

PROCEDURES FOR ADR REFERRALS

DISTRICT JUDGE	Types of cases referred	Types of cases that are not referred	Are unwilling parties referred?	When is a decision made re: ADR	When is a case referred to ADR?	How much time for completion?	Who is designated as lead counsel	Can ADR referral be vacated?	What procedure is used to vacate ADR referral?	Are cases ever referred to ADR more than once?	Any cases referred to Early Neutral Evaluation?	Other comments
PERRY	Almost all cases are referred	Cases with purely legal issues; some pro se cases	Yes if the Court believes that ADR may be productive	At the Rule 16 Conference	After some fact discovery but before summary judgment motions are filed	60 days	Plaintiff's counsel in most cases	Yes, where counsel demonstrates a very good reason	file written motion to vacate with supporting memo	Yes, if parties request and trial date is not affected	Rarely	Parties should be prepared to discuss ADR at Rule 16; discuss beforehand
JACKSON	All types that lend themselves to ADR	Only those set forth in L.R. 6.01(A)	Usually not. Will not refer if prior efforts failed	Usually at the Rule 16 Conference	After sufficient discovery and after receiving parties' input	60 days; will extend if trial date and other deadlines unaffected	Plaintiff's counsel; if pro se pltf., then def't.'s counsel	Yes	File a written motion stating reasons for request to vacate	No	No	The earlier parties go to ADR the less the expense of litigation
SIPPEL	Presumption exists that all cases will be referred	Cases that present only legal issues	Yes, but case-by-case exceptions will be considered	At the Rule 16 conference	Discussed with parties; after enough discovery to evaluate case	60 days	Plaintiff's counsel in most cases	Yes, for good cause shown	File written motion, come to informals or request hearing	Yes, if case has changed, or if requested by party	No	None
AUTREY	All cases that present fact issues (and are not excluded by L.R. 6.01(A))	Only those set forth in L.R. 6.01(A)	Yes, if the issues in the case lend themselves to ADR	At the Rule 16 Conference	After fact discovery but before expert discovery begins	60 days; can be readily extended	Plaintiff's counsel; if pro se pltf., then def't.'s counsel	Yes, on a case-by-case basis	File written motion to vacate with supporting memo	Yes, if requested or deemed useful by the Court	Yes, at parties' request.	None
LIMBAUGH	All cases in which parties agree	Cases in which counsel feels it will be futile	Usually not, except in four-plus party cases, and one or two parties are reluctant	At the Rule 16 conference	Discussed with parties; sometimes after 2-5 months of discovery	six weeks	Plaintiff's counsel; if pro se pltf., then def't.'s counsel	Yes if the referral is futile	File written motion to vacate, stating reason	Yes, if first referral was vacated and ADR is later desired	Yes, on request of parties	Prefer that ADR occurs at some point in all litigation
FLEISSIG	All types that lend themselves to ADR	Only those set forth in L.R. 6.01(A)	Yes, but case-by-case exceptions will be considered	At the Rule 16 conference	Discussed with parties; after enough discovery to evaluate case	60 days	Plaintiff's counsel; if pro se pltf., then def't.'s counsel	Yes, for good cause shown	File written motion, or request hearing	Yes, if case has changed, or if requested by party	Yes, rarely, at parties' request	Parties should be prepared to discuss ADR at Rule 16; discuss beforehand
ROSS	Presumption exists that all cases will be referred	Cases that present only legal issues; some pro se cases	Yes, but case-by-case exceptions will be considered	At the Rule 16 Conference	Discussed with parties; after enough discovery to evaluate case	45 days but can be extended	Plaintiff's counsel in most cases	Yes, for good cause shown	File written motion, come to informals or request hearing	Yes, if case has changed or if requested by party	No	None
WEBBER	Almost all cases are referred	Cases with purely legal issues; or excluded by L.R. 6.01(A)	Yes	Presumption exists from filing that ADR will occur	Early in the case; after plaintiff's or decision maker's deposition is taken	90 days	Plaintiff's counsel; if pro se pltf., then def't.'s counsel	Yes, if settlement is imminent or only legal issues remain	By calling chambers or filing written motion	Have not to date	Yes, for complex technical issues if it could resolve case	Counsel should contact Court with any ADR questions
SHAW	Most cases are referred	Cases with purely legal issues; or excluded by L.R. 6.01(A)	Yes, if the issues in the case lend themselves to ADR	After parties submit a joint proposed scheduling plan	Early in case; preferably before expert discovery begins	60 days; can readily be extended	Plaintiff's counsel; if pro se pltf., then def't.'s counsel	Yes, where counsel demonstrates that referral is futile	File written motion stating good cause to vacate	Yes, if requested by parties or deemed useful by the Court	Yes, on parties' request	ADR process can reduce disputed issues even if settlement is not reached
HAMILTON	All cases that present fact issues (and are not excluded by L.R. 6.01(A))	Cases in which only issues of law are present	Yes, if the issues in the case lend themselves to ADR	At the Rule 16 Conference	After fact discovery but before expert discovery begins	60 days; can be readily extended	Plaintiff's counsel; if pro se pltf., then def't.'s counsel	Yes, on a case-by-case basis	File written motion to vacate with supporting memo	Yes, if requested or deemed useful by the Court.	Yes, at parties' request.	None