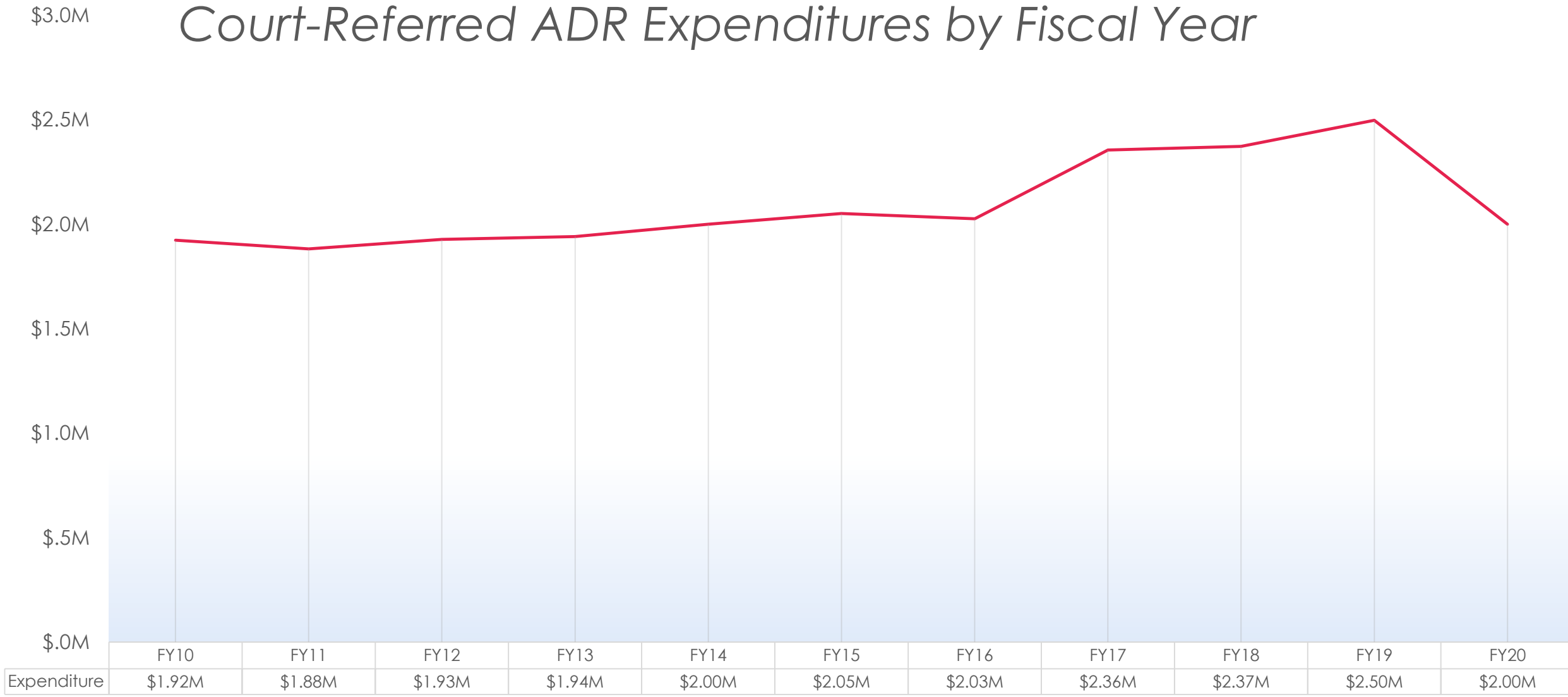




THE DIVISION OF DISPUTE RESOLUTION SERVICES (DRS)

Fiscal Year 2020 (July 2019- June 2020)

