

FISCAL IMPLICATIONS

The bill requires the courts to appoint a mediator in cases where the parties cannot agree on an acceptable mediator, which may result in minimal cost increases for the courts. Some courts have existing mediation or arbitration programs and may choose to use their existing programs to implement the bill. Courts without an existing program would most likely appoint a private mediator.

The bill may also result in savings to the courts, which could off-set cost increases. To the extent that parties resolve their disputes in early mediation, the costs of trials would be avoided.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The Senate Judiciary Committee substitute for Senate Bill 118 duplicates the House Judiciary Committee substitute for House Bill 360.

OTHER SUBSTANTIVE ISSUES

Identifying an appropriate mediator may be a challenge in some areas of the state. If parties are unable to agree on a mutually acceptable mediator, the court shall appoint one. Each court will have to determine how to implement this requirement given the various resources available in their areas. Courts that have existing mediation programs in place may simply direct the parties to participate in those services. Courts without a program may choose to appoint a private mediator. In some areas of the state, it may be somewhat challenging to find a neutral mediator to appoint.

EF/lg