

United States District Court

Northern District of New York  
445 Broadway  
Albany, New York 12207

Gary L. Sharpe  
Chief Judge

(518) 257-1870

**IMPORTANT INFORMATION FOR THE NORTHERN DISTRICT BAR**

Dear Northern District Bar Member

As you may know, the Northern District has been deemed a congested court by the Judicial Conference Committee on Case Administration and Case Management. Over the past several years the Court, working closely with the Federal Court Bar Association, has been exploring ways to streamline the civil case resolution process. As a product of these discussions the Northern District of New York will be implementing a more robust Court annexed mediation program. The new Pilot Mandatory Mediation Program was fashioned after a similar program that was adopted in the Western District of New York several years ago. That program, along with several other paid mediation programs across the country, has shown great success in resolving cases at an early stage in the litigation process saving both time and money for the parties.

The Pilot Mandatory Mediation Program will run for two years starting with cases that are filed after January 1, 2014. Additionally, any civil case where a Rule 16 Conference has been scheduled after January 1, 2014 will be placed into the program. The Court and the Federal Court Bar Association felt strongly that the success of this program would hinge on the quality and expertise of the mediation panel. The Court, working closely with our ADR Committee and Federal Court Bar Association, selected highly qualified lawyers from across the district to participate as mediators in this new program. All of the selected mediators are required to attend an advanced mediation training seminar which focuses on federal mediation techniques.

As part of the new process, the parties will select the mediator of their choice from the Court approved list of mediators and complete a mandatory two-hour mediation session. The cost of the two-hour mandatory session will be capped at \$300.00 (*\$150.00 per-hour, the \$300.00 fee for the first two-hour session will be shared equally by the parties*). Thereafter, the parties may agree to continue the mediation session beyond the mandatory two-hour period at the rate established for that mediator. During the pilot program, the Court has set a rate cap not to exceed \$300.00 per-hour for those cases that proceed beyond the two-hour mandatory session. At the conclusion of the two-year pilot, the Court will evaluate the success of the program to determine if it should continue as a permanent part of our ADR suite. Attorneys participating in the program can expect to receive a short survey about their impressions of the new program. I ask your assistance in completing the survey so that we may properly assess the value of this program.

During the pendency of this Pilot program, the Court's current *pro bono* mediation, early neutral evaluation, and arbitration programs will be suspended. The Court will however, continue to operate the *pro bono* assisted mediation program which is designed to help pro se litigants proceed through court annexed mediation.

For more information on this new program, please refer to General Order #47 - Pilot Mandatory Mediation Program which is available on our Court Website under General Orders at [www.nynd.uscourts.gov](http://www.nynd.uscourts.gov).

Thank you,

Gary L. Sharpe  
Chief Judge