Court-Referred ADR Expenditures by Fiscal Year



MAIN PROGRAMS

Judicial Settlement Conference

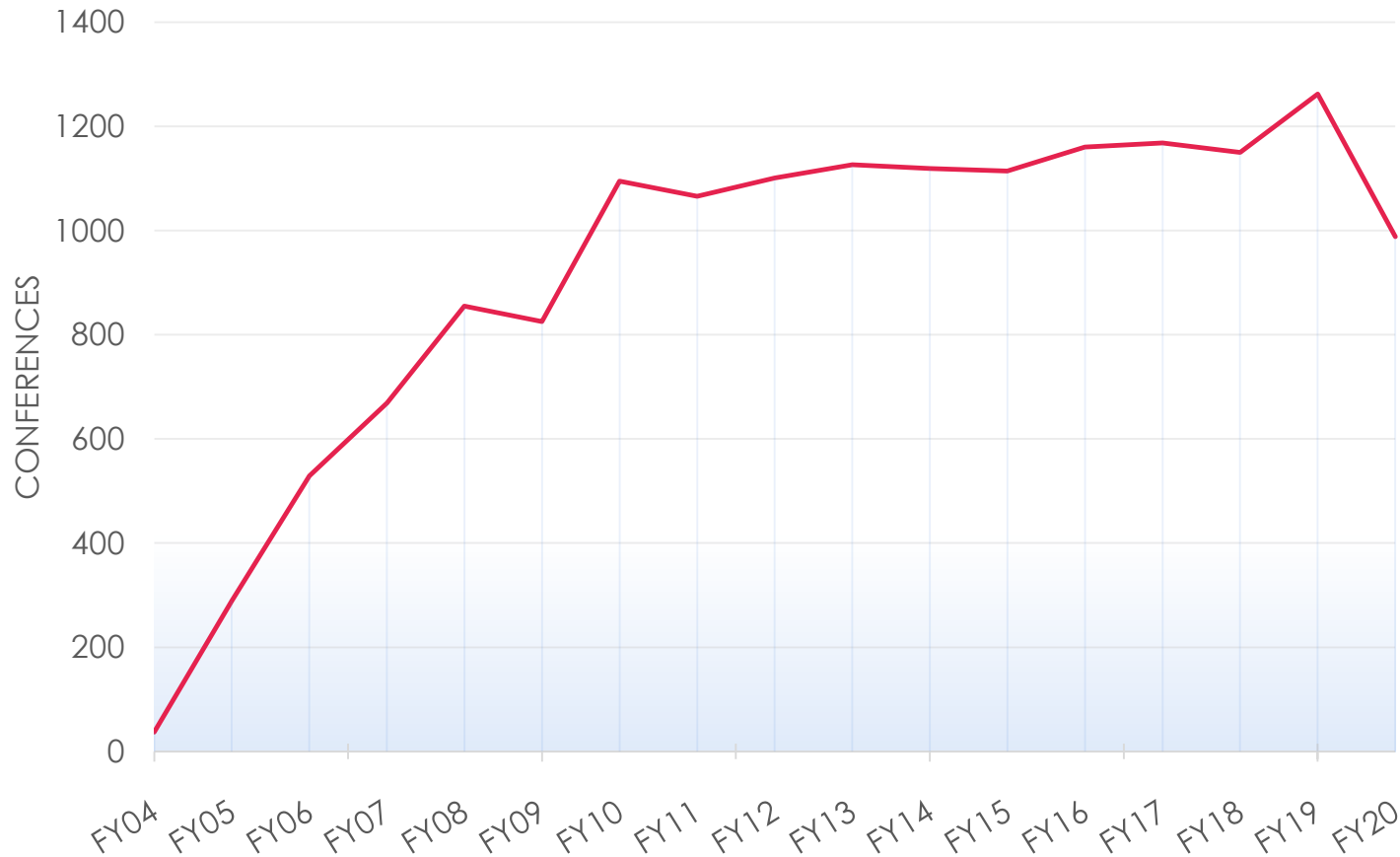
Mediation

Parent Education



JUDICIAL SETTLEMENT CONFERENCE

Judicial Settlement Conferences and Expenditures



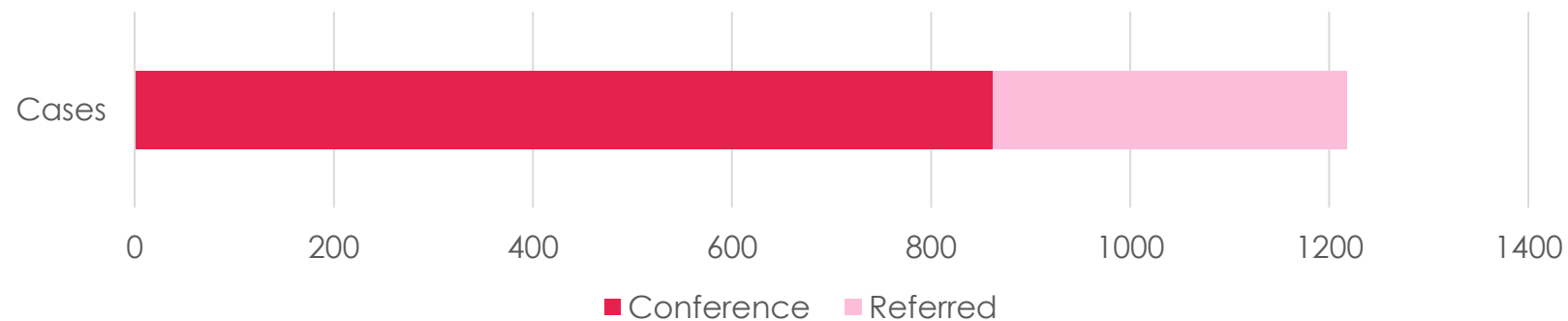
	Conferences	Expenditure
FY15	1114	\$ 222,800.00
FY16*	1160	\$ 281,250.00
FY17	1168	\$ 292,000.00
FY18	1150	\$ 287,500.00
FY19	1262	\$ 315,500.00
FY20	988	\$ 247,000.00

*Effective FY16, payment increased from \$200 to \$250 for each conference conducted after 6/30/15

JUDICIAL SETTLEMENT CONFERENCE

Case Information: Referral Tracking

From July 1st, 2019 to June 30, 2020, **1,218** cases were referred to Judicial Settlement Conference. **862** of these cases attended a settlement conference before the end of the fiscal year.



JUDICIAL SETTLEMENT CONFERENCE

Case Information: Statistics

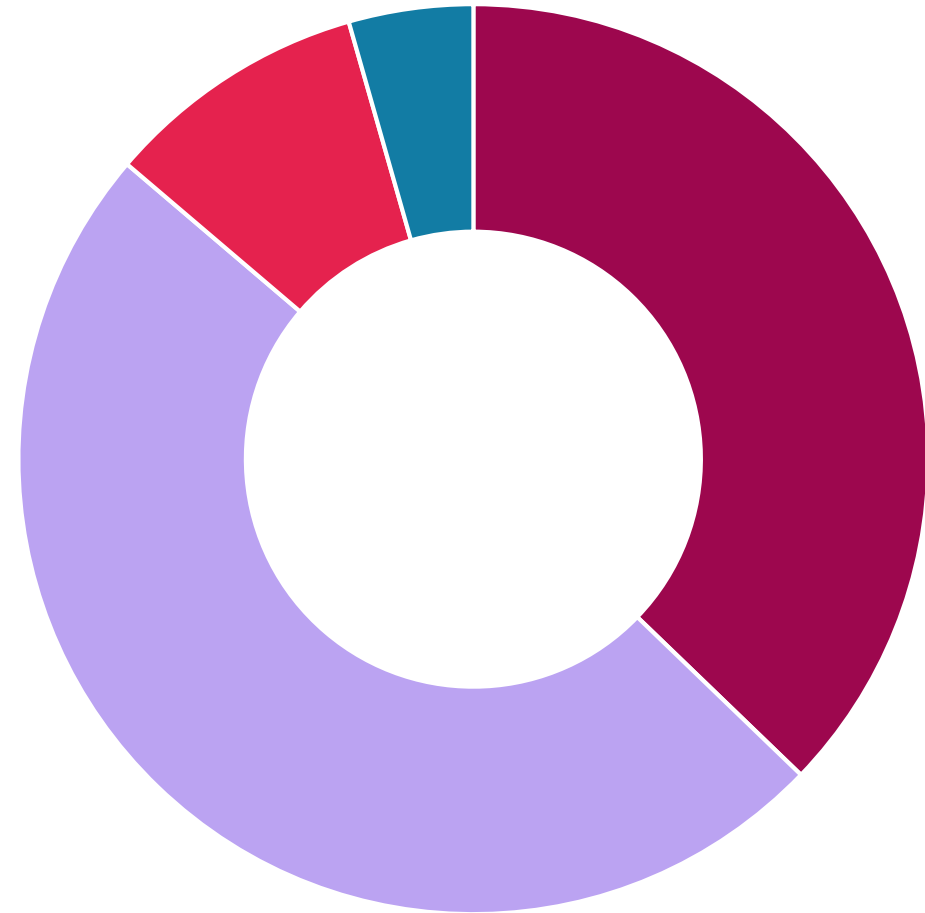
Many types of cases can be referred to a settlement conference.

