

## **NOTICE TO ATTORNEYS WHO PRACTICE IN MUNICIPAL COURT**

**THE JUDGES OF THE FRANKLIN COUNTY MUNICIPAL COURT HEREBY GIVE NOTICE OF THEIR INTENTION TO AMEND LOCAL RULE 6 AS FOLLOWS:**

### **Local Rule 6 - Civil Practice**

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#### **6.12 Court-Connected Mediation.**

- A. **Ohio Uniform Mediation Act Incorporated Herein.** This local rule incorporates the provisions of the “Ohio Uniform Mediation Act” under R.C. Chapter 2710 as if fully re-written herein.
- B. **Cases Eligible for Mediation.** Any civil case or claim pending before the Court is eligible for mediation. Mediation of any other issue is at the discretion of the Dispute Resolution Department Manager.
- C. **Confidentiality.** Mediation communications are confidential to the extent provided under R.C. Chapter 2710.
- D. **Prohibited Uses of Mediation.** This local rule prohibits the use of mediation as an alternative to the prosecution or adjudication of domestic violence; in determining whether to grant, modify, or terminate a protection order; in determining the terms and conditions of a protection order; and in determining the penalty for violation of a protection order. Nothing in this rule prohibits the use of mediation where there is a protection order between parties and the issue to be mediated is not the protection order itself, subject to Local Rule 6.12(F).
- E. **Referrals to Legal and Support Services.** Mediators that mediate court-referred disputes and court staff may refer individuals to legal services and other support services, including those relating to domestic violence, at a party’s request or as necessary.
- F. **Responsibilities of Court.** The Court has the following ongoing responsibilities related to mediation:
  - (1) Screen before and during mediation for the capacity of the parties and the mediator to mediate.
  - (2) Monitor and evaluate mediation services and mediators.
  - (3) Accept, consider, and respond to written comments, compliments, and complaints relating to mediation services and mediators.
  - (4) Ensure all mediators meet the qualifications, education, and training required under Rule 16 of the Rules of Superintendence for the Courts of Ohio.
  - (5) Prohibit mediation when domestic abuse or domestic violence is alleged, suspected, or present, unless all of requisite conditions under Rule 16.24(e) of the Rules of Superintendence for the Courts of Ohio allowing mediation to proceed are met.

(6) Comply with any other law or Supreme Court of Ohio Rule applicable to court-connected mediation services.

G. Persons Eligible to Mediate for the Court. In order for a person to be eligible to mediate cases for the Court, the person must satisfy all the following:

- (1) Satisfy the requirements applicable to mediators in Rule 16 of the Rules of Superintendence for the Courts of Ohio.
- (2) Demonstrate capacity and competency to mediate to the Dispute Resolution Department Manager.
- (3) Comply with this local rule and any other law or Supreme Court of Ohio rule applicable to mediators mediating in court-connected mediation programs.
- (4) Comply with Dispute Resolution Department and Court policies and procedures available through the Dispute Resolution Department and its website.

H. External Mediators. The Court is not responsible for the quality of a mediator selected by the parties without guidance from the Court and who does not meet the qualifications, education, and training requirements of Sup.R. 16.23.

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