

The Intermediary



A Bridge between the Dispute Resolution Commission
and North Carolina's Certified Mediators



From the Chair
By Judge Gary Cash



THE DEBATE ABOUT CONTINUING MEDIATOR EDUCATION

PROPOSED CME POLICY:

“Every certified mediator must complete annually 2 hours of continuing mediator education (CME) approved by the DRC that relates to 7A-38.1 and 38.4A, Rules of the Supreme Court, Standards of Conduct, or Grievance and Disciplinary Procedures of the DRC.” (http://www.nccourts.org/Courts/CRS/Councils/DRC/Documents/proposed_CME.pdf)

The Commission recently posted the above proposed mandatory CME Policy on its website for comment. From the breadth of comments received to date, it is clear that there are strong feelings out there on both sides of the issue. The members of the Commission appreciate your comments, will consider all of them, and encourage those who have yet to give your opinions on this matter to do so. By way of background, I'd like to address the history of the DRC's consideration of the issues surrounding the topic of CME in this From the Chair article.

The Commission has considered and discussed the controversial issue of mandatory continuing mediator education for its certified mediators for almost fifteen years. In 2002, the Commission voted unanimously to encourage rather than mandate the completion of CME activities by its certified mediators. At that time, the DRC recommended completion of six hours every two years, and required mediators to report any CME activities on an annual basis. It was a “test balloon,” if you will, to try to determine if mediators would, on their own, undertake to keep themselves current with mediation practice, rule amendments, Standards and advisory opinions, and the policies, procedures

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and guidelines of the Commission, all of which are often evolving and subject to further consideration and revision.

In FY 2007-08, the Commission went online with mediator certification renewal applications. At that time, for administrative reasons, we changed the CME policy to encourage mediators to complete *three hours annually*, and continued to require them to record it on their annual certification renewal applications. In implementing a voluntary policy, the Commission cast the net wide and allowed a plethora of activities to “count.” We also adopted guidelines for CME credit: <http://www.nccourts.org/Courts/CRS/Councils/DRC/Documents/CMECredit.pdf>

The first two-year reporting cycle ended June 30, 2004, with almost 50% of mediators reporting completion of their CME hours, and the Commission was encouraged. Unfortunately, those numbers did not increase. Instead, the percentage of mediators completing voluntary CME consistently dropped in subsequent years. The average percentage of mediators who reported completing voluntary CME from FY 2006/07 through FY 2014/15 has been a disappointing 36%, with last year’s total hitting an all-time low of 30%.

On two occasions, in 2005 and most recently, in 2013, in an effort to gain some understanding as to what was going on with this issue nationally, Commission staff called ADR program administrators in all (50) states and inquired about each state’s policies on CME. In 2005, staff learned that twenty-five (25) states reported mandatory CME firmly in place, and that five (5) other states were then considering the issue. In 2013, the survey results showed that requiring mandatory CME was on the upswing, with twenty-seven (27) states plus the District of Columbia requiring mandatory CME, and five more near implementation. Not surprisingly, in both 2005 and 2013, the responses as to the particulars of each

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state's requirement covered considerable terrain, with frequency ranging from every year to every three years, and hours averaging between three and six, but in a few instances, in double digits.

During the last few years, the Commission has grown increasingly concerned about the uptick in ethical complaints and concerns relating to mediator conduct coming before its Grievance and Disciplinary Committee. Several mediators have been decertified; many others issued lesser, but serious, sanctions. Reports of court staff, attorneys, and litigants suggesting that mediators are not fulfilling their case management duties consistent with program rules are also on the rise.. After considerable debate both at the committee and Commission levels, at its August 14-15, 2015, meeting, the Commission approved a proposed policy which makes the annual CME requirement mandatory rather than voluntary. (See proposed language above.)

We have received over seventy (70) comments, with about equal numbers on both sides of the issue. Many of you in favor of a mandatory policy consider it to be a good idea which will benefit all involved in our state's mediation programs, and have offered thoughtful suggestions and feedback on the particulars of its implementation. Those opposed have raised important questions for the Commission to consider, such as: will this policy actually remedy the problems it is designed to address, and is a blanket policy the best way to rectify the ethical failings of a few?

It is clear from the responses that there are misunderstandings regarding the proposed policy. Some commenters raised concerns about increasing the number of CLE hours that attorney-mediators will have to take to meet a CME requirement. Others opposed having to attend another live program, and stressed the need for online courses, if implemented.

The Commission is cognizant of the CLE requirements imposed upon our attorney-mediators, and does not intend to add to the number of hours that an attorney-mediator must complete. Programs will not be approved for CME credit unless they have already been approved by the NC State Bar for CLE credit. Attorney-mediators will, therefore, be able to get CLE as well as CME hours for the same activity. In addition, the Commission contemplates working with providers to insure both live and on-line CME instruction for the benefit of both our non-attorney and attorney mediators, all at a cost comparable to other NCBA CLE courses. The current proposal contemplates that only programs related to the duties and ethics of certified mediators as found in applicable legislation and rules, Standards of Professional Conduct for Mediators, and the advisory opinions of the DRC will be eligible for CME credit. The Commission has yet to determine the policy's application to inactive or district criminal court mediators.

To be sure, after reviewing all comments, the DRC will not make its decision on mandatory CME simply because other states have implemented it. The Commission is not proposing this change of policy lightly. Consideration of a progression from voluntary to mandatory CME reflects the Commission's commitment to its charge to not only certify but regulate its certified mediators, and ensure that they embrace the highest ethical and professional standards.

Although the comment period has expired, please feel free to send in your comments, as we are always interested in your opinions. Please take some time and let us know your thoughts, concerns, suggestions. Email them to drcmediators@nccourts.org.

DRC Grievance and Ethics Sampler

Ethics concerns and filed grievances appear to be on the rise. Below are some of the matters that the GDC and the Commission have addressed since the summer issue of The Intermediary.

Reinstatement Petition: The GDC Committee decertified an FFS attorney-mediator in December of 2012. The attorney-mediator was decertified because: 1) there was a serious grievance/complaint pending against him with the State Bar, 2) he failed over two renewal periods to report the grievance/complaint to the Commission, and 3) when questioned about why he failed to report the matter, he responded that he had forgotten about it and his failure to report was an oversight. Thereafter, as a result of the complaint, the NC State Bar determined to suspend the attorney-mediator's license to practice law for a one-year period. The attorney-mediator completed the period of suspension and his license was reinstated on September 28, 2015. Thereafter, attorney-mediator petitioned the Commission for reinstatement of his FFS mediator certification. The Commission met on October 22, 2015, to consider the Petition and determined to afford the attorney-mediator an opportunity to meet with the Commission to present additional infor

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mation regarding his efforts to rehabilitate himself and demonstrate that reinstatement is justified under DRC Rule IX.E.(13)(b)(iii). He appeared before the Commission on November 6, 2015, at the close of the Commission's quarterly meeting. A decision is pending.

