

Multi-Option ADR Project



*Superior Court of California
County of San Mateo*

Multi-option ADR Project

- * Established in 1996
- * Partnership of San Mateo County Superior Court, Bar Association, and Peninsula Conflict Resolution Center
- * Start-up funding from the San Mateo Bar Association
- * www.sanmateocourt.org/adr

History/ Background

- Originally provided ADR services to civil cases and Judicial Arbitration
- Expanded into Family Law, Juvenile Delinquency & Dependency, Probate, Small Claims and Complex Litigation
- Encompasses several processes – mediation, private arbitration, and neutral evaluation

MISSION STATEMENT

Multi-option ADR Project, “M.A.P.”

A Partnership Of The San Mateo Court, Bar & Community

- ✓ To increase the court’s ability to resolve cases.
- ✓ To provide a flexible, tailored array of dispute resolution services, where the unique features of cases are given priority attention.
- ✓ To encourage early case analysis and preparation, with the benefits of saving both time and money.
- ✓ To promote greater public satisfaction with the civil and criminal justice systems.

ADR Programs.	Voluntary or Mandatory	Process Available	Types of Neutrals	Cost
Civil/ Probate/ Complex Litigation	Mandatory assessment Voluntary referral	Mediation Arbitration Neutral evaluation Hybrids	Attorney mediators Non-Attorney mediators Private judges Community Referrals	Market Rate Pro bono and modest means (income-based) screening available
Family Law	Voluntary	Mediation Arbitration	Attorney neutrals Court staff (limited)	First 90 minutes \$100 Market rate after first 90 minutes Staff-free
Small Claims	Voluntary	Mediation	Volunteers	Free
Judicial Arbitration	Voluntary by stipulation of plaintiff/all Mandatory by statute	Arbitration (non-binding)	Attorneys	Free to parties Arbitrators paid \$150 per session by court
Juvenile Dependency	Emphasis on voluntary opt-in but can be mandated by statute	Mediation	Volunteers	Free
Juvenile Delinquency	Voluntary	Mediation	Volunteers	Free

The Guiding Principles for MAP Program Expansion

- ☛ Defer growth efforts if current programs are being impacted.
- ☛ Continue ongoing planning and strategy development, since a rapidly changing environment may require plan modification or additions.
- ☛ Use a pilot approach to refine program components.
- ☛ Recognize the need for information gathering prior to new program development.

The Guiding Principles for MAP Program Expansion

- ☛ Recognize that education is a critical preliminary and ongoing task for all program development.
- ☛ Where resources allow, coordinate with new and existing ADR projects.
- ☛ Identify ongoing funding for all programs.
- ☛ Develop effective screening processes for cases.

Organizational Structure



CIVIL ADR PROGRAM

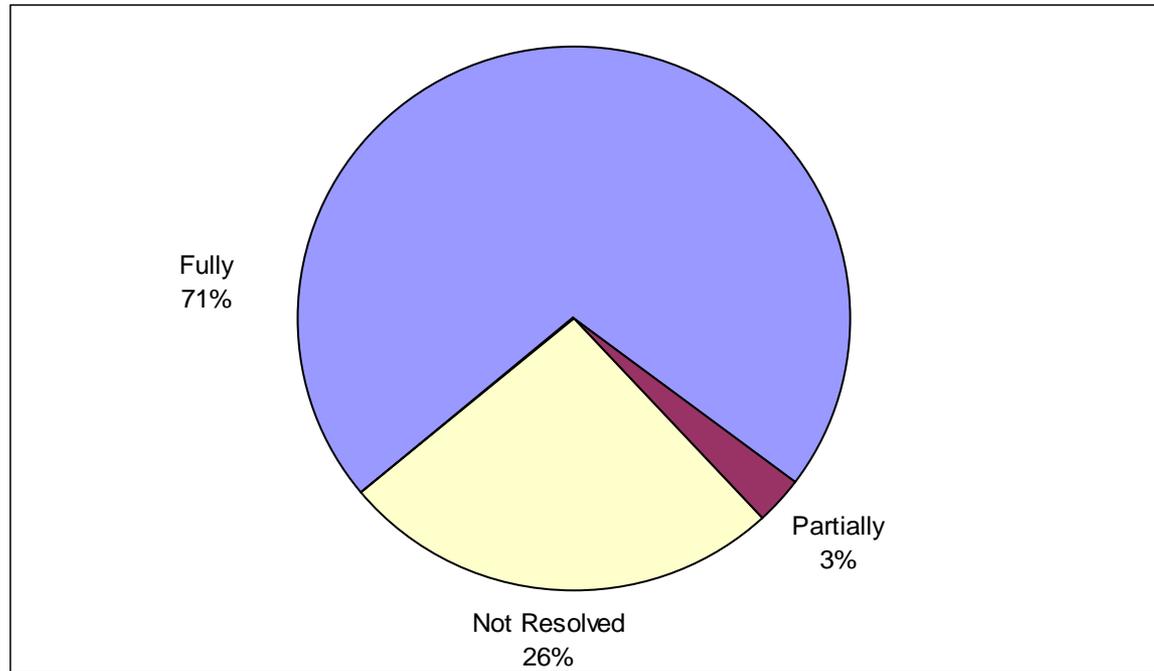
Civil

- Founded in 1996
- Voluntary, market-rate program
- Screened panel of mediators, arbitrators, neutral evaluators
- Parties select ADR provider, schedule directly with the provider, pay provider directly

Civil

- Option of choosing an ADR provider that parties agree upon not on the panel
- Free or low fee service for those who can not afford neutrals fees

