

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99026-SCT

**IN RE: AUTHORIZATION OF COURT ANNEXED MEDIATION IN CHANCERY, CIRCUIT
AND COUNTY COURTS**

ORDER

This matter has come before the Court en banc on Report of Court Annexed Mediation Committee Pursuant to January 19, 2000 Order, such report having been filed September 6, 2000, whereby the Committee asks that the Court Annexed Mediation Rules for Civil Litigation be amended to extend the termination date of the program and that provision be made for trial court reporting of the use of mediation under the program. Having considered the report, the Court finds that the relief sought will promote the fair and efficient administration of justice and should be granted, with modification.

IT IS THEREFORE ORDERED that the Report of Court Annexed Mediation Committee Pursuant to January 19, 2000 Order is hereby granted, and Rule XIII of the Court Annexed Mediation Rules for Civil Litigation be amended and that a new Rule XIV be added all as set forth in exhibit "A" hereto. The reporting requirements of Rule XIV shall be effective from and after January 1, 2001.

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this order upon the minutes of the Court and that a true certified copy be forwarded forthwith to West Publishing Company for publication in *Southern Reporter Second (Mississippi Edition)* and the *Mississippi Rules of Court*.

SO ORDERED, this the 25th day of October, 2000.

/s/ William L. Waller, Jr.

WILLIAM L. WALLER, JR., JUSTICE, FOR THE COURT

SMITH AND DIAZ, JJ. NOT PARTICIPATING

McRAE, J. WOULD DENY

**EXHIBIT "A" TO ORDER
COURT ANNEXED MEDIATION RULES
FOR CIVIL LITIGATION**

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XIII. SUSPENSION AND TERMINATION OF THE PLAN

Unless extended by order of the Supreme Court, this plan will expire on December 31, ~~2000~~2002. The plan may be suspended or terminated by the Supreme Court upon a determination by the Court that there is an inadequate number of qualified mediators available to meet the demand without undue delay in the disposition of cases, or for such other reason as the Court may deem appropriate.

[Amended November 2, 2000.]

XIV. REPORTING REQUIREMENTS

The following procedures will be utilized to gather information concerning cases ordered to mediation pursuant to these Rules.

A. Each circuit and chancery court clerk shall file, on a monthly basis, a written report with the Administrative Office of Courts reporting the hereafter specified information concerning cases ordered to mediation by an order of that court entered pursuant to these rules. The report shall be filed no later than the last day of each month following the month for which activity is being reported. The report shall state (a) the number of cases ordered to mediation; (b) the general subject matter of the cases; and (c) the information obtained from mediators concerning those cases pursuant to paragraph B of this Rule. Reports concerning county court cases ordered to mediation shall be filed by the circuit court clerk in like manner.

B. Each mediator selected by the parties in a matter ordered to mediation or appointed by the Court pursuant to Rule 3D shall, within 10 days of the conclusion of the mediation, report to the clerk of the court whether the case was settled. The report shall not disclose any particulars of the settlement.

[Amended November 2, 2000.]