



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: January 10, 2012

Subject: CY 2012 COUNTY DISPUTE RESOLUTION PROGRAM CONTRACTS

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Administrator, or designee, to execute two contracts in a total amount not to exceed \$230,000, one with the Congress of Neutrals for \$127,500 and one with the Center for Human Development for \$102,500, for the County Dispute Resolution Program for the period January 1 through December 31, 2012. (100% Restricted Dispute Resolution Funds)

**FISCAL IMPACT:**

\$230,000; 100% Restricted Dispute Resolution funds; Budgeted. No Net County Costs. Program costs offset by \$8.00 filing fee on civil actions filed in the Superior Court.

**BACKGROUND:**

The Dispute Resolution Program Act of 1986 (Business and Professional Code Sections 465, et seq.) provided for the establishment and funding, at County option, of local dispute resolution services as an alternative to formal court proceedings. The Act authorized participating counties to increase Superior, Municipal and Justice Courts filing fees from

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **01/10/2012** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Karen Mitchoff, District IV  
Supervisor  
Federal D. Glover, District V  
Supervisor

ABSENT: Gayle B. Uilkema, District II  
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 10, 2012

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Timothy Ewell,  
925-335-1036

cc:

one to three dollars for the purpose of funding local dispute resolution programs.

On January 1, 1987, the Board approved the County's participation in the program and authorized a three dollar increase in court filing fees. The Dispute Resolution Advisory Committee was created by the Board to consider implementation strategies and funding guidelines appropriate for Contra Costa County.

From 1989 through 1998, the Advisory Committee solicited proposals for funding under the Dispute Resolution Programs Act of 1986. The purpose of the funding is to encourage the establishment and use of local dispute resolution services as an alternative to formal Court proceedings. The program operates under the provisions of the Dispute Resolution Programs Act.

In 1998, the State updated the California Dispute Resolution Program Act and authorized counties to allocate up to \$8.00 from filing fees to generate new revenues for these local programs. Effective January 1, 1999, the dispute resolution portion of the civil filing fee in Contra Costa County increased from \$3.00 to \$8.00. The increase was approved by the Board of Supervisors pursuant to a request by the Superior Court.

The Dispute Resolution Advisory Committee received two applications in response to a Request for Proposals (RFP) issued on November 1, 2010 for two calendar years (2011 & 2012). The Committee met on December 9, 2010, to consider the funding and program composition of the County's dispute resolution programs and voted to fund both agencies at the levels described below.

The following is a brief description of each program:

## BACKGROUND: (CONT'D)

Center for Human Development - \$102,500

General Dispute Resolution – Community Mediation Project will provide mediation and conciliation to landlords and tenants, consumers and merchants, neighbors, public agencies, citizen groups, families, animal disputes, family transition, and organizations. Specialty services include group facilitation, mediator training, real estate mediation, conflict resolution skills training for agencies, and business mediation and consultation. (\$55,000)

Guardianship Mediation will continue to offer mediation services with a panel of two mediators to clients referred by the Courts for resolution of child custody and visitation issues in Guardianship Matter. Mediations will be held in the Martinez Family Law Building. Services include referral, telephone conciliation, and mediation. (\$47,500)

### **Congress of Neutrals - \$127,500**

General Dispute Resolution – Self Represented Litigants (SRL) Mediation will provide certified law student and volunteer mediators to assist the Small Claims Advisor in the community to provide information, assistance and case development for mediation and Alternative Dispute Resolution in the community, and where requested, to provide mediations for said litigants. In 2011, this program will focus on pre-day of hearing, small claims *in pro per* litigants. (\$15,000)

Victim Offender Reconciliation Project (VORP) Pilot Program - A new project providing a community based restorative justice program for juvenile offenders. The Congress will provide mediation between certain non-chronic, non-violent juvenile offenders and their victims to obtain civil restitution in proceedings under the Welfare and Institutions Code. (\$15,000)

Small Claims/Civil Harassment/Unlawful Detainer Mediation for all branches of the Superior Court; to improve court efficiency; assist court staff and reduce court caseload. Introduce disputants to the principles of conciliation and negotiated settlement; mediations will be done at the court, prior to the court hearing and/or on the day of the court hearing. The Congress will recruit and train community volunteers, certified law students and attorneys as mediators. This project will continue the Superior Court's high quality of Alternative Dispute Resolution and conflict management programs. (\$97,500)

## CONSEQUENCE OF NEGATIVE ACTION:

The 2012 County Dispute Resolution program will not implemented resulting in a service reduction in several areas to the citizens of Contra Costa County.

## CHILDREN'S IMPACT STATEMENT:

No Impact.