



Section of Judicial Administration

Maryland State Bar Association, Inc.

# A GUIDE TO ALTERNATIVE DISPUTE RESOLUTION IN MARYLAND'S CIRCUIT COURTS

Prepared by the Judicial Administration Section Council  
of the Maryland State Bar Association  
Under the Direction of the Honorable Ruth Ann Jakubowski

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## **Table of Contents**

- 2 Civil Clerk Information
- 3 ADR Coordinator's Information
- 4 Methods of Court referral of civil cases to ADR
- 5 Does the assigned Judge mediate or preside over settlement conference?
- 6 Is mediation or other ADR a requirement for parties?
- 7 When are parties ordered to engage in mediation or other ADR?
- 8 What is the deadline for mediation or ADR?
- 9 Does your court assign mediators or other ADR providers?
- 10 Payment of court-appointed mediators or other ADR providers
- 11 Is the Court's selection of mediators binding or does an option exist to chose own providei
- 12 Can parties jointly request court-ordered mediation or other ADR?
- 13 Can parties opt out of Court ordered mediation?
- 14 Is there a requirement to attend a settlement conference?
- 15 What is the timing of the settlement conference?
- 16 Who conducts the settlement conferences?
- 17 If there is an objection to the assigned person will the court appoint someone else?
- 18 May parties opt out of court ordered settlement conference?
- 19 Settlement on record

<b>Circuit Court Name</b>	<b>Civil Clerk Information</b>	
	<b>Name</b>	<b>Phone</b>
Allegany County	Dawne Lindsey	301.777.5922
Anne Arundel County	Kim Early	410.222.1896
Baltimore City	Tonya Holt Talbot	410.333.3722
Baltimore County	Suzanne Mensh	410.887.2601
Calvert County	Kathy Smith	410.535.1600 x2263
Caroline County	Terry Lord	410.479.1181
Carroll County	Larry Shipley	410.386.2026
Cecil County	Dolores Woerner	410.996.5369
Charles County	Sharon Key	301.932.3306
Dorchester County	Michael Baker	410.228.0481
Frederick County	Sabrina Hoy	301.694.1977
Garrett County	David Martin	301.334.1941
Harford County	Susan Lochary	410.638.3426
Howard County	Margaret D. Rappaport	410.313.2160
Kent County	Mark L. Mumford	410.778.7460
Montgomery County	Molly Ruhl	240.777.9466
Prince George's County	Rosalyn E. Pugh	301.952.3318
Queen Anne's County	Beverly Peters	410.458.1773
St. Mary's County	Evelyn W. Arnold	301.475.4567
Somerset County	Penny Custis	410.845.4840
Talbot County	Mary Bartholomy	410.822.2611
Washington County	Norma Sappington	301.790.4972
Wicomico County	Wendy Restein	410.543.6551
Worcester County	Susan Braniecki	410.632.5501
OAH	Linda A. Novak	410.229.4269

<b>Circuit Court Name</b>	<b>ADR Coordinator's Information</b>	
	<b>Name</b>	<b>Phone</b>
Allegany County	Anne SanGiovanni	301.777.2261
Anne Arundel County	Jenn McGowan	410.222.1404
Baltimore City	Linda Mason	410.396.7374
Baltimore County	Joy Keller	410.887.3233
Calvert County	Patricia Veitch (Family Services Coordinator)	410.535.1600 x2516
Caroline County	John Cambardella	410.479.4162
Carroll County	TBD	n/a
Cecil County	Noland Kirby (Family law coordinator)	410.996.1157
Charles County	Deborah Elms	301.932.3249
Dorchester County	Amy Craig (For domestic cases only)	310.228.1395
Frederick County	Jennifer Bern	301.694.1467
Garrett County	Randi Whitaker	301.334.7602
Harford County	n/a	n/a
Howard County	Lisa Mohink	410.313.2225
Kent County	n/a	n/a
Montgomery County	Susan Kalil	240.777.9108
Prince George's County	Jennifer Gallaghes	301.952.4173
Queen Anne's County	n/a	n/a
St. Mary's County	Linda J. Grove	301.475.4689
Somerset County	Penny Custis	410.845.4840
Talbot County	Patricia Jordan	410.822.3718
Washington County	Tressa Clifford	240.313.2550
Wicomico County	Dawn Turner	410.334.3127
Worcester County	Anne Turner (Family Division Coordinator)	410.632.5638
OAH	Linda A. Novak	410.229.4269