Resolution of Cases Participating in ADR



Case Type

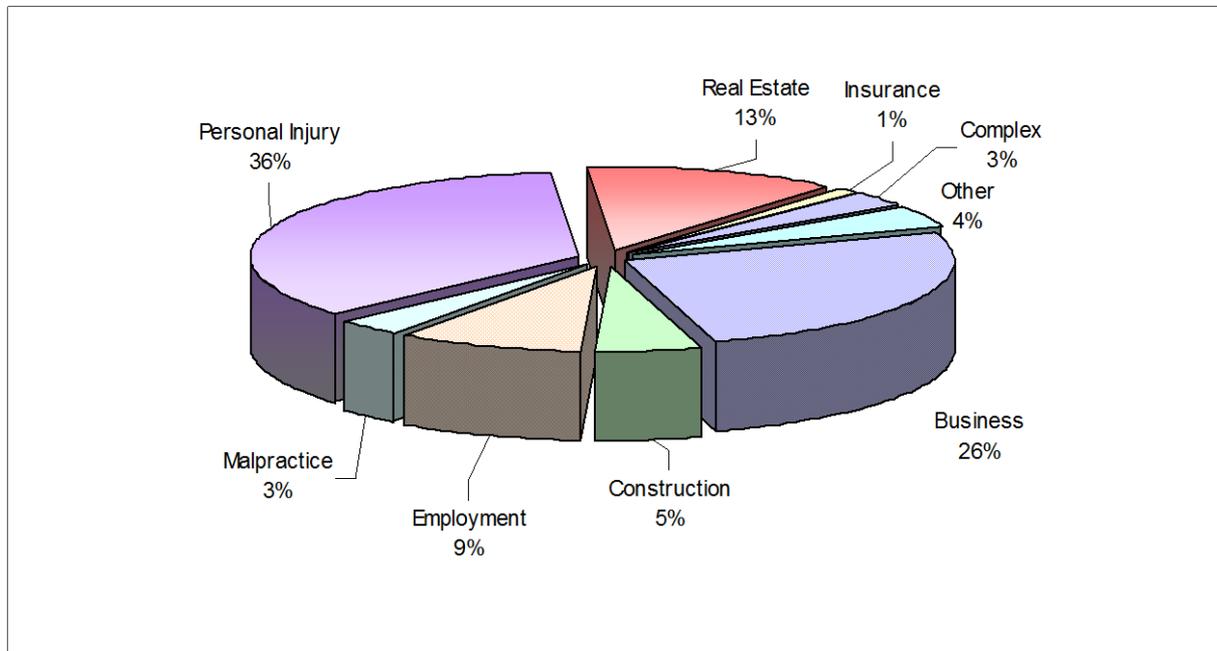
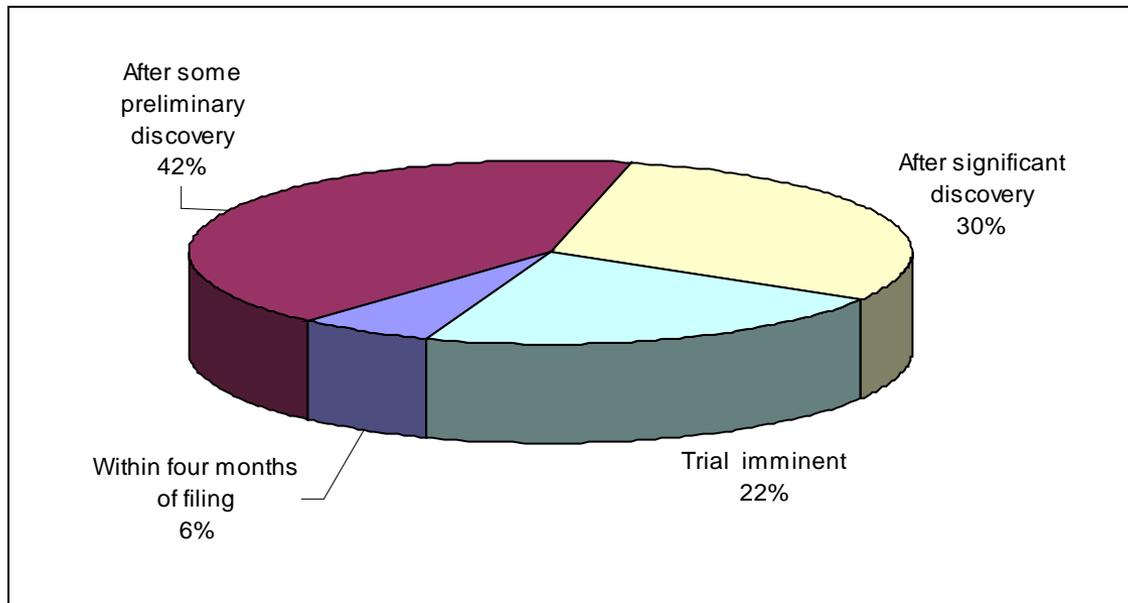
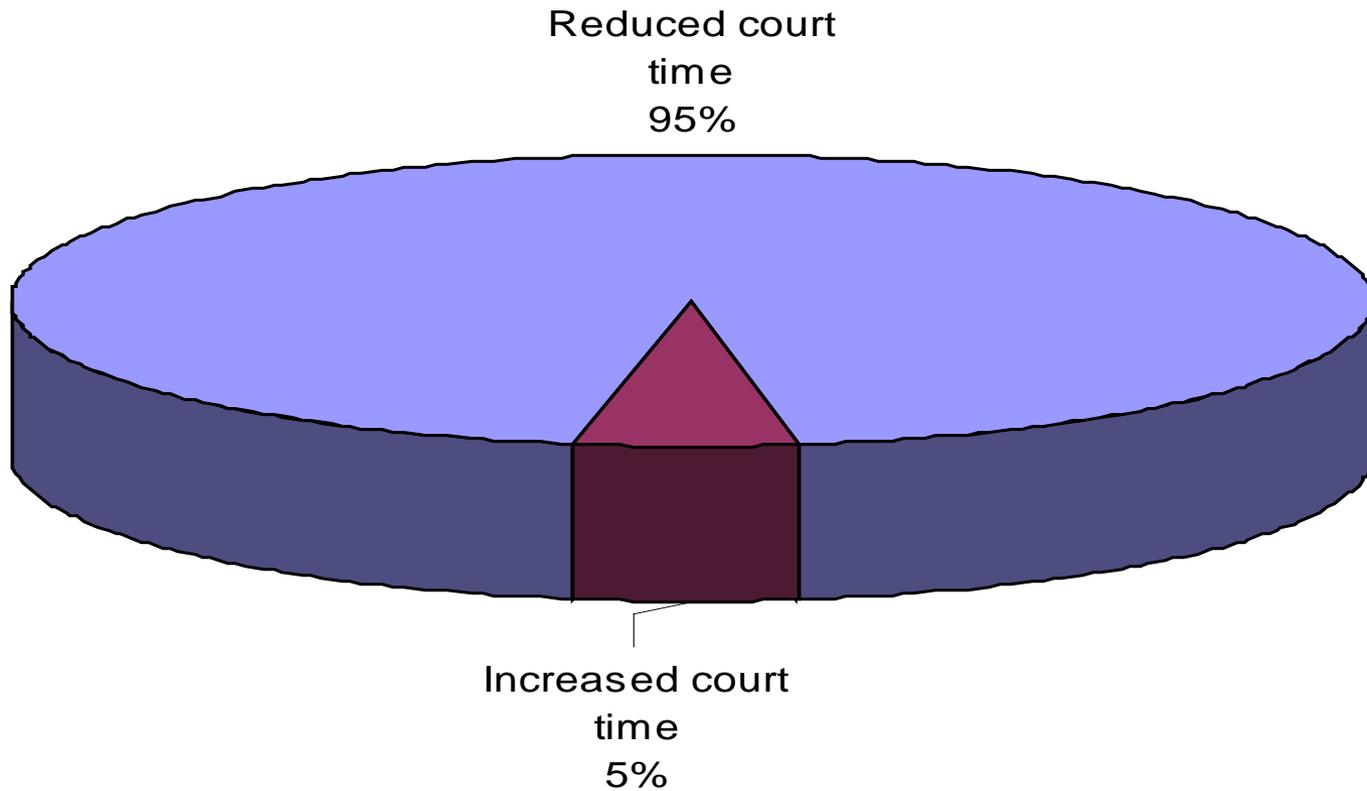


