

AMENDED IN ASSEMBLY JANUARY 18, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1699

Introduced by ~~Committee on Judiciary (Steinberg (Chair), Robert Pacheco (Vice Chair), Corbett, Jackson, Longville, Shelley, and Wayne)~~ Assembly Member Steinberg

March 6, 2001

An act to add Section ~~1280.5~~ 1282.3 to the Code of Civil Procedure, relating to ~~alternative dispute resolution~~ *arbitration*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1699, as amended, ~~Committee on Judiciary Steinberg. Alternative dispute resolution~~ *Arbitration*.

Existing law regulates the conduct of arbitration proceedings, providing for, among other things, the powers and duties of a neutral arbitrator or arbitrators, the appointment of times and places for hearings, the exchange of witness lists, and the right of representation by counsel.

This bill would require an arbitration provider organization, if it is involved in the administration of an arbitration, to make available, upon the request of a party to the arbitration, its policy regarding issuance of written decisions. The bill would except from its requirements arbitration proceedings conducted under a collective bargaining agreement between employers and employees or their respective representatives.

~~Existing law generally permits parties to a dispute to agree to submit to alternative dispute resolution instead of litigating the matter.~~

~~This bill would state the intention of the Legislature to assist parties in understanding all of the alternative dispute resolution mechanisms that are available.~~

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 1280.5 is added to the Code of Civil~~
2 ~~Procedure, to read:~~

3 ~~1280.5. It is the intent of the Legislature in enacting this~~
4 ~~section to assist parties to a dispute in understanding all of the~~
5 ~~voluntary alternative dispute resolution mechanisms available to~~
6 ~~them as an alternative to traditional litigation and encourage the~~
7 ~~use of these mechanisms in appropriate cases.~~

8 *SECTION 1. Section 1282.3 is added to the Code of Civil*
9 *Procedure, to read:*

10 *1282.3. (a) If an arbitration provider organization is*
11 *involved in the administration of an arbitration, the arbitration*
12 *provider organization shall, upon the request of a party to the*
13 *arbitration, make available its policy regarding issuance of*
14 *written decisions by arbitrators.*

15 *(b) This section does not apply to arbitration proceedings*
16 *conducted under a collective bargaining agreement between*
17 *employers and employees or their respective representatives.*