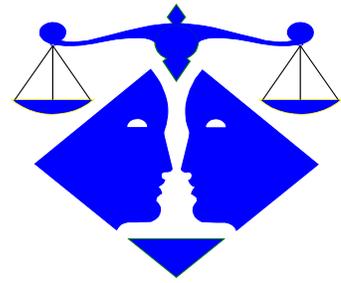
Appeal of GDC Decision to Decertify Mediator: An attorney-mediator has appealed the decision of the GDC to decertify him as an FFS mediator. The Husband in an FFS mediation had filed a complaint against the attorney-mediator selected to mediate his and his wife's equitable distribution dispute. During the investigation of the matter, staff learned that the mediator had failed to disclose a State Bar suspension of his license and an Order of Discipline issued by the DHC in another matter on his original 2003 application for certification as an FFS mediator. He also failed to disclose three civil judgments on subsequent renewal applications. A complaint was initiated pursuant to DRC Rule IX.C(1) and (3) against the mediator for his failure to disclose. There were also concerns about his failure to perform many of his case management duties in the ED case. The GDC Committee determined that the mediator had completely failed to fulfill his case management duties and that he willfully failed to disclose the Bar discipline and judgments. The GDC Committee also found that, shortly after filing his Report of Mediator in the matter, the attorney-mediator proceeded to represent the wife against the husband on a 50B Motion and then, later, in the equitable distribution action which the attorney-mediator had been appointed to mediate. The GDC Committee decertified the FFS attorney-mediator in May of 2015. A hearing scheduled on the matter for November 5, 2015, has been continued until after the first of the year.

State Bar Disciplinary Matter: The NC State Bar filed a complaint with the DHC against an FFS attorney-mediator, alleging that the attorney-mediator who represented the mother in a custody matter, engaged in a dating/sexual relationship with the client. The client became distressed by the relationship and advised attorney-mediator that she wanted a refund of her retainer so that she could hire other counsel. Attorney-mediator sought to dissuade the client from seeking other representation and refused to refund her retainer. When questioned about his relationship with the client, the State Bar determined that attorney-mediator made false and misleading statements to the Grievance Committee, including falsely portraying the client as a mentally unbalanced stalker. Commission staff became aware of the complaint and alerted the GDC to the matter. Thereafter, the State Bar suspended the attorney-mediator's license to practice law for two years under a Consent Order entered on August 18, 2015. The attorney-mediator did not renew his FFS certification for FY2015-16, instead allowing his FFS certification to lapse. Unlike the MSC or Clerk programs, the FFS Rules permit a *non-certified* mediator to serve if nominated by the parties and approved by the court. The mediator's website indicates that he no longer engages in the practice of law and is working exclusively as an FFS mediator.

Applicant Failed to Report Conviction: An applicant for MSC certification indicated on his original application that he had never been convicted of a crime. A background check revealed that he had been charged with a DWI and with resisting arrest and obstructing a police officer in 1990. Court records reflect that the applicant pleaded "not guilty" to both counts. He was found "not guilty" of DWI, but lost his license for one year because he refused a breathalyzer test. Following trial, he was found "guilty" on the resisting and obstruction charge. When applicant was asked about his failure to report the matter, he indicated that he was unaware that he had a misdemeanor conviction. The GDC Chair authorized certification, noting that the conviction was dated, the applicant was cooperative, the applicant otherwise had a clean record, and the applicant had references contact the Commission attesting to his good character and excellent reputation in the legal community.

Beware of Social Media: Mediator was assigned to conduct a mediation in an equitable distribution dispute. The wife complained about the mediator having been biased against her and she attributed the mediator's bias to his being "Facebook Friends" with several parties known by her husband and his family. She believed those parties had influenced the mediator to favor her husband. An investigation revealed that mediator was, in fact, Facebook Friends with several parties known by the husband and his family, but that mediator was unaware of any of these connections until they were brought to his attention by the complaining party. The Complaint was dismissed as not alleging facts sufficient to constitute a violation of a rule, standard, or guideline enforceable by the Commission.

COMMISSION UPDATE IN BRIEF



Continuing Mediator Education (CME)

At its Annual Retreat on August 14-15, 2015, the Commission approved a mandatory CME policy. That policy requires a certified mediator to complete two hours of approved CME annually that relates to 7A-38.1 and 38.4A, Rules of the Supreme Court, Standards of Conduct or Grievance and Disciplinary Procedures of the DRC. More than 70 comments were received, both for and against the policy, and many suggestions were offered. See the "From The Chair" article for additional discussion of the policy.

Credit Card Payment



The DRC went online with credit card payment of mediator certification renewal fees on August 25, 2015. From that date to the end of the renewal period (September 30), over 350 mediators renewed by credit card payment! Credit card payment offers an alternative to the previous requirement that a check be mailed, and allows a mediator to complete the renewal process at one time. It also saves significant staff time in processing renewal fees. Thanks to the tech folks at AOC for making this long-sought after process a reality!



Judge McCullough administers the oath to (left to right) Lorrie Dollar, Richard Long, Judge Gary Cash and Judge Charles Anderson.

FY 2014/15 Program Statistics

AOC'S preliminary statistics are in from all judicial districts for the Clerk, FFS, and MSC programs. The first (top) number for each program below indicates the percentage of mediated cases that settled. The second (bottom) number also includes cases that settled after being ordered to mediation, either prior to the conference or during a recess. The FFS numbers include those cases that resulted in a complete or partial settlement at mediation.

MSC: 57.1%

MSC: 64.6%

FFS: 69.9%

FFS: 71.2%

Clerk: 54.5%

Clerk: N/A

DRC Members Reappointed

Judge Charles T.L. Anderson, Judge Jesse Caldwell, Judge Gary Cash, Lorrie Dollar, Richard Long, Diann Seigle, and Judge Teresa Vincent were all reappointed by their respective appointing authorities to a second three-year term ending September 30, 2018. The Commission appreciates their continued willingness to serve.

Thank You!

The DRC thanks each certified mediator for his/her service and commitment to North Carolina's court-ordered mediation programs. **Feel free to call Commission staff with questions, concerns, and ideas, 919-890-1415.**

The Importance of Your Reports of Mediator.

