

B-9019-2. ALTERNATIVE DISPUTE RESOLUTION

(a) Procedure

(1) Motion

Any contested matter or adversary proceeding (“controversy”) may be referred to mediation (“mediation”) by the Court or upon motion filed by any party. If the motion filed by a party certifies that all parties to the controversy consent to mediation and have been served with the motion, and the Court finds the motion to be appropriate under the circumstances, the Court may grant the motion without further notice or hearing. If the motion filed by a party does not so certify, or if the Court finds that the motion is not appropriate, the motion shall be subject to the procedures for contested motions.

(2) Proposed Order

The motion of a party shall be accompanied by a proposed order which shall set out any filing deadlines or hearings that may need to be rescheduled to accommodate the mediation and shall make such reasonable scheduling changes as are necessary to allow the mediation to proceed. The proposed order shall also include provisions governing the confidentiality of the mediation process in accordance with section (d) herein. If the parties have selected a mediator in accordance with section (b)(2) herein, the proposed order shall identify the mediator and provide for compensation in accordance with the requirements of section (b)(4) herein.

(3) Pendency of Matter

Unless otherwise ordered by the Court, the parties shall remain responsible for complying with all pleading, discovery, or Court-imposed deadlines and any other applicable scheduling requirement established for the timely disposition of the controversy.