

1 **RESOLUTION ENCOURAGING MEDIATION**

2 2005 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Carlene M. Walker**

6 **LONG TITLE**

7 **General Description:**

8 This joint resolution of the Legislature urges state and local government entities to use
9 alternative dispute resolution.

10 **Highlighted Provisions:**

11 This resolution:

12 ▶ urges state and local governments, special districts, and their governmental partners
13 to use alternative dispute resolution as a preferred option of preventing and
14 resolving conflicts, reducing litigation costs, and resolving disputes.

15 **Special Clauses:**

16 None

18 *Be it resolved by the Legislature of the state of Utah:*

19 WHEREAS, the Legislature is committed to ensuring that state and local governments,
20 special districts, and their governmental partners utilize the most efficient and effective means
21 of resolving disputes for the citizens of the state of Utah;

22 WHEREAS, to be effective in addressing the wide array of issues that face the citizens
23 of Utah, government needs to employ a variety of strategies and problem-solving tools;

24 WHEREAS, alternative dispute resolution methods offer an opportunity to prevent and
25 resolve disputes in a collaborative manner;

26 WHEREAS, alternative dispute resolution has proven successful in preventing and
27 resolving public and private conflicts;



28 WHEREAS, alternative dispute resolution techniques can be used to resolve permitting,
29 procurement, contract, and other disputes prior to parties initiating administrative or judicial
30 proceedings; and

31 WHEREAS, Utah Code Title 63, Chapter 46c, Governmental Dispute Resolution Act,
32 authorizes and encourages public agencies in Utah to utilize alternative dispute resolution
33 procedures:

34 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
35 urges state and local governments, special districts, and their governmental partners to use
36 alternative dispute resolution as a preferred option of preventing and resolving conflicts,
37 reducing litigation costs, and resolving disputes for the benefit of the citizens of the state of
38 Utah.

39 BE IT FURTHER RESOLVED that a copy of this resolution be sent to each department
40 in Utah state government, each county and city governing body, and each special district in the
41 state of Utah.

Legislative Review Note
as of 12-6-04 8:53 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SJR003

Resolution Encouraging Mediation

12-Jan-05

3:22 PM

State Impact

Any fiscal impact to enact this resolution can be handled within existing budgets.

Individual and Business Impact

None

Office of the Legislative Fiscal Analyst