

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.)