Remember that a Report of Mediator must be filed in every case ordered to mediation whether or not it settles prior to or during a conference, is dismissed, or a party declares bankruptcy, etc. Please prepare complete and accurate Reports of Mediator and file them on time. The filing of accurate and timely Reports is absolutely critical to verifying the success of North Carolina's mediation programs. Mistakes and oversights happen, but when failures to report, for example, become more than just an isolated incident, the programs suffer.

A Mediator's Journey to Belarus: An Interview with Frank Laney, Esq.

In March, 2015, Frank Laney, ex officio member of the DRC, flew to Belarus at the invitation of a group of Belarusian mediators to discuss North Carolina's mediation programs and processes. Staff had the opportunity to speak with Frank about his experiences in Belarus last March, and sets out the interview below. In addition, Frank has written a comprehensive article about his experiences, "A Mediator's Journey to Belarus," [click here](#) to read.



Harriet: **Frank, I've read your article, and it is wonderful. One can almost imagine being there with you as your descriptions of people, places, food, and events is so colorful. Thank you for writing it.**

How did it come about that you were invited to Belarus to talk about mediation?

Frank: In April, 2014, ten Belarusian mediators came to Raleigh through the Community Connections program of the US State Department to learn about mediation in North Carolina. During their three week visit they were enthusiastic about mediation taking root in Belarus, and were delighted to learn so much about mediation in North Carolina. I had very positive interactions with many of them, and helped with some training. Shortly after they returned to Belarus, they contacted me and invited me to come to Belarus for two weeks to help with training. Initially we were shooting for October, 2014, but that was too ambitious, so I went in March of this year.

Harriet: **How was the trip paid for?**

Frank: Some of the Community Connections group applied for a State Department grant to pay my way but were turned down. Instead, the group set up a three day seminar for me to teach, and the attendance fees covered my expenses. That is all I was hoping for.

Harriet: **How did you feel about the Belarusians inviting you to serve as educator and teacher?**

Frank: I felt and still feel to this day, incredibly honored and humbled by their invitation and by their generosity and hospitality. I was actually a little nervous at first, but they quickly helped me feel quite comfortable. I cannot imagine the trip going any better than it did.

Harriet: **Did you have the opportunity to see some of the same folks who had come to NC?**

Frank: Yes. It was wonderful to reconnect with so many of them. Some are attorneys; others are psychologists and professors. Many events were planned where Community Connections alumni and I got together. At every event Community Connections alumni were my host. They helped acclimate me to Belarus, took me sightseeing and to restaurants, assisted with translation, participated in training, and more. I feel that I have made some lasting friendships.

Harriet: **You said that mediation "was taking" root in Belarus? What is happening there?**

Frank: It is only recently that Belarus enacted legislation establishing the practice of mediation in that country and adopted rules for the training and certification of mediators. Training opportunities were limited at that time in Belarus and people interested in becoming mediators were trained by visiting German and Polish mediators, and I believe that during the spring of 2014, a small group of mediators went to St. Petersburg, Russia for mediation training. Since the program is now getting a little traction in the courts, they invited me to come and teach and train on a wide variety of topics—mediation theory, ethics, program rules, certification issues, etc. We also did a number of role plays.

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Harriet: *Is mediation being used in the court system in Belarus?*

Frank: Belarus has a unified court system, and the mediation legislation authorizes but does not mandate mediation in civil cases. Judges have been sluggish in referring civil cases to a mediated settlement conference. There is also an economic court—much like a business court—where mediation may take hold. There is frustration among mediators. To date, somewhere between 100 and 150 mediators have been certified, but cases are not being referred. It is a cart before the horse situation; the mediators are excited and ready to go, but the cases just aren't available. In terms of getting the ball rolling, they appear to be where we were 20 years ago.

Harriet: *What training is required for certification as a mediator in Belarus?*

Frank: Attorney applicants must complete 130 hours of training and non-attorneys 170!!

Harriet: *In what other situations is mediation being used?*

Frank: While I am not aware of a network of community mediation centers in Belarus similar to that which we have here in NC, it does appear that disputes in the educational arena are an evolving and fertile field for mediation. Many of the professor and psychologist mediators are interested in mediation as a tool for resolving disputes in schools and universities, between staff and administration, student and student, etc. This is why there are almost equal numbers of psychologists and teachers as there are attorneys seeking certification. In fact, it was a group of teachers, not attorneys, who arranged all of the details of my visit.

Harriet: *So let's get into some of the details of the presentations you made and trainings that you conducted.*

Frank: I spoke to a group of about 150-200 students at Mogilev University in Minsk. I had a conversation with the Vice-rector of the university who told me I was the first American to visit the university. Our conversation was aired on the local TV station! And this was just the first morning! The interview can be seen on my Facebook page videos. That afternoon I gave a three-hour lecture to students in a mediation seminar that my host, Arseny Dzhnanashia, teaches. Those students asked the most challenging questions of any group to which I have ever spoken.

Harriet: *Tell us about the three-day seminar that you mentioned earlier.*

Frank: The seminar was on advanced family and divorce mediation skills. The attendees, mostly women, had all taken training and some had completed the rigorous certification process, so it was a skilled group. It is useful to note that I had excellent translators wherever I went, and this seminar was no exception. In the training we covered mediation strategies in divorce mediation, policy issues, drafting, collaborative divorce, and much more. Collaborative divorce was a new concept for them. It was great to be able to bring this new process to their attention. We even were able to conduct role plays with relative ease. It was really interesting watching the role plays unfold and making observations about the way Belarusians brought their cultural values to their discussion of the conflict.

Harriet: *Can you give an example of that?*

Frank: The subject of one role play involved the distribution of personal property between two grad students who had lived together as partners, but one, nearing graduation, had made a decision to take a job and move elsewhere. The other felt that a decision to take a job elsewhere and move should have been made jointly. Since he had not consulted with her, the relationship was over. The issue was the division of the personal property. Or so I thought. Fairly quickly, the discussion began to revolve around the relationship and the lack of communication about plans and desires for the future. The Belarusians were not so interested in possessions as they were in relationships. So I switched gears and mediated a trial reconciliation. In the debriefing discussion, one local joked, "Since we have nothing in Belarus to divide, we focus on relationships." That was fascinating and eye opening.

Harriet: *What were some of the other venues where you spoke or taught?*

Frank: I gave two presentations at Yanka Kupala State University to a group of 20 psychology faculty and graduate students. I gave a short talk to an assembly of high school students at a school in Grodno which was being held to recognize students who had completed a peer mediation training program and who were about to implement it. The peer mediation program was established by Oksana Shulga, another Community Connections alum. I also did some training exercises with some of the grad students and some of the high school teachers involved in the peer mediation program above. I had the opportunity to speak to a large auditorium full of English, psychology and law students on

mediation and its uses in the US, at the Russian State Social University in Minsk. Later I spoke at two of the three certified mediation training centers. Each presentation and training session was interesting and gratifying. They did an excellent job of scheduling my time without completely exhausting me!

