COMMERCE
& ECONOMIC DEVELOPMENT

ARTICLE I

The name of the corporation is Anchorage Citizens Arbitration and Mediation Project.

ARTICLE II

This corporation shall commence upon the execution of these Articles of Incorporation and shall continue in perpetuity.

ARTICLE III

The purposes for which this corporation is organized are:

(a) To provide fair, impartial, and efficient means for the resolution of disputes by providing an alternate forum for dispute resolution that is simpler, faster, and more economical than the courts.

(b) To provide education to the community about dispute resolution.

(c) For any purpose permitted non-profit corporations under the laws of Alaska and also permitted to tax-exempt corporations by the Internal Revenue Code of the United States.

ARTICLE IV

The affairs of this corporation shall be managed by a Board of Directors. The number of directors shall be at least four (4). The number of directors shall be set forth in the corporation bylaws. The names and addresses of the initial directors who shall serve until their successors are duly elected are:

Karla L. Forsythe	SRA Box 76W Anchorage, AK 99507
Elaine M. Andrews	900 W. 5th Ave., Suite 700 Anchorage, AK 99501
Connie J. Sipe	420 L Street, Suite 100 Anchorage, AK 99501
Holly I. Ploog	1300 W. 7th Avenue Anchorage, AK 99501
Michael Jungreis	330 L Street Anchorage, AK 99501
Doug Barry	c/o University of Alaska Justice Center 3211 Providence Drive Anchorage, AK 99504
James S. Crane	SRA Box 76W Anchorage, AK 99507

The manner of electing directors shall be set forth in the corporation bylaws. Directors shall elect from their numbers a president, vice president, treasurer, and secretary. The duties of these officers shall be specified in the corporation bylaws. Officers shall serve terms of one year but may succeed themselves.

ARTICLE V

The address of the initial registered office of the corporation is 360 K Street, Suite 105, Anchorage, AK, 99501, and the name of the initial registered agent at such address is Randall P. Burns.

ARTICLE VI

The Board of Directors shall have the power to adopt, alter, amend or repeal the bylaws and these Articles of Incorporation.

ARTICLE VII

There shall be no members of the corporation. The Board of Directors may provide in the bylaws for honorary membership without voting rights.

ARTICLE VIII

In the event of termination, dissolution, or winding up of this corporation in any manner or for any reason whatsoever, its remaining assets, if any, shall be distributed for one or more of the purposes set forth in Sections 501(c)(3) or 501(c)(4) of the Internal Revenue Code, and any amendments thereto, and the rules and regulations promulgated thereunder.

ARTICLE IX

The names and addresses of the incorporators are

as follows:

James S. Crane	SRA Box 76W Anchorage, AK 99507
Michael Jungreis	330 L Street Anchorage, AK 99501
Karla L. Forsythe	SRA Box 76W Anchorage, AK 99507

DATED this 5 day of February, 1981.

James S. Crane
James S. Crane

Michael Jungreis
Michael Jungreis

Karla L. Forsythe
Karla L. Forsythe

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on February 5, 1981, 1981, before me, a Notary Public in and for Alaska personally appeared JAMES S. CRANE, MICHAEL JUNGREIS, and KARLA L. FORSYTHE, known to me and to me known to be the identical individuals who executed the within and foregoing ARTICLES OF INCORPORATION and they acknowledged to me, separately, under oath, that they executed the within and foregoing document for the uses and purposes therein mentioned and they did so of their own free and voluntary act and deed.

WITNESS my hand and official seal.