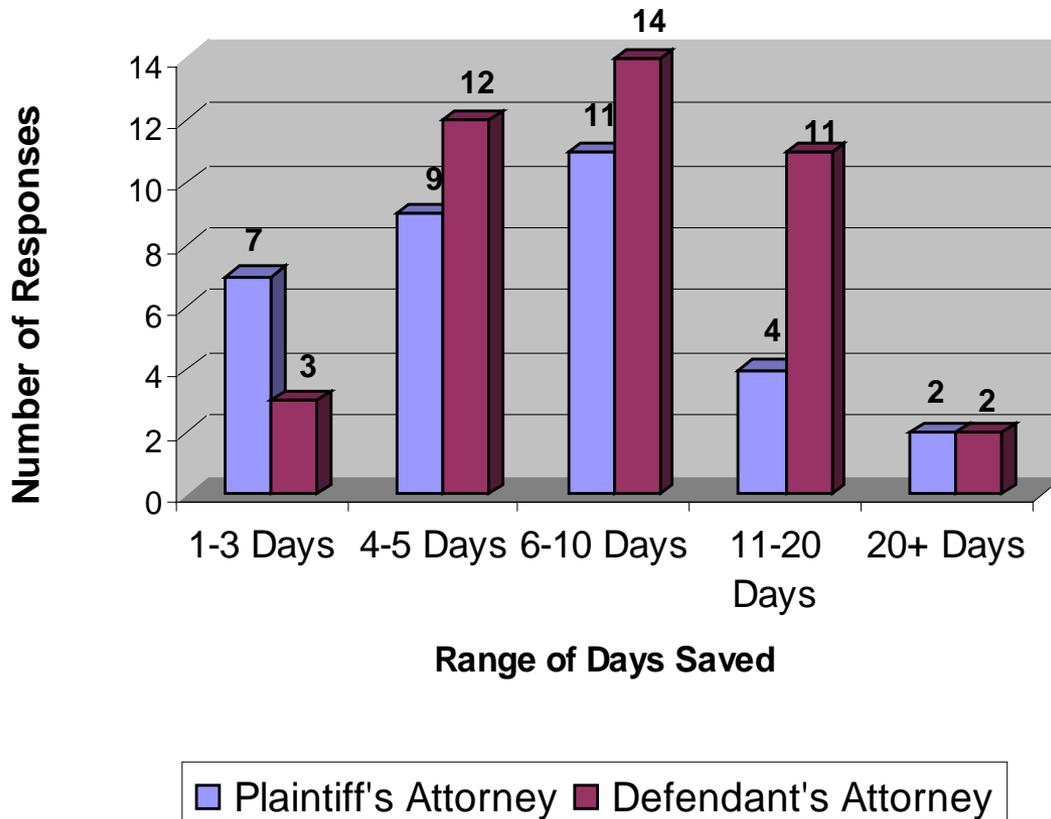
Chart VI: ADR Session Phase in Dispute



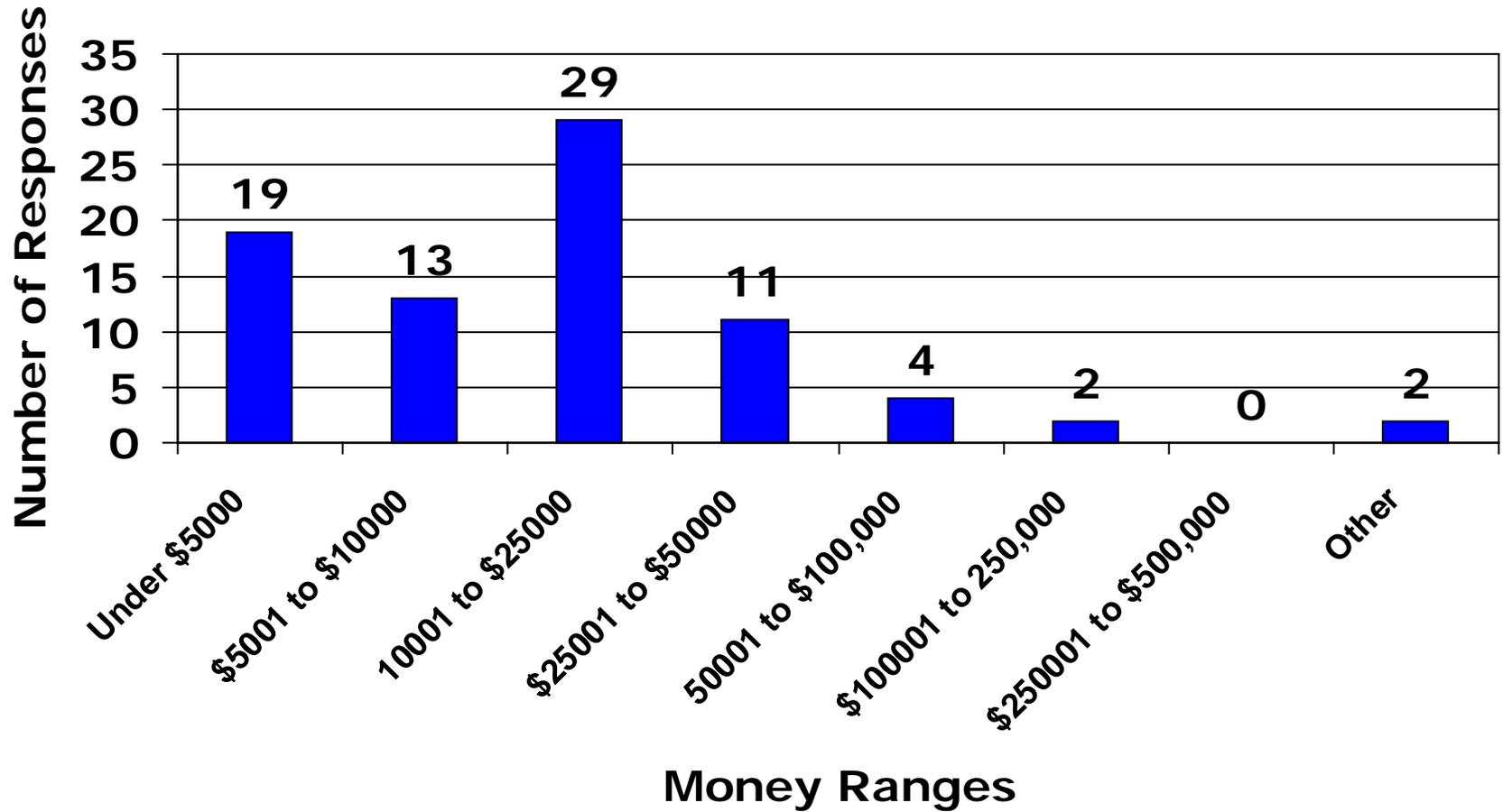
Effect on Court Time



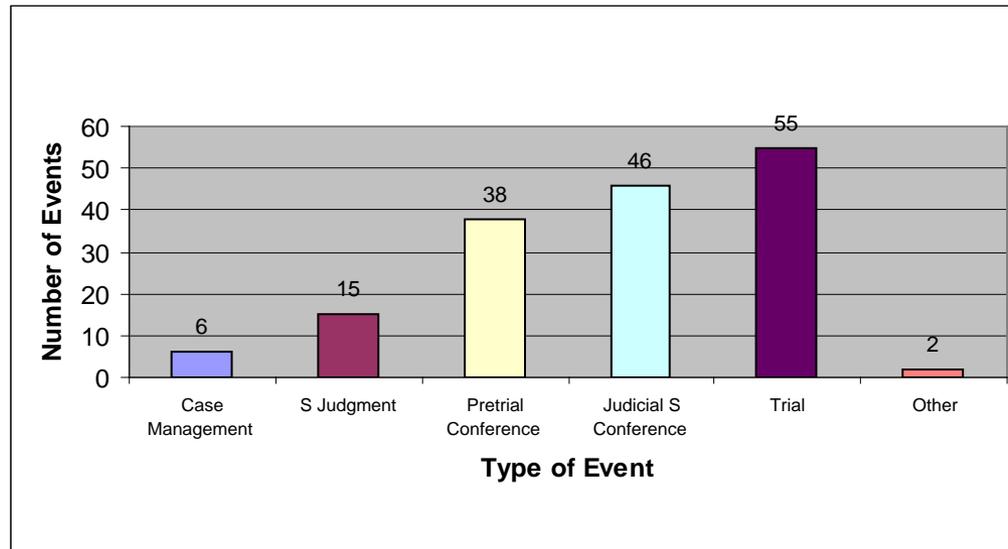
Days of Court Time Saved



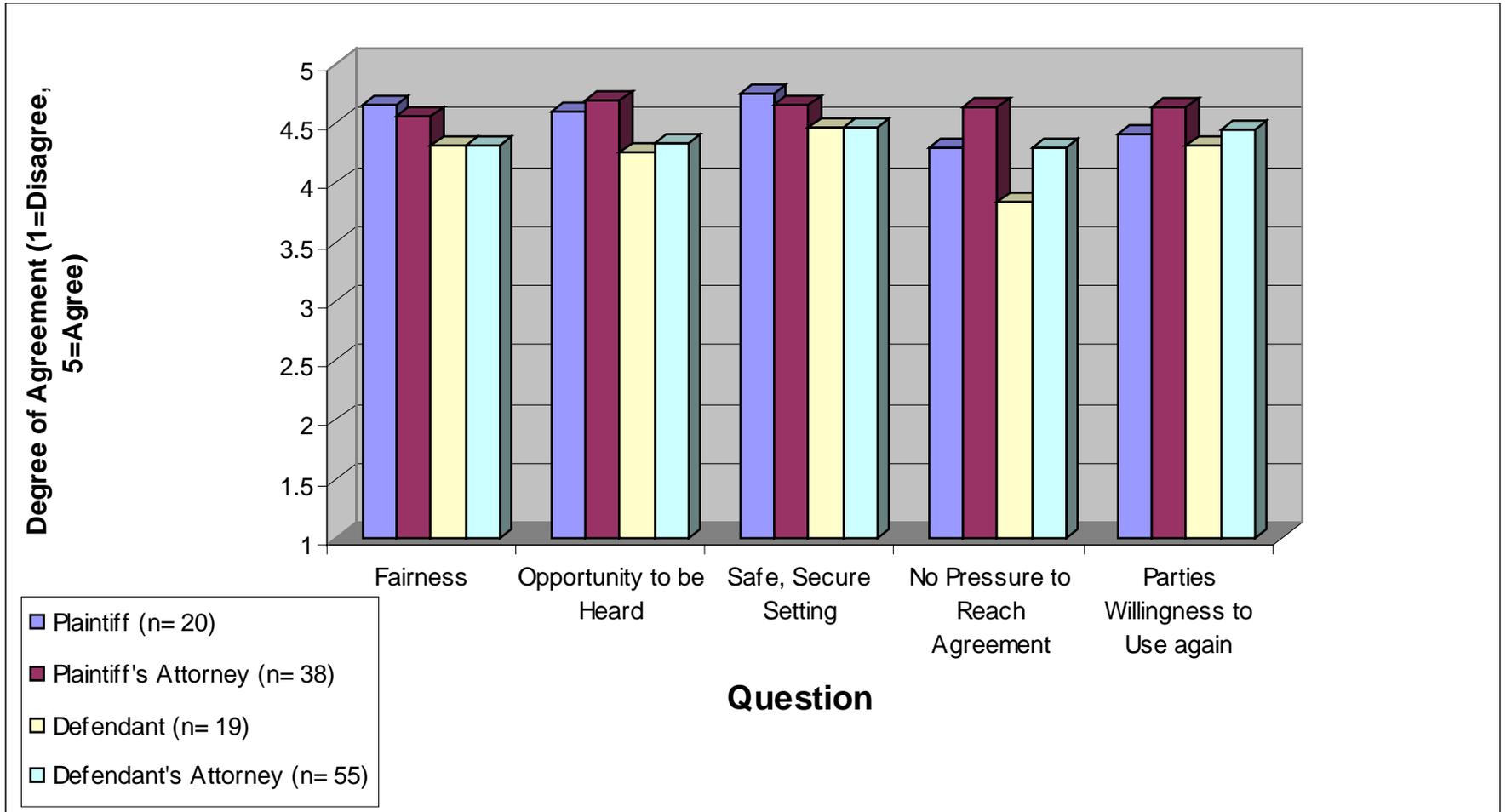
Reduced Costs



Court Events Avoided