Harriet: *What did you find folks most interested in? Curious about?*

Frank: People were, frankly, fascinated by the breadth of use of mediation in NC. They also were very interested in more details about the logistics of implementing mediation programs, some advanced instruction in communication skills, and then, more specifically, topics such as mediator drafting of agreements.

Harriet: *Did you find your audiences to be engaged?*

Frank: Absolutely. Whether I was speaking to a group of 20 or 200, people were inquisitive and engaged. They, asked probing and provocative questions, thereby contributing to the conversation. Most also really enjoyed the role plays—both participating in and watching them.

Harriet: *How was the language barrier addressed? Was it an impediment to effective communication?*

Frank: The translators were adept, amazing. You might think that it would really slow down the presentation but I actually found that it helped me. I had a few moments to really think about what I wanted to say next. Some of the people could speak some English and everyone bent over backwards to try to communicate with me. I did on occasion, being excited about the topic at hand, forget to slow down and be aware of not saying too much at one time.

Harriet: *Were you stumped by any provocative questions?*

Frank: Fortunately, not really. I will say that I was very impressed by the questions which were by and large thoughtful, challenging, and penetrating. I found myself saying, “Well that’s a hard question and will require a complicated answer.” It was incredibly stimulating and rewarding.

Harriet: *Can you tell us a little bit about Belarus as a nation?*

Frank: Belarus was previously part of the Soviet Union. Now, the Republic of Belarus is a landlocked country bordered in part by the Russian Federation, Ukraine, and Poland. It has about 9 million people and I believe its geographic area is about the size of North and South Carolina combined. Its President, Alexander Lukashenko, has held that office since 1994, and as far as I know, has never been opposed. Given its location and relatively flat terrain, it endured more than its fair share of the devastations of war, as it often became a battlefield where opposing armies collided from the Middle Ages through World War II. For example, 2.3 million people were killed during WWII, 1.5 million of them civilians. Belarus became the venue for the Soviets holding the German line. July 3, 1945, is recognized as Independence Day as Belarus was finally freed from Nazi occupation. Minsk was completely destroyed in the various battles of the Great Patriotic War. Everything today was built since 1945. The American Embassy is next door to the Russian Embassy! And, the Soviet influence and Stalin--era architecture are still present in the massive KGB Headquarters that overlooks Independence Square.

Most of the city is of old European style with buildings generally no taller than 4-6 stories. It is a dense city with few vacant lots, but there are many, many parks and green areas that are well maintained. Newer buildings are of more modern style and around the outside of downtown most housing is in high rise flats. The older flats were built in the Soviet era, but when that ended and Belarus became independent, the decision was for families to own their own homes, so each flat was sold off for a nominal amount to the residents.

Here’s a piece of trivia. Two famous Belarusians are Olga Korbut, the gymnast who won gold in the 1972 Olympics, and the painter, Marc Chagall.

Harriet: *How did you find the people of Belarus?*

Frank: The people are peace loving and gentle. They seem to be very community minded, rather than an “it’s all about me” attitude that we see sometimes in America. They project a kind of “we’re all in it together” equanimity. The cities and countryside are clear of trash; the people obviously care about and take pride in their land. To a person, each was generous and the culture was friendly, open, and welcoming. People opened their homes to me, or vacated their apartments for my stay. I was often greeted in traditional Belarusian fashion with a large spiced bread, and at one venue some high school students recited a long poem of welcome in Russian and English. I also had to buy a sec-



CHARLOTTE INTERNATIONAL ARBITRATION SOCIETY (CIAS) LAUNCHED

Law firms and businesses based in North and South Carolina with international clients and a global focus now have a new resource to aid in the resolution of international commercial disputes. The Charlotte International Arbitration Society (CIAS) will promote Charlotte as the most convenient, business-friendly, and cost-effective venue on the East Coast for the arbitration or mediation of commercial disputes involving Carolina businesses or other businesses seeking a neutral location for informal dispute resolution. Regional companies doing international business frequently have to resolve their disputes outside the Carolinas at significant cost—often in New York, Atlanta, Miami, London, Brussels, Vienna, or Hong Kong. The CIAS promotes handling those matters in Charlotte because of its airport and convenient location in the commercial center of both Carolinas. This makes sound economic sense for North and South Carolina businesses served by the legal community.

Today, the two Carolinas are the home of more than 2500 foreign corporations, with over 955 companies located in the fourteen county Charlotte region alone. South Carolina is the home of more than 5000 exporting companies, including major international manufacturers in the automotive and aircraft industries. As such, businesses and law firms from North and South Carolina are increasingly involved in global commerce, and from time to time, in need of dispute resolution services.

To achieve its goal of promoting Charlotte as a venue for international commercial dispute resolution, and to advance arbitration (and other alternatives to litigation) as a prompt, cost effective and orderly method of dispute resolution, the CIAS has developed a number of programs, events and member benefits. For example, the CIAS is taking a leading role in supporting continuing education and other programs for lawyers, judges, and other interested professionals in the advantages and challenges of participating in international arbitration proceedings. This will in turn foster a well-educated and internationally savvy legal and business community that readily understands the unique nature of international dispute resolution. For more information visit www.charlottearbitration.org

DRC RELEASES FY 2014/15 ANNUAL REPORT

**To read the Annual Report for the Commission's 20th year of operation,
[Click here!](#)**

Email DRCMediators@nccourts.org to receive a copy of the Annual Report.

Free and Better Than Ever: Mediation at the North Carolina Court of Appeals

By: Judge Donna Stroud, Ex-officio liaison from the Court of Appeals



Judge Donna Stroud

Did you know that the North Carolina Court of Appeals has a program that has been successful in resolving approximately 50% of the participating cases and that it is provided at **no cost** to the parties and no additional cost to the State of North Carolina? It is the **Appellate Mediation Program**, and in the spirit of Chief Justice Mark Martin's plan to make our courts more accessible and efficient, the court has recently made some changes to make mediation more user-friendly and to publicize the program. Although the Court has had a mediation program since 2002, many attorneys still are not familiar with it. The Appellate Mediation program began under the leadership of its first chairperson, former judge and now Justice Robin Hudson, who served in this capacity from 2002 to 2007. In 2007, Judge Sanford Steelman became the mediation chairperson where he served until his retirement in June of 2015, and then Judge Donna Stroud became the mediation chairperson.

