

COURT ORDERED MEDIATIONS IN ARKANSAS



Prepared by

**ADMINISTRATIVE OFFICES OF THE COURTS
ARKANSAS ALTERNATIVE DISPUTE
RESOLUTION COMMISSION**

COURT ORDERED MEDIATION IN ARKANSAS

Statistics Fact Sheet

The following information is based on 213 statistical reporting forms received between July 16, 2003 and August 31, 2004 by the Arkansas Alternative Dispute Resolution Commission from certified mediators. Thirty-one mediators sent in data, in addition to 19 reports received from the UALR Law School Mediation Clinic. A copy of the Statistics Reporting Form is included with this report.

RESULTS OF COURT ORDERED MEDIATION SESSIONS:

What types of cases were ordered for mediation? (See Chart 1)

- Civil - 46 cases (22%)
- Probate - 3 cases (1%)
- Domestic Relations - 118 cases (56%)
- Juvenile - 41 cases (19%)
- Unspecified - 5 cases (2%)

Did the mediation take place? (See Chart 2)

- A. No, Mediation never began. - 12 cases (6%)
- B. Yes, but mediation was halted and the case returned to court without agreement. - 52 cases (24%)
- C. Yes, Mediation was completed with a full agreement. - 125 cases (59%)
- D. Yes, mediation was completed with a partial agreement. - 24 cases (11%)
- E. No, but the case settled after mediation ended. - no cases reported

Did the judge send all issues of the case to mediation or limited issues? (See Chart 3)

- 109 cases included **all issues** (51%)
- 74 cases were **limited issues** (35%)
- 30 cases were **unspecified** (14%)

How many mediation sessions were held? (See Chart 4)

Of the 213 reports, 203 reports held information concerning the number of sessions held (nine cases never began mediation). None of the cases reported required more than 4 sessions, and most cases were resolved in one session:

- One session - 172 cases (85%)
- Two sessions - 19 cases (9%)
- Three sessions - 10 cases (5%)
- Four sessions - 2 cases (1%)

Of those cases that were resolved in one session, how many hours were spent in mediation? (See Chart 5)

Less than 3 hours – 35 cases (21%)

3 – 5 hours – 93 cases (56%)

5 ½ - 8 hours – 27 cases (16%)

Over 8 hours – 11 cases (7%)

Listed below is the number of mediations ordered in each county, based on reports received:

COUNTY	Number of mediations ordered	COUNTY	Number of mediations ordered
Arkansas	1	Izard	1
Ashley	2	Jefferson	2
Benton	24	Little River	1
Boone	2	Logan	1
Bradley	4	Lonoke	13
Calhoun	1	Madison	1
Carrol	3	Miller	3
Chicot	5	Mississippi	1
Clark	1	Ouachita	1
Cleveland	1	Perry	1
Columbia	1	Polk	1
Conway	3	Pulaski	36
Crawford	8	Saline	2
Desha	4	Searcy	3
Drew	4	Sebastian	1
Faulkner	19	Union	2
Garland	29	Van Buren	5
Hot Springs	1	Washington	10
Howard	3	White	13

COURT ORDERED MEDIATION

This Chart represents the number of cases by percentage ordered for mediation from each division of Arkansas Circuit Courts between July 16, 2003 and August 31, 2004.