Satisfaction With The ADR Process

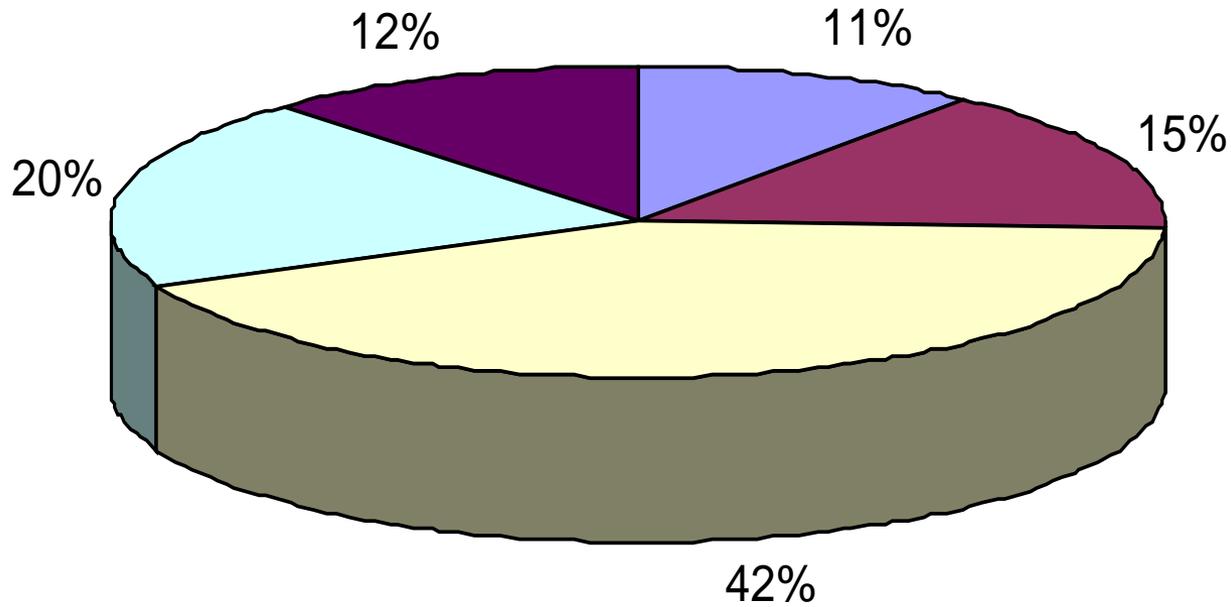


*FAMILY LAW ADR
PROGRAM*

Family Law ADR Program

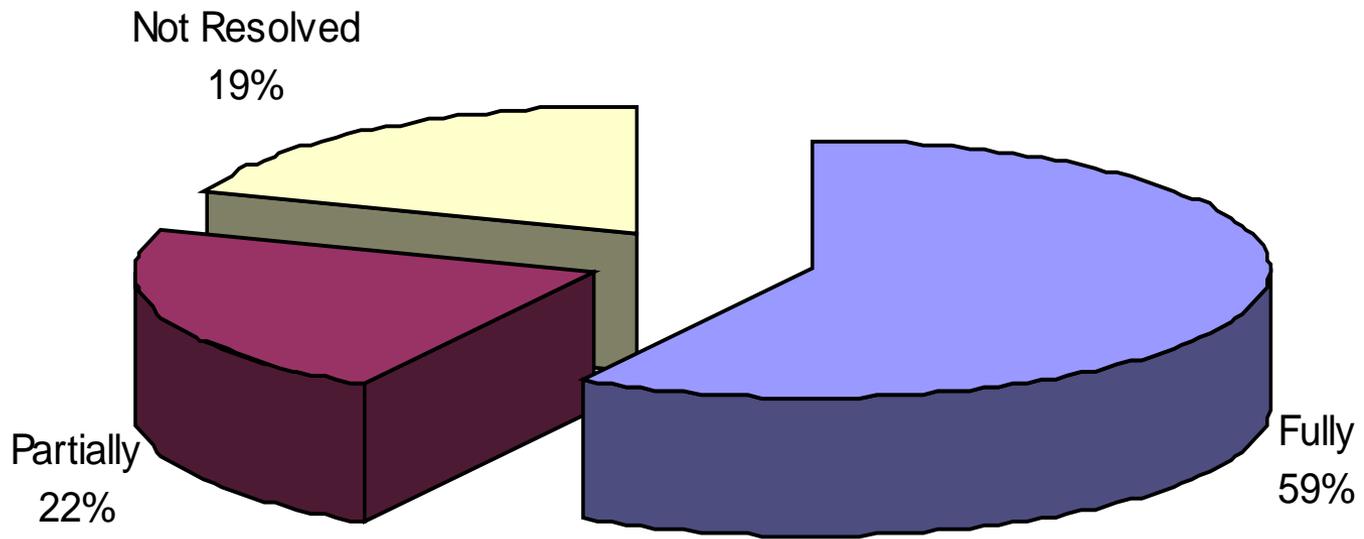
- Provides mediation or binding arbitration
- Staff completes case assessment and screening, assigns private neutral mediator or arbitrator
- On-site mediation