Domestic Relations - 49%

Tort/Personal Injury - 37%

Commercial - 9%

Miscellaneous - 4%



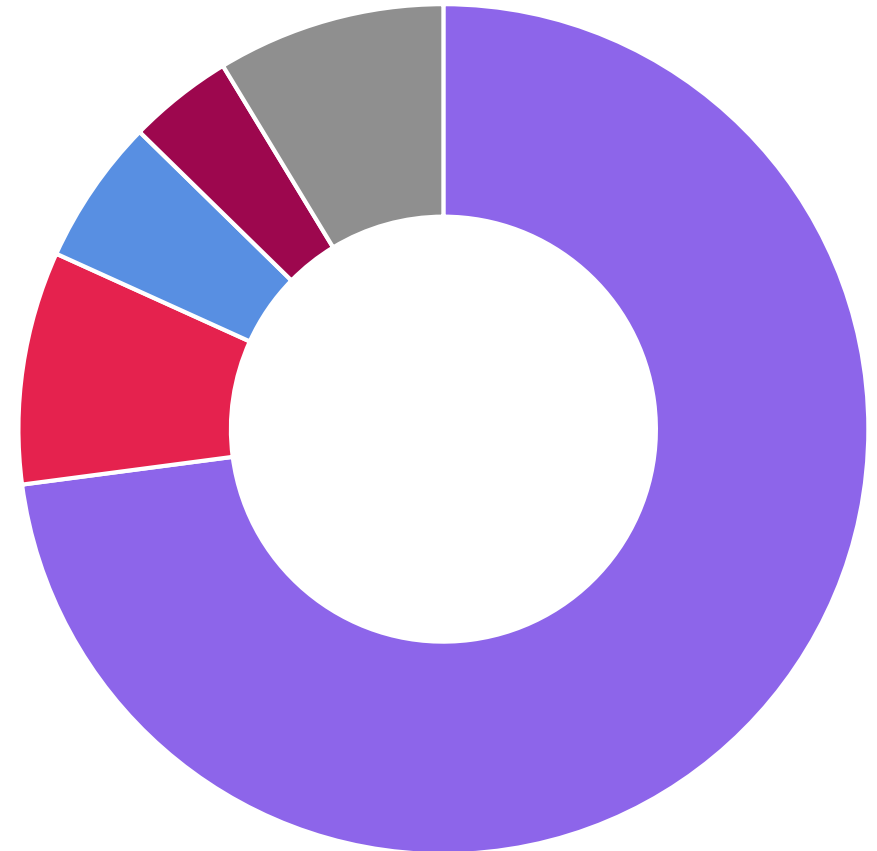
■ Tort/Personal Injury ■ Domestic Relations
■ Commercial ■ Miscellaneous

JUDICIAL SETTLEMENT CONFERENCE

Case Information: Statistics

The numbers below represent domestic relations case types as a percentage of all domestic relations issues.

Divorce	-	72.9%
Equitable Distribution	-	8.9%
Spousal Support	-	5.6%
Custody and Visitation	-	4.0%
Other Domestic Relations	-	8.7%



JUDICIAL SETTLEMENT CONFERENCE

Case Information: Statistics

The numbers below represent tort/personal injury case types as a percentage of all tort/PI issues.

Assault - 2.7%

Auto Accident - 78.9%

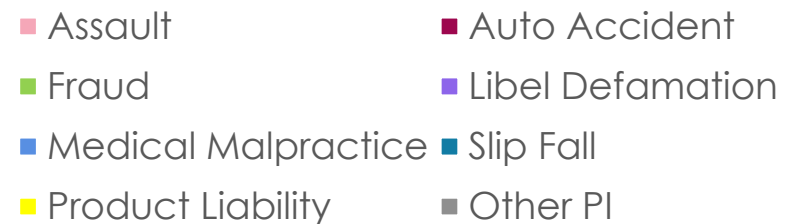
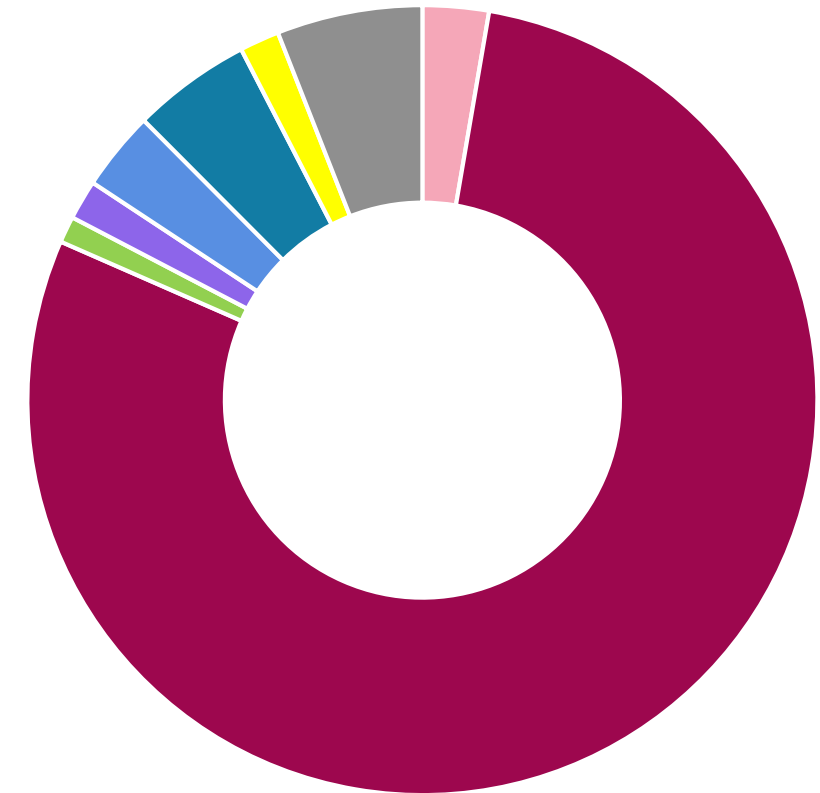
Fraud - 1.1%