All of the appellate judges who serve as mediators have received mediation training. The Appellate Mediation program is open to all civil cases in which all parties are represented by counsel, except juvenile matters and cases related to registration or satellite-based monitoring of sex offenders. After the record on appeal has been filed with the Court of Appeals, the court sends all attorneys of record in any eligible case a letter offering mediation and a Consent to Appellate Mediation form, which must be signed by counsel for all parties and timely filed. Once all parties have agreed to participate in mediation, the case is assigned to a judge who will mediate the case, unless the parties have opted to use a private mediator. As of March 1, 2015, the consent form was amended to make the process a bit easier, as the form now also serves as a motion to extend the time for the filing of the appellant's brief by 60 days. With this change to the Consent to Appellate Mediation form, counsel no longer have to file a separate motion for extension of time and if the mediation is successful, the parties can avoid the expense of obtaining extensions of time and, more importantly, preparation of briefs.

The judge who serves as a mediator in a case will not have any additional involvement in the case if it is not resolved at mediation and the appeal must proceed to hearing and disposition by the Court of Appeals. Mediation sessions are usually held at the Court of Appeals building in Raleigh, but distance from Raleigh should not prevent attorneys from considering participation in the mediation program. If Raleigh is a long trip for the counsel or parties, the judges are sometimes able to hold the mediation session in a more convenient location for the parties, thus saving them the expense of traveling to Raleigh. More mediation information is available on the Court's website at <http://www.nccourts.org/Courts/Appellate/Appeal/Mediation/Default.asp>.

And did we mention that all of this is FREE?? Don't forget to consider the **Appellate Mediation Program** for your next civil appeal.



ond suitcase to bring back all of the gifts I was given!



Frank Laney

Harriet: *That's amazing! What were some of those gifts?*

Frank: A Belarusian doll, linens, a liquor known as "Belarusian Balm," a scarf for my daughter, a flag of Mogiliv, chocolate, a jar of homemade birch juice (yes! Juice from birch trees), a hand-carved Russian doll, and an intricately worked leather wallet, among others. My friend, Marina, knowing how much I love ballet, also bought tickets for La Esmeralda. Their generosity was unbelievably moving.

Harriet: *Did you have an opportunity to visit any historic sites? Can you give an example?*

Frank: There actually was a large museum of Belarusian culture in the high school that I visited with my friend Oksana. Its curator gave me a long tour. At that time in history, the virtues of religion and faith were extolled, in contrast to the Soviet era when all churches had been turned into libraries or museums and the collection reflected that. One room was filled with beautiful icons. My wife, Anne, has long adored iconographic art, so I took lots of pictures. Later, Oksana gave me her family's personal icon to give to my wife, since I had shared my wife's passion for them. Oksana had remembered the comment and gave me the icon saying that she knew my wife would appreciate it. She refused to let me leave without it. It sits in a place of honor above our fireplace.

Harriet: *Have you remained in contact with any of your Belarusian colleagues since your return?*

Frank: Yes, I have. Evgeniy Samsonov, the English professor who translated my presentation to my friend, Professor Arseny Dzhanashia's, seminar at Mogilev University, invited me to Skype with his English classes which I have done several times. They want to talk and learn about life in America. There is also communication with the Community Connections group about a return trip! And, of course, many of us are Facebook friends.

Harriet: *Was there any particular thing that stands out as particularly moving and/or meaningful?*

Frank: Oksana took me to a park to see the second oldest church still in use in Europe. Although there was a service going on, she and I went inside for a look at the interior. She pulled her scarf over her head and we quietly slipped in the back. The whole church was one room, with the center full of standing people. We stood against the back wall so as to not disturb anyone. After a few minutes, the priests began to process around the room, carrying the Bible, some icons, incense and other items led by a man with a shepherd's staff. They walked along the walls, walking around the whole congregation, creating a sense of inclusion and communal blessing. When the man with the staff got to Oksana and me, he made a little hand gesture for us to step forward so we would be inside the procession and he could go behind us. Not wanting to interfere with the service, we waved back, no, as we were only visiting. He nodded, then with insistence waved for us to step forward. Regardless of why we were there, that gesture included us as part of the congregation. There was no division - we were all one in that place, each of us receiving the prayers and blessings being bestowed upon all present. I was very touched by that generosity of spirit. I felt that he wanted to make sure that even though I was not Russian Orthodox and really had little idea as to what was going on, I was welcomed into the congregation and felt included. My heart was full. I left the church with the simple thought that maybe we all need to work harder at drawing people together rather than drawing lines that separate people. The Belarusians demonstrated that intention to me in many ways during my stay.

Harriet: *What an amazing experience. Thank you for sharing with us.*

To read Frank's article, [Click Here](#).

Frank Laney is Circuit Mediator for the US Court of Appeals for the Fourth Circuit, a DRC Superior Court and Family Financial certified mediator, an ex-officio member of the DRC, and adjunct professor with Campbell School of Law.

CONGRATULATIONS TO COMMISSION MEMBER LORRIE DOLLAR!

Lorrie was recently hired as AOC Deputy Director for Operations. She will be working closely with AOC Director Marion Warren and the Chief Justice's NC Commission on the Administration of Law and Justice.



SUGGESTED READING?

The Commission posts a number of publications on its website regarding mediation practice and theory and alternative dispute resolution. We would love your suggested additions to that list? Have you read any books lately that you would recommend to others in the field? Please email staff at DRCmediators@nccourts.org.

THANK YOU FOR RENEWING YOUR CERTIFICATION!!

Here are the numbers:

MSC Active 1266
Inactive 80
FFS Active 333
Inactive 17
Dual Active 178
Inactive 18
Clerk Active 148

IMPORTANT REMINDER!!!

With the holiday season fast approaching, the Commission wants to remind its mediators about Standard VII.H. Conflicts of Interest:

A mediator shall not give or receive any commission, rebate or other monetary or non-monetary form of consideration from a party or representative of a party in return for referral or expectation of referral of clients for mediation services, except that a mediator may give or receive de minimis offerings such as sodas, cookies, snacks or lunches served to those attending mediations conducted by the mediator and intended to further those mediations or intended to show respect for cultural norms.

A mediator should neither give nor accept any gift, favor, loan or other item of value that raises a question as to the mediator's actual or perceived impartiality.





TEST YOUR KNOWLEDGE!!!
TRUE OR FALSE?

