

S.B. 61
UNIFORM MEDIATION ACT

Senator **Lyle W. Hillyard** proposes the following amendments:

1. Page 2, Line 57:

57 (4) "Mediator" means an individual who is neutral, and conducts a mediation.

2. Page 5, Line 133 through Page 6, Line 152:

133 78-31c-106. Exceptions to privilege.

134 (1) There is no privilege under Section 78-31c-104 for a mediation communication that

135 is:

* * * *Some lines not shown* * * *

149 (g) {~~sought or offered to prove or disprove abuse, neglect, abandonment, or exploitation~~

150 in a proceeding in which a child or adult protective services agency is a party, unless the case is

151 referred by a court to mediation and a public agency participates.} subject to the reporting

requirements in 62A-4a-403 or 62A-3-305

152 (2) There is no privilege under Section 78-31c-104 if a court, administrative agency, or

3. Page 7, Lines 202 through 206:

202 (3) At the request of a mediation party, an individual who is requested to serve as a

203 mediator shall disclose the mediator's qualifications to mediate a dispute.

204 (4) Subsections (1), (2), (3), and (6) do not apply to an individual acting as a judge or ombudsman.

205 (5) This chapter does not require that a mediator have a special qualification by

206 background or profession.