Libel Defamation - 1.6%

Medical Malpractice - 3.3%

Slip Fall - 4.9%

Other tort/PI - 6.0%

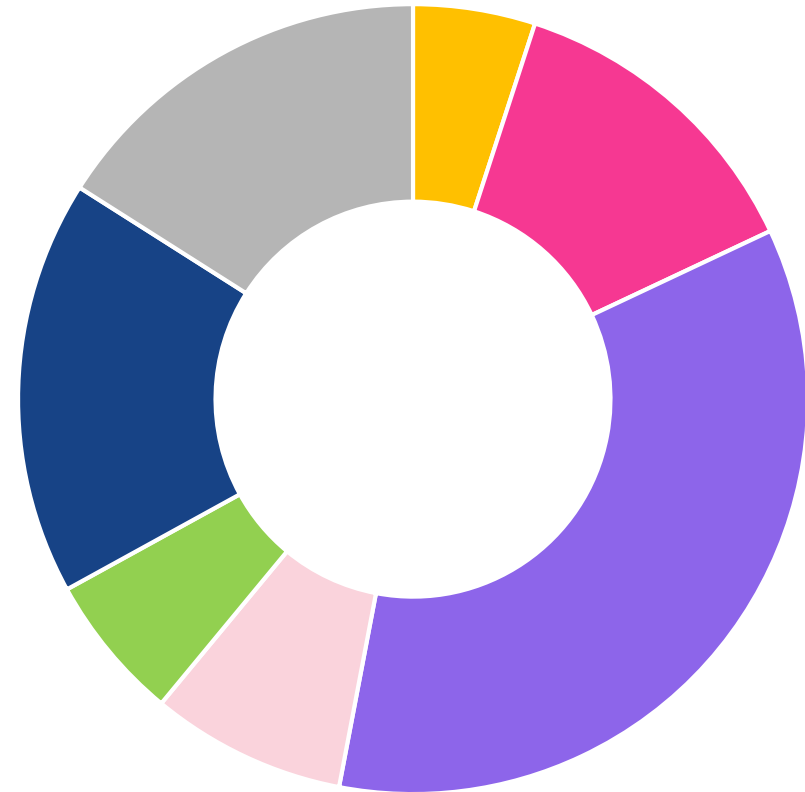


JUDICIAL SETTLEMENT CONFERENCE

Case Information: Statistics

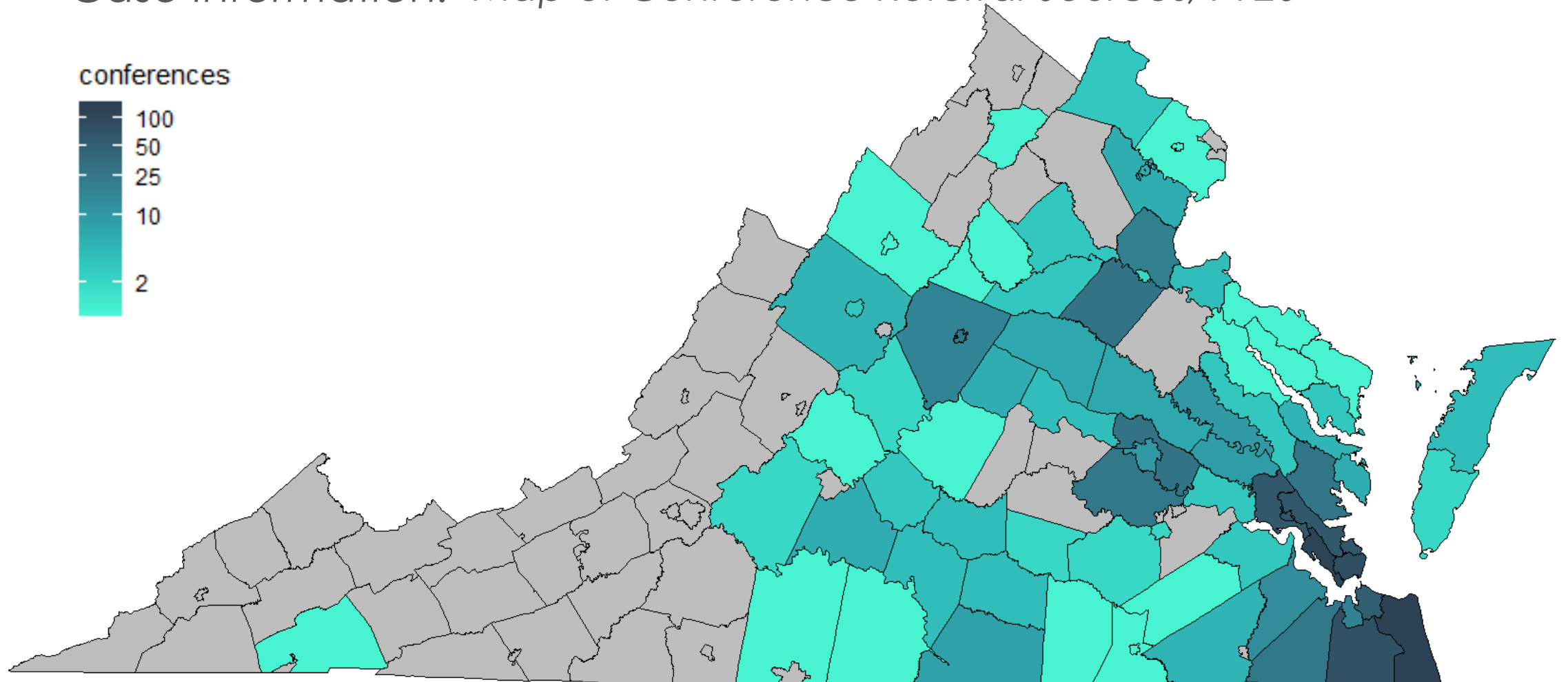
The numbers below represent commercial case types as a percentage of all commercial issues.

