

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS

FILED - CLERK OF COURT
GREENVILLE CO. S.C.
LETICIA C. MANN, JR.
JUL 14 P 3:02

STANDING ORDER FOR ALTERNATIVE DISPUTE RESOLUTION

This Order applies to all Common Pleas jury and non-jury cases filed and pending in Greenville County, South Carolina, except post conviction relief (PCR) cases, and shall remain in effect until further order of the Court. All such cases filed on or after JANUARY 1, 1998, shall participate in the following recognized methods of alternative dispute resolution (ADR): mediation or arbitration (binding or nonbinding); on or before 300 days from the date of filing the action. The parties to a case have a right to mutually agree upon the form of ADR and a neutral person(s) to conduct that ADR process. In the event that the parties are unable to agree upon the form of ADR and the neutral person, the Court hereby designates mediation as the default process of ADR and will appoint a certified mediator and alternate mediator in case of a conflict of interest or unavailability of the primary mediator.

By 210 days after the filing of a case, the Court will give notice to all parties through their attorneys, or directly if unrepresented and an address is given for the party, of an Order for ADR, as attached. Notice may be given by first class mail or by facsimile transmission.

Appointment of the mediator and alternate mediator by the Court shall be made from the current list of certified mediators published by the South Carolina Board of Arbitrator and Mediator Certification on a rotating basis, one case at a

time, from among those mediators agreeing to accept Common Pleas cases in Greenville County. In the event the parties are unable to agree upon a mediator, the parties and/or their attorneys shall be responsible for contacting the Court-appointed mediator directly regarding scheduling and payment of the court mandated fee.

By 300 days from the date of filing of the action, it shall be the responsibility of the parties to that case to file with the Office of the Clerk of Court without excuse, delay, postponement or continuance the attached Proof of ADR or Exemption form.

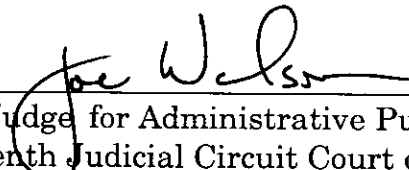
On or immediately after 300 days from filing of the action, the Court may issue a Rule to Show Cause why sanctions should not be imposed in all cases in which there has not been filed with the Office of the Clerk of Court a Proof of ADR or Exemption form indicating evidence of participation in, or exemption from, an ADR process. Those cases exempt from ADR or in which an effort at ADR has proven unsuccessful shall be placed upon the status conference roster for determination by the Court as to whether or not the matter is ready for trial.

Binding arbitrations shall be conducted in accordance with this Order and the South Carolina Uniform Arbitration Act Section 15-48-10 et. seq. S.C. Code of Laws. Non-binding arbitrations shall be conducted in accordance with this Order and the South Carolina Circuit Court Arbitration Rules 2 (a) and (b); 3 (b) through (q); 4 (a) (as modified) and (b); 9; 10; and 11. Mediations shall be conducted in accordance with this Order and the South Carolina Circuit Court Mediation Rules

1; 2 (b) (last sentence); 4 (a), (c) (first and last sentence), (d), and (e); 5; 6; 7; 8; 9; 10; 11; and 12. Nothing in this Order shall preclude the parties from participating in any other recognized ADR process under any mutually agreed upon rules.

AND, IT IS SO ORDERED.

Date: 7/14/99



Chief Judge for Administrative Purposes
Thirteenth Judicial Circuit Court of Common Pleas

Greenville, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS

PLAINTIFF

ORDER FOR ADR

VS.

_____ CP-23- _____

DEFENDANT

Pursuant to the Standing Order for Alternative Dispute Resolution, dated _____, you are required to participate in the following recognized methods of Alternative Dispute Resolution (ADR): mediation or arbitration (binding or non-binding); on or before 300 days from the date of filing of this action. The parties have a right to mutually agree upon the form of ADR and a neutral person(s) to conduct that ADR process. In the event the parties are unable to agree upon the form of ADR, the court hereby designates mediation as the default process of ADR. In the event the parties are unable to agree upon a mediator, the court hereby appoints _____ to serve as mediator. In the event the aforementioned mediator has a conflict of interest or is unable to serve, the alternate mediator is _____. The parties and /or their attorneys shall contact the court-appointed mediator directly regarding scheduling and payment of the court mandated fee.

A Rule to Show Cause why sanctions should not be imposed may be issued in all cases that fail to file a Proof of ADR or Exemption form indicating evidence of participation in, or exemption from, an ADR process within 300 days (_____) from the date of filing of the action.

Date: _____

Chief Administrative Judge/Clerk of Court
Thirteenth Judicial Court/Greenville County

NOTICE BY FAX OR MAIL

Notice of this Order was given by facsimile transmission or by first class mail if no fax# is shown , to the attorneys of record on _____.

PLAINTIFF ATTORNEY: _____

DEFENDANT ATTORNEY: _____

From Circuit Court Fax 467-8540 or 8519

Clerk's Initials: _____

