



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courtinfo.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: June 24, 2011

Title	Agenda Item Type
Alternative Dispute Resolution (ADR): Use of Remaining Fiscal Year 2010–2011 Judicial Administration Efficiency and Modernization Fund Allocation for ADR Projects	Action Required
	Effective Date
	June 24, 2011
Rules, Forms, Standards, or Statutes Affected	Date of Report
N/A	June 17, 2011
Recommended by	Contact
Mary M. Roberts, General Counsel	Alan Wiener, 818-558-3051
Deborah Brown, Managing Attorney	alan.wiener@jud.ca.gov
Heather Anderson, Senior Attorney	
Alan Wiener, Attorney	
Office of the General Counsel	

Executive Summary

The Administrative Office of the Courts recommends that the Judicial Council approve using a portion of the remaining fiscal year 2010–2011 Judicial Administration Efficiency and Modernization Fund (Modernization Fund) that the council allocated for alternative dispute resolution (ADR) projects to (1) increase 10 previously approved FY 2010–2011 Civil Mediation and Settlement Program Awards to superior courts; and (2) produce a video, suitable for statewide use by courts, to promote and facilitate the use of court-connected mediation programs for civil harassment cases. Increasing the Civil Mediation and Settlement Program Awards will enable the recipient courts to continue currently operating ADR projects until December 31, 2011. The proposed video is intended to help reduce court workloads and increase litigant satisfaction in civil harassment cases.

Recommendation

The Office of the General Counsel (OGC), the division of the Administrative Office of the Courts (AOC) responsible for administering the Modernization Fund allocation for ADR projects (the ADR allocation), recommends that the Judicial Council:

1. Approve using \$282,634 of the FY 2010–2011 ADR allocation to increase FY 2010–2011 Civil Mediation and Settlement Program Implementation and Improvement Project Awards to the Superior Courts of Inyo, Lake, Los Angeles, Monterey, San Diego, San Francisco, San Luis Obispo, Santa Clara, Solano, and Sonoma Counties, as set forth in Table 1.¹
2. Approve using \$25,300 of the FY 2010–2011 ADR allocation for the AOC to produce a video, suitable for statewide use by courts, to encourage and help self-represented litigants to participate in court-connected mediation programs for civil harassment cases.

Previous Council Actions

The Legislature established the Modernization Fund in 1998 to promote improved access, efficiency, and effectiveness in trial courts. The Legislature further provided that “[m]oneys in the fund may be expended to implement projects approved by the Judicial Council” and that the “Judicial Council may, with appropriate guidelines, delegate to the Administrative Office of the Courts the administration of the fund.” (Gov. Code. §77213(b).) The Judicial Council has delegated authority to its Executive and Planning Committee (E&P) and to the Administrative Director of the Courts.²

For the past 12 years, the Judicial Council has, either directly or through E&P, approved using a portion of the fund to directly support superior court ADR programs for civil cases.³ The initial appropriation to the Modernization Fund in FY 1998–1999 included funding to support Early Mediation Pilot Programs in four trial courts. Contemporaneous legislation directed the Judicial

¹ Summaries of the relevant FY 2010–2011 Civil Mediation and Settlement Award, the amounts of the extension funding applications, and the staff recommendations concerning each of them are set forth in Table 1.

² The *Judicial Administration Efficiency and Modernization Fund Internal Guidelines* adopted by the Judicial Council on December 5, 2003, and revised in 2007 provide that the Administrative Director of the Courts must present to E&P each fiscal year a proposed budget of potential programs and projects to be paid from the Modernization Fund. (Internal Guidelines, § 3.1B.) After approving the proposed budget as presented or as modified, E&P may thereafter amend the budget, including approving new projects and programs that create an ongoing obligation on the Modernization Fund. (Id., § 3.1C.) Thereafter, the Administrative Director of the Courts and/or his designee may approve new projects and programs within the approved funding level for each budget category. (Id., § 3.1D.1.) The Administrative Director or his designee may also transfer any funding that is unexpended or unencumbered as of June 1 of each year to any program or project that may be funded by the Modernization Fund. (Id., § 3.1D.4.)

³ Because the Judicial Council has authorized E&P to act on behalf of the council with regard to the administration of the Modernization Fund, actions taken by E&P are referred to as acts of the council.

