

**LOCAL RULES
FOR
ELEVENTH CIRCUIT COURT DISTRICT OF MISSISSIPPI**

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. REQUIRED MEDIATION IN CIVIL CASES

(a) All civil matters filed in the Eleventh District Circuit Court, except those specifically exempted in subsection (b), shall be submitted to mediation prior to the parties obtaining a trial date from the Court unless all parties agree in writing that to submit the matter to mediation would be futile.

(b) Medical malpractice cases are exempt from the requirement of mediation.

(c) The term mediation as used in this rule refers to the form of alternative dispute resolution by which a neutral third party is retained by both parties to assist them in reaching a settlement. The mediator does not render a decision, binding or otherwise, as in arbitration.

Notes

The Judges of the Eleventh District Circuit Court find that mediation is private, informal, and efficient. It has proven to be an effective tool for resolving cases in numerous instances where parties alone seem unable to do so.

This rule also recognizes the fact that mediation is not effective or useful in all situations.

[Adopted by the Eleventh Circuit District Court and approved by the Supreme Court by order entered February 2, 2006.]