

# **Office of Court Administration**

## **Dispute Resolution Policies and Procedures**

Revised: October 31, 2008

Approved by: \_\_\_\_\_  
Carl Reynolds

## **Office of Court Administration Dispute Resolution Policies and Procedures**

### **ADR Policy**

The Governmental Dispute Resolution Act, Chapter 2009 of the Texas Government Code, provides that it is state policy that disputes before governmental bodies be resolved as fairly and expeditiously as possible and that each governmental body support this policy by developing and using alternative dispute resolution (“ADR”) procedures in appropriate aspects of its operations and programs. Although the Act does not apply to judicial agencies such as OCA, OCA has voluntarily adopted this dispute resolution policy and procedures in compliance with the stated policy. By doing so, OCA does not waive the immunities enumerated in Section 2009.005(a) and (b).

### **ADR Coordinator**

The administrative director has designated the human resources officer to administer OCA’s ADR processes. The human resources officer shall complete the minimum training standards set forth in Section 154.052 of the Texas Alternative Dispute Resolution Procedures Act (TADRP), Chapter 154 of the Civil Practice and Remedies Code. The human resources officer should:

- Maintain necessary agency records while maintaining the confidentiality of participants
- Choose third-party neutrals who possess the minimum qualifications described in TADRP Section 154.052
- Require third-party neutrals to adhere to the standards of TADRP Section 154.053
- Provide information about available ADR processes to users and potential users of the program

### **Employee Disputes**

When appropriate, the OCA human resources officer may recommend referral of employee complaints or disputes to a third-party neutral for alternative dispute resolution.

## **Contract Disputes**

Chapter 2260 of the Government Code governs resolution of certain contract claims against the state by nongovernmental contractors. As a unit of state government that does not have rulemaking authority, OCA will follow rules adopted by the Office of the Attorney General and published at [www.oag.state.tx.us/notice/model\\_rules.pdf](http://www.oag.state.tx.us/notice/model_rules.pdf). Disputes with other governmental entities are not governed by Chapter 2260. When feasible, OCA will attempt to resolve contract disputes with other governmental entities through ADR processes rather than through litigation.