

Senate Bill No. 1707

Passed the Senate May 23, 2002

Secretary of the Senate

Passed the Assembly June 27, 2002

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2002, at _____ o'clock __M.

Private Secretary of the Governor



CHAPTER _____

An act to amend Section 1281.85 of the Code of Civil Procedure, relating to arbitration.

LEGISLATIVE COUNSEL'S DIGEST

SB 1707, Committee on Judiciary. Arbitration: standards of ethics.

Existing law, beginning July 1, 2002, requires a person serving as a neutral arbitrator pursuant to an arbitration agreement to comply with the ethics standards for arbitrators adopted by the Judicial Council. Existing law also requires these standards to be consistent with the standards established for arbitrators in the judicial arbitration program, and authorizes these standards to expand the general disclosure and disqualification requirements imposed by law for contract arbitration. Existing law further requires these standards to address the disclosure of interests, relationships, or affiliations that may constitute conflicts of interest, including prior service as an arbitrator or other dispute resolution neutral entity, disqualifications, acceptance of gifts, and establishment of future professional relationships.

This bill would specify that these provisions do not apply to an arbitration conducted pursuant to the terms of a public or private sector collective bargaining agreement.

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

SECTION 1. Section 1281.85 of the Code of Civil Procedure is amended to read:

1281.85. (a) Beginning July 1, 2002, a person serving as a neutral arbitrator pursuant to an arbitration agreement shall comply with the ethics standards for arbitrators adopted by the Judicial Council pursuant to this section. The Judicial Council shall adopt ethical standards for all neutral arbitrators effective July 1, 2002. These standards shall be consistent with the standards established for arbitrators in the judicial arbitration program and may expand but may not limit the disclosure and disqualification requirements established by this chapter. The standards shall address the disclosure of interests, relationships, or affiliations that



may constitute conflicts of interest, including prior service as an arbitrator or other dispute resolution neutral entity, disqualifications, acceptance of gifts, and establishment of future professional relationships.

(b) Subdivision (a) does not apply to an arbitration conducted pursuant to the terms of a public or private sector collective bargaining agreement.



Approved _____, 2002

Governor