Connie J. [Signature]
Notary Public in and for Alaska.
My commission expires: 12-4-83

State of Alaska



Department of Commerce and Economic Development

Certificate

The undersigned, as Commissioner of Commerce and Economic Development, of the State of Alaska, hereby certifies that duplicate originals of the Articles of Incorporation of Anchorage Citizens Arbitration and Mediation Project

duly signed and verified pursuant to the provisions of the Alaska Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Commissioner of Commerce and Economic Development, and by virtue of the authority vested in him by law hereby issues this Certificate of Incorporation of

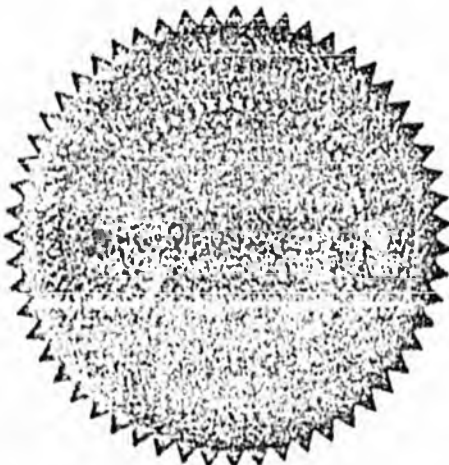
Anchorage Citizens Arbitration and Mediation Project

and attaches hereto a duplicate original of the Articles of Incorporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed my official seal, at Juneau, the Capital, this
10th day of February A.D. 1981

A handwritten signature in cursive script that reads "Charles R. Webber".

CHARLES R. WEBBER
COMMISSIONER OF COMMERCE
AND ECONOMIC DEVELOPMENT



BYLAWS
OF
ANCHORAGE CITIZENS ARBITRATION AND MEDIATION PROJECT

ARTICLE I. Purpose

Section 1. The purposes for which this corporation is organized is set forth in the Articles of Incorporation and shall be defined as educational, charitable and for social improvement according to Sections 501(c)(3) and 501(c)(4) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law).

Section 2. No part of the net earnings of the corporation shall inure to the benefit of or be distributable to its members, Board of Directors, officers, or other private persons, except the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Section 1 hereof. Notwithstanding any other provision of these Bylaws, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Sections 501(c)(3) and 501(c)(4) of the Internal Revenue

Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

Section 4. To do and engage in any and all lawful activities that may be incidental or reasonably necessary to the foregoing purposes and to have and exercise all other powers and authority now or hereafter conferred upon non-profit corporations under the laws of the State of Alaska.

ARTICLE II. Place of Business

Section 1. The principal office of the corporation shall be located at 360 K Street, Suite 105, Anchorage, Alaska, 99501.

Section 2. Other offices for the transaction of business may be located at such places as the Board of Directors may from time to time determine.

ARTICLE III. Dissolution

Section 1. Upon the dissolution of the corporation, the Board of Directors shall, after making provision for the payment of all of the liabilities of the corporation, dispose of all assets of the corporation exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or

organizations under Sections 501(c)(3) and 501(c)(4) of the Internal Revenue Code of 1954 (or corresponding provisions of any future United States Revenue Law), as the Board of Directors shall determine. Any of such assets not so disposed of shall be disposed of by the Superior Court for the State of Alaska, Third Judicial District, Anchorage, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purpose.

ARTICLE IV. Directors'

Section 1. The business and property of Anchorage Citizens Arbitration Mediation Project shall be managed by the Board of Directors, which shall be, at most, fifteen (15) in number. Directors shall serve for one (1) year or until the election and taking of office of their successors.

Section 2. Meetings of the Board of Directors shall be held at such time and place as may be designated from time to time by the Board of Directors or other person calling the meeting.

Section 3. Regular meetings of the Board of Directors may be held, without notice, at such time and place, as shall be from time to time determined by the Board.

Section 4. Special meetings of the Board of

Directors for any purpose or purposes may be called at any time by the President and in his absence by the Vice President, and shall be called by this President, any Vice President, or Secretary upon the written request of any three (3) or more Directors. Notice of the time and place of special meetings shall be given orally or delivered in writing personally or by mail or telegram at least twenty-four (24) hours before the meeting. Notice shall be sufficient if actually received at the required time or if mailed or telegraphed not less than forty-eight (48) hours before the meeting. Notice mailed or telegraphed shall be directed to the address shown on the corporate records or to the Director's actual address ascertained by the person giving the notice. Notice of the time and place of holding an adjourned meeting need not be given if such time and place be fixed at the meeting adjourned.

