

## **LOCAL CIVIL RULE 83.6**

### **SETTLEMENT AND ALTERNATIVE DISPUTE RESOLUTION**

(A) The Court encourages the parties to meet and consult with each other to achieve settlement. Pursuant to 28 U.S.C. §§ 651, 652, and 653, as amended by the Alternative Dispute Resolution Act of 1998, the use of mediation as an alternative dispute resolution process in all civil actions, including adversary proceedings in bankruptcy, is authorized. Litigants in all civil cases shall be advised of the availability of mediation and may request it. The continued utilization of settlement conferences as a form of mediation is also authorized.

(B) The parties by consent may select and compensate any mutually acceptable non-judicial mediator or neutral. No mediator or neutral may be compensated by contingent fee.

(C) All district judges, magistrate judges, and bankruptcy judges are authorized to act as mediators or neutrals.

(D) The appointment of a mediator or neutral shall not operate to postpone or stay the scheduling of any case or controversy nor shall such appointment be grounds for the continuance of a previously scheduled trial date or the extension of any deadlines previously scheduled by the Court.

(E) The substance of communication in the mediation process shall not be disclosed to any person other than participants in the mediation process; provided, however, that nothing herein shall modify the application of Federal Rule of Evidence 408 nor shall use in the mediation process of an otherwise admissible document, object, or statement preclude its use at trial.

(F) The chief judge of the district court shall appoint an ADR Administrator for the district. Duties of the Administrator shall include the following: implementing, administering, overseeing and evaluating the Court's ADR programs.

(G) By order, a district judge, or a magistrate judge to whom a case has been referred on consent or for settlement conference, may provide that counsel and/or a party representative with full settlement authority shall attend a settlement conference at any time the judge considers appropriate.