Council to study and report to the Legislature concerning the pilot programs. The ADR allocation was used to support the Early Mediation Pilot Programs from 1999 through 2004, when the pilot programs and the report to the Legislature were completed. From 2004 through 2010, the ADR allocation has been used to provide Civil Mediation and Settlement Program Awards to superior courts.

Judicial Council policy directives

Based on the positive results of the pilot programs, the Judicial Council has made numerous policy directives to promote the implementation of mediation and settlement programs for civil cases. In 2004, when it approved the Early Mediation Pilot Program Report to the Legislature, the Judicial Council

- Directed the Civil and Small Claims Advisory Committee to consider proposing a standard of judicial administration encouraging all trial courts to implement mediation programs for civil cases as part of their core operations; and
- Directed AOC staff work to with the superior courts to (1) assess their needs and available resources for developing, implementing, maintaining, and improving mediation and other settlement programs for civil cases, and (2) where existing resources are not sufficient, develop plans for obtaining the necessary resources.

In 2005, the council adopted section 10.70(a) of the Standards of Judicial Administration, which states, “All trial courts should implement mediation programs for civil cases as part of their core operations.” (This provision was originally adopted as section 32 of the Standards of Judicial Administration.)

In 2006, the council adopted the 2006–2012 judicial branch strategic plan, in which goal IV, recommended policy 6 is: “Support and expand the use of successful dispute resolution programs.”⁴ To achieve this goal, the 2008–2011 judicial branch operational plan adopted by the council in 2008 includes goal IV, objective 1g, which is: “Increased alternatives to hearings, including such alternative dispute resolution (ADR) options as mediation, arbitration, neutral evaluation, and settlement conferences.”⁵

Also in 2008, the council (through E&P) approved a continuing allocation of \$1.74 million per year from the Modernization Fund to support ADR projects. E&P approved the Modernization Fund allocations on behalf of the council from FY 2004–2005, when the Civil Mediation and Settlement Program Awards began, through FY 2009–2010. The full Judicial Council approved the FY 2010–2011 Modernization Fund allocations on December 10, 2010.

⁴ Judicial Council of Cal., *Justice in Focus: The Strategic Plan for California’s Judicial Branch, 2006–2012* (2007), p. 40, www.courts.ca.gov/strategic_plan_2006-2012-full.pdf.

⁵ Judicial Council of Cal., *The Operational Plan for California’s Judicial Branch, 2008–2011*, p. 38, www.courts.ca.gov/2008_operational_plan.pdf.

Civil Mediation and Settlement Program Awards to superior courts

The Civil Mediation and Settlement Program Awards program was initiated in FY 2004–2005, to help courts implement the Judicial Council policy, goals, and objectives mentioned above. This program awards superior courts up to \$7,500 to conduct a needs assessment and plan a mediation or other settlement program (planning projects) and up to \$100,000 to implement a new mediation or settlement program or to maintain or improve an existing program (implementation projects). During each of the six years since this program was initiated, E&P has approved the Civil Mediation and Settlement Program Awards to the courts. Since the inception of the program, E&P has approved awards to 41 superior courts, totaling approximately \$6.435 million.

On October 23, 2009, the Judicial Council approved an “accelerated timeline” under which E&P was authorized to approve awards from the FY 2010–2011 Modernization Fund before the beginning of that fiscal year.⁶ On December 14, 2010, the council approved this accelerated schedule for soliciting, receiving, and processing court funding proposals related to the ADR program on an ongoing basis.

Previously approved uses and reduction of the FY 2010–2011 ADR allocation

In May 2010, the Judicial Council (through E&P) approved 5 planning project awards and 15 implementation project awards from the anticipated FY 2010–2011 Modernization Fund ADR allocation, in the total amount of \$1,049,057. On December 14, 2010, the council approved a one-time reduction of \$300,000 in the FY 2010–2011 ADR allocation and approved using up to \$390,000 (the approximate remainder after the reduction and previously approved awards) to fund statewide projects to promote the availability, quality, and use of ADR.