Section 5. The Board of Directors shall elect Directors. An annual meeting of the Board of Directors shall be held during the month of March of each year for the purpose of electing Directors.

Section 6. Any Director may be removed with or without cause by a majority vote of the Board of Directors.

Section 7. Full authority to administer all properties, monies, and affairs of the corporation shall be vested in the Board of Directors and those responsibilities may in turn be transferred or delegated by the Board of Directors to such committees as the Board of Directors may see fit from time to time to appoint.

Section 8. A quorum for the transaction of business shall consist of a majority of the Directors.

ARTICLE V. Notices and Waivers

Section 1. Attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where such attendance is done for the express purpose of objecting to transaction of any business because the meeting is not lawfully called or convened.

Section 2. Whenever any notice whatever is required to be given under the provisions of the Statutes, of the Articles of Incorporation, or of these Bylaws, a waiver thereof in writing, signed by the person entitled to said notice either before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 3. Any action which the applicable law, the Articles of Incorporation or the Bylaws require or permit the Directors to take at a meeting may be taken without a meeting if a consent in writing setting forth the action so taken is signed by all of the Directors entitled to vote with respect to the subject matter thereof. The consent, which shall have the same effect as a unanimous vote of the Directors, shall be filed in the records of the minutes of the corporation.

ARTICLE VI. Officers

Section 1. The President shall be the principal executive officer of the corporation. She shall preside at all meetings of the Board of Directors and of the Executive Committee, if any. She shall sign with the Secretary, Treasurer, or other proper officer of the corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed.

Section 2. The Vice President shall carry out the duties of the President in the absence or incapacitation of the President.

Section 3. The Secretary shall issue notices for all meetings and shall keep the minutes thereof, have charge of the seal and the corporate books, and sign with the President such instruments as require their joint signatures.

Section 4. The Treasurer shall have care and custody of all funds, money and property of the corporation. Any officer of the Board, or such other person as designated by the Board, shall sign all checks, notes and other orders for the payment of monies. The Treasurer shall at reasonable times exhibit her books and accounts to any Director of the corporation at the place or site of such records.

Section 5. In addition to the above assigned duties, officers shall make such reports and perform such other duties as are incident to their respective offices or are properly required of them by the Board of Directors.

ARTICLE VII. Fiscal Year

The fiscal year for the corporation shall be January 1 to December 31.

ARTICLE VIII. Contracts, Deposits and Funds

Section 1. Contracts for this corporation shall be made on behalf of the corporation and upon such terms as the Board of Directors or other authorized representatives of the corporation shall in each case determine. The Board of Directors may contract for or employ an Executive Director or other employees or agents and define her duties as they see fit and may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these Bylaws to enter into any contract or execute and deliver any instrument in the name of or on behalf of the corporation and such authority may be general or confined to specific instances.

Section 2. All funds of the corporation shall be deposited from time to time to the credit of the corporation in such bank, trust company or other depository as the Board of Directors may select.

Section 3. All revenues shall be devoted to the general purposes of the corporation.

ARTICLE IX. Amendments

Section 1. These Bylaws may be amended at a Board of Directors meeting called for that purpose. A vote of not less than a majority of the Board shall be required for such amendments.

ARTICLE X. Indemnification

Section 1. Subject to the provisions of Sections 2, 4, and 5 below, the corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, or investigative (other than an action by or in the right of the corporation) by reason of or arising from the fact that he is or was a director or officer of the corporation, or is or was serving at the request of the corporation as a director, officer, partner, or trustee of another corporation, partnership, joint venture, trust or other enterprise, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding if (i) he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the corporation and, with respect to any

criminal action or proceeding, did not know his conduct was unlawful, or (ii) his act or omission giving rise to such action, suit or proceeding is ratified, adopted or confirmed by the corporation or the benefit thereof received by the corporation. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not of itself create a presumption that the person did not act in good faith and in a manner which he reasonably believed to be in or not opposed to the best interests of the corporation and, with respect to any criminal action or proceeding, did not know that his conduct was unlawful, and settlement shall not constitute any evidence of any of the foregoing.

