



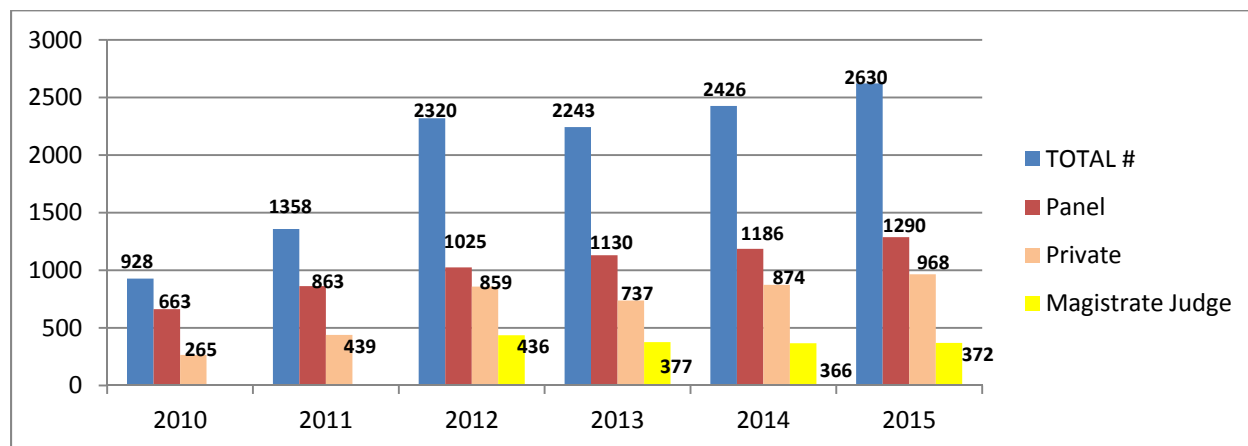
2015 ADR Program Report

ADR Program Report – Calendar Year 2015

Caseload

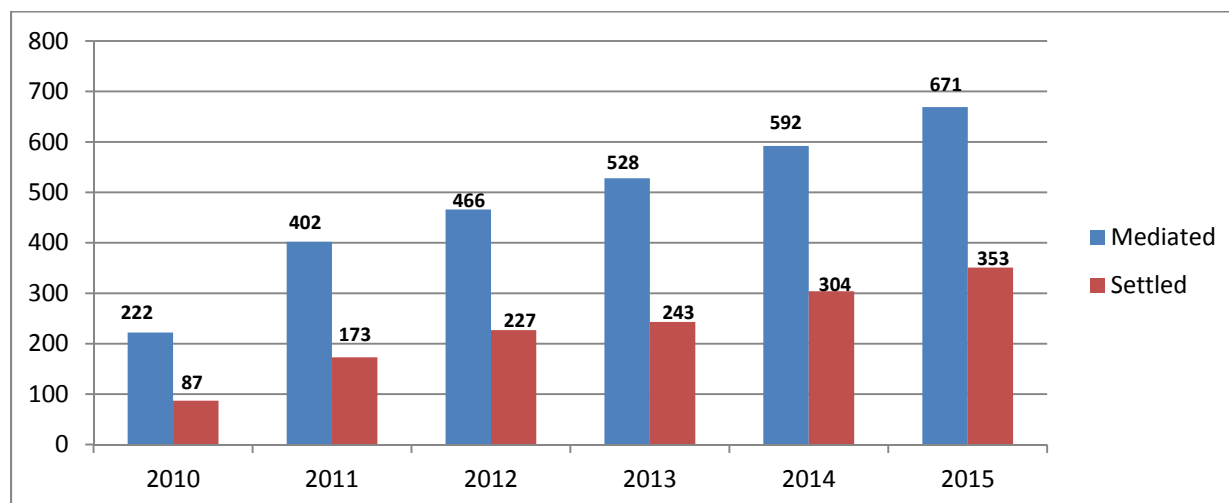
During CY 2015, the Court referred 2,630 cases to one of the three ADR options: 372 cases were referred to a Magistrate Judge for a settlement conference; 1,290 cases were referred to the Court Mediation Panel; and 968 cases were referred to private mediation.