In April 2011, pursuant to the authority delegated under the Modernization Fund internal guidelines, the Administrative Director of the Courts approved using up to \$15,000 of the FY 2010–2011 ADR allocation to pay travel expenses for court staff and justice partners to attend meetings related to two statewide ADR projects. After deduction of the authorized travel expenses, \$375,000 of the FY 2010–2011 ADR allocation remains available to support other ADR projects.

⁶ The accelerated timeline was recommended and approved to take advantage of a one-time opportunity to use the FY 2009–2010 Modernization Fund monies that would ordinarily have been allocated for ADR projects to meet other branch needs without disrupting funding for court ADR programs. Before 2010, awards were made at the very end of the fiscal year in which the funds had been appropriated and implementation project awards were for an initial period of 19 months. Thus, courts were awarded FY 2008–2009 implementation project awards in June 2009 for projects that were to begin July 1, 2009, and be completed by January 2011. Under the accelerated timeline, courts were awarded FY 2010–2011 implementation project funding in April 2010 to cover expenses from July 1, 2010 through June 30, 2011, contingent on a legislative appropriation to, or spending authorization from, the FY 2010–2011 Modernization Fund.

Rationale for Recommendations

Benefits of civil mediation and settlement programs

Successful court-sponsored mediation and settlement programs can *reduce* court workload and costs, *reduce* litigant costs, and *increase* litigant satisfaction with the courts. The 2004 legislatively mandated Early Mediation Pilot Program study found that

- An average of 58 percent of the unlimited cases and 71 percent of the limited cases mediated in these programs settled as a direct result of the mediation;
- In the two courts where there was good data for comparison, the study showed a reduction of between 24 and 30 percent in the trial rate as a result of the mediation program;
- Motions and hearings were reduced between 11 and 48 percent;
- By reducing the trial rates, motions, and other court events, these programs saved judicial time, making judges available for other cases that needed their attention;
- Attorneys in cases that settled at mediation estimated savings ranging from 61 to 68 percent in litigant costs from the use of mediation to reach settlement; and
- Attorneys in cases that were mediated were more satisfied with the services provided by the courts, *regardless of whether the cases settled in mediation.*⁷

Rationale for FY 2010–2011 extension funding

In accordance with the accelerated timeline approved by the Judicial Council, E&P approved the FY 2010–2011 Civil Mediation and Settlement Program Awards in May 2010 and the AOC entered into Intrabranched Agreements (IBAs) with the courts in June, contingent on the adoption of a state budget that included an appropriation to or a spending authorization from the Modernization Fund. However, the state budget contingency was not satisfied until October 2010, and, because of the ensuing holiday season, some courts could not commence or fully implement their FY 2010–2011 projects until January 2011. This left courts only six months until the initial expiration date of their awards, which is not enough time to fully implement a new court ADR program. Moreover, delay in passage of the state budget appears to be a chronic problem and will therefore likely continue to cause delays and uncertainty about court ADR projects if these projects are funded on a fiscal year basis.

Extending the FY 2010–2011 projects until December 31, 2011, and providing any future funding for court ADR projects on a calendar year basis (i.e., trailing the fiscal year by six months), as staff recommends, will avoid or minimize future delays, uncertainty, and possible interruption of court ADR programs. Even in the event of future budget delays, this new schedule should allow courts to know whether funding to maintain or improve existing programs or to implement new programs will be available several months before their current funding expires or their new programs are scheduled to begin. If funding will be available, this will allow

⁷ Judicial Council of Cal., *Evaluation of the Early Mediation Pilot Programs*, (2004), pp. xix–xxii, www.courts.ca.gov/empprept.pdf.

courts to plan for continuation or implementation of the program (e.g., retaining or hiring staff, renewing or entering contracts, developing program procedures and materials, publicizing the program) and maintain the program momentum, or “hit the ground running.” If funding will not be available, this will allow courts to conclude existing programs (e.g., terminating or reassigning staff or stopping referrals to the program) in an organized manner.

Applications for FY 2010–2011 extension funding. Because of the uncertainty about the FY 2011–2012 state budget and the anticipated \$20 million reduction in the FY 2011–2012 Modernization Fund appropriation, OGC did not consider it prudent to invite courts to prepare applications for FY 2011–2012 funding this winter.

