

1 AN ACT concerning dispute resolution.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Not-For-Profit Dispute
5 Resolution Center Act is amended by changing Sections 2 and 5
6 as follows:

7 (710 ILCS 20/2) (from Ch. 37, par. 852)

8 Sec. 2. As used in this Act:

9 (a) "Dispute resolution center" means a not-for-profit
10 organization which is exempt from the payment of federal
11 income tax pursuant to Section 501(c)(3) of the Internal
12 Revenue Code and which is organized to provide mediation
13 services, including but not limited to mediation services
14 provided at no charge to disputants in connection with who
15 ~~agree-to-utilize-its-services.--Disputes-handled-by-a-dispute~~
16 ~~resolution-center-shall--include,--but--not--be--limited--to,~~
17 disputes referred from the court system.

18 (b) "Mediation" means a voluntary process in which an
19 impartial mediator actively assists disputants in identifying
20 and clarifying issues of concern and in designing and
21 agreeing to solutions for those issues.

22 (c) "Mediator" means a person who has received at least
23 30 hours of training in the areas of negotiation, nonverbal
24 communication, agreement writing, neutrality and ethics.

25 (Source: P.A. 85-756.)

26 (710 ILCS 20/5) (from Ch. 37, par. 855)

27 Sec. 5. (a) Subject to the supervisory authority of the
28 Supreme Court, the Chief Judge of each judicial circuit in
29 which a dispute resolution fund has been established shall
30 make rules pertaining to the operation and standards to be

1 adhered to by dispute resolution centers in that judicial
2 circuit in order to qualify for funding. Such rules shall
3 provide for the following in connection with mediation of
4 disputes referred from the court system:

5 (1) Each dispute resolution center applying for funding
6 shall report the number of cases which have been successfully
7 resolved in each of the 3 preceding years.

8 (2) All mediators shall be trained in conflict
9 resolution techniques for at least 30 hours and shall
10 participate in an ongoing peer review program. Mediators
11 shall perform their duties as volunteers, and shall not
12 receive any compensation for their services.

13 (3) Mediation shall be scheduled within 30 days of
14 commencement of a case unless good cause exists for not
15 scheduling mediation.

16 (4) Each dispute resolution center receiving funding
17 under this Act shall maintain records which shall be
18 available for inspection by the office of the Chief Judge of
19 the circuit and which shall demonstrate adherence to
20 applicable requirements.

21 (5) Prior to mediation, disputants shall be advised of
22 the objectives of mediation, the function of the mediator,
23 and the role of the disputants in the mediation process.

24 (6) A dispute shall be considered to be successfully
25 resolved when a written agreement which sets forth the
26 obligations and responsibilities of the disputants is signed
27 by the disputants.

28 (b) Subject to the supervisory authority of the Supreme
29 Court, the Chief Judge of each judicial circuit in which a
30 dispute resolution fund has been established shall make rules
31 concerning the types of cases which the judges of the circuit
32 may refer to a qualified dispute resolution center, and may
33 make any other rules necessary for the operation of the Act
34 in that judicial circuit.

1 (Source: P.A. 85-756.)

2 Section 99. Effective date. This Act takes effect upon

3 becoming law.