Condemnation	-	6.0%
Construction	-	13.0%
Contract	-	35.0%
Debt	-	5.0%
Landlord Tenant	-	8.0%
Real Estate	-	17.0%
Other Commercial	-	16.0%



JUDICIAL SETTLEMENT CONFERENCE

Case Information: Map of Conference Referral Sources, FY20



This graph uses a logarithmic transformation to better show differences between localities statewide

JUDICIAL SETTLEMENT CONFERENCE

Case Information: Statistics

- Average number of days from case filing to referral to JSC: **452** (n=214)^{1*}



- Average number of days from case referral to settlement conference: **78** (n=990)*

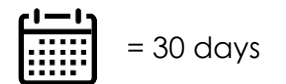
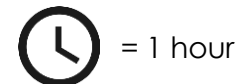


- Average hours spent in Judicial Settlement Conference: **3.2** (n=905)*



*For cases referred between 7/1/19 and 6/30/20

¹Case filing date is recorded less frequently than other data points.



MAIN PROGRAMS

Judicial Settlement Conference

Mediation

Parent Education



MEDIATION

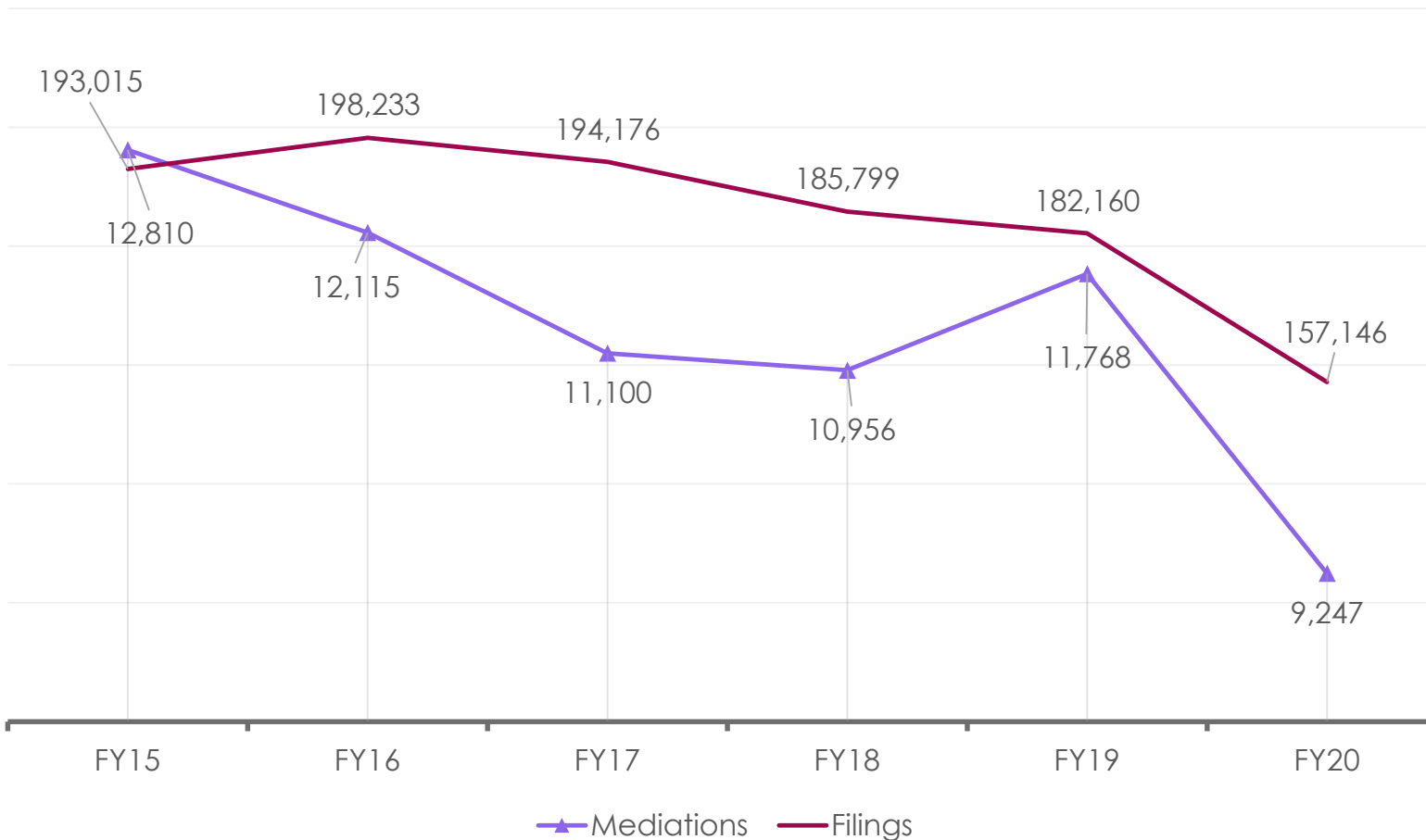
Juvenile and Domestic Relations Court – Custody, Visitation, and Support

Virginia Code Section 20.124.4 authorizes payment for custody, visitation, or support (CVS) mediation. Effective FY17 payment per mediation was raised from \$100 to \$120, and support filings and custody or visitation filings may be billed separately.

Juvenile and Domestic Relations (J&DR) courts can also refer truancy and child dependency juvenile cases to mediation and delinquency cases to restorative justice conferences. These cases are paid through contracts with the Office of the Executive Secretary and are not included in CVS mediation totals.