Instead, in March 2011, all courts that had received FY 2010–2011 planning or implementation project awards were invited to extend their project completion dates from June 30, 2011, until December 31, 2011. And, with the approval of the Administrative Director of the Courts, all courts that had received FY 2010–2011 implementation project awards were invited to apply for additional FY 2010–2011 funding to cover expenses resulting from the extension.⁸

Ten courts applied for extension funding to continue implementation projects.⁹ An OGC staff committee reviewed the applications and assessed their merit.¹⁰ Because E&P had previously approved these projects, the staff review focused primarily on the progress the courts had made in implementing the projects and on whether the proposed additional expenditures appear appropriate in the current fiscal situation. The staff committee also considered whether the extension proposals are consistent with pertinent statutes, rules of court, AOC policies, award program guidelines, and best ADR program practices. Staff discussed clarifications, concerns, and possible application revisions with some courts. Courts provided clarifications, and in some instances revised their applications, in response to the staff committee’s questions, suggestions, and concerns.

Table 1 summarizes the FY 2010–2011 implementation projects for which courts submitted extension funding applications and states the amount of the extension funding requested by the court and the extension funding recommended by staff. As Table 1 indicates, staff recommends that the council approve all 10 extension funding applications, sometimes with reductions or provisos, in the total amount of \$282,634.

⁸ Courts that received planning project awards were not invited to apply for additional funding because the extension of planning projects should not result in increased costs.

⁹ Some courts that received implementation project awards did not require additional funding to continue their projects until December 31 because the initiation of their projects was delayed pending enactment of the state budget or because of other offsetting savings.

¹⁰ The committee that reviewed the applications was composed of a senior attorney, an attorney, and a court services analyst who are responsible for AOC civil mediation and settlement projects.

Maintaining valuable court programs. The courts and thousands of litigants in general civil, small claims, unlawful detainer, and civil harassment cases across the state are benefiting from the 10 superior court ADR programs that would be supported through the extended funding recommended by staff. Recent court reports include these notable examples:

- The Superior Court of San Francisco County’s asbestos settlement program is credited with more than doubling the number of asbestos cases settled in the prior three years combined, reducing the number of pending asbestos cases by 56% and reducing the number of jurors sent to asbestos trials by 60%.¹¹
- The Superior Court of Sacramento County estimates that its mediation program for small claims and unlawful detainer cases settled between 82 and 88 percent of the 1377 cases mediated and saved the court 2075 hours in judicial time.
- Just between July 2010 and February/March 2011:
 - 1,385 personal injury cases were referred to the Superior Court of Los Angeles County’s voluntary settlement conference program;
 - 922 small claims cases were mediated in the Superior Court of Santa Clara County’s small claims mediation program; and
 - 160 cases were mediated in the Superior Court of Monterey County’s mediation programs for civil cases.

If the recommended extension funding is not approved, the courts will need to discontinue, scale back, or find other sources to support these programs. All judicial branch resources are currently very limited and it would be difficult for courts to find other funding sources for these programs, particularly with little lead time. If the programs are scaled back or discontinued, courts and litigants will lose the benefits they are currently receiving. And, it is likely to cost considerably more to rebuild the programs than to maintain them.

Approving the six-month extension funding is also important to allow courts time to conclude existing ADR programs in an organized manner in the unfortunate event that FY 2011–2012 Modernization Fund monies are not made available for courts to continue those programs. The abrupt termination of funding on July 1, 2011 would necessitate that some courts quickly terminate or reassign staff and make other arrangements for cases that have been assigned to defunded programs.

Rationale for civil harassment mediation video

As stated above, staff also recommends that the Judicial Council approve using \$25,300 of the remaining FY 2010–2011 ADR allocation for the AOC to contract with a vendor to produce a

¹¹ See Judicial Council of Cal., Admin. Off. of Cts., *DataPoints: Improving Asbestos Case Management in the Superior Court of San Francisco County* (Nov. 2010), www.courts.ca.gov/asbestos-final1112.pdf.

video, suitable for statewide use by courts, to encourage and help self-represented litigants to participate in court-connected mediation programs for civil harassment cases filed under section 527.6 of the Code of Civil Procedure. The video is expected to help courts throughout the state reduce the judicial resources required to resolve a growing segment of their caseload and improve litigant satisfaction with the courts in these case types.