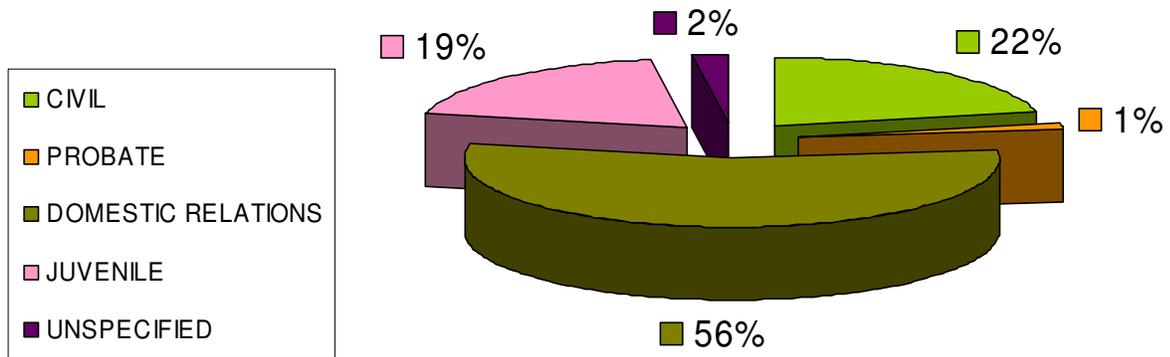
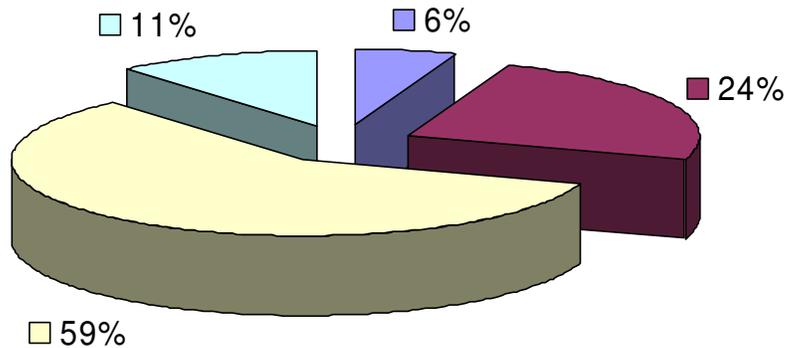


Chart 1

COURT ORDERED MEDIATION



"Did Mediation Take Place?"

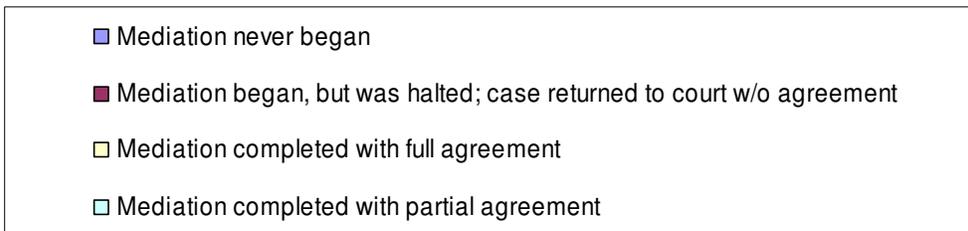


Chart 2

COURT ORDERED MEDIATION

"Did the judge send all issues of the case to mediation or limited issues?"

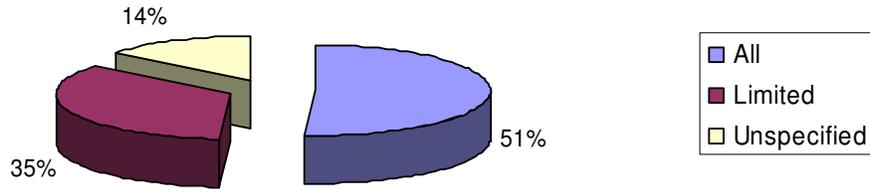
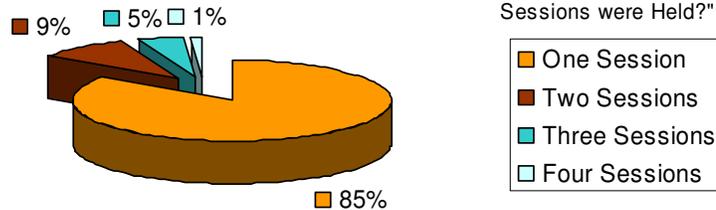


Chart 3

COURT ORDERED MEDIATION

This Chart represents 203 Arkansas Circuit Court-ordered Mediations, and indicates how many sessions were required for resolution.*

"How Many Mediation Sessions were Held?"



