



ARKANSAS JUDICIARY

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## Arkansas Alternative Dispute Resolution Commission

### What does the Commission do?

The primary mission of the Commission is to encourage, promote, and develop the voluntary use of alternative dispute resolution processes to resolve disputes, cases and controversies of all kinds.

The Commission works with organizations and individuals to increase knowledge and use of mediation and other forms of alternative dispute resolution and to improve the quality of the ADR services being provided to the citizens of Arkansas. Some of the ways the Commission performs these services include:

**Mediator Certification** - Mediators eligible to mediate cases from the Arkansas Circuit courts must be certified by the Commission. The Commission has established standards for mediator certification, professional conduct, and discipline with which applicants must comply in order to be included on the Roster of Certified Mediators. The Roster is provided to every circuit court judge in the state, is posted to our website, and made available to anyone who contacts our office seeking a mediator. Certified mediators must complete six hours of continuing mediation education (CME) each year in order to renew their certification.

**Training and Education** - The Commission offers basic mediation training as well as advanced and specialized training. At least twice a year, the Commission offers continuing mediation education courses for certified mediators.

Additionally, Commission members or staff regularly make educational presentations to organizations on what ADR is and how to effectively utilize it.

**Technical Assistance** - The Commission provides technical assistance in designing ADR programs. The Commission has helped design, fund, or provide training for several pilot projects dealing with small claims mediation, family mediation, and workplace mediation.

**Access and Visitation Family Mediation Program** - The Commission is the oversight body for this statewide mediation program. The Access and Visitation Program provides mediation to divorced, divorcing or never married Arkansas residents who are encountering difficulty in the following areas: child access, visitation, custody and/or child support. Cost to participants is based on a sliding scale.

**Peer Mediation** - The Commission, with a grant from the Arkansas Bar Foundation, has compiled a Conflict Resolution/Peer Mediation Curriculum which is available to every school district in Arkansas at no cost.

**ADR Grants** - The Commission annually awards grants to help fund programs which promote alternative dispute resolution in Arkansas. Grant applications are available in March of each year.

**Mediator Locator Services** - The Commission at this time does not make specific referrals or recommendations regarding mediation providers. However, the Commission does maintain a Roster of Certified Mediators, as well as a profile of each mediator on the Roster. The Roster and Profiles are available to the general public, judges, attorneys, and others for guidance in the selection of a mediator.

**What Can the Commission Do For You?** The Commission is a resource for Arkansans interested in learning more about dispute resolution as well as how to implement programs in their courts, communities, state and local government agencies, and schools. The Commission can provide:

- Information about education and training programs
- Technical assistance and reference materials for starting court, community, governmental, or school dispute resolution programs
- Speakers and presentations concerning dispute resolution
- Grants

## **Powers and Duties of the Commission**

- Promote Alternative Dispute Resolution (ADR)
- Provide education to the courts, other government agencies and the general public
- Establish standards and regulations for certification, professional conduct, discipline and training of persons eligible and qualified to serve as compensated mediators, negotiators, conciliators, arbitrators, or other ADR neutrals in and for state and local courts
- Develop recommended guidelines and standard procedures for the types of disputes which may be subject to ADR
- Assist state and local courts, governmental and other agencies with the development and implementation of ADR programs
- Develop standardized forms for use in state and local courts, governmental and other agencies for the reference and monitoring of cases to ADR
- Establish fees levied by the courts, governmental and other agencies paid by parties utilizing ADR processes

## **History and Structure of the Commission**

The Arkansas Alternative Dispute Resolution Commission was created by Act 673 of 1995. The Commission consists of 7 volunteer members who have demonstrated prior interest or involvement in alternative dispute resolution. Members are appointed by the Governor, Chief Justice of the Supreme Court of Arkansas, President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

The Commission meets regularly each quarter, and holds as many special meetings as necessary throughout the year. The Commission's staff includes a coordinator and assistant coordinator, who receive administrative assistance from the Administrative Office of the Courts. The Coordinator implements the programs of the Commission, handles day to day administration of Commission business, makes presentations about both ADR in general and specific programs, and serves as a representative for the Commission.

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