

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

484



FROM: Executive Office

SUBMITTAL DATE:
July 6, 2009

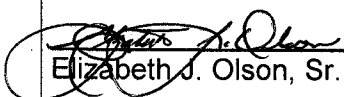
SUBJECT: Alternate Dispute Resolution Program Implementation

RECOMMENDED MOTION: That the Board of Supervisors approve operation of the Alternate Dispute Resolution Program by Riverside County, approve the Executive Office implementation plan and continue the current Memorandums of Understanding with the Riverside County Bar Association and the Community Action Partnership through June 30, 2010.

BACKGROUND: Alternate Dispute Resolution attempts to settle civil disputes through intervention by a neutral party who either recommends an appropriate resolution to the conflict or facilitates a process by which both sides agree to settle their differences. In December (3.3 of 12/16/08) the Board approved adoption of Resolution No. 2008-516 increasing the Dispute Resolution Programs Act distribution to eight dollars (\$8.00) per applicable civil filing and authorizing the establishment and maintenance of a Dispute Resolution Program Fees account into which the fees collected would be deposited when transferred by the Court. The Executive Office was directed to work with the Courts to transfer administration of the Dispute Resolution Program to the County since the Superior Court is under the jurisdiction of the State of California.

Continued

Departmental Concurrence


Elizabeth J. Olson, Sr. Management Analyst

FINANCIAL DATA	Current F.Y. Total Cost:	\$160,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost:	\$0	For Fiscal Year:	2009/2010

SOURCE OF FUNDS: Dispute Resolution Account Fees	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Gary M. Christmas

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

Dept's Recomm.:
Per Exec. Ofc.:

Background continued:

The Executive Office is now ready to assume the management of the Dispute Resolution Program. Upon approval by the Board of Supervisors the Executive Office will notify the public and service providers. The Superior Court has a Memorandum of Understanding (MOU) with the Riverside County Bar Association for dispute resolution days in both Western and Desert regions of the county. The agreement, initially approved by the Board of Supervisors in 1996, provides a \$30,000 base amount to support a coordinator position and a maximum payment of \$150 to any attorney who meets with the parties in a civil dispute and attempts to resolve the issue to be litigated. Court staff has indicated that the majority of attorneys working with litigants to arrive at a mutually agreeable solution to the dispute do so voluntarily. They do not bill for their services.

A second program, operated by the Community Action Partnership of Riverside County began in 1995 and most recently reviewed and approved by the Board on September 2, 2008 (3.45). Community Action provides community-based mediation with trained volunteer mediators. Annual operational expenses per the MOU are \$130,000. Volunteer mediators work with litigants in small claims actions.

The Executive Office proposes continuing both MOUs, evaluating the programs in place, and opening a Request for Proposal period to secure providers for FY 10/11. Beyond anecdotal information there has been minimal analysis of the effectiveness of services provided by the mediators; the Executive Office believes that a thorough analysis of the current program is in order before recommending what could be potentially major changes. The Executive Office will also review Alternate Dispute Resolution Programs operated in other California counties as well as determining the effectiveness of other models nationwide.

The Court estimates that the Dispute Resolution Program has nearly \$1 million dollars in assets. The County may draw down a maximum of ten percent (10%) annually to administer the program. The actual amount to be transferred by the Court to the County of Riverside will be included in the FY 09/10 first quarter budget report.