CASES REFERRED TO ADR OPTIONS



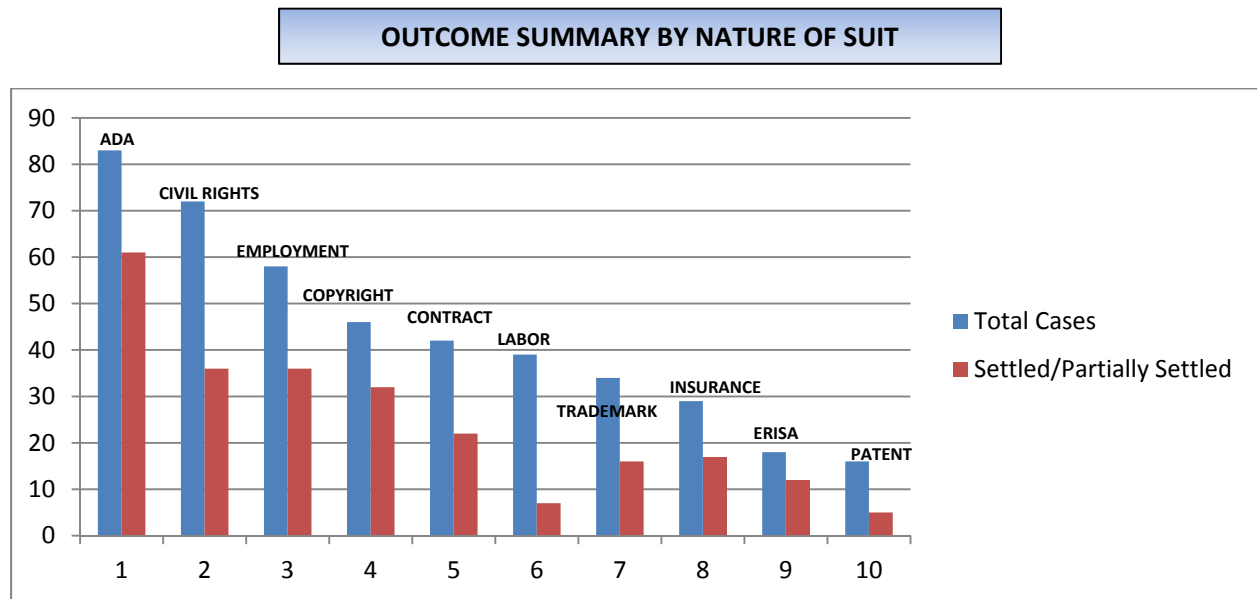
Of the 1,290 cases referred to the Mediation Panel, Panel Mediators conducted mediations in 671 cases and settled, or partially settled, 353 cases, for a settlement rate of 52.6%.

CASES MEDIATED BY PANEL



Of the 318 cases mediated by a Panel Mediator that did not settle at the mediation session, 34 cases settled within 60 days *after* the mediation session. These settlements increase the settlement rate of the Panel Mediators to 57.7%. In addition, 300 cases referred to the Mediation Panel settled before the mediation session took place. If this category of settlements is also included in the settlement rate, the Mediation Panel’s settlement rate increases to 70.7%.

The following graph shows the substantive areas most often mediated by Panel Mediators:



Evaluation of the Mediation Panel

Surveys completed by mediation participants in 2015 show that 85% of the responding participants were satisfied with the outcome of the mediation process conducted by Panel Mediators and that nearly 86% of the respondents found that the benefits of the mediation outweighed the costs. All respondents found that the procedures used in the mediation process were fair, with 61% describing the procedures used as “very fair.” The participant surveys also showed that over 61% of the respondents rated the mediator “excellent,” and an additional 19% rated the mediator “very good.”

