

**Rule 6.01 (FRCP 16) Mediation and Early Neutral Evaluation.**

The Court, on its own motion or on the motion of any party, may refer appropriate civil cases to Alternative Dispute Resolution (ADR): mediation or early neutral evaluation. The Court may also refer cases to any ADR process upon which the parties may agree. The order of referral will state whether the case is referred to mediation, early neutral evaluation, or other mutually agreed ADR process. The term “neutral” refers to “mediator” or “neutral evaluator” as the context requires.

**(A) Mediation.**

Mediation is an informal non-binding dispute resolution process in which an impartial mediator facilitates negotiations among the parties to help them reach settlement. A mediator may not impose the mediator’s own judgment on the issues for that of the parties. The following cases will not be referred for mediation:

- (1) Appeals from rulings of administrative agencies;
- (2) Habeas corpus and extraordinary writs;
- (3) Bankruptcy appeals; and
- (4) Social Security cases.

**(B) Early Neutral Evaluation.**

Early neutral evaluation brings together parties and counsel in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced

neutral evaluator. Immediate settlement is not a primary purpose of this process, though it may lead to settlement negotiations. Any civil case may be appropriate for early neutral evaluation, if the judge believes the parties are likely to benefit mutually from such referral.

(Amended October 1, 2001, effective November 1, 2001; Amended August 11, 2011, effective September 19, 2011; Amended November 5, 2014, effective December 15, 2014; Amended October 2, 2019; effective November 1, 2019)