Types of Issues



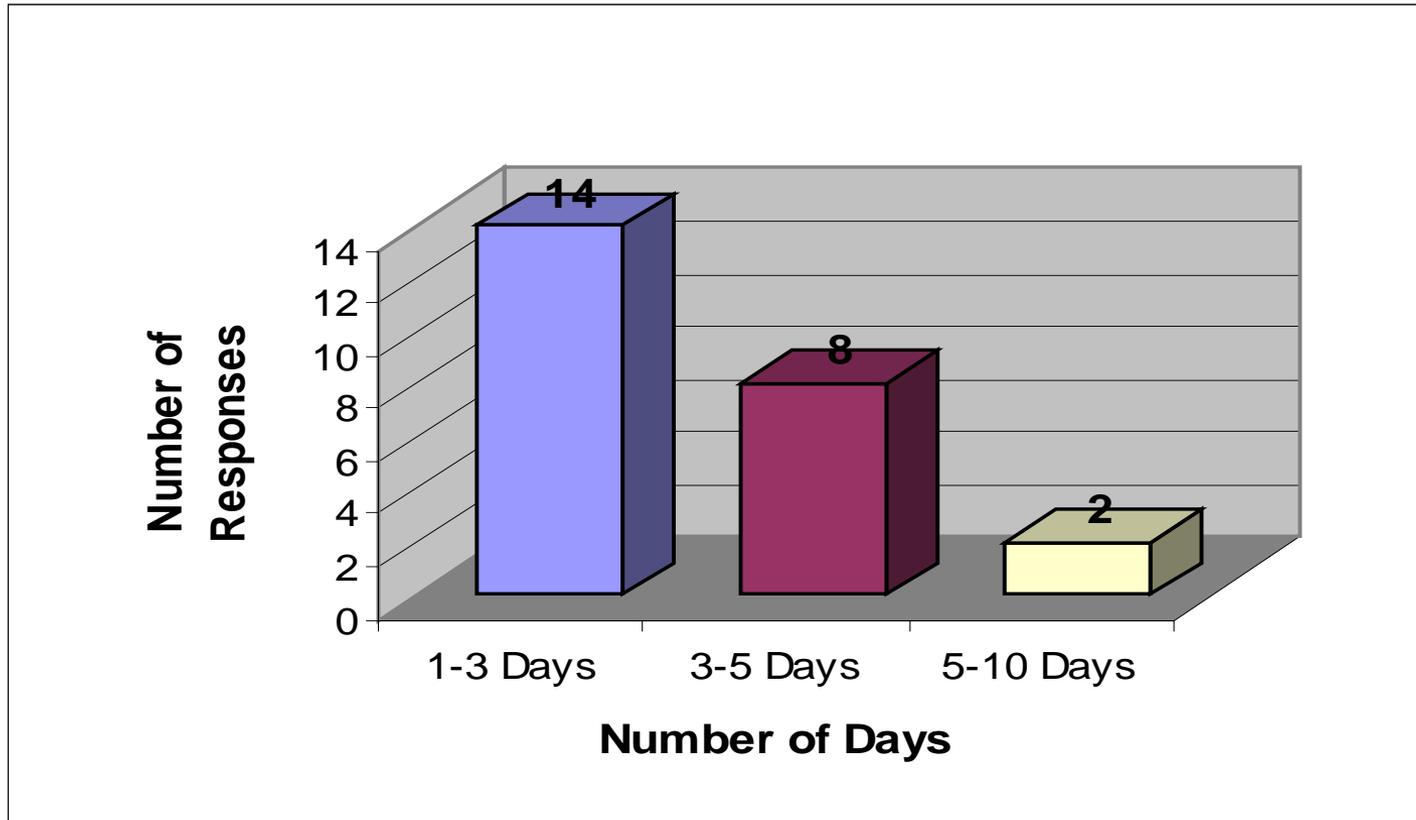
■ Custody/Visitation ■ Child Support ■ Property ■ Spousal Support ■ Other

