

# District of Columbia Court of Appeals

No. M-221-05

BEFORE: Wagner, Chief Judge; Terry, Schwelb, Farrell, Ruiz, Reid, Glickman and Washington, Associate Judges.

## O R D E R (FILED - JUNE 14, 2005)

WHEREAS this court is investigating alternative dispute resolution options for cases on appeal and is considering the implementation of a pilot alternative dispute resolution program in the future and it appearing that there are a substantial number of civil appeals that have been fully briefed, screened and awaiting scheduling on a calendar and that these appeals will not be calendared until the end of 2005, and it further appearing that it is in both the court's and the parties' interest to determine whether some pre-calendaring resolution is possible, it is

ORDERED that this court will institute a summer mandatory appellate mediation program for cases that have been fully briefed, but not calendared. This program will be conducted during the summer months of 2005 and mediation sessions are expected to be scheduled between July 18, 2005 and August 12, 2005. The cases included in this limited program are civil cases involving money damages, where all parties are represented by counsel and where the appeal is briefed and awaiting placement on the calendar; however, those appeals projected for placement on the September or October 2005 calendars are excluded. The mediation sessions will be conducted by trained mediators who are qualified to mediate Civil I cases by the Multi-Door Resolution Program. It is

FURTHER ORDERED that participation in this summer program is mandatory for all selected appeals and counsel in those selected appeals will be notified by court order. Counsel is required to have his/her party physically present at the mediation session. In the event that the client is a corporation, counsel shall secure the presence of a representative that has full settlement authority. Additionally, if a non-party is necessary for resolution of the matter, e.g. insurance company, counsel shall either shall secure the physical presence or availability by telephone of a representative that has full settlement authority. It is

FURTHER ORDERED that since cases scheduled to be placed on the next few calendars are excluded from this program, inclusion in this program will not delay the calendaring of any appeal.

PER CURIAM