

## ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda-underwritten by global corporations--includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

## ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
- centerpoint360
- UPS
- Bayer Corporation
- GlaxoSmithKline
- Energy Future Holdings
- Johnson & Johnson
- Coca-Cola Company
- PhRMA
- Kraft Foods, Inc.
- Coca-Cola Co.
- Pfizer Inc.
- Reed Elsevier, Inc.
- DIAGEO
- Peabody Energy
- Intuit, Inc.
- Koch Industries, Inc.
- ExxonMobil
- Verizon
- Reynolds American Inc.
- Wal-Mart Stores, Inc.
- Salt River Project
- Altria Client Services, Inc.
- American Bail Coalition
- State Farm Insurance

For more on these corporations, search at [www.SourceWatch.org](http://www.SourceWatch.org).

**DID YOU KNOW?** Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. **Big Business has "a VOICE and a VOTE,"** according to newly exposed documents. **DO YOU?**

[Home](#) → [Model Legislation](#) → [Health and Human Services](#)  
**The Alternative Dispute Resolution Act** ↗

Did you know that global pharmaceutical company Bayer Healthcare was the corporate co-chair in 2011?

### Summary

This Act promotes voluntary nonbinding arbitration or mediation as an alternative to formal court proceedings. This bill would provide parties to a lawsuit with choices for resolving their disputes that save time and money compared to formal court proceedings. The use of alternative dispute resolution would also save taxpayers money and reduce demands on the over-burdened judicial system.

### Model Legislation

{Title, enacting clause, etc.}

**Section 1.** This act is entitled the Alternative Dispute Resolution Act.

**Section 2.** {Creation of Multi-Door Courthouses for Use of Alternative Dispute Resolution Procedures.}

(A)

(1) The Chief Justice shall establish within each district of the lower courts a Multi-Door Courthouse program not later than six months after the effective date of this Act. Such programs shall include an alternative dispute resolution plan.

(2) The alternative dispute resolution plan shall include but not be limited to:

(a) procedures for limited discovery

(b) confidentiality of proceedings as to possible subsequent pretrial and trial actions; and

(c) the selection, use, and payment of non-judicial personnel, also referred to as neutrals, mediators, or arbitrators, who may be selected to conduct alternative dispute resolution procedures.

(3) The plan shall also establish standards for determining which cases are appropriate for alternative dispute resolution, considering such factors as whether factual issues predominate over legal issues, whether the case involves complex or novel legal issues requiring judicial action, and any other factors the court considers relevant.

(4) Each judge shall conduct a conference with counsel within 120 days after an action is commenced or a complaint is filed to review non-binding, voluntary alternative dispute resolution procedures that may be used in lieu of litigation to resolve the claims in controversy.

(5) Each plan shall authorize the parties, of the so choose, to utilize non-binding alternative dispute resolution procedures that may be used in lieu to litigation to resolve the claims in controversy.

(a) These non-binding, voluntary alternative dispute resolution procedures shall include, but are not limited to, early neutral evaluation, mediation, outcome-determinative mediation, mini-trials, summary jury trials, and arbitration.

(b) Outcome-determinative mediation under this section means a procedure in which a single mediator or a panel of three mediators selected by or under the direction of a court provides the parties with a binding determination as to the outcomes of the case.

(6) The parties may choose to utilize the alternative dispute resolution procedures and neutrals made available under the Act or may, if all parties and the court agree, utilize the services or other neutrals not designated in accordance with the Act.

(7) Each plan shall also provide that if the parties choose outcome-determinative mediation and in the event a determination is reached:

(a) any party may give notice that it intends to accept that determination, while the other parties remain free to reject the determination and continue with the litigation;

(b) a plaintiff in an action seeking monetary relief, who rejects the determination and fails to obtain a final judgment that is at least 10 percent greater than the determination, shall pay the defendant's costs and reasonable attorney fees incurred after the rejection of the determination;

(c) a defendant who rejects the determination and fails to obtain a final judgment that is at least 10 percent less than the determination shall pay the plaintiff's costs incurred after rejection of the determination.

(B) {Implementation.} In carrying out its plan, the Multi-Door Courthouse is authorized to utilize the volunteer services of non-judicial personnel (also known as neutrals, mediators, or arbitrators) to conduct alternative dispute resolution procedures. The courts are also authorized to establish and pay the amount of compensation, if any, that each neutral shall receive for services rendered in each case.

**Section 3. {Severability Clause.}**

**Section 4. {Repealer Clause.}**

**Section 5. {Effective Date.}**

Were your laws repealed?

*Adopted by the HHS Task Force in 1992. Ammended for the 1995 Sourcebook of American State Legislation and again in 2002.*

**About Us and ALEC EXPOSED.** The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish [www.PRWatch.org](http://www.PRWatch.org), [www.SourceWatch.org](http://www.SourceWatch.org), and now [www.ALECexposed.org](http://www.ALECexposed.org). For more information contact: [editor@prwatch.org](mailto:editor@prwatch.org) or 608-260-9713.