Settlement

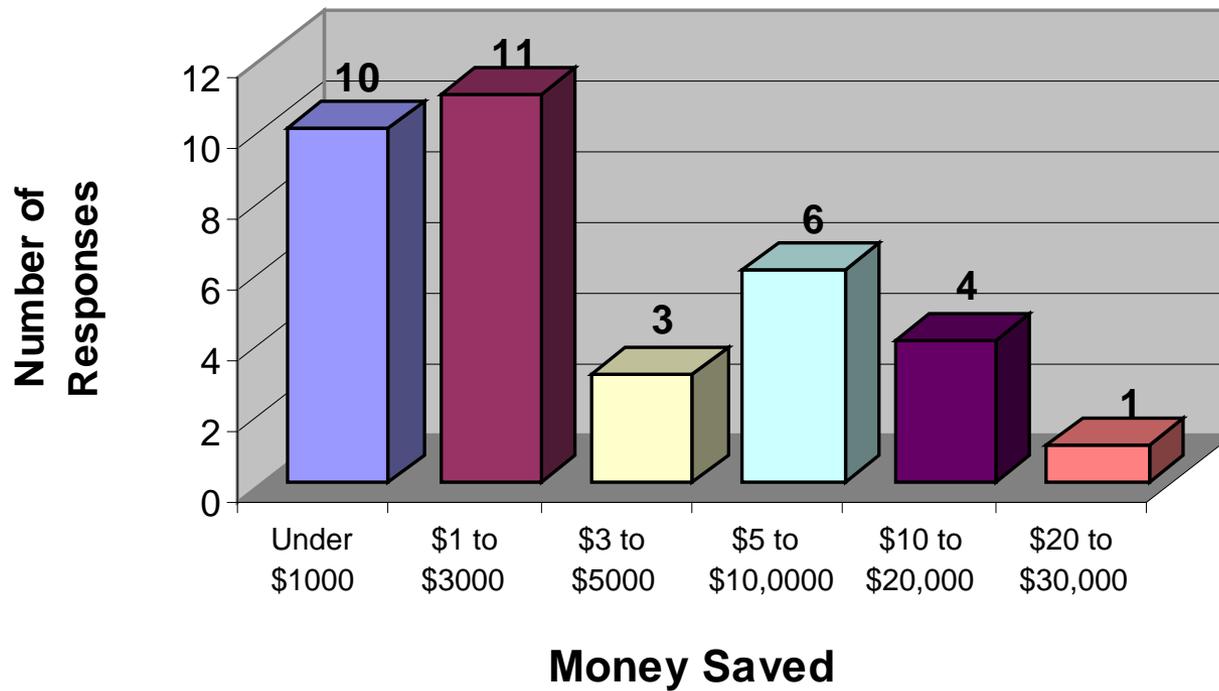


■ Fully ■ Partially ■ Not Resolved

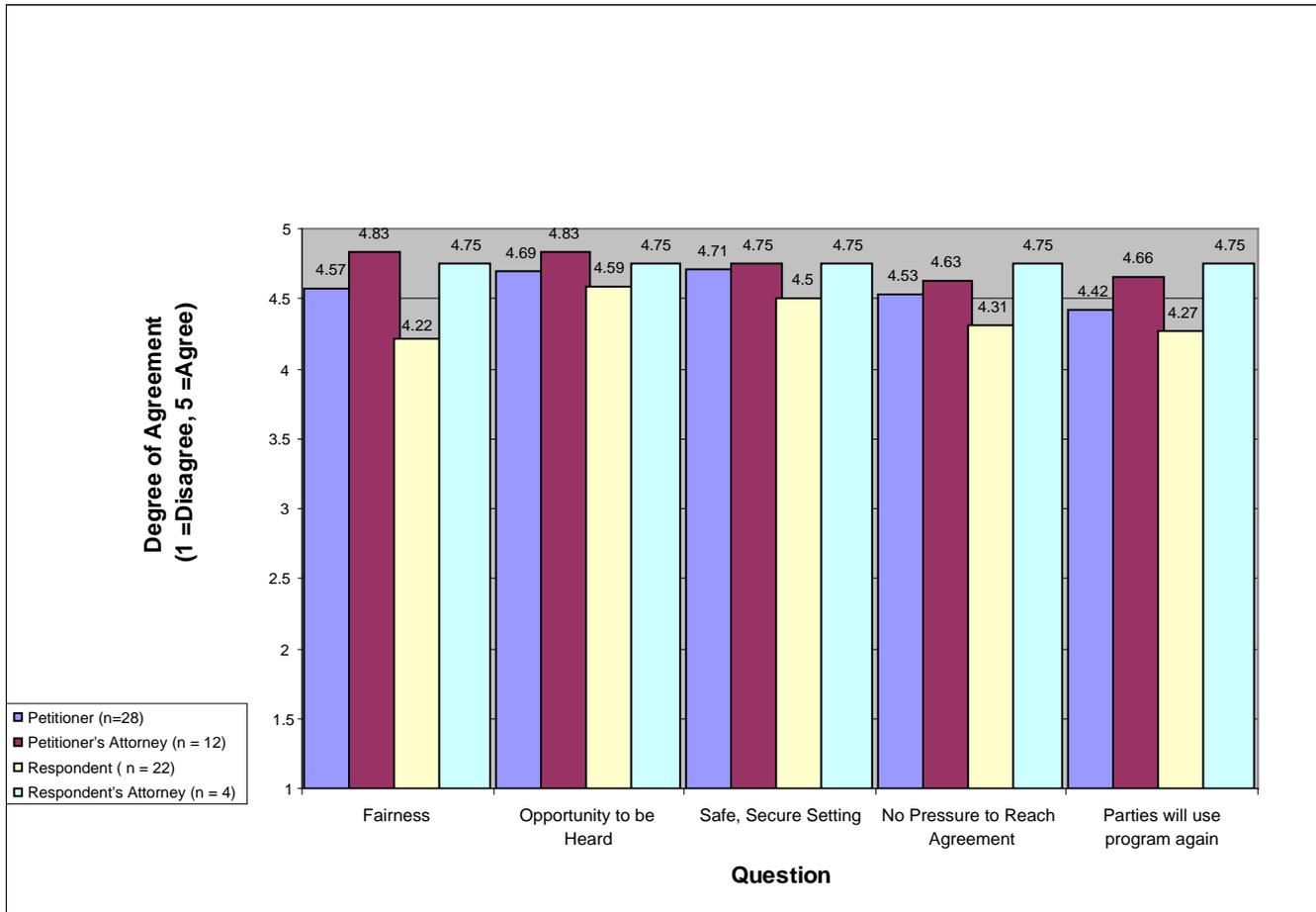
Reduced Court Time



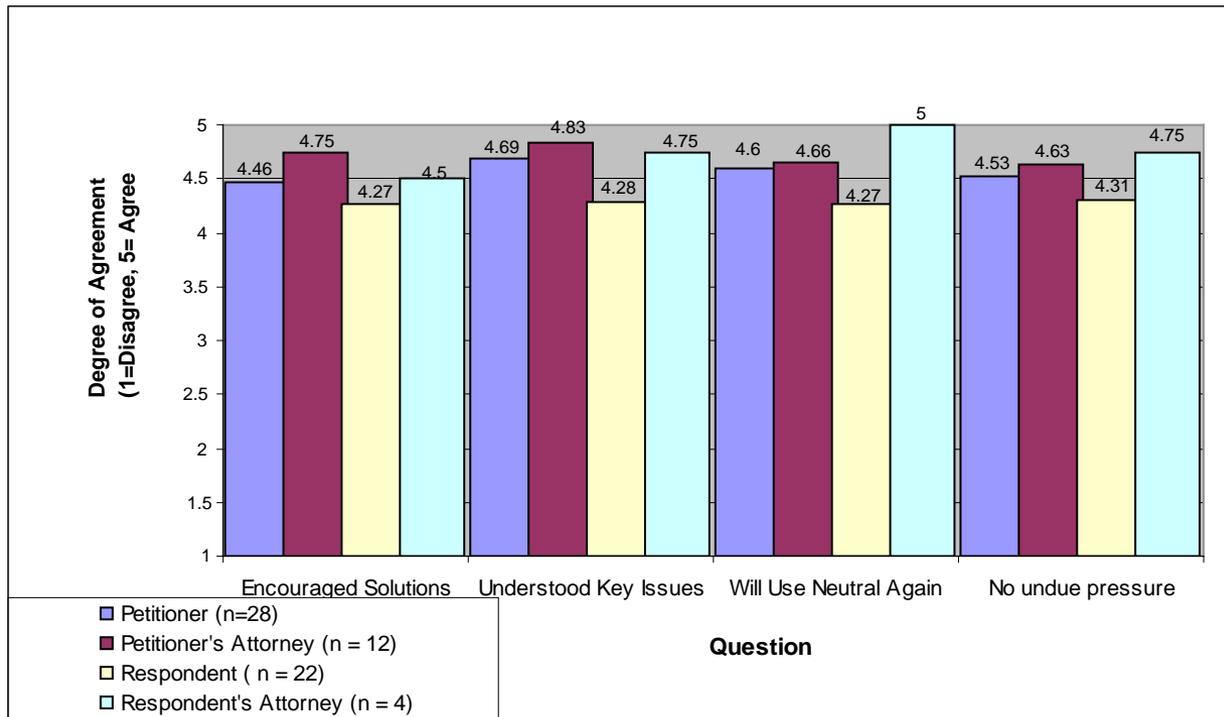
Reduced Costs



Satisfaction With The ADR Process



Satisfaction With Neutral

