**Family Mediation Program**

**2015 Data**

**District Court Mediation cases**

In 2015, there were 606 cases that completed the mediation process. Overall, the average time spent in mediation per case is 5.3 hours (this includes orientation, mediation and time spent by the mediator in writing summary of the mediation results and filing the closing form). The average cost per case that completes the mediation process is $901.

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| **Mediation Cases Completed in 2015 by District** | |
| **District** | **Number of Cases** |
| NW | 28 |
| NC | 54 |
| NE | 50 |
| NEC | 75 |
| EC | 159 |
| SE | 69 |
| SC | 133 |
| SW | 38 |
| **TOTAL** | **606** |

Overall, the number of cases that reached full settlement of primary residential responsibility or parenting time issues through mediation was 304 with an additional 193 cases reaching partial settlement. There were 109 cases in which mediation was unsuccessful.

There were 380 cases (64% of the total completed cases for 2015) in which the parties spent over 4 hours in mediation. In 86% of the cases that went over 4 hours the parties settled some or all of the issues in the case. In 14% of the cases that went over 4 hours the parties did not settle any issues.

There were 216 cases (36% of the total completed cases for 2015) in which the parties spent 4 hours or less in mediation. In 60% of the cases that went 4 hours or less the parties settled some or all of the issues in the case. In 40% of the cases that went 4 hours or less the parties did not settle any issues

**District Court Post Judgment Cases**

There were 150 post judgment modification cases in 2015. This represents 25% of the cases that reach completion in the Family Mediation Program. The average time for completion of a post judgment modification case in 2015 was 3.6 hours. The estimated cost of these cases was $91,800 in 2015.

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| **Post Judgment Cases Completed in 2015 by District** | |
| **District** | **Number of Cases** |
| NW | 7 |
| NC | 12 |
| NE | 6 |
| NEC | 21 |
| EC | 34 |
| SE | 24 |
| SC | 39 |
| SW | 7 |
| **TOTAL** | **150** |

**Rate of settlement in post judgment cases**

In 118 of the 150 cases referred for post-judgment mediation the parties were able to settle all or some issues, for a settlement rate of 79%. In 32 cases the parties were unable to settle anything, for an unsuccessful mediation rate of 21%.

The 21% post judgment rate of unsuccessful mediation is slightly higher than the unsuccessful mediation rate of 18% for new cases.

**Time used in post judgment cases**

Fifty-eight percent of the 150 cases that were referred for post judgment mediation spent over 4 hours in mediation.

**Estimated Cost Savings if Mediation Hours are Reduced**

Currently, under N.D.R.Ct. 8.1 parties are entitled to six hours of combined pre-mediation orientation and mediation at state expense. Mediators are currently compensated at the rate of $170 per hour. Parties may purchase additional mediations sessions from the mediator at their own expense at the program rate of $170 per hours. Parties may apply to the mediation program manager for a fee reduction or waiver based upon their ability to pay. The mediation program does not collect data on private pay mediation sessions.

If the number of state-paid hours was reduced from six to four the estimated savings would be $258,400 for the biennium. If the number of state-paid was reduced from six to five, the estimated savings would be $129,200 for the biennium.

While the pre-mediation orientation could be delivered as a general overview available on our website as a video, we believe that would be detrimental to the success of the program. It is during this pre-mediation session that each party has an opportunity to meet one-on-one with the mediator, discuss the specific issues in their case, and ask any questions they may have about the process. This allows the mediator to provide detailed instructions to each party on the documents they need to bring to the session and to point to other resources that might be helpful when they consider the issues in the case.