

General ADR Practices



The Court encourages the use of all ADR options available and recommends the use of the Court's mediation program. Counsel will be expected to have discussed ADR with their client(s) prior to the Rule 16 scheduling conference and to report at that conference on their client's willingness to participate in ADR, as well as which form is preferable.

The Court will discuss ADR options during the scheduling conference, and order ADR if agreed to by all parties.

ADR Options:

Mediation

Judicially assisted settlement conference

- Arbitration

ADR Plan: If the parties are asked to submit an ADR Plan, the plan shall include the specific ADR option selected, the name of the ADR provider and the date by which the ADR option will be completed. The ADR plan is electronically filed.

Settlement Conference: The parties may request a settlement conference supervised by a magistrate judge at any time, so long as there is sufficient time prior to the trial date. When all parties agree to a judicially supervised settlement conference, it will be set on a mutually agreeable date, and a settlement conference order will issue. A confidential settlement brochure is due in chambers one week before the conference and it should address the points set forth in the Court's settlement conference order. Settlement brochures are destroyed by the Court at the end of the settlement conference to maintain confidentiality and to ensure that they are not placed in the Court file.

Mediation: If the parties choose to engage in mediation, they may notify the Court and an order of referral to mediation will be issued. The Court maintains a Mediation Panel roster of qualified mediators. A Mediation Status Report is due within ten (10) days of the conclusion of the ADR process, and should be submitted by the Mediator to the Court's ADR Coordinator.

Arbitration: The Court will only refer a case to arbitration if the parties stipulate to the referral.