<b>Circuit Court Name</b>	<b>Methods of Court referral of civil cases to ADR</b>
Allegany County	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers.
Anne Arundel County	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge.
Baltimore City	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge. For professional malpractice, parties jointly select mediator.
Baltimore County	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge. For professional malpractice, parties jointly select mediator.
Calvert County	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge.
Caroline County	N/A
Carroll County	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge.
Cecil County	Allows parties to select their providers. A contractor assigns cases to ADR providers.
Charles County	Matches provider experience with type of case. Allows parties to select their provider.
Dorchester County	N/A
Frederick County	Matches provider experience with type of case. Assigned by judge. A contractor assigns cases to ADR providers. Contractual ADR coordinator assigns except where judge requests specific mediator.
Garrett County	Assigns cases to providers in list order. Matches provider experience with type of case.
Harford County	Matches provider experience with type of case. Allows parties to select their provider. Assigned by judge.
Howard County	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge.
Kent County	Use of Circuit Settlement Judge, Hon. George B. Rasin Jr.
Montgomery County	Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge.
Prince George's County	Assigned by judge. Court utilizes retired or recalled judges. Case is referred ADR Coordinator to coordinate date/judge.
Queen Anne's County	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge
St. Mary's County	Assigns cases to providers in list order. Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge.
Somerset County	Matches provider experience with type of case. Allows parties to select their provider. Assigned by judge.
Talbot County	Matches provider experience with type of case. Assigned by judge
Washington County	Assigns cases to providers in list order (by family services coordinator in domestic cases). Matches provider experience with type of case. Allows parties to select their providers. Assigned by judge.
Wicomico County	Assigns cases to providers in list order. Assigned by judge.
Worcester County	Assigns cases to providers in list order. Matches provider experience with type of case.
OAH	Does not refer what the court would consider civil matters. Instead OAH offers ADR for all its cases which are administrative in nature.

**Circuit Court Name Does Assigned Judge mediate or preside over settlement conference?**

Allegany County	No
Anne Arundel County	No- We do not use specific assignment of cases to judges except on rare occasions.
Baltimore City	No
Baltimore County	No- Not routinely, cases are assigned to retired judges for a settlement conference.
Calvert County	Yes- On occasion, with consent of all attorneys judge may mediate property issues and monetary awards & preside over settlement conference. If mediation unsuccessful, another judge will hear case at trial. (*Note: we have only 2 Circuit Court Judges.)
Caroline County	No
Carroll County	No
Cecil County	No
Charles County	Yes- This is done by design in any specially assigned case, usually after 3rd party efforts to settle have failed. It may happen by party request in any other case.
Dorchester County	No
Frederick County	Yes- The settlement conference is part of the pre-trial conference. 1 of 4 Judges will handle pre-trial conference. This may or may not be same judge that hears the case.
Garrett County	No
Harford County	No
Howard County	No
Kent County	No
Montgomery County	Yes- Assigned judge may preside over a settlement conference for scheduling matters but generally not for mediation purposes.
Prince George's County	No- Not usually but judge assigned to case can.
Queen Anne's County	Mediate - No. Settlement Conferenc - only on infrequent occasions. We use a retired judge for settlement conferences.
St. Mary's County	No
Somerset County	No- We have a circuit-wide Settlement Conference schedule and use retired judges.
Talbot County	No
Washington County	No
Wicomico County	No
Worcester County	No
OAH	No

<b>Circuit Court Name</b>	<b>Is mediation or other ADR a requirement for parties?</b>
Allegany County	Yes- Except those who object pursuant to Maryland Rule 17-103 (2)(3).
Anne Arundel County	Yes- In family law civil mediation is mandatory unless there is a divorce
Baltimore City	Yes- Not all categories of cases currently have required mediation –additional categories are under consideration.
Baltimore County	Yes- The court has a civil mediation program, a settlement court for civil and domestic cases, child access mediation and dependency mediation programs, volunteer facilitator program for contempt cases with financial issues, masters settlement/scheduling conferences for most contested domestic cases.
Calvert County	Yes- While not required or ordered in every civil case, court strongly encourages participation in mediation w/ retired judges in Upper Marlboro. (Note: mediation ordered in every contested custody/visitation case unless prohibited by rules.)
Caroline County	Yes- Where children are an issue in the case only; i.e: visitation, custody.
Carroll County	Yes- No trial date given until case fails to settle at settlement conference.
Cecil County	1: Sometimes mediation 2: Almost always-assessment or custody evaluation practiced as ADR.
Charles County	Yes- Requirement applies (by rule) to all child access matters and (by plan/policy) to all tort, contract, workers' comp and marital property matters.
Dorchester County	The case is assessed and an appropriate ADR decision is made.
Frederick County	Yes
Garrett County	Yes- In all contested custody cases unless there is a protective order in effect.
Harford County	No
Howard County	Yes
Kent County	Yes
Montgomery County	Yes- Family cases that will take more than one day for property issues. Contested custody –in house ADR. Medical malpractice filed after 1/12/05
Prince George's County	No
Queen Anne's County	Yes- If warranted by the circumstances of the case as determined on individual basis.
St. Mary's County	Yes- In family law matters pursuant to Md Rule 9-205.
Somerset County	Yes- Settlement conferences always held in Medical Malpractice cases and almost always in other cases.
Talbot County	Yes- Domestic cases only-and then only at Judge or Master's discretion.
Washington County	No- Only to use "good faith efforts".
Wicomico County	Yes- In Child Access cases, co-parenting and mediation are ordered in all contested matters.
Worcester County	Yes- By way of court order.
OAH	No- In special education disputes federal and state law requires that we offer mediation. ALJ's frequently encourage parties in many case types to try ADR.

