

53.1 Alternative Dispute Resolution (ADR)

(a) **ADR Considered.** ADR will be discussed at the preliminary pretrial conference, and the court will promote settlement efforts at every stage of the proceedings.

(b) **Summary Jury Trial.**

(1) **How Set.** The court may order a summary jury trial upon written request of all counsel involved or upon the court's own initiative. The only condition precedent to a request for a summary jury trial is that counsel shall have their case in a state of trial readiness.

(2) **Procedure.** The court will determine the procedure to be followed with respect to summary jury trials.

(c) **Mediation.**

(1) **Discovery Plan.** Counsel shall confer regarding the suitability of their case for mediation and, if applicable, include in their discovery plan (See Civil Form 2, Sample Discovery Plan) the date by which mediation will occur.

(2) **Mediation Program.** Either by the court or by agreement of the parties, any eligible civil action may be referred to mediation according to the Guidelines for Mediation Program. A copy of the Guidelines may be obtained from the clerk's office or the court's web site. Should the parties agree to court sponsored mediation in the Discovery Plan or in a subsequently filed joint mediation statement, the parties shall within 48 hours conventionally file a list of five (5) possible mediators from the court's approved list in descending order of preference. The list of possible mediators shall not be maintained in the case file.

(§ (c) added 1/1/99; §§ (b)(2) and (c) amended 1/1/00; § (c) narrative split into §§ (1) and (2) and amended 1/1/02; § (c)(2) amended 1/1/06)

VII. JUDGMENT

54.1 Bill of Costs

(a) **In General.** Unless otherwise ordered by the court, the prevailing party shall be entitled to costs other than attorney's fees. The party in whose favor a judgment or decree for costs is awarded or allowed by law, and who claims costs, shall within twenty-one (21) days after the time for appeal has expired or within twenty-one (21) days after the issuance of the mandate of the appellate court serve on the attorney for the adverse party and file with the clerk a bill of costs. Failure to comply with these time limitations shall constitute a waiver of costs, unless the court otherwise orders or counsel are able to agree on the payment of costs. In the latter case, no bill of costs need be filed.