As more fully discussed below, the proposed video would be the third in a set of videos developed using awards previously approved by the Judicial Council (through E&P) and designed to encourage and help self-represented litigants to participate in mediation and settlement programs for specific types of cases. In addition, funding the development of the proposed civil harassment mediation video now will maximize the benefits of court and AOC investments and efforts in producing these other videos and in collaboratively developing best practices for civil harassment mediation programs.

Previous videos. In 2006, the Judicial Council (through E&P) allocated \$330,000 per year for three years from the Trial Court Improvement Fund (Improvement Fund) for pilot projects to help superior courts develop information and support services to prepare self-represented litigants to participate in mediation or settlement of their small claims and limited civil cases. In the two subsequent years, at the suggestion of the courts and on behalf of the council, E&P expanded the program to include mediation and settlement programs for unlawful detainer and civil harassment proceedings.

In 2008, the council (through E&P) awarded four courts a portion of these Improvement Fund monies to collaborate in developing two videos (each in English, Spanish, and Russian) to provide self-represented litigants with information about procedures, advisory services, and mediation programs for small claims and unlawful detainer proceedings. The videos, *Resolving Your Small Claims Case in the California Courts* and *Resolving Your Eviction Case in the California Courts*, were recently completed and can be viewed on the new California Courts website at www.courts.ca.gov/10962.htm and www.courts.ca.gov/11010.htm, respectively. Cumulatively, the videos have been viewed more than 5,000 times on the AOC and collaborating courts' websites.

Civil harassment mediation program collaboration. In 2009, the Judicial Council (through E&P) awarded Civil Mediation and Settlement Program Awards from the Modernization Fund to a number of courts to support their collaboration to develop best practices and materials for court mediation programs for civil harassment proceedings.¹² The collaborators have developed a variety of materials to promote and facilitate these mediations,¹³ and many have implemented mediation programs for civil harassment cases.

¹² The awards are for programs to mediate civil harassment cases filed under Code of Civil Procedure section 527.6 and do not support mediation of workplace or domestic violence cases.

¹³ Two of the courts collaborated to develop a video, but the content and format of this video are not similar to the small claims and unlawful detainer videos and were not produced for statewide use.

Proposed civil harassment mediation video. The reasons for the recommendation to produce the civil harassment mediation video at this time include:

- The proposed video is expected to help courts throughout the state reduce the judicial resources required to resolve a growing segment of their caseload and improve litigant satisfaction with the courts in these case types. A symposium about the collaboration and civil harassment mediation programs was held at the recent California Conference on Self-Represented Litigants (June 8–10, 2011) and staff from several other courts expressed strong interest in developing similar programs.
- Court staff and their justice partners who participated in the civil harassment mediation collaboration and Center for Families, Children, and the Courts staff who support programs for self-represented litigants agree that a video to help self-represented litigants participate in civil harassment mediation programs would be very beneficial.
- The video would complement the small claims and unlawful detainer videos and could be efficiently produced at this time by following the design of those videos and drawing on the expertise and experience of the court and AOC staff who developed them and participated in the civil harassment mediation program collaboration.
- If the available FY 2010–2011 funds are not used to produce the video, it appears unlikely that funding for this project will be available in the near future, given the budget situation, including the \$20 million reduction in the 2011–2012 Modernization Fund appropriation.

Comments, Alternatives Considered, and Policy Implications

One alternative considered was inviting all courts to apply for Civil Mediation and Settlement Program Awards from the anticipated FY 2011–2012 Modernization Fund, as authorized by the accelerated timeline that the Judicial Council approved. As discussed above, staff concluded that it would be more appropriate to invite the courts to apply for extension funding from the remaining FY 2010–2011 ADR allocation, because of uncertainties about the FY 2011–2012 state budget and the anticipated reduction in the appropriation to the FY 2011–2012 Modernization Fund.

The alternative of not offering courts extension funding to continue their FY 2010–2011 projects was also considered. However, staff understands that this approach would require courts to discontinue or significantly scale back ongoing ADR programs and, in some instances, to terminate court ADR staff and contracts. This would result in the loss or diminution of valuable benefits that courts and the public derive from these programs, including savings in court and litigant time and expenses. It would also result in the loss of prior Judicial Council, court, and community investments in planning and establishing these programs. Moreover, the cost of reinstating these programs in the future may exceed the cost of sustaining them through the current fiscal crisis.