<b>Circuit Court Name</b>	<b>When are parties ordered to engage in mediation or other ADR?</b>
Allegany County	After the issue has been joined through pleadings.
Anne Arundel County	Before scheduling conferences, at scheduling conferences, at pretrial (sometimes).
Baltimore City	When case at issue.
Baltimore County	At the earliest time possible. In domestic cases, initial event is an ADR event-the master's settlement/scheduling conference. In civil cases, parties are referred to mediation when the case is at issue. In juvenile dependency cases, mediation can take place at any stage.
Calvert County	Timing varies. If a judge or master reviews case file in advance of pretrial or conducts pretrial and deems ADR beneficial, it's ordered. Parties can request ADR at any point.
Caroline County	In Family Law cases: at beginning of case. A scheduling conference is held w/in 30 days and mediation ordered at that time.
Carroll County	After case is at issue, possible assignment to mediation. All civil cases go to settlement conference before trial; Date assigned 30 days after completion of discovery.
Cecil County	After answer.
Charles County	When at issue as to first defendant in non-child access matters and at or before initial scheduling conference in child access matters.
Dorchester County	Scheduling conference which is normally held within 30 days after the case is at issue.
Frederick County	Mediation order is included in scheduling order, mediation must be completed 60 days prior to trial date.
Garrett County	Upon completion of Defendant's answer if case is contested.
Harford County	At all points but primarily at the scheduling conference and the pre-trial conference.
Howard County	If referral for a settlement conference, generally after discovery and before trial for civil cases. Custody cases referred to mediation early. Civil cases are also assigned to mediator early.
Kent County	After discovery.
Montgomery County	ADR is available at any point. In family cases, order is generally issued after initial scheduling conference. Civil cases may participate early in case flow if all parties agree.
Prince George's County	At pre-trial.
Queen Anne's County	Dictated by circumstances of individual case and information provided at scheduling conference.
St. Mary's County	When there are contested cases of custody and for visitation, a scheduling conference is held at that time mediation can be ordered.
Somerset County	After answers are filed and case is ready to be set unless a party requests it scheduled sooner or the Judge orders it scheduled sooner.
Talbot County	After answer is filed, a domestic scheduling conference is scheduled: at that scheduling conference services are ordered.
Washington County	At scheduling conference as part of scheduling order parties are ordered to engage in ADR in good faith by certain date.
Wicomico County	If contested, when the case is at issue. Not ordered if there are allegations of abuse. If case is expected to last more than 4 hours and if both parties are represented, ADR is ordered
Worcester County	Once the responsive pleadings have been filed.
OAH	Parties not ordered but offered mediation at any point up to start of the hearing.

