

**NOTICE TO THE BAR –  
CIVIL MEDIATION POLICY STATEMENT**

It shall be the policy and practice that the judges in the Civil Program shall not order counsel and the parties in any matter to avail themselves of mediation. Rather, judges may suggest that counsel and the parties avail themselves of mediation services when in the judge's view mediation is likely to expedite resolution of the matter in litigation. Under no circumstances may any judge require or suggest that the parties use a particular mediator or a particular mediation service. The mediator selected and agreed upon by the parties must be available to proceed with the matter and, in that event, shall be deemed acceptable to the Court.

Judges shall have no involvement in suggesting or negotiating the amount of fees charged by a mediator or a commercial mediation service.

This Mediation Policy Statement is not intended to alter the practice in the Commerce Program where the designated JPT may charge \$300 per hour whenever the parties wish to continue discussion following the initial three (3) hours pro bono services.

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JOHN W. HERRON  
ADMINISTRATIVE JUDGE  
TRIAL DIVISION

Dated: December 2, 2011