Section 2. Subject to the provisions of Sections 4 and 5 below, indemnification under Section 1 of this article automatically shall be made by the corporation unless it is expressly determined by a majority vote of a quorum of the Board of Directors consisting of directors who were not parties to such action, suit or proceeding, that indemnification of the person who is or was an officer or director, or is or was serving at the request of the corporation, as an officer, director, partner, or trustee of another corporation, partnership, joint venture, trust or other enterprise, is not proper in the circumstances because he has not met the applicable standard of conduct set forth in Section 1.

Section 3. In the event any person not included with the group of persons referred to in Section 1 of this article was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding of a type referred to in Section 1 of this article by reason of or arising from the fact that he is or was an employee or agent of the corporation, or is or was serving at the request of the corporation, or is or was serving at the request of the corporation as an employee or agent of another corporation, partnership, joint venture, trust or other enterprise, the Board of Directors of the corporation by a majority vote of a quorum (whether or not such quorum consists in whole or in part of directors who are parties to such action, suit or proceeding), but shall not be required to, grant to such person a right of indemnification to the extent described in Section 1 of this article as if he were an officer or director referred to therein, provided that such person meets the applicable standard of conduct set forth in such section.

Section 4. Notwithstanding any other provision of Sections 1, 2, or 3 of this article, but subject to the provisions of Section 5 below, if a director, officer, employee or agent is successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 1 or 3 of this article, or in defense of any claim, issue or matter therein, he shall be indemnified against

expenses (including attorney fees) actually and reasonably incurred by him in connection therewith.

Section 5. Any person who desires to receive the benefits otherwise conferred by Section 1 or 4 of this article shall notify the corporation reasonably promptly that he has been named a defendant in an action, suit or proceeding of a type referred to in Section 1 or 2 and that he intends to rely upon the right of indemnification described in Section 1 or 4 of this article. The notice shall be in writing and mailed via registered or certified mail, return receipt requested, to the President of the corporation at the executive offices of the corporation or, in the event the notice is from the President, to the registered agent of the corporation. Failure to give the notice required hereby shall entitle the Board of Directors of the corporation by a majority vote of a quorum (consisting of directors who, insofar as indemnity of officers or directors is concerned, were not parties to such action, suit or proceeding but who, insofar as indemnity of employees or agents is concerned, may or may not have been parties) in their sole discretion, that such failure was prejudicial to the corporation in the circumstances and that, therefore, the right to indemnification referred to in Section 1, 2, or 5 of this article shall be denied in its entirety or reduced in amount.

Section 6. At the discretion of the Board of Directors, the corporation may purchase and maintain insurance

on behalf of any person who is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against him and incurred by him in any such capacity, or arising out of his status as such, whether or not the corporation would have the power to indemnify him against such liability under the provisions of this section.

Section 7. At the discretion of the Board of Directors, the indemnification provisions of this article or each or any of said provisions individually may extend to a person who has ceased to be a director, officer, employee or agent and may inure to the benefit of the heirs, executors, and administrators of such a person.

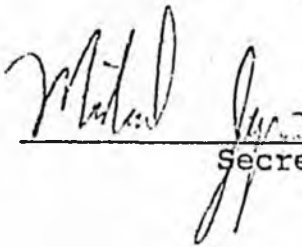
Section 8. The indemnification referred to in the various sections of this article shall be deemed to be in addition to and not in lieu of any other rights to which those indemnified may be entitled under any statute, rule of law or equity, agreement, or otherwise. The purpose of this article is to augment, pursuant to AS 10.20.011(14) the other provisions of AS 10.20.001(14).

ARTICLE XI. Miscellaneous

As used herein, the singular shall include the

plural and vice versa; the feminine gender shall include the masculine and vice versa.

I, the undersigned, being the Secretary of the Anchorage Citizens Arbitration Mediation Project, do hereby certify the foregoing to be the Bylaws of said corporation, as adopted by the Board of Directors on the 14 day of March, 1981.



Secretary