

SENATE BILL NO. 223

INTRODUCED BY ECK, KEENAN, MILES

IN THE SENATE

JANUARY 27, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

FEBRUARY 20, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 21, 1987 PRINTING REPORT.

 ON MOTION, CONSIDERATION PASSED
FOR THE DAY.

FEBRUARY 23, 1987 SECOND READING, DO PASS AS AMENDED.

FEBRUARY 24, 1987 ENGROSSING REPORT.

FEBRUARY 25, 1987 THIRD READING, PASSED.
AYES, 50; NOES, 0.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 3, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

MARCH 23, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 27, 1987 SECOND READING, CONCURRED IN.

MARCH 28, 1987 THIRD READING, CONCURRED IN.
AYES, 85; NOES, 7.

 RETURNED TO SENATE.

IN THE SENATE

MARCH 30, 1987 RECEIVED FROM HOUSE.

 SENT TO ENROLLING.

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Senate BILL NO. *223*
INTRODUCED BY *Eric Keenan Mills*

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE
ARBITRATION PROCEDURES; ESTABLISHING A PRIVILEGE FROM
EXAMINATION IN CIVIL PROCEEDINGS FOR ARBITRATORS AND
MEDIATORS; AND PROVIDING A STANDARD OF REVIEW FOR ALL
ARBITRATION AWARDS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Mediator-arbitrator privilege. A person
acting as a mediator or an arbitrator cannot, without the
consent of the parties to the mediation or arbitration, be
examined in a civil action as to any communication made by a
party to him during the course of the mediation or
arbitration.

Section 2. Review of arbitration awards. (1) An
arbitration award may only be reviewed as provided in Title
27, chapter 5, part 3.

(2) Subsection (1) applies to any arbitration award
regardless of whether the arbitration was conducted pursuant
to Title 27, chapter 5.

-End-



INTRODUCED BILL
SB-223

APPROVED BY COMMITTEE
ON JUDICIARY

1 SENATE BILL NO. 223
 2 INTRODUCED BY ECK, KEENAN, MILES
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE
 5 ~~ARBITRATION~~ MEDIATION PROCEDURES; AND ESTABLISHING A
 6 PRIVILEGE FROM EXAMINATION IN CIVIL PROCEEDINGS FOR
 7 ~~ARBITRATORS--AND MEDIATORS;~~~~AND--PROVIDING--A--STANDARD--OF~~
 8 ~~REVIEW--FOR--ALL--ARBITRATION--AWARDS."~~

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. ~~Mediator-arbitrator~~ MEDIATOR privilege. A
 12 person acting as a mediator ~~or-an-arbitrator~~ cannot, without
 13 the consent of the parties to the mediation ~~or-arbitration~~,
 14 be examined in a civil action as to any communication made
 15 by a party to him during the course of the mediation ~~or~~
 16 arbitration.

17 ~~Section-2--Review--of--arbitration--awards:--(1)--An~~
 18 ~~arbitration--award--may--only--be--reviewed--as--provided--in--Title~~
 19 ~~27--chapter--5--part--3-~~

20 ~~(2)--Subsection--(1)--applies--to--any--arbitration--award~~
 21 ~~regardless--of--whether--the--arbitration--was--conducted--pursuant~~
 22 ~~to--Title--27--chapter--5-~~

-End-



SECOND READING
50-223

1 SENATE BILL NO. 223

2 INTRODUCED BY ECK, KEENAN, MILES

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ~~TO--GENERALLY--REVISE~~
5 ~~ARBITRATION~~ MEDIATION PROCEDURES; AND ESTABLISHING A
6 PRIVILEGE FROM EXAMINATION IN CIVIL PROCEEDINGS FOR
7 ~~ARBITRATORS--AND~~ ~~MEDIATORS;~~~~--AND--PROVIDING--A--STANDARD-OF~~
8 ~~REVIEW-FOR-ALL-ARBITRATION-AWARDS."~~

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. ~~Mediator-arbitrator~~ MEDIATOR privilege. A
12 EXCEPT AS OTHERWISE PROVIDED BY LAW, A person acting as a
13 mediator IN A FAMILY LAW MEDIATION ~~or-an-arbitrator~~ cannot,
14 without the consent of the parties to the mediation or
15 arbitration, be examined in a civil action as to any
16 communication made by a party to him during the course of
17 the mediation ~~or-arbitration.~~

18 ~~Section-2.--Review--of--arbitration--awards;--(1)--An~~
19 ~~arbitration--award--may--only--be--reviewed--as--provided--in--Title~~
20 ~~27,--chapter--5,--part--3;~~

21 ~~(2)--Subsection--(1)--applies--to--any--arbitration--award~~
22 ~~regardless--of--whether--the--arbitration--was--conducted--pursuant~~
23 ~~to--Title--27,--chapter--5;~~

-End-



THIRD READING
SB 223

SENATE BILL NO. 223

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ARBITRATION MEDIATION PROCEDURES; AND ESTABLISHING A
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~~Section 2--Review--of--arbitration--awards---(1)--An~~
~~arbitration--award--may--only--be--reviewed--as--provided--in--Title~~
~~27--chapter--5--part--3--~~

~~(2)--Subsection--(1)--applies--to--any--arbitration--award~~
~~regardless--of--whether--the--arbitration--was--conducted--pursuant~~
~~to--Title--27--chapter--5--~~

-End-



REFERENCE BILL
SB 223