The alternative of not producing the civil harassment mediation video at this time was also considered. However, as discussed above, the Judicial Council and court have recently invested time and money in developing mediation programs for civil harassment cases and other resources that make it possible to efficiently and cost-effectively produce the video at this time. The video is expected to effectively promote use of these civil harassment mediation programs and therefore to maximize the benefits for which they were developed, including a reduction in judicial workload and an increase in litigant satisfaction. Additionally, if the video is not produced using remaining FY 2010–2011 Modernization Fund monies that the Judicial Council has already allocated for ADR projects, in the current fiscal climate, another funding source may not be available for some time.

Any portion of the approximately \$375,000 remaining of the FY 2010–2011 ADR allocation that is not used to extend the FY 2010–2011 Civil Mediation and Settlement Program Awards or to produce the civil harassment mediation video could, subject to approval by the Administrative Director of the Courts or the council, be reallocated to other programs eligible for Modernization Fund support in FY 2010–2011, provided the funds are contractually encumbered by June 30, 2011. Any FY 2010–2011 funds not encumbered by June 30 will remain in the Modernization Fund and may then only be spent in accordance with a future legislative appropriation.

Implementation Requirements, Costs, and Operational Impacts

The extension funding would continue, but not significantly increase, the workload of court and AOC staff. (Some additional work to extend the intrabranch agreements between the courts and the AOC is already in progress.)

Producing the civil harassment mediation video would result in some increase in the workload of existing AOC staff and court collaborators to prepare and review the video scripts, arrange for the shooting of additional video, and review and suggest revisions to the draft and final video. This additional work is not expected to have any significant operational impact on the AOC or the courts.

Relevant Strategic Plan Goals and Operational Plan Objectives

The recommended extension funding awards and civil harassment mediation video will advance the following current judicial branch goals and objectives:

- Strategic plan goal IV, policy recommendation 6: “Support and expand the use of successful dispute resolution programs.”
- Operational plan goal IV, objective 1g: “Increased alternatives to hearings, including such alternative dispute resolution (ADR) options as mediation, arbitration, neutral evaluation, and settlement conferences.”

These recommendations will also help courts implement standard 10.70(a) of the Standards of Judicial Administration, which provides, “Superior courts should implement mediation programs

for civil cases as part of their core operations,” and will advance the very purpose of the Modernization Fund, which is “to promote improved access, efficiency, and effectiveness in trial courts” (See Gov. Code, § 77213(b).)

Attachments

1. Table 1: Recommendations Regarding Fiscal Year 2010–2011 Extension Funding Applications

Table 1
Recommendations Regarding Fiscal Year 2010–2011 Extension Funding Applications

Superior Court	Project Description	Current Award	Requested Increase	Staff Recommendations and Comments
Inyo	The court was awarded \$42,125 to maintain and improve its mediation program for limited and unlimited civil cases and small claims, unlawful detainer, and civil harassment proceedings. The project includes compensating an ADR program coordinator to administer the program, compensating a contractor to assist in developing collaborations with community groups and local tribes, and training and compensating mediators.	\$42,125	\$17,000 ¹	Staff recommends increasing the award by \$17,000 to the total amount of \$59,125, with the proviso that the ADR coordinator’s contract and the arrangements for compensating mediators and community partners must be approved by the AOC program manager (consistent with the award program guidelines).
Lake	The court was awarded \$45,575 to maintain and improve the Lake/Mendocino Superior Courts’ Collaborative ADR Program, which provides mediation for unlimited and limited civil cases and for small claims, unlawful detainer, and civil harassment proceedings. The project includes compensating an ADR coordinator, an ADR administrative assistant, an on-site mediation supervisor and trainer, an on-site mediation assistant, a trainer consultant, and mediators.	\$45,575	\$54,694	Staff recommends increasing the award by \$41,347 to the total amount of \$86,922. Comments: 1. Staff recommends increasing the funding for compensation of mediators to \$12,000 (rather than to \$22,000, as requested) for the 9-month period from 4/1/2011–12/31/2011. Staff recommends this lesser amount because the court reported that it spent only \$11,000 for mediator fees during the 12-month period from 2/1/2010–1/31/2011 and also reported that mediations are now occurring at a slightly slower pace.

