

Alternative Dispute Resolution Fund FY2008

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Alternative Dispute Resolution Fund FY2008

Introduction

The 1989 Commission on the Courts Report recommended the expanded use of alternative dispute resolution (ADR) in the Arizona judicial system. The ADR Fund was created in 1991 to fund local, regional or statewide projects that establish, maintain, improve or enhance ADR programs in the superior court and justice of the peace courts (A.R.S. §12-135). Since October 1991, a portion of the civil filing fees collected in the superior court and justice courts has been designated for deposit in the ADR Fund. Pursuant to A.R.S. §12-135 through fiscal year 2003, courts wishing to participate in the alternative dispute resolution program applied to the supreme court for funding. The statute requires that funds collected in the superior court be used to pay for superior court ADR programs and ADR funds collected through the justice of the peace courts shall be used for ADR programs in the justice of the peace courts.

ADR funds may be used for new court programs or for expansion or continuation of existing programs. However, the funds must be used to supplement, not supplant, local funding that would otherwise be available for ADR programs.

In May 2003, Arizona courts were notified that FY2003 would be the last year in which individual county grants would be awarded in order to allow the ADR fund to be used for centralized education and other statewide programs. This decision was based on a combination of the budget deficit in FY2004, and the limited amount of ADR Fund revenues. Combining this with the anticipated increase demand for mediation services related to ARCP 16(g), centralized use of the funding was a logical decision.

In fiscal year 2008, ADR revenues collected in justice courts totaled \$230,048 including accrued interest. This is a 31.6 percent increase over the \$174,860 ADR revenue collected in FY2007. The superior courts collected another \$68,032 in ADR revenue, a 5.3% increase from the \$64,598 collected in FY2007. During FY2008, continued emphasis was placed on the facilitation of training for volunteer mediators statewide.

Training Volunteer Mediators

In a continued effort to provide all of the counties in the state with more qualified mediators to assist in mediation and arbitration, the Administrative Office of the Courts contracted with the Attorney General's Office to provide training across the state for interested attorneys.

As shown below, 384 hours of instruction were provided in basic and advanced mediation training, and a total of 255 volunteer mediators exist in the state due to these efforts.

Date	County	Class	Number of Attendees Completing the Course
August 20, 21, 22, 27, 28, 2007	Maricopa	Basic Mediation Training-40 Hours	11
September 17, 18, 19, 27, 28, 2007	Yavapai	Basic Mediation Training-40 Hours	15
October 4, 5, 10, 11, 12, 2007	Maricopa	Basic Mediation Training-40 Hours	5
October 29, 30 November 5-7, 2007	Pinal	Basic Mediation Training-40 Hours	7
December 3-5, 10, 11, 2007	Maricopa	Basic Mediation Training-40 Hours	15
February 15, 2008	Pima	Victim Offender Mediation Training-8 Hours	15
February 29, 2008	Maricopa	Advanced Mediation Training-4 Hours	12
March 21, 2008	Maricopa	Advanced Mediation Training Seminar-4 Hours	12
April 11, 2008	Maricopa	Advanced Mediation Training Seminar-4 Hours	8
April 28-30, May 5, 6, 2008	Maricopa	Basic Mediation Training-40 Hours	17
May 9, 2008	Coconino	Advanced Mediation Training Seminar-4 Hours	12
May 15, 2008	Pima	Victim Offender Training Seminar-8 Hours	8
May 19-21, 27, 28, 2008	Pima	Basic Mediation Training-40 Hours	14
May 20, 2008	Yavapai	Advanced Mediation Training Seminar-4 Hours	13
May 30, 2008	Maricopa	Advanced Mediation Training Seminar-4 Hours	19
June 2-4, 9, 10, 2008	Yavapai	Basic Mediation Training-40 Hours	12
June 11, 2008	Pima	Victim Offender Training Seminar-8 Hours	11

June 20, 2008	Pima	Advanced Mediation Training Seminar-8 Hours	26
June 28, 2008	Pima	Advanced Mediation Training Seminar-8 Hours	23
Total Number Trained			255

Meeting the Needs

While the Office of the Attorney General (A.G.) provides the staff and curriculum used to provide alternative dispute resolution (mediation) training, it is a goal of both the Administrative Office of the Courts (A.O.C.) and the Office of the Attorney General to make the ADR training program easily available to people who wish to become mediators. To this extent, some language was modified in the contract between the A.O.C. and the A.G. to provide flexibility in the mediation training schedule so more people can attend at varying times. The A.O.C. continues to work with ADR program staff to ensure the needs of the people seeking to become mediators in Arizona are being met.

Arizona Judicial Automated Case System (AJACS) in Superior Court

In November of 2007, the Administrative Office of the Courts selected American Cadastre LLC (doing business as AmCad) to replace the aging AZTEC case management system currently used by 13 of the 15 county branches of the superior court in Arizona. AmCad's Arizona Judicial Automated Case System (AJACS) is configurable, secure, auditable, and table-driven all while remaining modifiable by authorized users. All standard Case Management functionality can be accessed from within a browser. When the legislature mandates new fee codes, they can be immediately included, with start and expire dates, if necessary. Components of this new system are being developed to address the needs of the ADR program across the state.

AJACS is a modular application, providing clerks and courts the ability to enter, update, calendar, query and report cases in a person-centric environment. The system can also be used to track the progress of alternative dispute resolution cases.

AJACS has been installed and is being used currently by the Superior Court in three counties (Yuma, La Paz and Cochise) and is scheduled to go live in Coconino County on February 9, 2009.