



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-2021-24

File ID: K-2021-24

Type: Contract

Status: Consent Item

Version: 1

Reference: Item 40

In Control: City Council

Department: Municipal Court
Department

Cost:

File Created: 07/08/2020

File Name: Alternative Dispute Mediation System Contract

Final Action:

Title: CONTRACT K-2021-24: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ALTERNATIVE DISPUTE RESOLUTION SYSTEM OF THE STATE OF OKLAHOMA FOR THE PURPOSE OF CERTIFYING NORMAN'S DISPUTE MEDIATION PROGRAM BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021.

Notes: ACTION NEEDED: Motion to approve or reject Contract K-2021-24 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2021; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 07/14/2020

Agenda Number: 40

Attachments: K-2021-24

Project Manager: Ronda Guerrero, Municipal Court Clerk

Entered by: louann.jelosek@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	07/14/2020					

Text of Legislative File K-2021-24

Body

BACKGROUND: In April 1988, the City of Norman, through the City Council, approved and directed the implementation of a Dispute Mediation Program. On June 14, 1988, the City of Norman entered into the first contract between the City and the Alternative Dispute Resolution System of the State of Oklahoma.

This contract formally recognizes the City of Norman's program as part of the Alternative Dispute Resolution (ADR) System of the State of Oklahoma. This contract allows the City of

Norman's program and the volunteers who mediate for the program to fall under the protection of the State Statutes regarding mediation, which includes immunity from testifying in any court proceeding regarding matters that have gone through mediations conducted by the program. Additionally, as a part of the ADR system of the State of Oklahoma, volunteers to mediate cases can be trained at no cost to the City or the volunteers. Finally, participation in the program allows access to staff at the administrative offices of the courts which is the governing body of all judicial branches of the State of Oklahoma.

This contract is renewed on an annual basis. This item brings forward to Council renewal of the contract for fiscal year ending June 30, 2021.

DISCUSSION: This program is designed to offer resolutions to disputes to all citizens before they reach the stage of general litigation. Through the mediation program, disputes may be addressed much quicker and resolutions reached before a case can be heard on the court docket. There are no costs for mediation services for citizens of the City of Norman utilizing these services, and the entire process is both voluntary and confidential. The City of Norman program is somewhat unique when compared to the rest of the State in that 96% of our referrals come to the program through Norman's Municipal Court. In FYE20, the program received a total of 425 referrals and resolved a total of 178 cases by conducting 26 mediations and addressing the conflict in an additional 143 cases through contact by mediation staff with both parties involved in the conflict.

Norman's program handles disputes between citizens of Norman when there are conflicts over situations ranging from barking dogs, destruction of private property, assault and battery, landlord/tenant, consumer/merchant and property disputes, as well as District Court referrals for contract disputes and small claims actions. Norman's ADR Program cases are referred primarily from Norman Municipal Court and the Norman Police Department, with additional referrals from other City of Norman departments, individual citizens, various juvenile agencies, Cleveland County District Court and Norman Board of Realtors. While Norman's program primarily focuses on a referral base that involves mediating matters that arise in the Norman community, the program also mediates situations concerning disabilities, guardianships, parent/teen conflicts and divorce modification.

Our mediators are volunteers from all walks of life. The training is provided by the State of Oklahoma at no charge to the participant or to the City. Each mediator completes a minimum of 24 hours of training, with most of our mediators having completed advanced levels of training. We currently have eight active mediators on our roster, some of whom have been with our program over ten years. Basic training sessions are held in partnership with Early Settlement-Central and the University of Oklahoma School of Law. Because Norman has been so progressive in the field of mediation, we have become a model program for other cities.

The program operates within and conforms to the Dispute Resolution Act, 12 O.S. Supp. 1985, Sections 1801-1813, and the Oklahoma Rules and Procedures for the Dispute Resolution Act of the State of Oklahoma. Norman's ADR Program is under administrative supervision of the Administrative Director of the Courts and the Dispute Resolution Advisory Board. Statistical information on the status of the Norman Mediation Program is submitted to the City Council

monthly in the Departmental Reports as a part of the activities of the Municipal Court.

RECOMMENDATION: This Agreement between the City of Norman and the Alternative Dispute Resolution System of the State of Oklahoma for the period July 1, 2020, through June 30, 2021, has been reviewed by the City Attorney and is approved as to form and is recommended for approval.