¹ The court initially requested \$25,000 but reduced the amount to \$17,000 in response to a request for clarification.

Superior Court	Project Description	Current Award	Requested Increase	Staff Recommendations and Comments
Lake (continued)				2. Staff does not recommend approving the sum of \$1,067 for a trainer consultant to assist with a fall basic mediation training, because the court conducted a basic training in the spring and reports that many mediators who have been trained are not being fully utilized.
Los Angeles	The court was awarded \$73,020 to maintain, expand, and improve its Voluntary Settlement Conference (VSC) Program. The project includes compensating court ADR program staff to administer the program.	\$73,020	\$39,500	Staff recommends increasing the award by \$39,500 to the total amount of \$112,520.
Monterey	The court was awarded \$38,862 to maintain and improve its mediation programs for unlimited and limited civil cases and small claims, unlawful detainer, and civil harassment proceedings. The project includes compensating a court ADR program coordinator and training neutrals, case managers, and code enforcement partners.	\$38,862	\$14,500	Staff recommends increasing the award by \$14,500 to the total amount of \$53,362.
San Diego	The court was awarded \$71,295 to maintain and improve the small claims mediation program in its North Division. The project includes contracting with a nonprofit or governmental organization, screening cases in which mediation may be most effective, developing an educational video, and purchasing equipment to display the video.	\$71,295	\$34,950	Staff recommends increasing the award by \$34,950 to the total amount of \$106,245.

Superior Court	Project Description	Current Award	Requested Increase	Staff Recommendations and Comments
San Francisco	The court was awarded \$77,700 to maintain and improve its Asbestos ADR Program. The project includes contracting with an attorney to serve as asbestos settlement manager, maintaining a panel of mediators for asbestos cases, and offering expedited settlement conferences in asbestos cases.	\$77,700	\$42,300	Staff recommends increasing the award by \$42,300 to the total amount of \$120,900.
San Luis Obispo	The court was awarded \$95,603 to maintain and improve its mediation and settlement programs for unlimited and limited civil cases and small claims, unlawful detainer, and civil harassment proceedings. The project includes compensating retired judges and others to serve as settlement officers and mediators in unlimited civil cases; extending the court's contract with a community dispute resolution organization that helps litigants in small claims, unlawful detainer, and civil harassment cases participate in mediation; and hiring a staff ADR coordinator to develop and administer the court's ADR services.	\$95,603	\$64,504	Staff recommends increasing the award by \$63,467 to the total amount of \$159,070. Staff does not recommend approving the sum of \$1,037, which the court requested for additional hotel and food expenses.
Santa Clara	The court was awarded \$99,840 to maintain and improve the day-of-court small claims mediation program at its Santa Clara courthouse. The project includes compensating experienced mediators who serve in the program.	\$99,840	\$10,000	Staff recommends increasing the award by \$10,000 to the total amount of \$109,840.

Superior Court	Project Description	Current Award	Requested Increase	Staff Recommendations and Comments
Solano	The court was awarded \$64,312 to maintain and improve its mediation and settlement programs for unlimited and limited civil cases and small claims, unlawful detainer, and civil harassment proceedings. The project includes compensating an ADR administrative assistant, customizing and implementing an ADR case management database, creating an enhanced ADR section on the court's website that includes streaming video functionality, and printing and distributing printed informational materials and surveys about the court's mediation and settlement programs.	\$64,312	\$620 ²	Staff recommends increasing the award by \$620 to the total amount of \$64,932.
Sonoma	The court was awarded \$29,250 to maintain and improve its Civil Action Mediation Program. The project includes compensating an ADR program coordinator and compensating mediators to provide up to three hours of mediation without charge to the parties.	\$29,250	\$18,950 ³	Staff recommends increasing the award by \$18,950 to the total amount of \$48,200.

² The court initially requested \$43,092 but reduced the amount to \$620 in response to a request for clarification.

³ The court initially requested \$38,483.80 but reduced the amount to \$18,950 in response to a request for clarification.