1. A mediator can disclose statements made at a mediated settlement conference only with the consent of all parties.
2. If pro se parties reach an agreement at a mediated settlement conference, the mediator should prepare the agreement for the parties to sign.
3. If a district criminal court case is resolved at a mediated settlement conference, the mediator may prepare the agreement for the parties to sign.
4. A mediator may donate part of her mediation fees to a non-profit organization for which she sometimes mediates disputes.
5. An FFS case involving pro se parties is successfully resolved at a mediated settlement conference, and includes a provision requiring one party to sign a quitclaim deed in favor of the other party. The mediator may not prepare the quitclaim deed at the request of the parties.
6. All issues in a FFS case were resolved at mediation. The parties agreed to compute child support based upon the NC Child Support Guidelines. However, one party had recently begun a new job and had not received a first paycheck. The agreement provided that if a dispute arose over the computation of child support after receipt of the paystub, the mediator could act as an arbitrator and determine the amount of child support due and by whom. The mediator may do this.
7. A mediator may give holiday gift baskets to attorneys for whom s/he mediates.
8. A party may be compelled to testify about what was said at the mediation of a civil superior court matter in a criminal proceeding which arises out of the same facts and involves the same parties as the civil matter.
9. The Dispute Resolution Commission is 100% funded by mediator and mediator training certification fees.
10. A mediator certified by the Commission for the MSC program may advertise that s/he is a “certified mediator in civil superior court cases.”

Answer key on page 16

Upcoming Mediator Certification Training



Superior Court Training

Carolina Dispute Settlement Services: 40-hour superior court mediator training course, December 7 - 11, 2015, in Raleigh and February 22 - 26, 2016 in Raleigh. For more information or to register, Contact Diann Seigle at (919) 755-4646, or visit their web site: www.notrials.com.

Mediation, Inc.: 40-hour superior court mediator training course, January 19 - 23, 2016 in Charlotte. For more information or to register, contact Andy Little at (919) 967-6611 or (888) 842-6157, or visit their web site at www.mediationincnc.com.

Family Financial Training

Carolina Dispute Settlement Services: 40-hour family mediation training course. See above for contact information.

Justice Center of Atlanta, GA, formerly Atlanta Divorce Mediators, Inc.: 40-hour family mediation training course, February 18 - 22, 2016, in Atlanta, GA, and July 14 - 18, 2016, in Atlanta, GA. For more information, contact Melissa Heard at (770) 778-7618 or visit their web site at www.justicecenter.org

Mediation, Inc: 40-hour family mediation training course, April 2 - 6, 2016 in Raleigh. See above for contact information.

6-Hour Training

Mediation Inc: 6-hour training course, January 16, 2016. See above for contact information.

Professor Mark W. Morris: 6-hour course. For more information or to register on-line, visit www.nccourts.homestead.com.

The ADR Center (Wilmington): 6-hour course. For more information or to register, contact Carla Pike at (910) 362-8000 or email cpike@theADRcenter.org, or visit their web site at www.theADRcenter.org.

Judge H. William Constangy (Charlotte): For more information, contact Judge Constangy at (704) 807-8164.

CME OPPORTUNITIES

CME and Training Opportunities

Justice Center of Atlanta, is presenting “Anger, the Tie that Blinds” on December 4, 2015 from 8:45 - Noon in Atlanta, Ga., and “Back to the Future” on December 17, 2015 from 8:45 - Noon in Atlanta, Ga. For additional information, call (404) 523-8236 or visit www.justicecenter.org

Mediation, Inc., is presenting an Advanced Negotiation Seminar on “Don’t Leave Money on the Table”, on February 5, 2016, in Raleigh, and February 12, 2016 in Charlotte. For additional information, call (888) 842-6157 or (919) 636-5697 or visit www.mediationincnc.com

NC Bar Association, is presenting “Getting a Mediation Practice Up and Running” as part of their On Demand Program. For additional information, call (800) 228-3402 or visit www.ncbar.org/cle

2016 NCBA Dispute Resolution Section Meeting

Navigating the Pathways of Alternative Dispute Resolution

Where: The Westin Charlotte

222 S. Caldwell Street

Charlotte, NC 28202

When: Early Arrivals Thursday, February 18, 2016

Friday, February 19, 2016

Registration : 8:15 am

Programs: 8:50 am - 4:30 pm

For more information contact the NCBA at (800) 228-3402 or visit www.ncbar.org



Commission Meeting

All mediators are reminded that Commission meetings are open to the public. If you wish to be present, please let Commission staff know so that seating is assured. The next regularly scheduled meeting is the Commission’s winter meeting on February 26, 2016, at the NC Judicial Center, 901 Corporate Center Drive, Raleigh, NC. Information about Commission meetings and minutes are regularly posted on the Commission’s website at www.ncdrc.org. From the menu on your left, click on “Missions and Operations”, then, from the next menu, select “Meeting Information”.

MEDIATION OF SUMMARY EJECTMENT CASES TAKES OFF IN MECKLENBURG COUNTY

Several years ago, the Mecklenburg County Civil District Courts Committee, chaired by Judge Becky Thorne Tin, initiated a volunteer mediation program to assist litigants and the court in resolving the county's heavy docket of summary ejectment cases. The program has been tremendously successful, resulting in more satisfied litigants, and a more efficient use of court time.



Judge Becky Thorne Tin

This program is an innovative initiative by Mecklenburg County and not created by statute. Although not one of the programs that the DRC oversees, the committee has developed a Protocol for the program which seeks to incorporate the provisions of recent advisory opinions related to mediator drafting and conduct when a pro se party is involved.

Lawyers with five or more years of experience in civil litigation serve as volunteers, some of whom are DRC certified mediators, although that is not required. Both parties must consent to the process. When agreement is reached, mediators help the litigants summarize the terms of their agreement on the Mediation Summary posted on the DRC's website, or a similar document. This Summary is not intended to be a binding contract and is not signed by the parties or the mediator. The Summary is then typically presented to the presiding judge, who undertakes a voir dire of the parties about the agreed upon terms, and enters those terms into a continuance order. The matter is continued and set on a future calendar for compliance review.

The DRC applauds the Mecklenburg County Civil District Courts Committee, Judge Tin, and all of the volunteers who make the program work for the people of Mecklenburg County. If you are an attorney in the Charlotte area, consider volunteering with the program.

Answers to Test Your Knowledge Quiz

1. **False.** Consent of the parties does not change mediator's duty to maintain confidentiality under Standard III.
2. **False.** AO 28 (2013).
3. **True.** G.S.84-2.1.
4. **False.** Standard II, Impartiality.
5. **True.** Standard VI, Separation of Mediation from Legal...Advice, AO 28 (2013).
6. **True.** AO 17 (2010).
7. **False.** Standard VIII(H).
8. **True.** AO 29 (2014); G.S.7A-38.1(I).
9. **True.** The DRC receives NO tax dollars.
10. **False.** See DRC Advertising Guidelines for acceptable representations.

