

03/26/98

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

THURSDAY
March 26, 1998

MISCELLANEOUS DOCKET

In re Establishing a Pilot Mediation Program.

This matter is before the court on its own motion. Pursuant to S.Ct.Prac. R. IX(6)(A) and (B) and X(10), the court hereby establishes a pilot mediation program to encourage and facilitate the settlement and resolution of original actions and certain appeals. The program shall be effective when this entry is filed with the Clerk and applies to cases in the following categories:

1. Appeals from the Board of Tax Appeals.
2. Original Actions in cases involving:
 - a. Public records requests;
 - b. Requests for attorney fees;
 - c. Teacher tenure.
3. Any other case that the court deems appropriate.

IT IS THEREFORE ORDERED THAT:

1. A pilot mediation program is established for the above categories of cases.

2. The Counsel to the Court and Master Commissioners of the Supreme Court are authorized to select from the above categories of cases at least twelve cases filed in this court during the ninety days after the effective date of this order for the purpose of mediation and to designate a Mediation Commissioner for the purposes of mediation.

3. The Master Commissioners' Office shall establish interim procedures for the purpose of (a) selecting such cases and (b) scheduling and notifying counsel of parties to the case selected for mediation of the date, time, and manner of mediation conferences.

4. The counsel of each party and the party or officer of the party with full settlement authority shall attend any scheduled mediation conference.

5. Notwithstanding S.Ct.Prac.R. XIV(3)(B), the Chief Justice may extend filing deadlines or stay briefing in a case selected for mediation if an extension or stay of briefing is requested by motion and if, in the opinion of the Chief Justice, the extension or stay would be conducive to settlement.

6. If the parties are successful in mediation, the Mediation Commissioner shall assist the parties in drafting a settlement agreement which shall be filed with the Clerk.

7. If the parties are not successful in mediation, the Mediation Commissioner shall draft a proposed entry for the court which shall establish a briefing schedule, if the briefing schedule has been stayed.

8. The Mediation Commissioner shall report to the court the failure of any attorney or client to attend a mediation conference. Failure to attend a mediation conference shall be considered a violation of this order, and the attorney and the client may be subject to sanctions as the court may consider appropriate.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.