



Alternative Dispute Resolution (ADR) Program Sixth Judicial District

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Guide to ADR for Contested Domestic Relations Cases

What is ADR?

Alternative Dispute Resolution or “ADR” refers to any method other than litigation for resolution of disputes. ADR methods may include mediation, arbitration and early neutral evaluation. ADR uses a third, neutral person to facilitate negotiations between other parties who are in conflict. In mediation, the “mediator” will attempt to assist you in working out a solution that is fair, reasonable, and acceptable as a way to resolve the dispute. It is not about who is at fault, but rather what can be done to settle the problem. In arbitration, the “arbitrator” will issue an award after a hearing at which both parties have an opportunity to be heard. Arbitration is non-binding unless the parties agree otherwise. Early Neutral Evaluation or ENE is a process in which a lawyer with expertise in the subject matter of the litigation acts as a neutral evaluator of the case. More information regarding each of these processes is available from this office or from our website at www.adr6th.org.

Is ADR Mandatory?

Yes. In hopes that parties will be able to resolve their conflicts in mediation, **contested** domestic relations cases (i.e., divorce, modification, contempt) must be submitted to the ADR Program **prior** to a temporary. All cases are screened to determine if ADR is appropriate and if so, scheduled for a mediation session unless there is a written demand for nonbinding arbitration filed before a mediation session has been set. Only one ADR session per action is required.

Is there a cost for ADR?

Yes. We encourage parties to select a neutral and agree upon a fee prior to the ADR session. If no neutral is selected, this office will assign a mediator from our rotational list. If assigned, the neutral can only charge \$100.00 per hour to be divided equally between the parties. This office does provide for fee waivers and fee reductions. If you can not pay the mediation fees or need assistance, please contact this office immediately to request a Request for Fee Waiver or Fee Reduction. All applications must be fully completed and received by the ADR Office no later than 3 days prior to any scheduled ADR session. No applications will be granted without all requested documentation or once the ADR session has begun.

Where do I go from here?

Contact the ADR Office at the above numbers or visit our website at www.adr6th.org. Please note that while we will be more than happy to help you with the ADR process, we can not give legal or financial advice.