MSC 2014-15 CASELOAD STATISTICS

MSC <u>Statewide</u> <u>Totals</u>	A	B	C	D	E	F	G	H	I	J	K	L	M	DO NOT FILL IN	DO NOT FILL IN
D1	98	35	2	0	135	0	0	10	14	1	25	110			
D2	138	54	0	0	192	1	0	26	11	10	48	144			
D3A	74	148	6	4	232	0	33	40	38	18	129	103			
D3B	469	99	0	0	568	0	0	35	28	4	67	501			
D4A	20	6	2	0	28	0	0	20	7	1	28	0			
D4B	106	87	10	0	203	0	5	20	19	79	123	80			
D5	700	0	6	0	706	0	23	79	61	149	312	394			
D6A	48	42	0	1	91	0	1	13	8	13	35	56			
D6B	75	0	0	0	75	0	0	2	1	0	3	72			
D7A	35	41	1	0	77	0	1	7	6	3	17	60			
D7BC	185	130	0	0	315	8	7	72	41	16	144	171			
D8A	51	42	0	0	93	0	3	7	10	15	35	58			
D8B	198	120	0	3	321	4	10	37	29	83	163	158			
D9	113	72	1	0	186	0	3	40	22	26	91	95			
D9A	81	21	0	0	102	0	1	9	4	0	14	88			
D10	442	689	4	0	1,135	7	306	257	160	1	731	404			
D11A	292	107	6	2	407	2	5	38	24	26	95	312			
D11B	476	292	0	0	768	5	0	45	28	10	88	680			

MSC 2014-15 CASELOAD STATISTICS

MSC Statewide Totals	# OF CASES PENDING AT BEGINNING OF THE FISCAL YEAR	# OF CASES ORDERED TO MSC (AOC-CV- 811) OR SENT BY LOCAL RULE (OMSC)	# OF CASES WHICH VOLUN- TARILY SUBMIT- TED TO MSC (VMSC) new as of 1/1/2012	# OF CASES ORDERED/ SUB- MITTED TO OTH- ER SETTLE- MENT PROCEDURE such as Neutral, Summary Trial, Arbitration, or Other (AOC-CV-818)	DO NOT FILL IN	# OF CASES IN WHICH MOTION TO DISPENSE/ EXEMPT CASE FROM MSC WAS ALLOWED (SUPREME COURT RULE 1.C.6)	# OF CASES REPORTED SETTLED PRI- OR TO OR DUR- ING RECESS OF ADR (Report 806, 813 or 817); RELIABLE RE- PORT THAT CASE SETTLED OUTSIDE/ WITHOUT ADR	# OF CASES FULLY RE- SOLVED IN ADR (Report 806, 813 or 817 indicates the parties reached "Agreement on all issues") SETTLED	# OF CASES NOT RE- SOLVED (Report 813 indicates the parties reached an "IMPASSE")	# OF CASES DISPOSED WITHOUT ATTENDING ADR (Dismissal, Trial, or other type of dispo- sition) CLOSED/ MOOT	DO NOT FILL IN	DO NOT FILL IN
County	Begin Pending*	Ordered or Sent to Mediated Settlement Con- ference (OMSC)	Voluntarily Sub- mitted to Media- tion Settlement Conference (VMSC)	Ordered or Sub- mitted to Other Settlement Pro- cedure (MEDO)	Total Case- load for Fiscal Year	Ordered Ex- empted from ADR (MEDE)	Reported Set- tled Prior To or During ADR Recess (MEDS)	Reported All Issues Resolved at ADR (MEDA)	Reported Impasse (not re- solved) at ADR (MEDI)	Disposed Without ADR Ses- sion (MEDB)	Cases Completing Process	End Pending
D12	114	216	0	0	330	30	79	81	59	0	249	81
D13A	214	84	0	0	298	0	5	34	16	35	90	208
D13B	64	124	2	0	190	0	2	33	1	28	64	126
D14	380	297	1	0	678	3	0	106	48	25	182	496
D15A	120	111	1	2	234	0	2	30	27	29	88	146
D15B	298	129	0	8	435	2	8	33	16	51	110	325
D16A	20	87	2	0	109	0	11	32	18	16	77	32
D16B	21	21	0	0	42	0	1	24	17	0	42	0
D17A	72	37	0	1	110	0	2	26	6	0	34	76
D17B	378	16	5	0	399	0	6	13	19	12	50	349
D18	262	490	0	0	752	1	0	162	112	168	443	309
D19A	60	127	6	0	193	1	21	41	32	31	126	67
D19B	59	86	3	0	148	3	5	39	22	18	87	61
D19C	76	93	0	0	169	1	16	35	32	27	111	58
D19D	397	75	0	0	472	0	0	18	16	14	48	424

MSC 2014-15 CASELOAD STATISTICS

<u>MSC</u> <u>Statewide</u> <u>Totals</u>	# OF CASES PENDING AT BEGINNING OF THE FISCAL YEAR	# OF CASES ORDERED TO MSC (AOC-CV-811) OR SENT BY LOCAL RULE (OMSC)	# OF CASES WHICH VOLUNTARILY SUBMITTED TO MSC (VMSC) new as of 1/1/2012	# OF CASES ORDERED/ SUBMITTED TO OTHER SETTLEMENT PROCEDURE such as Neutral, Summary Trial, Arbitration, or Other (AOC-CV-818)	<u>DO NOT FILL IN</u>	Total Case-load for Fiscal Year	Ordered Exempt from ADR (MEDE)	Reported Settled Prior To or During ADR Recess (MEDS)	Reported All Issues Resolved at ADR (MEDA)	Reported Impasse (not resolved) at ADR (MEDI)	Disposed Without ADR Session (MEDB)	Cases Completing Process	<u>DO NOT FILL IN</u>
A	B	C	D	E	F	G	H	I	J	K	L	M	
County	Begin Pending*	Ordered or Sent to Mediated Settlement Conference (OMSC)	Voluntarily Submitted to Mediation Settlement Conference (VMSC)	Ordered or Submitted to Other Settlement Procedure (MEDO)		Ordered Exempt from ADR (MEDE)	Reported Settled Prior To or During ADR Recess (MEDS)	Reported All Issues Resolved at ADR (MEDA)	Reported Impasse (not resolved) at ADR (MEDI)	Disposed Without ADR Session (MEDB)	Cases Completing Process	End Pending	
D20A	47	20	5	0	72	0	0	5	8	8	21	51	
D20B	111	114	0	1	226	0	0	50	51	52	153	73	
D21	1,968	460	12	11	2,451	2	1	84	108	29	224	2,227	
D22A	214	133	0	1	348	1	17	38	43	38	137	211	
D22B	369	45	11	0	425	0	6	31	19	2	58	367	
D23	96	56	3	0	155	2	8	20	15	14	59	96	
D24	127	79	10	0	216	1	2	20	29	30	82	134	
D25A	334	75	0	10	419	0	0	26	24	3	53	366	
D25B	287	105	4	1	397	1	23	30	33	16	103	294	
D26	451	957	65	44	1,517	18	242	408	379	36	1,083	434	
D27A	275	138	0	1	414	0	0	43	35	35	113	301	
D27B	31	115	4	0	150	0	0	35	29	4	68	82	
D28	404	137	8	2	551	1	3	53	25	12	94	457	
D29A	209	20	3	0	232	1	1	13	3	26	44	188	
D29B	224	112	5	0	341	0	22	24	23	6	75	266	
D30A	124	87	0	1	212	2	0	34	6	17	59	153	
D30B	299	81	0	0	380	1	0	17	17	8	43	337	
FY 14-15 MSC TOTAL	5,570	2,734	130	72	8,506	30	325	931	847	336	2,469	6,037	

