

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson John Vratil at 9:45a.m. on January 24, 2001 in Room 123-S of the Capitol.

All members were present except: Senator Pugh (excused)

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Peg Nichols, Coordinator, Kansas 10th Judicial District Small Claims Mediation Programs
Larry Rute, General Counsel, Kansas Legal Services, Inc. (KLS) and Coordinator for Midland Mediation and Settlement Services. (MMSS)
Tom Laing, Interhab
Art Thompson, Office of Judicial Administration, Alternative Dispute Resolution Office

Others attending: see attached list

Minutes of the January 23, 2001 meeting were approved on a motion by Senator O'Connor, seconded by Senator Goodwin. Carried.

SB 14—concerning mediation; re: disputes which may be ordered to mediation; re: certain costs of mediation

Conferee Nichols presented a brief but informative review of the mediation process citing several instances where implemented mediation has been effective in dispute resolution. She provided a list of web sites available for information on this subject. (attachment 1)

Conferee Rute testified in support of **SB 14**. He discussed the history, structure and function of MMSS which is a statewide mediation center and praised the use of mediation techniques as a “just” method for dispute resolution. He described two goals of the bill amendments: to broaden standards for state mediation; and to provide compensation for mediators. He offered further amendments to the bill. (attachment 2) During discussion there was consensus on several suggested changes to his proposed amendments.

Conferee Laing testified in support of **SB 14**. He discussed how mediation has been used as a dispute resolution tool for Kansans with disabilities. He offered an amendment to the bill which would broaden the duties of the court on dispute resolution and clarify standards and guidelines for all mediation between the state and the community. (attachment 3) He presented a brief overview of testimony he previously submitted to the interim committee which includes a discussion of mediation within the developmental disability community system. (attachment 4)

Conferee Thompson testified in support of **SB 14**. He offered his services to Committee as a resource person and presented a brief background on the inception of dispute resolution discussing the Mediation Act which authorizes court appointed mediation. (no attachment)

Written testimony supporting **SB 14** was submitted by the Kansas Trial Lawyers Association (KTLA) (attachment 5)

The meeting adjourned at 10:31a.m. The next meeting is January 25, 2001.