MEDIATION

Total CVS filings and Total CVS mediations



	CVS Mediations* and change from previous FY		CVS Filings and change from previous FY	
FY15	12,810	3.21%	193,015	-3.55%
FY16	12,115	-5.43%	198,233	2.70%
FY17	11,100	-8.38%	194,176	-2.05%
FY18	10,956	-1.30%	185,799	-4.31%
FY19	11,768	6.46%	182,160	-1.96%
FY20	9,247	-21.42%	157,146	-13.7%

*FY15, FY16, FY17, FY18 numbers updated in July, 2019

MEDIATION

*FY20 CVS Mediation Information**

5 most common J&DR case types mediated	Case type %
Custody and Visitation	37.2%
Support	19.1%
Custody, Visitation, and Support	17.3%
Custody	13.6%
Visitation	8.3%

About **70%** of CVS mediations ended in agreement.

**These numbers taken from over 3,600 entries into the Mediation Information System for mediations completed in FY20*

MEDIATION

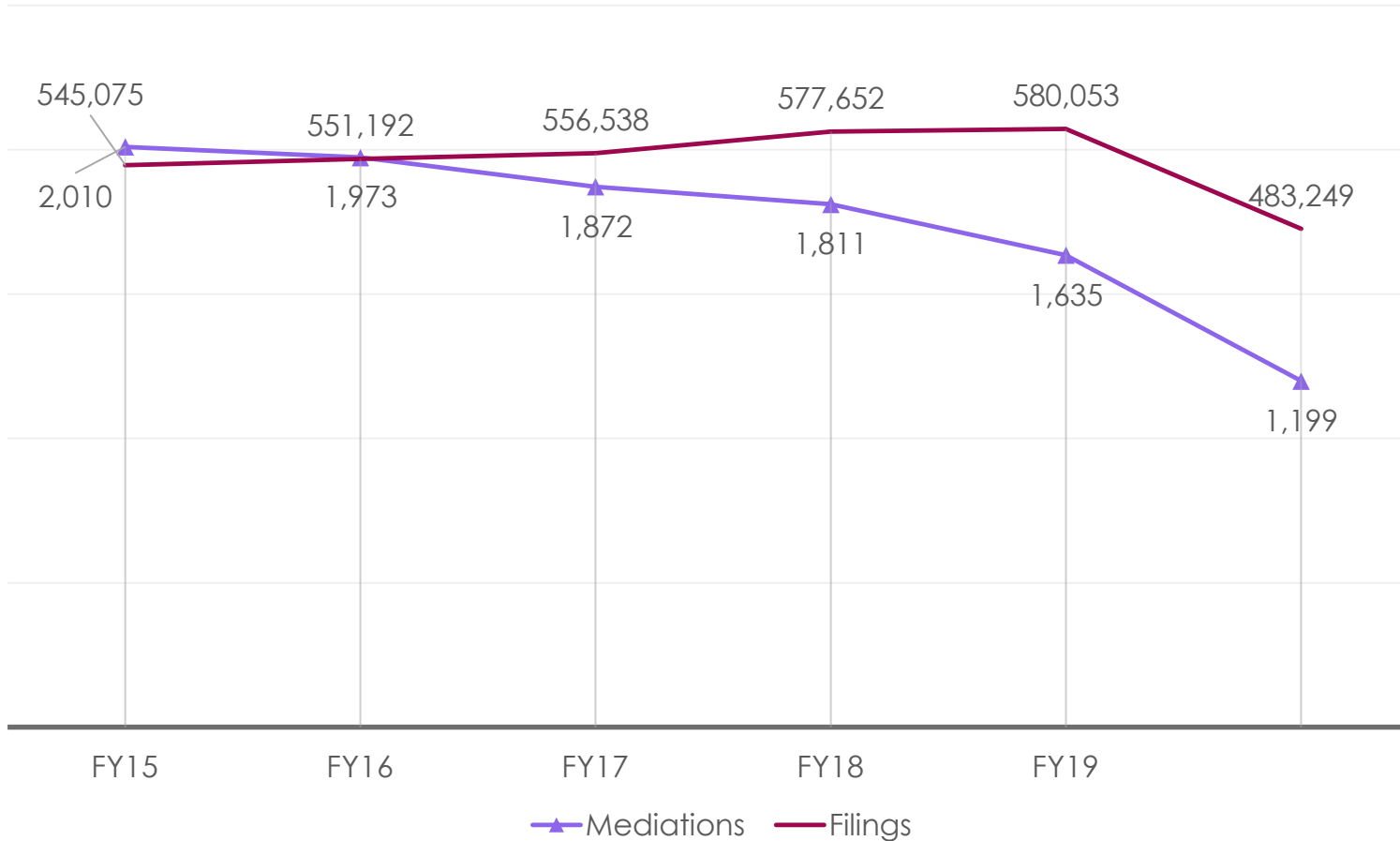
General District Court Mediation

In FY20, mediators and mediation providers were paid using ADR-MSPI forms for each court referred mediation. The volume of mediations around the state is tracked using these ADR-MSPI forms.

The General Assembly of Virginia allocates funding for mediations referred from the Fairfax County Small Claims Court. These mediations are tracked independently and reported to DRS. There were **144** Fairfax Small Claims Court cases mediated in FY20.

