

**** Bill No. ****

Introduced By *****

By Request of the *****

A Bill for an Act entitled: "An Act establishing a pilot program to provide mediation in family law cases in certain judicial districts; and providing an effective date."

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. **Section 1. Family mediation pilot project.** (1)

Subject to available funding, the supreme court may administer a pilot project to help district courts provide access to mediation to resolve parenting and visitation disputes.

(2) If a pilot project is established, the supreme court shall:

(a) develop application and review criteria to select district courts to participate in the program;

(b) establish goals, objectives, and policies for district courts selected for the pilot project, including mediator qualifications, a process to assign mediators to a case, and confidentiality standards;

(c) develop a mediation rate schedule to reimburse mediators and to set the hourly rate litigants will pay if they require more hours of mediation than the pilot project will provide; and

(d) establish evaluation criteria for the pilot project and collect data to evaluate the pilot project according to the criteria.

(3) The pilot project must, to the extent that funds are appropriated for the operation of the project, provide up to 6 hours of mediation to litigants involved in a parenting or visitation dispute in a judicial district that participates in the pilot project

(4) The supreme court or a district court may not require a party to participate in the pilot project if mediation is prohibited by 40-4-301(2).

NEW SECTION. **Section 2. Data and reports.** (1) The supreme court shall ensure that relevant and detailed data concerning pilot project costs and services is collected, recorded, reported, and used for program planning.

(2) If a pilot project is established, the supreme court shall report to the law and justice interim committee established in 5-5-226 before September 15 of each even-numbered year concerning the pilot project's status. Each report must include the status of the project's funding and services and any implementation problems or recommendations to the legislature.

NEW SECTION. **Section 3. {standard} Effective date.** [This act] is effective July 1, 2015.

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