<b>Circuit Court Name</b>	<b>Is there a set deadline for mediation or ADR?</b>
Allegany County	Yes- Within 180 days from the assignment date or a date agreed to by all parties.
Anne Arundel County	Yes- Generally mediation must be completed by pretrial.
Baltimore City	Yes- Workers' Compensation: 3 months after case at issue. Med Mal: 30 days after close of discovery. All others: 7 months after case at issue.
Baltimore County	Yes- In civil standard cases deadline to complete mediation is 180 days (mediation for expedited track cases is 60 days) from the date the scheduling order is issued.
Calvert County	Scheduling order contains no deadline for completion but if judge orders mediation or ADR, the judge sets a deadline.
Caroline County	No- Only of emergency nature.
Carroll County	No- Scheduling order assigns the settlement conference date and settlement master.
Cecil County	No- Consideration is being given to including such a deadline- 30 days after completion of parenting class- it's to be completed within 60 days after service.
Charles County	Yes- In non-child access matters Rule 17-103 requires ADR process be completed 60 days prior to assigned trial date; in child access cases, order specifies date by which 2 mediation sessions must have occurred.
Dorchester County	Yes- It varies but is generally set for the time between discovery closure and trial.
Frederick County	Yes- 60 days prior to trial date.
Garrett County	Yes- 60 days--From the date the order is signed.
Harford County	No.
Howard County	Yes- Usually after consultation with counsel in the case.
Kent County	Yes- We set the date for settlement conference.
Montgomery County	Yes- Based on the end event-either a pre-trial conference or trial date.
Prince George's County	Yes for complex 5-T litigation, no for all other cases.
Queen Anne's County	Yes- Usually set by separate order.
St. Mary's County	Yes- An order is prepared after the scheduling conference which sets a pre-trial conference. Mediation must be completed before the pre-trial conference.
Somerset County	Yes- Resolution of discovery dispute is in all scheduling orders- ADR is specifically mentioned in medical malpractice scheduling orders.
Talbot County	Yes- Varies: usually 60-90 days, depends on other factors, psychological evaluations report from GAL, home studies, etc.
Washington County	Yes- By conferring with counsel- otherwise we use discovery deadline date.
Wicomico County	Yes- Usually 30-50 days before merits trial date.
Worcester County	Yes- Domestic 60 days, Non-Domestic according to track.
OAH	No- However OAH's policy is that ADR will not delay the start of the hearing.

<b>Circuit Court Name</b>	<b>Does your court assign mediators or other ADR providers?</b>	<b>How are they assigned?</b>
Allegany County	Yes	ADR Coordinator makes the assignment.
Anne Arundel County	Yes	n/a
Baltimore City	Yes	n/a
Baltimore County	Yes	Assigned on a rotational basis but location of parties and mediators and complexity of issues taken into consideration.
Calvert County	Yes	Civil cases: retired judges assigned; court may recommend and counsel may agree upon mediator. Domestic case: Family Services office selects mediator from list.
Caroline County	Yes	Court has list of approved mediators, a recommendation is made by Family Services Coordinator & accepted by parties/counsel.
Carroll County	Yes	According to expertise, and availability.
Cecil County	Yes	Referred to office of Family Court services for ADR.
Charles County	Yes	ADR Coordinator prepares orders for judge's signature. In domestic cases, case manager in Master's office assigns mediator from roster.
Dorchester County	Depends	On a case by case basis shortly after the Scheduling conference.
Frederick County	Yes	Match case type to mediator's expertise. Location of counsel and mediator also taken into consideration.
Garrett County	Yes	Based upon mediator's experience with type of case and on a rotating basis.
Harford County	Yes	In domestic cases, mediators assigned by family law case coordinator and office of family court services.
Howard County	Yes	Volunteer attorney facilitators. Mediation in scheduling orders designate mediator by name.
Kent County	Yes	Settlement judge.
Montgomery County	Yes	Randomly with emphasis on type of cases; attorneys involved; location of parties. Parties may also select a mediator.
Prince George's County	Yes	n/a
Queen Anne's County	Yes	Dictated by circumstances of individual case and experience and expertise of available mediator/ADR providers.
St. Mary's County	Yes	The court maintains a list of mediators and assigns mediators to a case.
Somerset County	Yes	Judge assigns.
Talbot County	Yes	Match provider experience with case, also availability.
Washington County	Yes and No	Family Law Cases: Coordinator assigns from approved list. In other civil matters, providers & their expertise made available to counsel.
Wicomico County	Yes	List of 6 approved mediators-rotate. ADR settlement conferences: List of ten attorneys (assigned three cases per day) rotating basis.
Worcester County	Yes	In special circumstance.
OAH		All ALJ's are certified mediators. We use only our staff to conduct ADR.