MEDIATION

Total GDC filings and Total GDC mediations



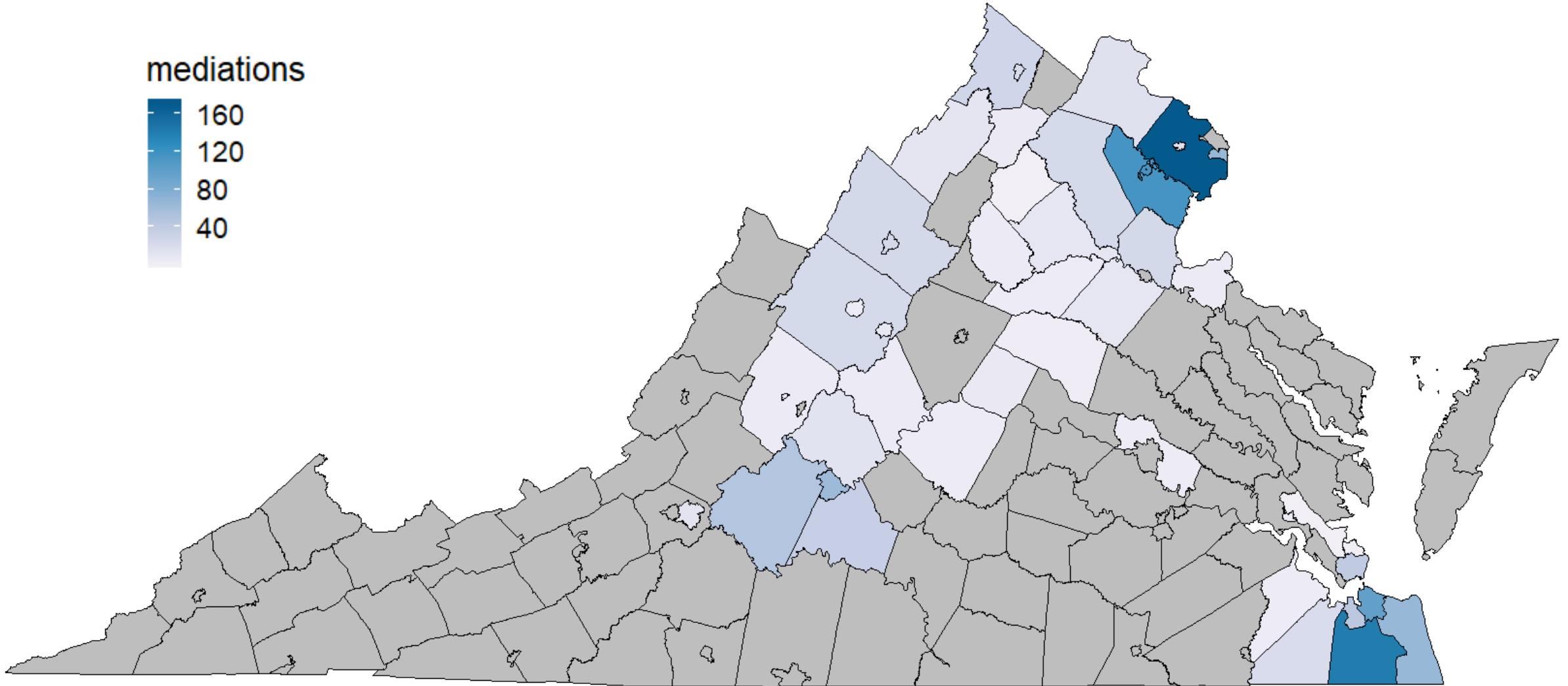
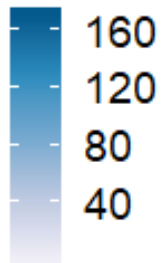
	GDC Mediations and change from previous FY		Selected GDC Filings* and change from previous FY	
FY15	2010	-2.95%	545,075	-3.65%
FY16	1973	-1.84%	551,192	1.12%
FY17	1872	-5.12%	556,538	0.97%
FY18	1811	-3.26%	577,652	3.79%
FY19	1635	-9.72%	580,053	0.42%
FY20	1199	-26.67%	483,249	-16.75%

*Does not include show cause, interrogatory, or garnishment filings as they cannot be referred to mediation

MEDIATION

Statewide GDC Mediations in FY20

mediations



MEDIATION

*FY20 GDC Invoiced Mediation Information**

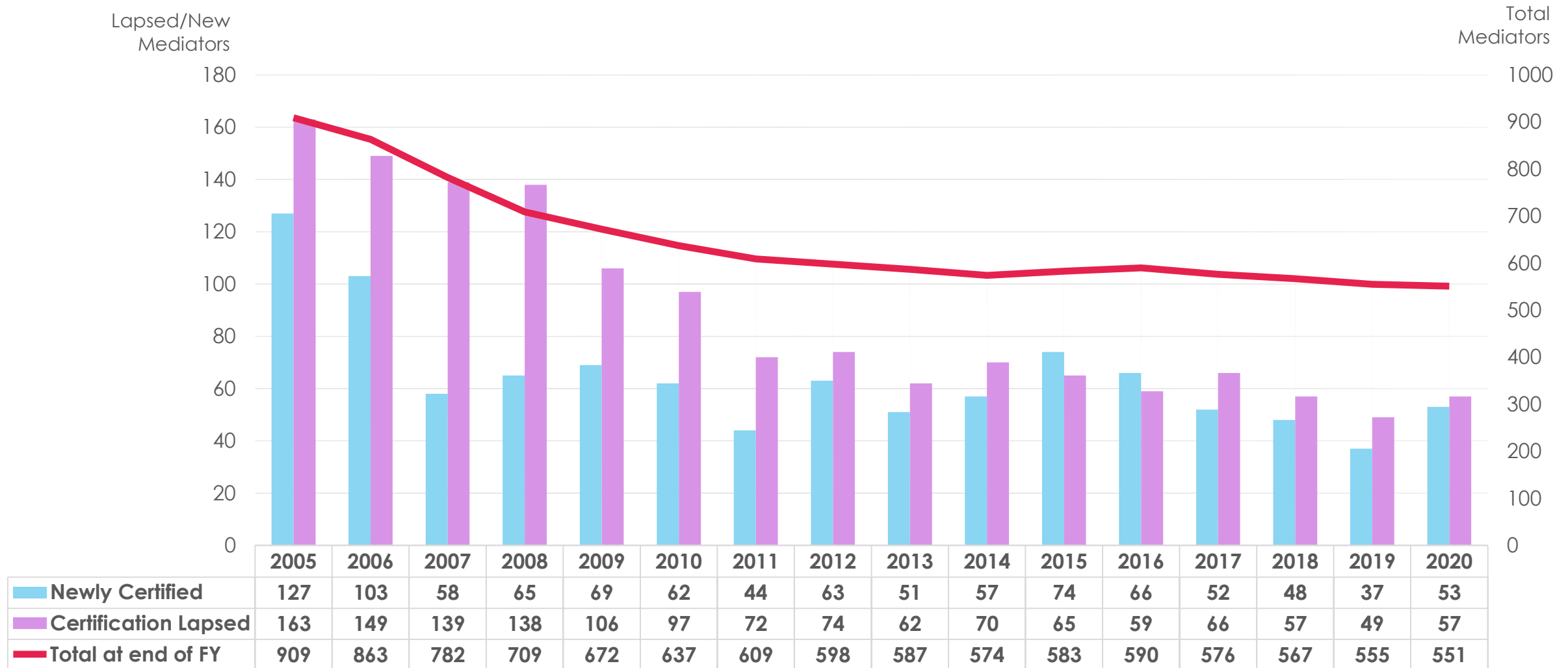
Case Type	Case Type %
Business/Consumer	17.5%
Contract	18.4%
Employment	<1%
Landlord/Tenant	46.1%
Neighborhood	3.7%
Other	12.6%
Personal Injury	1.2%

About **71%** of GDC mediations ended in agreement.