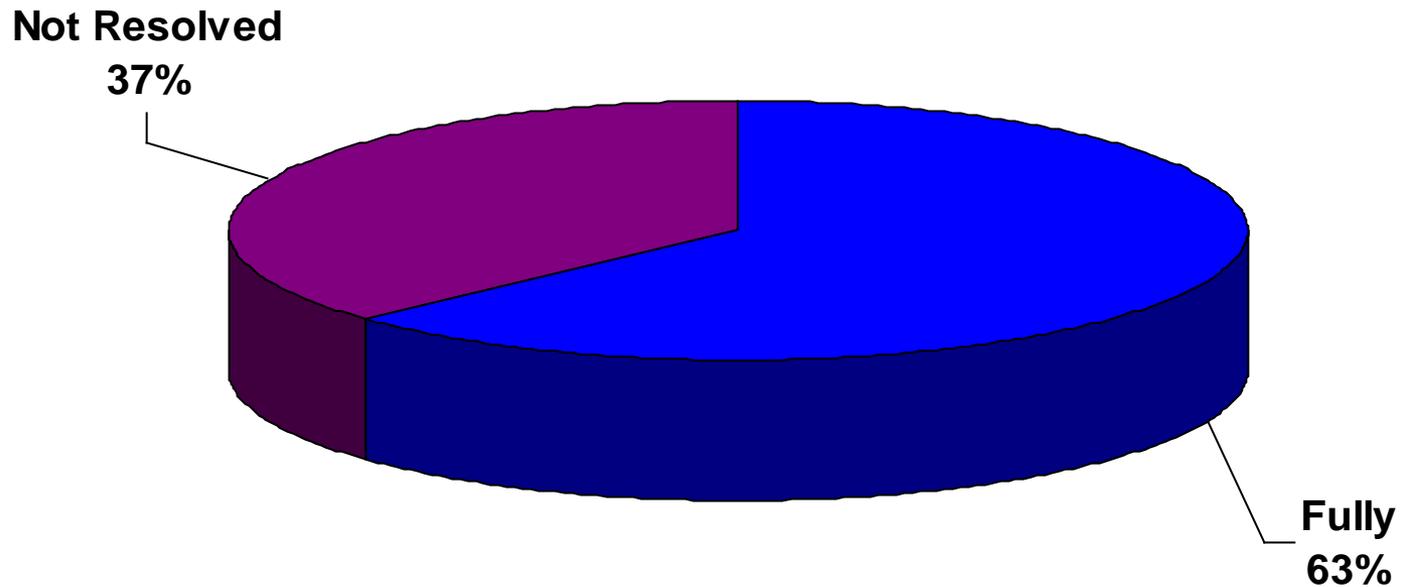


SMALL CLAIMS MEDIATION

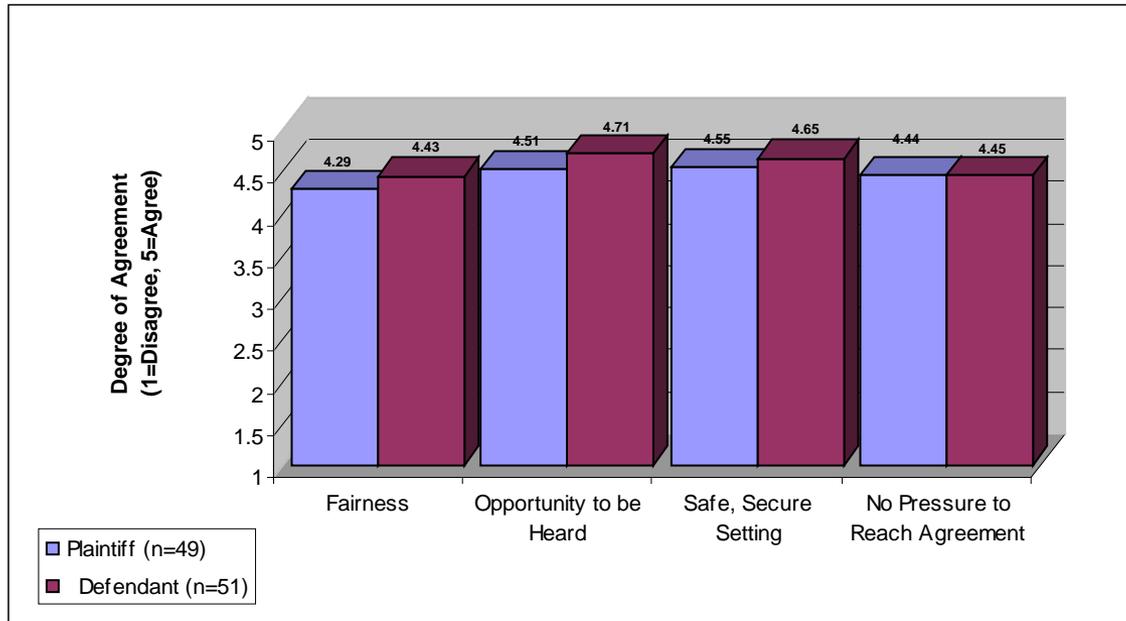
Small Claims Mediation

- On-site mediation program
- Use of volunteer mediators to help parties resolve their cases
- Services are voluntary and free