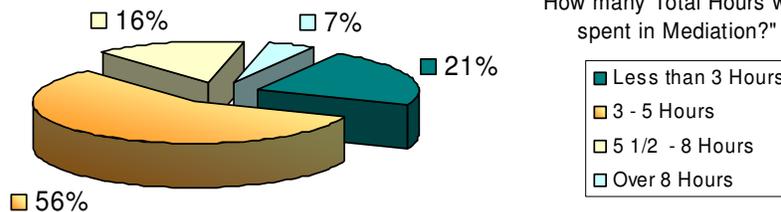
*Of 213 Court-ordered cases, 9 cases never began mediation sessions, and one case had unspecified information.

Chart 4

COURT ORDERED MEDIATION

This Chart represents 166 Arkansas Circuit Court-ordered Cases that were resolved in **one session** of mediation, and indicates by percentages the number of hours spent in one session.*

"How many Total Hours were spent in Mediation?"



*Information on the amount of hours spent in mediation was not available for 5 cases. There was a total of 172 cases that were resolved in one mediation session.

Chart 5

**Arkansas Alternative Dispute Resolution Commission
Statistical Reporting Form for Court Ordered Mediation**

Please complete this form for all court ordered mediations. If a referral fails to attend mediation, fill in as much information as possible in order for the Commission to compile accurate statistics.

MEDIATOR INFORMATION

Last	First	M.I.
Certification Number		
City	State	Zip
Phone		

FILING INFORMATION

County prefix, i.e. JV, DR, PR,CV)	Judge	Circuit #	Docket # (Include subject
Plaintiff's Name		Defendant's Name	Date Mediation was ordered

Division (please check one): JUVENILE DOMESTIC RELATIONS PROBATE CIVIL

Is this case an Arkansas Access & Visitation Mediation Program Case? YES NO

MEDIATION ISSUES

Case Type: Please check all that apply. For "Other" categories, please describe case characteristics.

- | | | |
|---|--|---|
| 1. <input type="checkbox"/> Motor Vehicle Negligence | 8. <input type="checkbox"/> Decedent Estates | 16. <input type="checkbox"/> Separate Maintenance |
| 2. <input type="checkbox"/> Other Negligence | 9. <input type="checkbox"/> Trust Administration | 17. <input type="checkbox"/> Domestic Abuse |
| 3. <input type="checkbox"/> Malpractice | 10. <input type="checkbox"/> Guardianship | 18. <input type="checkbox"/> Families in Need of Services |
| 4. <input type="checkbox"/> Product Liability | 11. <input type="checkbox"/> Adoption | 19. <input type="checkbox"/> Juvenile Delinquency |
| 5. <input type="checkbox"/> Contracts (Please specify
type): _____ | 12. <input type="checkbox"/> Divorce | 20. <input type="checkbox"/> Dependency Neglect |
| 6. <input type="checkbox"/> Equity | 13. <input type="checkbox"/> Paternity | 21. <input type="checkbox"/> Termination of Parental Rights |
| 7. <input type="checkbox"/> Partnership | 14. <input type="checkbox"/> Custody/Visitation | 22. <input type="checkbox"/> Extended Juvenile Jurisdiction |
| | 15. <input type="checkbox"/> Child Support | 23. <input type="checkbox"/> Other: _____ |

MEDIATION SESSION(S)

1. Did the mediation take place?

- A. No, mediation never began.
- B. Yes, but mediation was halted.
- C. Yes, mediation was completed on ____ / ____ / ____ with a full agreement.
- D. Yes, mediation was completed on ____ / ____ / ____ with a partial agreement.

2. Did the judge send all issues of the case to mediation or limited issues of the case? All Issues Limited Issues

3. How many mediation sessions were conducted? _____ **4. How many TOTAL hours were spent in mediation?** _____