**These numbers taken from over 700 entries into the Mediation Information System for mediations completed in FY20*

MEDIATION

Certified Mediators since Fiscal Year 2005



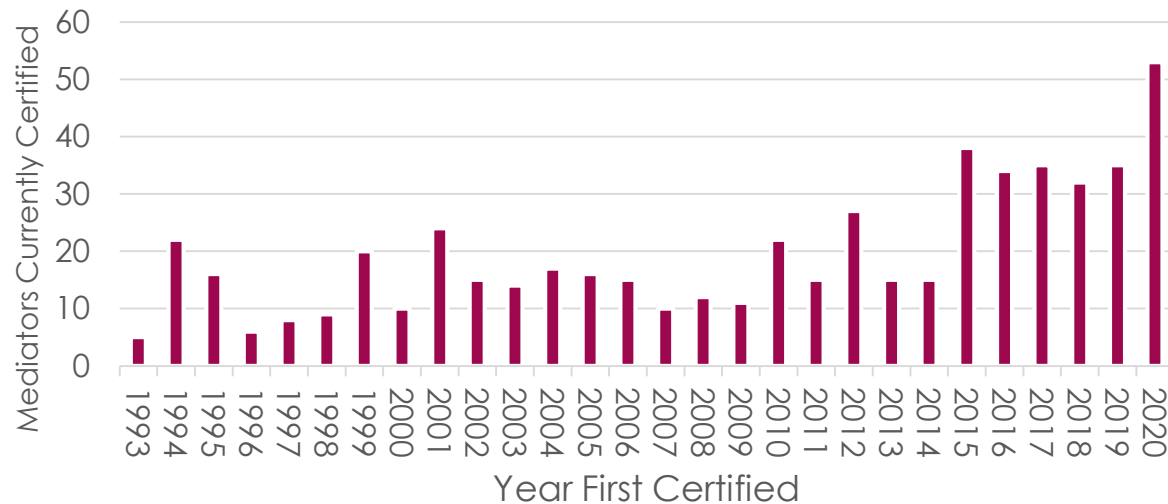
MEDIATION

Duration of Mediator Certification

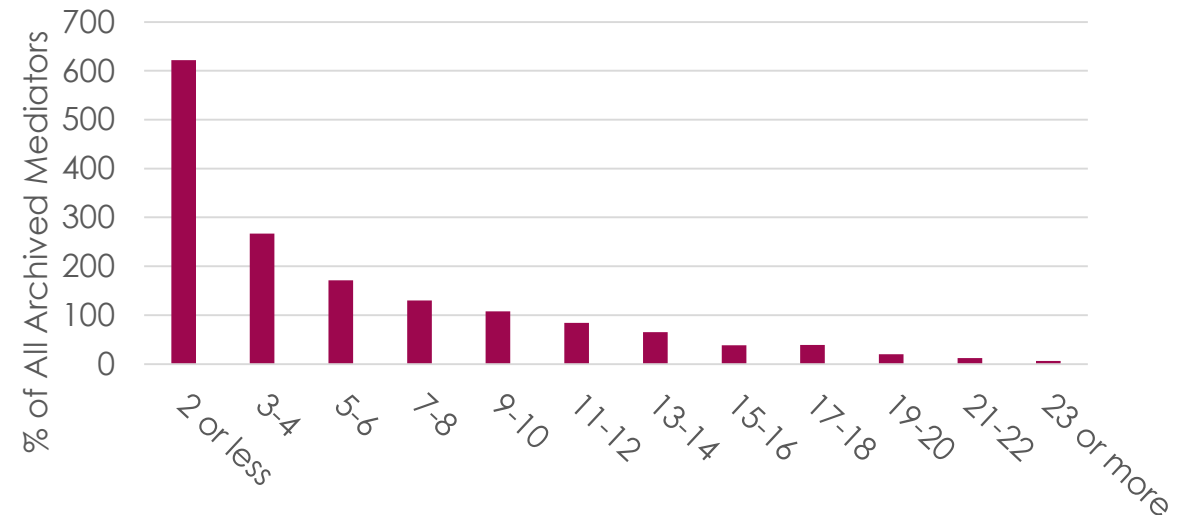
The **median** amount of time a **currently certified mediator** has been certified is approximately **9 years**.

About **17%** of all current mediators were first certified **over 20 years ago**.

Composition of Current Mediators



Years Certified when Lapsed



MAIN PROGRAMS

Judicial Settlement Conference

Mediation

Parent Education



PARENT EDUCATION

Approving Co-parenting Providers

- In disputes involving a contested custody, visitation, or support petition, the court may require that the parties attend a four-hour co-parenting seminar.
- DRS assists courts with co-parenting seminars through **reviewing provider applications** and through **managing an online directory** of approved seminar providers. Providers are approved by the courts.
- Parent education providers may use an existing curriculum when providing these seminars or they may create their own. Any curriculum must be approved by DRS or the court.

PARENT EDUCATION

Approving Co-parenting Providers

- Many courts have capped the number of providers listed in their directories.
- A majority of courts will only approve providers that can hold seminars in their locality.
- A majority of courts allows parties to attend seminars conducted by providers approved in other Virginia courts.

PARENT EDUCATION

Co-parenting Seminars

- In FY20, 140 parent education providers are currently approved by one or more courts.
- DRS's Parent Education Coordinator held 5 Train the Trainer courses in FY20 to train new instructors of co-parenting seminars.
- Each quarter in FY20, an average of 64 PE providers reported a shared annual total of about 4,800 attendees at co-parenting seminars.