Mediation Panel

In the summer of 2015, the Court appointed 24 new Panel Mediators and renewed the appointments of 125 Panel Mediators for two-year terms.

In order to serve as a Panel Mediator, a person must be a member in good standing of the Bar of the United States District Court, Central District of California, with at least ten years legal practice experience, substantial experience with or knowledge of civil litigation in federal court, and significant expertise in one or more designated areas of law. The applicant must also complete a court-conducted or court-approved training course in mediation.

With the new panel members and attrition, by the end of 2015 the Mediation Panel consisted of approximately 225 attorney-mediators who collectively possess expertise in 24 areas of law. Cases are referred to the Panel through Local Rule 16-15 and General Order 11-10. Pursuant to Local Rule 16-15.4, parties may elect to use the Panel as their preferred ADR procedure. Under General Order 11-10, most civil cases assigned to district judges participating in the Court-Directed ADR Program are presumptively referred to mediation, either to the Panel or to private mediation. There are currently twenty-four district judges participating in the Court-Directed ADR Program.

Continuing Education for Panel Mediators

The ADR Program hosted the following education programs for members of the Mediation Panel:

- *Advanced Mediation Training* with Hon. Wayne D. Brazil (Ret.) and Professor Carrie Menkel-Meadow. Judge Brazil gave a presentation on *Why Are We Doing This?* (that is, why are we serving as panel mediators?). Professor Menkel-Meadow's training was titled *The Challenges of Mediation: Impasses – Merits, Psychological, Interpersonal and Monetary*. The two also engaged in a panel discussion, *Skills & Practice Issues: Mediation and the Courts*, moderated by ADR Program Director Gail Killefer, on April 30, 2015.
- *What Mediators Need to Know About Arbitration*, presented by Panel Mediator Les Weinstein on June 24, 2015.
- *Mediation Training and Orientation* (for new Panel Mediators), presented by Gail Killefer, ADR Program Director, on September 2, 2015.
- *Early Mediation of Non-Major Police Litigation Cases*, presented by Panel Mediator Rick Copeland on October 14, 2015.
- *Mediation: Getting the Job Done*, a panel discussion with Rob Parris and Glen Barger, and moderated by Panel Mediator Alex Polsky on November 18, 2015.

- *Mediation Book Discussions:*
 - March 25, 2015. Panel Mediator Nick Connon led a discussion of Lawrence Wright's new book, *Thirteen Days in September: Carter, Begin, and Sadat at Camp David*.
 - June 17, 2015. The group discussed *The Art of Negotiation: How to Improvise Agreement in a Chaotic World*, by Michael Wheeler of the Harvard Business School.
 - September 10, 2015. The group discussed *Thinking Fast and Slow*, an international bestseller written by Daniel Kahneman, a psychologist and winner of the Nobel Prize in Economics.

Outreach Efforts

During CY 2015, outreach efforts for the ADR Program included the following:

- The ADR Program coordinated a presentation titled *Mediation Ethics and Confidentiality*, by Susan Nauss Exon, Associate Dean for Faculty Development and Professor of Law, University of La Verne College of Law, to the Federal Bar Association, Inland Empire Chapter, on January 21, 2015.
- ADR Program Director Gail Killefer with Rebecca Price, ADR Program Director for the U.S. District Court (SDNY), gave a presentation on *Strategies for Successful Mediation Pilot Projects* at the ABA Section of Dispute Resolution 17th Annual Spring Conference in Seattle, WA on April 16, 2015.
- Panel Mediator Rebecca Callahan organized a panel, which included ADR Program Director Gail Killefer, to discuss *Recent Developments in Mediation Law* for the Orange County Bar Association on May 6, 2015.

Additional Outreach: International Visitors

A delegation of judges from Thailand visited with the ADR Program on September 22, 2015.