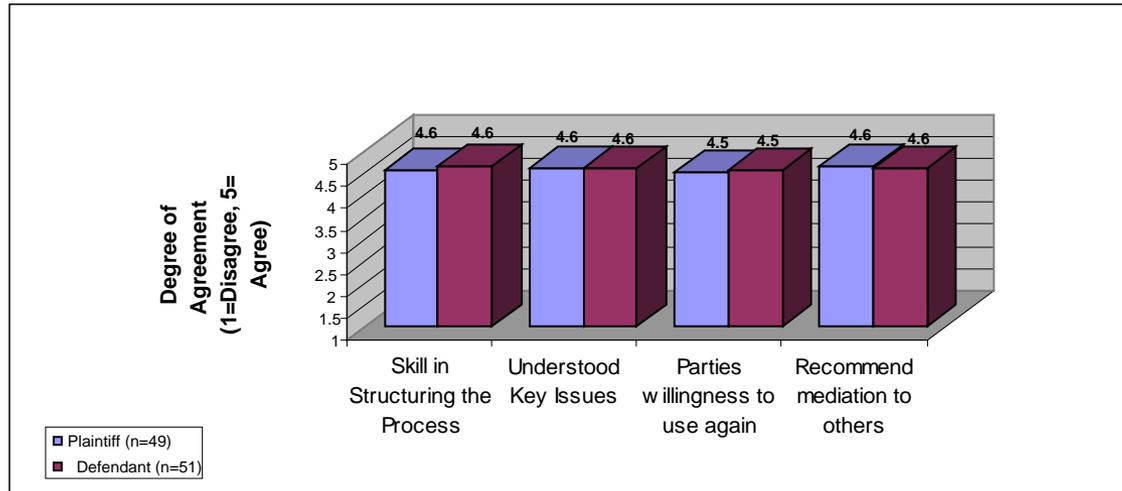
Participated in ADR



Satisfaction With the ADR Process



Satisfaction With Neutral and Willingness to Use MAP Again



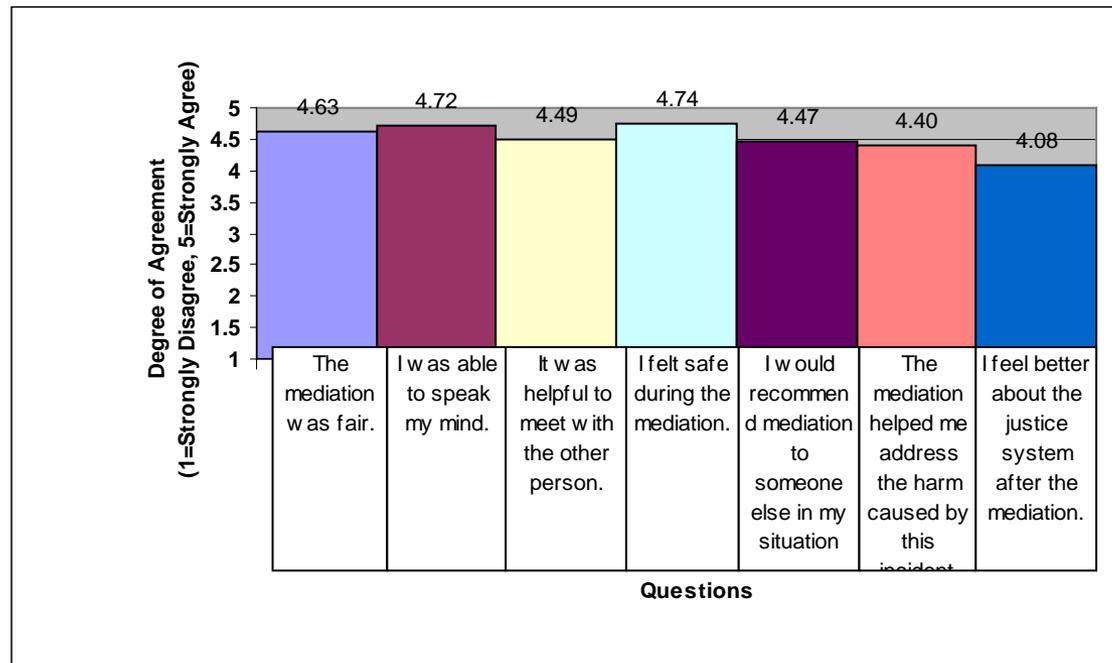
*JUVENILE
DELINQUENCY*

Juvenile Delinquency Mediation

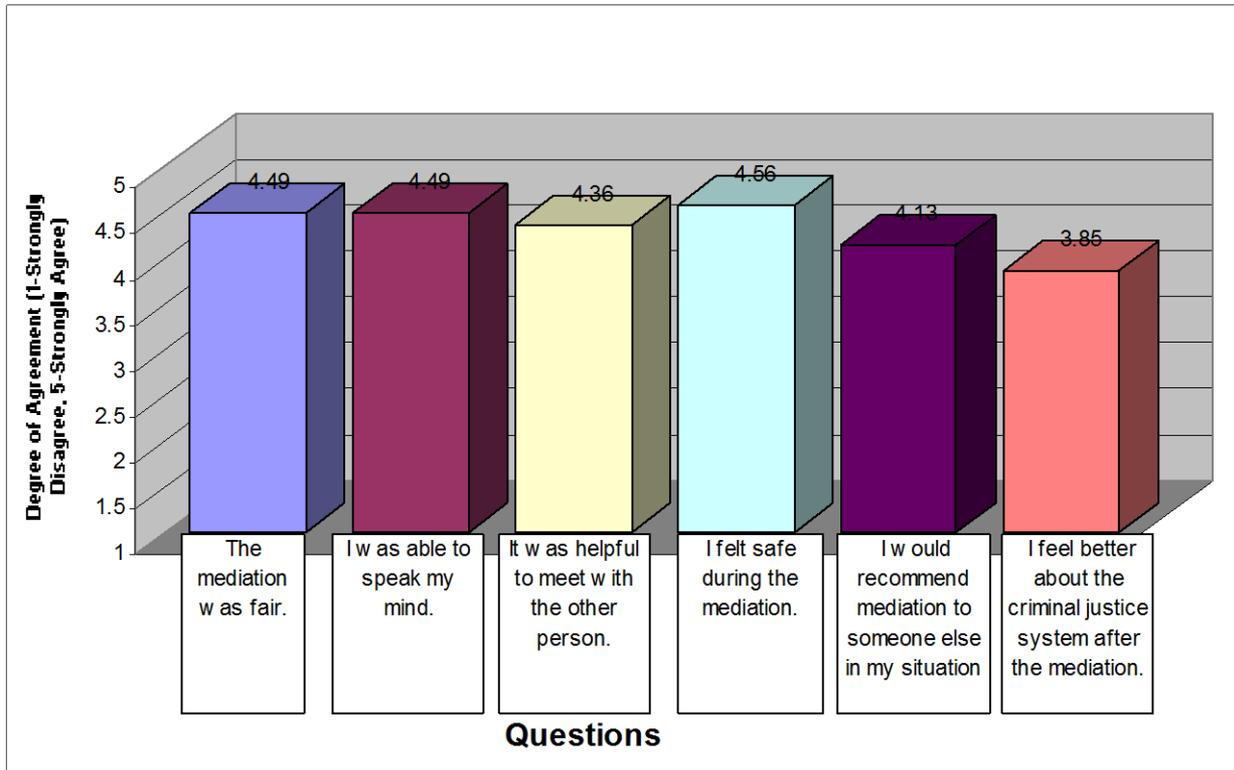


- Offers an opportunity for victims of crime to meet face to face with their youth offender
- Use of volunteer mediators

Victim Satisfaction

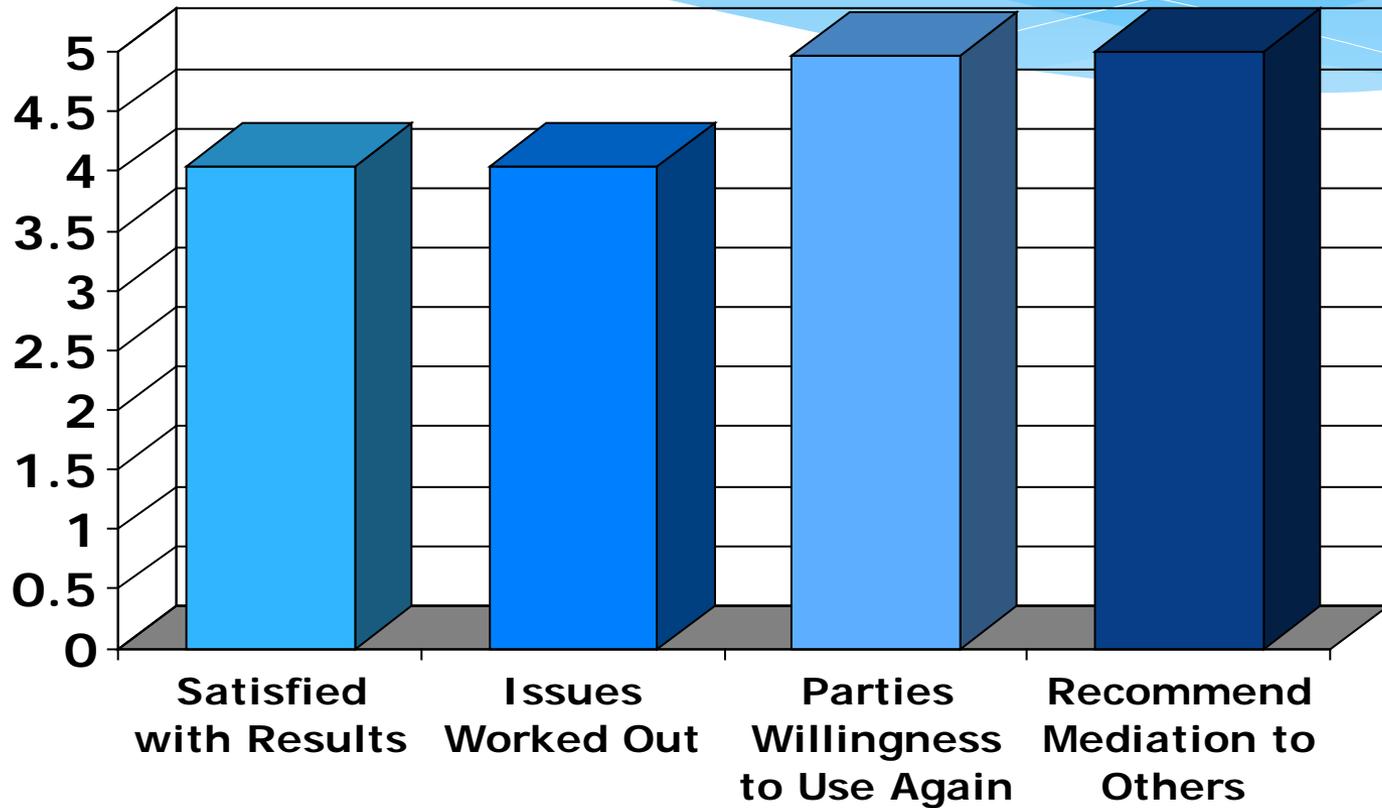


Offender's Satisfaction



*JUVENILE
DEPENDENCY*

Satisfaction With Mediation



Outreach & Education

- * www.sanmateocourt.org/adr
- * General information/FAQs
- * Sign up for program
- * Forms
- * Bios for neutrals
- * More... Evaluation Reports, articles, resources