<b>Circuit Court Name</b>	<b>Payment of court-appointed mediators or other ADR providers?</b>
Allegany County	Parties must pay--max 2 hours of mediation- \$150 per hour split equally between the parties.
Anne Arundel County	Parties must pay -- Court set \$250 per party for custody/visitation mediation for a total of \$500. 4 hours property mediation is \$150 per party per 2 hr sessio. No pay in civil non-domestic
Baltimore City	Parties must pay -- \$150 per hour, two hour minimum. This limit does not apply to professional malpractice providers selected by parties.
Baltimore County	Parties must pay civil mediators, but all other mediation and ADR services are provided at no cost to parties. Court set fee is \$150 per hour to be split between each side (Sept. 1, 2006 cost will increase to \$200 per hour).
Calvert County	Civil cases: when court-ordered mediation w/ retired judge, parties not charged. If mediation conducted by different mediator, parties pay normal hourly rate. Domestic cases: parties pay normal hourly rate.
Caroline County	Parties must pay -- Court has set fees with agreement of mediators: \$100 per party per session. Usually 2 sessions are ordered.
Carroll County	Parties must pay in Domestic but not for CINA/TPR. Settlement Masters--Domestic Mediators are \$70/hr + document prep fee (approx \$200).
Cecil County	Yes -- \$75/hour divided equally. Two-2-hour sessions are ordered.
Charles County	Parties must pay -- Local administrative orders prescribe ADR fees. When party declines to pay per Rule 17-103(c)(3), judge conducts ADR proceedings gratis. In domestic cases, a Master may conduct ADR gratis.
Dorchester County	Parties must pay -- There are court-set limits of what mediators/ADR providers may charge. Fee Waivers are available for those who demonstrate need.
Frederick County	Parties must pay -- Mediation fees are set in the order.
Garrett County	Yes if the parties have attorneys. Where there are <i>pro se</i> parties, this is decided on a case-by-case basis on income guidelines. Mediation fee -- \$100/hour.
Harford County	Yes -- In domestic cases only for low income individuals.
Howard County	Yes -- With an "opt out".
Kent County	No.
Montgomery County	Yes -- \$150 to \$200 per hour or a pro-rata basis. Family cases, 3 hour minimum. Civil cases, generally 1/5 to 2 hours minimum.
Prince George's County	No.
Queen Anne's County	Yes -- Dictated by circumstances of individual case and provided in order.
St. Mary's County	Yes -- \$100 per session per two hour session.
Somerset County	Yes -- But there are no court-set limits of what mediators or other ADR providers may charge.
Talbot County	Yes -- Parties must pay all or part. If they are eligible for assistance from Family Support Services, fee may be waived.
Washington County	No.
Wicomico County	Yes -- Court Appointed Mediator. If indigent, fee waiver form is presented to parties and approval by Judge as necessary. ADR/Settlement Conferences: no charge.
Worcester County	Yes -- In civil mediations and <i>pro se</i> domestic mediation, the Court sets and collects fees then pays providers. In domestic, parties pay mediators directly.
OAH	No.

<b>Circuit Court Name</b>	<b>Is Court's selection of mediators binding or does option exist to choose own providers?</b>
Allegany County	May select their own provider.
Anne Arundel County	May select their own provider.
Baltimore City	May select their own provider.
Baltimore County	Parties may select their own civil mediator, or at least ask that the Court assign a different mediator in civil mediation cases. Parties may NOT select their own staff mediator, settlement Judge, or volunteer facilitator. A party may make a written request to have a different staff mediator or settlement judge if a party believes there is a conflict of interest.
Calvert County	May select their own provider-In Civil cases if parties elect to go to another mediator may select one from list, in either Civil non-domestic or domestic if court has selected mediator and parties not happy, they may request a change of mediators and request normally granted
Caroline County	May select their own provider.
Carroll County	May select their own provider from Court's approved list.
Cecil County	May select their own provider.
Charles County	May select their own provider.
Dorchester County	May select their own provider with Court approval.
Frederick County	May select their own provider. Parties may either request a different mediator or request a new mediator that the Court determines.
Garrett County	Bound by Court's selection. If there is a conflict with the mediator the court may switch mediators upon review by Family Service Coordinator.
Harford County	May select their own provider.
Howard County	May select their own provider.
Kent County	May select their own provider.
Montgomery County	May select their own provider.
Prince George's County	Bound by Court's selection.
Queen Anne's County	Dictated by circumstances of individual case; court may entertain requests for party-selected mediators/ADR providers
St. Mary's County	Bound by Court's selection.
Somerset County	May select their own provider.
Talbot County	Both. The Court selects mediators if parties do not have preference.
Washington County	Bound by Court's selection in Family law cases but may select their own provider in all others.
Wicomico County	Bound by Court's selection unless there is a conflict (attorneys required to notify Court within 15 days) and next mediator on the list is appointed. Sometimes a mediator is appointed when all attorneys make a joint request.
Worcester County	May select their own providers in certain situations and the provider must be one of our court approved providers.
OAH	Bound by Court's selection.

<b>Circuit Court Name</b>	<b>How do parties jointly request court-ordered mediation/other ADR?</b>
Allegany County	Through filing of a motion or correspondence to the coordinator.
Anne Arundel County	By motion and/or verbal request at scheduling conference.
Baltimore City	N/A: Court ordered.
Baltimore County	In writing to the Civil Case Coordinator. In domestic cases, make request at the Masters' settlement/scheduling conferences.
Calvert County	File a Line/Request with consent in the Clerk's Office or make request during pretrial conference with the judge.
Caroline County	They may file a joint request in writing to the Court or, at a scheduled event, ask the Court.
Carroll County	Joint written request or oral request in court at scheduling conference or by phone calls/letters to Family Law Administrator or by both completing domestic case information form.
Cecil County	Filing.
Charles County	By filing a proposed consent order.
Dorchester County	Via verbal request at the Scheduling conference or subsequent petition.
Frederick County	By filing with the clerk's office; however, mediation is ordered in all civil cases except medical malpractice.
Garrett County	File a motion for mediation or motion to appoint alternate mediator.
Harford County	Written request to administrative judge.
Howard County	Request; Court will ask counsel to submit appropriate order.
Kent County	At scheduling conference.
Montgomery County	Contact the ADR Coordinator. Request ADR when before the court.
Prince George's County	At pre-trial or by separate line or motion or letter or telephone conference call.
Queen Anne's County	By written petition filed with clerk of court or by request on the record at a court proceeding.
St. Mary's County	File the appropriate pleadings or file a leave for a scheduling conference requesting mediation.
Somerset County	By filing a motion that reflects parties' agreement.
Talbot County	Joint written notification almost any time during proceedings or at scheduling conference.
Washington County	By written motion noting consent and agreement as to the ADR provider. If agreement for ADR but no consent to provider, court will designate.
Wicomico County	Question on Information Data Sheet is checked or request is made in the contested answer or request is made at the Scheduling Conference.
Worcester County	Phone call or letter to ADR coordinator or Assignment Clerk or at scheduling conference.
OAH	Written request.

<b>Circuit Court Name</b>	<b>Can parties opt out of Court ordered mediation? If so, how?</b>
Allegany County	Yes- Upon filing a motion with the court pursuant to Maryland Rule 17-103 (2)(3).
Anne Arundel County	Yes- If there is a divorce. In property mediation the court cannot compel attendance. Upon filing of a motion to rescind order for mediation a hearing is set.
Baltimore City	Parties may file motion for exemption from mediation within 30 days of order for mediation.
Baltimore County	Yes- By submitting a written request to the Civil Case Coordinator. Request made within 30 days of the issuance of the original Scheduling order will be granted for any reason. After 30 days, it will only be granted for good cause. In child access mediation, a party may request in writing that mediation be rescinded.
Calvert County	In civil non-domestic cases, can opt out if court specifically grants permission. In domestic cases, party may opt out if there are domestic violence issues. Court will review requests.
Caroline County	Yes- If agreement has been reached and placed in writing or on record.
Carroll County	Yes- If domestic violence allegations, physical or mental disabilities, physical inaccessability, prior mediation.
Cecil County	Yes- File a motion.
Charles County	Yes- By filing a consent order containing a recitation that in the opinion of counsel/parties it will be to no avail, w/ brief explanation of why.
Dorchester County	With Court approval after a formal request if mediation would be unproductive or unnecessary.
Frederick County	Yes- By filing a request to rescind mediation within 30 days of the mediation order.
Garrett County	Yes- Through the Family Services Coordinator.
Harford County	No, not once it is ordered except with the permission of the Court.
Howard County	Yes- By informing the court of the "opt out".
Kent County	Yes- Must convince scheduling (administrative) judge it would be futile.
Montgomery County	Once an ADR order is issued, parties must file a motion to vacate the ADR order.
Prince George's County	No.
Queen Anne's County	No- Written request may be filed with clerk of court. Will be granted only in rare situations as dictated by circumstances of individual case.
St. Mary's County	Yes- If there is domestic violence.
Somerset County	No.
Talbot County	Not usually- except in cases of divorce or some other valid reason.
Washington County	No.
Wicomico County	Only if order is rescinded by Judge at the request of parties.
Worcester County	Yes- In the form of a written objection submitted to the court to be ruled on by a judge.
OAH	We don't have court ordered mediation.

