

# District of Idaho ADR Statistical Report

## July 1, 2010 – June 30, 2011

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This report provides District of Idaho Alternative Dispute Resolution (ADR) settlement rate statistics for the Administrative Office (A.O.) of the U.S. Courts annual reporting requirements. There were 842 cases that were eligible<sup>1</sup> for Alternative Dispute Resolution during this reporting period of July 1, 2010 through June 30, 2011. The 842 cases discussed above are on-going and proceeding through the ADR process. Included in the 842 were 119 cases that resulted in settlement conferences by U.S. Magistrate Judges and the ADR Coordinator, and mediations conducted by third-party neutrals.

Table 1 shows that 80 of the 119 cases settled, which is a 67% settlement rate. The number of cases settled by U.S. Magistrate Judges and staff was 45 out of 69, or 65%; while the number of cases settled by third-party neutral mediators was 35 out of 50 cases, or 70%.

Table 2 shows the number of settlements held *before the dispositive motion deadline* and their corresponding settlement rates. For example, 75 of the 119 cases were held before the dispositive deadline of which 55 settled at a 73% settlement rate. Further, the settlement rate for these cases for Judges and the ADR Coordinator compared to third-party neutrals was nearly identical, at 73% and 72%, respectively.

Table 3 shows the categories of cases that were mediated both before *and* after the dispositive motion deadline and whether the cases settled (yes or no). During this time period there were 34 different categories of cases. Of these cases, 50% (60 of 119) fell into just four categories, which included: 1983 Civil Rights Act (17 cases), Breach of Contract (15 cases), Contract Dispute (14 cases), and Employment Discrimination (14 cases). Many categories had only one case.

**Table 1. Overall Settlement Rates (July 1, 2010 – June 30, 2011)**

	<b>Total Cases</b>	<b>Cases Settled</b>	<b>Settlement Rate</b>	<b>Notes</b>
Judges and Staff	69	45	67%	Includes four prisoner mediations conducted by Susie Headlee.
Other Mediators	50	35	70%	
<b>Total</b>	<b>119</b>	<b>80</b>	<b>67%</b>	

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<sup>1</sup> Not mediated in our District, and therefore, deemed not eligible for ADR are: 2241, 2254, 2255, Death Penalty, Writ of Habeas Corpus, Bankruptcy, Drug Forfeiture, Default Student Loans, Promissory Notes, Const. State Statutes, MDL, and Social Security cases. Prisoner civil rights cases that were mediated by Magistrate Judges or the ADR Coordinator are included in the totals above. Prisoner complaints are processed differently than civil litigated cases. An Initial Review Order (IRO) is completed before mediation is considered. If the case withstands initial review, Pre-Answer Mediation, or a Triage process may be utilized.

**Table 2. Settlement Rates *Before* Dispositive Motion Deadline (July 1, 2010 – June 30, 2011)**

	<b>Total Cases Before Dispositive Motion Deadline</b>	<b>Cases Settled</b>	<b>Settlement Rate</b>	<b>Notes</b>
Judges and Staff	43	31	72%	Includes four prisoner mediations conducted by Susie Headlee.
Other Mediators	33	24	73%	
<b><i>Total</i></b>	<b>76</b>	<b>55</b>	<b>72%</b>	