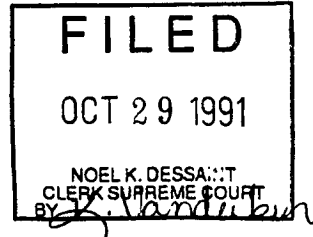


SUPREME COURT OF ARIZONA
ALTERNATIVE DISPUTE RESOLUTION FUND POLICIES
ADMINISTRATIVE ORDER NO. 91-30



A. PREAMBLE

In order to administer funds entrusted to the Arizona Supreme Court and to carry out activities and programs established pursuant to ARS § 12-135, and in accordance with the authority vested in the Supreme Court by Article VI of the Arizona Constitution, it is ordered that the following administrative requirements are hereby adopted. The funds collected pursuant to ARS § 22-281 and distributed pursuant to ARS § 22-281 (D), (G) and ARS § 12-135, shall be expended pursuant to ARS § 12-135, administrative procedures set forth in this order, and administrative policies adopted by the Administrative Director of the Courts.

B. PURPOSE

The Alternative Dispute Resolution (ADR) Fund is established in ARS § 12-135 to establish, maintain, improve or enhance local, regional, or statewide alternative dispute resolution programs in the courts. This order sets forth the administrative policies for administration of the ADR fund.

C. ADMINISTRATION

1. Administration of the Alternative Dispute Resolution Fund shall be under the direction of the Supreme Court's Administrative Office of the Courts. The Administrative Director of the Courts, or his designee, is authorized to establish policies, procedures, timetables, forms and reports necessary for the financial and program administration and management of the Alternative Dispute Resolution Fund monies.
2. The Administrative Director may prepare fiscal projections and create a budget based on these projections for the purpose of administering the Alternative Dispute Resolution Fund.
3. Pursuant to ARS § 12-135 the Chief Justice of the Arizona Supreme Court is authorized to allocate and expend projected funds each fiscal year for administration and authorized projects.

4. The Administrative Director may monitor, inspect, audit, or have audited all records of any alternative dispute resolution program receiving monies from the Alternative Dispute Resolution Fund.

5. The Administrative Director is authorized to monitor compliance with collection and submission of ADR monies created in ARS § 22-281.

6. The Administrative Director shall submit an annual report to the legislature and the governor detailing the amount of monies collected and expended. This report shall be due no later than January 31 of each year, commencing January 31, 1993 for the Fiscal Year 1991-92 report.

7. The Administrative Director is authorized to conduct seminars and educational sessions and provide assistance to judges, court staff and other public agencies regarding the purposes and operations of alternative dispute resolution programs.

8. The Chief Justice of the Arizona Supreme Court shall appoint an Advisory Committee to advise on ADR program administration. This committee shall include representation from Superior Court, Justice Courts, and members of the public with knowledge and experience in the field of alternative dispute resolution. The Chief Justice shall appoint a chair of the committee. Members of the committee shall be appointed to serve a one year term. Subject to the availability of funds, travel and per diem expenses of the committee members may be paid by the Administrative Office of the Courts (AOC) pursuant to travel policies and procedures approved by the Supreme Court.

The Administrative Director shall provide staff for the Committee and may conduct or coordinate research as recommended by the Committee.

9. The Administrative Director is authorized to contract with public or private agencies for professional services to assist in the administration of the ADR program and fund.

D. ALTERNATIVE DISPUTE RESOLUTION FUND REQUIREMENTS

1. State ADR monies collected by the Superior Court and Justice of the Peace Courts pursuant to ARS § 22-281 shall be submitted to the State Treasurer by the county treasurers no later than the 10th day of each month following the month in which the monies are collected.

2. To request ADR funds, courts must submit an application to the Administrative Office of the Courts on forms provided

by the AOC. Procedures and schedules for submission shall be developed by the AOC.

3. Priorities for funding of ADR projects shall be developed in conjunction with the ADR Advisory Committee established by the Chief Justice pursuant to this Administrative Order.

4. The Administrative Director shall review all submitted applications and shall recommend to the Chief Justice approval or disapproval of the applications.

Upon approval of an application by the Chief Justice, the Administrative Director is authorized to enter into a written funding arrangement with the submitting court or other applicant to provide for the distribution of funds.

5. All ADR funds awarded to a Superior Court or a Justice Court shall be deposited in a separate revenue account for the designated court with the County Treasurer. All interest accrued on deposits to such separate accounts shall be used in accordance with the approved plan.

6. The Administrative Director shall have the authority to alter or terminate the funding arrangement if in his judgment such action is necessary due to a lack of funds in the ADR fund account, to a lack of financial need by any applicant, or due to failure to comply with the applicable statutes, policies, funding agreements, or these administrative requirements.

E. AMENDMENTS

These administrative requirements are subject to modification as deemed necessary.

F. EFFECTIVE DATE

The provisions of this order shall be effective from and after October 29 , 1991.

DATED in the City of Phoenix, Arizona at the Arizona State Courts Building, this 29th day of October 1991.

ARIZONA SUPREME COURT

Frank X. Gordon, Jr.
Chief Justice