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|-----------|---|---------------------|
|           | * | IN THE              |
| PLAINTIFF | * | CIRCUIT COURT       |
| VS        | * | FOR                 |
|           | * | ANNE ARUNDEL COUNTY |
| DEFENDANT | * | CASE NO. C-         |

\* \* \* \* \*

**ORDER FOR ALTERNATE DISPUTE RESOLUTION**

This Order is your official notice of dates and required Court appearances. It is this \_\_\_\_\_ day of \_\_\_\_\_, 2003, ORDERED, that:

The Court having concluded that this case may benefit from the Alternative Dispute Resolution Program of this Court, it is ordered that this matter be referred to:

Settlement Conference with a Settlement Conference Officer \_\_\_\_\_

Pursuant to Maryland Rule 17-103, Mediation with a Mediator \_\_\_\_\_

\_\_\_\_\_ The parties agree to meet with the above-named Mediator and agree to split the cost of the mediation equally between the parties. The cost of mediation per each two-hour session is \$150.00 per party. Failure to attend a mediation session does not excuse payment of the fee for the missed sessions. All mediation sessions shall be confidential and inadmissible in any proceeding without the consent of both parties, and in no event shall the mediator give evidence in such a proceeding regarding mediation or the or the contents of those discussions. **Release of information by the mediator to the Court as to attendance or payment of mediation fee is not confidential. Failure to appear for mediation or failure to pay the mediation fee may subject the offending party to a show cause order that may result in dismissal or judgment against that party.** The court-certified mediator shall advise the Civil Case Coordinator of the disposition of the mediation within ten (10) days of the final mediation session.

NOTE: Objections filed pursuant to Maryland Rule 17-103 shall be resolved by the Administrative Judge or designee.

Arbitration with an Arbitrator \_\_\_\_\_

Retired Judge \_\_\_\_\_

Other \_\_\_\_\_

A. That the parties shall have at least one bona fide conference with the Settlement Conference Officer/Mediator/Arbitrator, to be held no less than thirty (30) days before the Pretrial hereinafter established. Within that time, other conferences may be scheduled at the discretion of the Settlement Conference Officer/Mediator/Arbitrator.

B. That all discovery necessary to make the settlement conference meaningful must be completed by the conference date unless all counsel and the Settlement Conference Officer/Mediator/Arbitrator agree to proceed at the conference date without discovery having been completed. If counsel anticipate that the discovery will not be completed by the conference date, they shall notify the Settlement Conference Officer/ Mediator/ Arbitrator at least ten (10) days in advance of the conference date to determine whether counsel and the Settlement Conference Officer/Mediator/Arbitrator can agree to hold the conference without the completion of discovery. In any event, all discovery shall be closed thirty (30) days prior to the Pretrial Date.

C. That all parties and counsel must appear at the conference. If settlement terms must be approved by a claims supervisor, claims committee, government official, or other individual or individuals, that person or those persons must appear, in addition to or in lieu of that party.

D. That a Settlement statement will be mailed to all parties or their counsel by the Settlement Conference Officer/Mediator/Arbitrator. It shall be returned fifteen (15) days before the scheduled Settlement Conference. This statement is confidential and is not to be served on the other side or filed in the Court jacket.

E. That all proceedings at the conference, including any statements made or documents prepared for the conference by any party, attorney or other participant, are privileged and shall not be disclosed to the trial judge or construed as an admission against interest unless otherwise agreed. No party shall be bound by anything said or done at the conference unless a settlement is reached.

F. That if a settlement is reached at the conference, the agreement shall be reduced to writing and shall be binding upon all parties to the agreement.

G. That the Settlement Conference Officer/Mediator/Arbitrator shall advise the Court within ten (10) days after the conference by filing the Settlement Program Data Sheet with the Case Management Administrator on whether or not settlement was effectuated and completing the information required on the Data Sheet.

H. Counsel shall notify the Settlement Conference Officer/Mediator/Arbitrator and the Office of Case Management in writing of any postponements or newly named parties.

If an attorney and/or party fail to participate in alternative dispute resolution or other proceedings as ordered without having first obtained a postponement or other waiver of this Court, a Show Cause Order will be issued. A Show Cause Hearing will then be held to determine why sanctions should not be imposed on the offending party or counsel. Monetary or other sanctions may be imposed on any attorney or party who fails to comply with an order of this Court issued in accordance with the Civil Differentiated Case Management Plan.

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Judge

Copies: