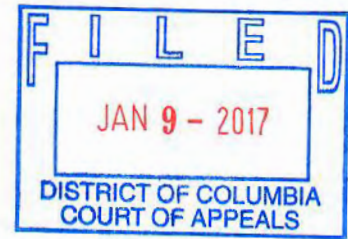


**District of Columbia
Court of Appeals**



Administrative Order 4-16

BEFORE: Washington, Chief Judge; Glickman, Fisher, Blackburne-Rigsby, Thompson, Beckwith, Easterly, and McLeese, Associate Judges.

A M E N D E D O R D E R
(FILED – January 9, 2017)

WHEREAS, this court continues to investigate the use of alternative dispute resolution (i.e., mediation) for cases on appeal following the limited and favorable experiences of previous pilot programs, it is

ORDERED that order No. M-229-07, issued on February 28, 2007, is hereby vacated. It is

FURTHER ORDERED that the court will implement an early intervention mandatory appellate mediation program for certain appeals where all parties are represented by counsel filed on or after January 23, 2017. Appeals in the following cases will be eligible for mediation: final orders of the Superior Court entered in the Civil Division and the Probate Division, and final orders involving divorce, child custody, visitation and child support entered in the Family Division; final orders entered by the Office of Administrative Hearings that are appealable directly to the D.C. Court of Appeals; and final orders issued by Administrative Agencies, Boards and Commissions of the District of Columbia. It is

FURTHER ORDERED that counsel in cases deemed eligible for mediation shall complete and file a Mediation Screening Statement with the Notice of Appeal or Petition for Review. While a case is being reviewed for possible inclusion in the appellate mediation program, and, if selected, while the case is in the mediation process, appellant's obligation to order transcripts pursuant to DC App R. 10(b)(1) will be stayed until further order of the court. It is

FURTHER ORDERED that no later than 15 days after an order placing a case into the mediation program is entered, counsel for the parties shall prepare and submit to the mediator and mediation program staff a Confidential Mediation Statement of no more than ten (10) pages setting forth their views on the key facts, legal issues and practical concerns in the case. Mediation statements shall not be filed with the Court and need not be served on opposing counsel. The assigned mediator will be responsible for scheduling all mediation sessions. However, the first mediation session will be held no later than 30 days after submission of the confidential mediation statement. It is

FURTHER ORDERED that all parties must attend the initial mediation session in person

unless excused by the Mediation Program Coordinator. In the event the client is a corporation, counsel must secure the presence of a representative with full settlement authority. Additionally, if a non-party is necessary for resolution of the matter, e.g., an insurance company, counsel must secure either the physical presence or availability by telephone of a representative with full settlement authority. It is

FURTHER ORDERED that the failure of the parties to comply with this Order may result in the imposition of sanctions by the court, including dismissal of the appeal.

PER CURIAM