<b>Circuit Court Name</b>	<b>Does your court require parties to attend settlement conference?</b>
Allegany County	No
Anne Arundel County	Yes
Baltimore City	Yes
Baltimore County	Yes- Most civil cases that are anticipated to take one day or longer and all contested divorce cases are scheduled for a Settlement Conference.
Calvert County	Yes- Pre-trial conference often used as a settlement conference in non-domestic cases and is set at least 1 month before trial, sometimes presence at court required, sometimes by phone.
Caroline County	Yes
Carroll County	Yes- No trial date given on the merits unless parties do not settle at settlement conference.
Cecil County	Sometimes
Charles County	Yes
Dorchester County	Yes
Frederick County	Yes- As part of the pre-trial conference.
Garrett County	Yes
Harford County	Yes
Howard County	Yes
Kent County	Yes
Montgomery County	Yes- But the case will not go to a settlement judge unless requested in advance.
Prince George's County	Yes- Settlement conference and mediation are the same. Party is excused if rep is present.
Queen Anne's County	Yes
St. Mary's County	No
Somerset County	Yes
Talbot County	Yes
Washington County	Yes
Wicomico County	Yes
Worcester County	Yes
OAH	Yes- In case types where we hold a settlement conference.

<b>Circuit Court Name</b>	<b>Does court's scheduling order include a settlement conference?</b>
Allegany County	No
Anne Arundel County	Yes- 30 to 40 days from answer.
Baltimore City	Yes- Settlement conference 30 days before trial.
Baltimore County	Yes- The time to schedule events is set fourth in DCM Plan. Settlement Conferences are set approx. 30 days prior to trial.
Calvert County	Yes- Settlement conference usually at least 1 month before trial date. In complex litigation, specific scheduling order is made.
Caroline County	Yes- The scheduling conference is set as soon as the Answer has been received from Defendant(s) by the Clerk's office. Scheduling order prepared at conference.
Carroll County	Yes- Approx. 30 days after discovery deadline or specially set on request of counsel.
Cecil County	Yes- After an answer is filed.
Charles County	Yes- Objective in complex civil non domestic cases is approx 4-6 weeks prior to trial. Other ADR per Rule 17-103 is to occur at least 60 days before trial. In child access cases, initial conf. 8 weeks after case is at issue.
Dorchester County	Yes- Settlement conferences are generally scheduled to occur 2-6 weeks prior to trial.
Frederick County	Yes- 30 days prior to the trial date.
Garrett County	Yes- 30-45 days before the trial.
Harford County	Yes- After a case is at issue, assignor sets a scheduling conference. Parties need not attend if they agree to a full scheduling order.
Howard County	Yes- Upon consultation with counsel.
Kent County	Yes- Usually immediately after discovery deadline.
Montgomery County	Yes- All dates in the scheduling order (for civil) are based on date the complaint is filed.
Prince George's County	Yes- Only in 5-T orders- Copies of both scheduling orders are attached.
Queen Anne's County	Yes- Set upon filing of first responsive pleading in case per case management plan-at least 30 days after filing date. Scheduling conference usually 30 days after end of discovery deadlines.
St. Mary's County	No- Assignment of file sets a case in for a scheduling conference if there are contested cases of custody or visitation.
Somerset County	Yes- The date is set at the same time as the scheduling order is issued. Judge determines if a scheduling conference date is required.
Talbot County	Yes- Civil cases depending on the number of days needed for discovery and the time given for motions, etc.
Washington County	Yes- Scheduling orders not generated until all defendants have answered- then order sets a conference date 3-4 months out so core discovery can be completed.
Wicomico County	Yes- In family law cases, if needed and ordered by Master and if the case is scheduled to last more than 1/2 day (at least 30 days in the future). In civil litigation cases , date is attached to trial date assignment & scheduling order (if case not at issue within approx 60 days after filing, a scheduling conference is set).
Worcester County	Yes- In domestic cases set 30-45 days after responsive pleading or order of default. In civil cases, scheduling conference is only held if Motion is filed and granted.
OAH	Yes- No specific calculation but settlement conference like mediation will not delay start of the hearing.

<b>Circuit Court Name</b>	<b>Who conducts settlement conferences?</b>
Allegany County	We normally do not conduct settlement conferences -- we rely on the mediation process.
Anne Arundel County	Masters, Judges, and retired judges.
Baltimore City	Judges, settlement conference facilitators.
Baltimore County	Retired judges.
Calvert County	Pre-trial/settlement conferences in domestic cases initially conducted by circuit court master. In civil non-domestic cases, Judges conduct conferences.
Caroline County	Retired judge.
Carroll County	Settlement masters.
Cecil County	Retired judge- In progress: improved procedures for settlement conferences.
Charles County	Judges and masters.
Dorchester County	Visiting retired judges.
Frederick County	One of our 4 judges.
Garrett County	Fred A. Thayer- Judge.
Harford County	Administrative Judge.
Howard County	Retired judges.
Kent County	Settlement judge- retired & specially assigned.
Montgomery County	Judges.
Prince George's County	Judges-retired-recalled.
Queen Anne's County	Usually retired judge.
St. Mary's County	N/A
Somerset County	Retired judges.
Talbot County	Retired judge (Rasin) is our settlement judge.
Washington County	Judges.
Wicomico County	In Family Law cases- Attorney Volunteer not involved in the case or a Master if merits of case set before a Judge. In Civil Litigation cases usually a retired judge.
Worcester County	Members of our Volunteer Attorney Settlement Panel and retired judges.
OAH	ALJs.