FFS 2014-15 CASELOAD STATISTICS

FFS Statewide	# OF CASES PENDING AT BEGINNING OF THE FISCAL YEAR	# OF CASES ORDERED TO FFS MSC (AOC-CV-824) OR SENT BY LOCAL RULE (MSC)	# OF CASES WHICH VOLUNTARILY SUBMITTED TO MSC (VMSC) new as of 1/1/2012	# OF CASES ORDERED TO SETTLEMENT CONFERENCE (AOC-CV-826, SIDE 2)	# OF CASES ORDERED TO OTHER SETTLEMENT PROCEDURE (e.g., Family Law Arbitration, Collaborative Law)	DO NOT FILL IN	# OF CASES IN WHICH MOTION TO EXEMPT FROM FFS WAS ALLOWED	# OF CASES REPORTED PRIOR TO OR DURING RECESS OF ADR (Report 827, 834); RELIABLE REPORT THAT CASE SETTLED OUTSIDE / WITHOUT ADR	REPORT 827 OR 834 INDICATES THE PARTIES REACHED "AN AGREEMENT ON ALL ISSUES"	REPORT 827 OR 834 INDICATES PARTIES REACHED "AN AGREEMENT ON SOME ISSUES"	REPORT 827 OR 834 INDICATES PARTIES REACHED "AN IMPASSE (not resolved) at ADR"	# OF CASES DISPOSED WITHOUT ATTENDING ADR (Dismissal, Trial, or other type of disposition) CLOSED/ MOOT	DO NOT FILL IN	DO NOT FILL IN
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
County	Begin Pending*	Ordered to Mediation Settlement Conference (MSC)	Voluntarily Submitted to Mediation Settlement Conference (VMSC)	Ordered to Judicial Settlement Conference (JSC)	Submitted to Other Settlement Procedure (OSP)	Total Caseload for Month	Ordered Exempted from ADR (ADRE)	Reported Settled Prior to or During ADR Recess (ADRT)	Reported All Issues Resolved at ADR (ADRS)	Reported Partially Resolved at ADR (ADRP)	Reported Impasse (not resolved) at ADR (ADRI)	Disposed Without ADR Session (ADRW)	Cases Completing Process	End Pending
D1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D2	35	0	0	0	0	35	0	0	4	0	0	0	4	31
D3A	13	67	0	0	0	80	0	0	19	0	22	21	62	18
D3B	1,427	350	0	0	0	1,777	1	1	39	5	14	0	60	1,717
D4	63	0	17	0	0	80	1	0	11	1	4	2	19	61
D5	304	256	0	0	0	560	0	0	44	1	13	129	187	373
D6A	0	12	0	3	0	15	2	0	8	0	3	1	14	1
D6B	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D7	1	11	2	0	0	14	0	0	11	1	2	0	14	0
D8	17	21	0	0	0	38	5	1	4	0	6	9	25	13
D9	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D9A	2	0	0	0	0	2	0	0	2	0	0	0	2	0
D10	181	224	10	13	10	438	1	2	70	7	43	126	249	189
D11	193	32	1	0	0	226	2	9	16	6	16	1	50	176

FFS 2014-15 CASELOAD STATISTICS

FFS Statewide	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
D12	215	373	0	31	0	0	619	93	0	44	20	24	175	356	263
D13	1	0	0	0	0	0	1	0	0	0	0	0	0	0	1
D14	56	57	0	0	0	0	113	0	0	1	12	5	0	18	95
D15A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D15B	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D16A	11	14	0	0	0	0	25	0	0	9	1	1	4	15	10
D16B	52	57	0	0	0	0	109	0	0	1	12	5	0	18	91
D17A	21	38	0	0	0	0	59	0	1	13	3	10	11	38	21
D17B	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D18	497	278	0	1	1	1	777	3	5	76	9	20	185	298	479
D19A	0	55	0	0	0	0	55	0	0	24	2	16	9	51	4
D19B	38	87	5	28	0	0	158	3	30	35	7	16	5	96	62
D19C	5	34	0	0	0	0	39	0	0	26	2	6	1	35	4
D20A	12	34	0	0	0	0	46	2	0	10	0	3	17	32	14
D20B	144	166	0	0	0	0	310	1	0	122	0	0	54	177	133
D21	105	2	49	0	0	2	158	8	0	44	4	11	91	158	0

FFS 2014-15 CASELOAD STATISTICS

FFS Statewide	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
D22A	0	4	28	0	0	0	32	0	0	12	6	14	0	32	0
D22B	49	2	81	0	0	0	132	0	3	9	5	7	0	24	108
D23	8	36	4	0	0	0	48	4	2	13	1	17	9	46	2
D24	85	41	1	0	0	0	127	0	0	9	0	8	6	23	104
D25	257	114	21	0	0	0	392	11	3	29	9	27	115	194	198
D26	754	79	0	67	0	0	900	2	0	47	2	69	9	129	771
D27A	111	3	20	0	0	0	134	0	0	1	1	0	0	2	132
D27B	40	56	1	3	1	1	101	2	0	22	0	1	53	78	23
D28	43	100	0	0	0	0	143	0	0	33	3	16	60	112	31
D29A	48	2	0	0	0	0	50	0	2	5	3	6	7	23	27
D29B	89	36	5	33	0	0	163	2	0	5	1	7	15	30	133
D30	22	22	0	0	0	0	44	0	5	28	1	6	4	44	0
Total FY 2014-15	4,833	2,663	245	179	14	7,934	143	64	846	125	418	1,119	2,715	5,219	