

CT Judicial Branch Expands ADR Options with Mediation Centers

By Judge William H. Bright, Jr.

All civil trial attorneys and judges know that well over 90 percent of all civil cases settle before trial. Consequently, there can be no doubt that appropriate court-sponsored civil alternate dispute resolution programs are important tools to assist litigants in Connecticut and the judicial branch in resolving matters in a fair, timely, and efficient manner. To that end, the branch is working hard to provide attorneys with additional options for mediation.

As background, the Commission on Civil Court ADR in 2011 concluded that successful court-sponsored ADR programs should consist of a procedurally fair, cost effective and ethical process designed to timely resolve the type of dispute at hand. The Commission recognized that the skill set needed for mediation is quite different from that needed for the traditional adjudication of a dispute. Accordingly, an initial group of judges with the talent and interest to serve as effective mediators was identified, and in December 2015, 27 judges attended an all-day mediation workshop at Quinnipiac University School of Law. This workshop was developed and facilitated by the faculty of the law school's Center on Dispute Resolution.

By the time this training had occurred, the branch had already opened the first Judicial Mediation Center in Waterbury. The center is located on the 4th floor of the Waterbury courthouse at 400 Grand Street. A second Judicial Mediation Center opened in Hartford in January 2016, and is located on the 4th floor of the Hartford Judicial District court at 95 Washington Street. The mediation center space in Hartford includes mediation and breakout rooms, workrooms and state-of-the-art videoconferencing equipment. Both centers have been busy, and as of October 26, 2016:

- 149 ADR events have been sched-

uled at the Waterbury Mediation Center; and

- 137 ADR events have been scheduled at the Hartford Mediation Center.

As evidence of the branch's commitment to mediation, the Hon. Michael E. Riley has been assigned full-time to the Hartford Mediation Center and is available to conduct mediation and other ADR events. It is important to note that other judges are available to mediate as well, which gives the attorneys flexibility to choose their mediator through the J-ADR pro-

gram. Meanwhile, the Connecticut Judicial Branch has continued to streamline the scheduling process for the attorneys involved to make it as efficient as possible.

The judicial branch also recognizes that a comfortable atmosphere is an integral part of successful mediation, and the branch has sought to create that type of environment. For example, tables are oval, rather than square, to encourage a collaborative experience, where everyone feels that they have the same voice. Additionally, the centers have state-of-the-art videoconferencing equipment, which makes it easier for out-of-state parties to participate. The net result of all of these efforts, we hope, is that parties will be more at ease with the process and more willing to accept the outcome because they feel that their voices have been heard.

It is important to note that the mediation centers are available to all civil judges who may want to schedule an ADR event



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from any of the state's Judicial Districts. The Judicial Branch's J-ADR request form has been updated to allow the parties to request to have the event scheduled at the center of their choice.

Moreover, and as a part of the case management process, judges assigned to individual calendaring dockets will be discussing the appropriateness of early intervention and referring cases for mediation, or another ADR process, with the understanding that the centers can provide an easy and effective place for these cases to be heard.

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Finally, beginning in November, certain judges are available at the centers on designated days to mediate family matters. Additional information is available from the family caseflow coordinators in each Judicial District.

The judicial branch is extremely pleased with the creation of these mediation centers, and we are confident that they will assist not only the parties to litigation, but the lawyers as well. Chief Justice Chase T. Rogers, Chief Court Administrator Patrick L. Carroll III, and I are very pleased with the progress we have made so far, and we want to thank the bar for all of the input it has provided over the years.

If you should have any questions about the mediation centers, please contact:

Nancy McGann, program manager, at (860) 263-2734 or Nancy.McGann@jud.ct.gov. **CL**