

78B-6-203 Purpose and findings.

- (1) The purpose of this part is to offer an alternative or supplement to the formal processes associated with a court trial and to promote the efficient and effective operation of the courts of this state by authorizing and encouraging the use of alternative methods of dispute resolution to secure the just, speedy, and inexpensive determination of civil actions filed in the courts of this state.
- (2) The Legislature finds that:
 - (a) the use of alternative methods of dispute resolution authorized by this part will secure the purposes of Article I, Section 11, Utah Constitution, by providing supplemental or complementary means for the just, speedy, and inexpensive resolution of disputes;
 - (b) preservation of the confidentiality of ADR procedures will significantly aid the successful resolution of civil actions in a just, speedy, and inexpensive manner;
 - (c) ADR procedures will reduce the need for judicial resources and the time and expense of the parties;
 - (d) mediation has, in pilot programs, resulted in the just and equitable settlement of petitions for the protection of children under Section 78A-6-304 and petitions for the terminations of parental rights under Section 78A-6-505; and
 - (e) the purpose of this part will be promoted by authorizing the Judicial Council to establish rules to promote the use of ADR procedures by the courts of this state as an alternative or supplement to court trial.

Renumbered and Amended by Chapter 3, 2008 General Session