<b>Circuit Court Name</b>	<b>If there is objection to assigned person, will court assign someone else?</b>
Allegany County	Yes
Anne Arundel County	N/A
Baltimore City	No
Baltimore County	Yes- But the request must be reviewed and ruled upon by the Administrative Judge.
Calvert County	Yes- If the request is deemed reasonable and time allows, the settlement conference may be set before another judge.
Caroline County	Yes
Carroll County	Yes
Cecil County	Has not come up.
Charles County	Yes
Dorchester County	Yes
Frederick County	No
Garrett County	No
Harford County	Yes
Howard County	Yes
Kent County	No
Montgomery County	Yes
Prince George's County	Yes
Queen Anne's County	No- Court may consider written request or request on record in court proceeding.
St. Mary's County	N/A
Somerset County	Court would hold a hearing.
Talbot County	Have never had a case where that has happened.
Washington County	Yes
Wicomico County	Yes- If it has merit.
Worcester County	Yes- If there is a legitimate conflict.
OAH	No- ALJ would have to grant motion to recuse, but can't recall ever having been confronted with that situation in a settlement conference.

<b>Circuit Court Name</b>	<b>Can parties opt out of court ordered settlement conference?</b>
Allegany County	Yes- simply by making a written request.
Anne Arundel County	No- Parties may suggest it is not appropriate and/or ask for a different type of ADR.
Baltimore City	No
Baltimore County	A request to opt-out or vacate a Settlement Conference is reviewed and ruled upon by the assigned Settlement Conference Judge.
Calvert County	Parties may not opt out if the case is at issue. A settlement conference may be cancelled if the parties file a stipulation of settlement with consent.
Caroline County	Yes- By joint request or motion to the Court and Court grants.
Carroll County	No
Cecil County	Yes- File a motion and hearing.
Charles County	No
Dorchester County	Yes- With Court approval after a formal request if mediation would be unproductive or unnecessary.
Frederick County	No
Garrett County	No
Harford County	No
Howard County	Yes- Rarely done.
Kent County	They must convince courts administrative judge it would be futile.
Montgomery County	No
Prince George's County	No
Queen Anne's County	No
St. Mary's County	N/A
Somerset County	No
Talbot County	Only if case settled.
Washington County	No
Wicomico County	Yes- In writing approved by the Judge.
Worcester County	Yes- In the form of a written objection submitted to the court to be ruled on by a Judge.
OAH	No

<b>Circuit Court Name</b>	<b>When is settlement placed on the record?</b>
Allegany County	When settlement occurs at or during trial or upon request of either party.
Anne Arundel County	Almost always placed on the record.
Baltimore City	Upon request of the parties.
Baltimore County	Placed on the record on a routine basis, whenever practicable.
Calvert County	Cases involving minors, malpractice cases, property cases where details are considered critical.
Caroline County	If agreement is reached & parties & settlement agent feel it best to place on record, agent will request Court to place agreement on record before all parties/counsel leave conference.
Carroll County	Always immediately after the conference.
Cecil County	If both parties are in agreement and request that it be placed on the record.
Charles County	When and as the deal is struck.
Dorchester County	Rarely, unless there is a concern that a party may change their position.
Frederick County	All settlements are placed on the record unless counsel files papers to close the case.
Garrett County	When the case is settled.
Harford County	If a case is settled at settlement conference it is immediately placed on the record.
Howard County	Always put on the record with the settlement judge (taped) or in court with a judge.
Kent County	Normally not.
Montgomery County	If the parties and/or mediator request that a settlement be placed on the record.
Prince George's County	Only if a settlement is reached then no conference-only the fact of settlement.
Queen Anne's County	As determined by the Court after considering individual circumstances of the case.
St. Mary's County	N/A
Somerset County	If the case settles.
Talbot County	When requested by Judge or attorneys.
Washington County	If jointly requested.
Wicomico County	Request by parties to Master or Judge.
Worcester County	When complete agreement has been reached on all issues and parties and counsel wish to do so to conclude the case.
OAH	Routinely