



MENDOCINO COUNTY SUPERIOR COURT

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

California Rules of Court rule 3.221 requires the party that is filing a civil lawsuit to include this document when serving the opposing party. The Court encourages parties to use some form of Alternative Dispute Resolution (ADR) before proceeding to trial.

WHAT ARE ADR OPTIONS?

Most civil cases are resolved without going to trial. Many parties use alternative dispute resolution to resolve their cases. These methods are typically less formal and less adversarial than trial. Below are four types of ADR. Please note that a civil judge may encourage, or occasionally order, parties to participate in a Settlement Conference or Arbitration. Mediation and Neutral Case Evaluation are not available for civil cases filed in the Court.

- ***Settlement Conference***

Parties and their attorneys meet with a judge or neutral settlement official to discuss settlement of the case. The settlement official does not make a decision but helps parties in evaluating the strengths and weaknesses of the case and possible negotiated settlement. Mandatory Settlement Conferences, ordered by the court, are often held near the date when a case is scheduled for trial.

- ***Arbitration***

A neutral person, called an arbitrator, hears arguments and evidence for each side and then decides the outcome of the dispute. This process is less formal than a trial and the rules of evidence may be relaxed. Arbitration may be “binding” or “non-binding”. Binding arbitration means the parties waive their right to a trial and agree to accept the arbitrator’s decision as final. Non-binding arbitration means that the parties are free to request a trial and reject the arbitrator’s decision.

- ***Mediation***

Civil Mediation is not offered by the Court or the County of Mendocino.

- ***Neutral Case Evaluation***

Neutral Case Evaluation is not offered by the Court or the County of Mendocino.