

PROCEDURES FOR ADR REFERRALS

DISTRICT JUDGE	Types of cases referred	Types of cases that are not referred	Are unwilling parties referred?	When is a decision made re: ADR	When is a case referred to ADR?	How much time for completion?	Who is designated as lead counsel	Can ADR referral be vacated?	What procedure is used to vacate ADR referral?	Are cases ever referred to ADR more than once?	Any cases referred to Early Neutral Evaluation?	Other comments
CLARK	Presumption exists that all cases will be referred	Cases with purely legal issues; or excluded by L.R. 6.01(A)	Yes, but case-by-case exceptions will be considered	At the Rule 16 Conference	Discussed with parties	75 days, but can readily be extended	Plaintiff's counsel; if SRL, then defendant's counsel	Yes, for good cause shown	File written motion stating good cause to vacate	Yes, if requested or deemed useful by the Court	Yes	Be prepared to discuss ADR at Rule 16; discuss beforehand
AUTREY	All cases that present fact issues (and are not excluded by L.R. 6.01(A))	Only those set forth in L.R. 6.01(A)	Yes, if the issues in the case lend themselves to ADR	At the Rule 16 Conference	After fact discovery but before expert discovery begins	60 days; can be readily extended	Plaintiff's counsel; if SRL, then defendant's counsel	Yes, on a case-by-case basis	File written motion to vacate with supporting memo	Yes, if requested or deemed useful by the Court	Yes, on request of parties	None
WHITE	Almost all cases are referred	Cases with purely legal issues; or excluded by L.R. 6.01(A)	Yes, but case-by-case exceptions will be considered	Presumption exists from filing that ADR will occur	Discussed with parties; after enough discovery to evaluate case	45 days	Plaintiff's counsel; if SRL, then defendant's counsel	Yes, for good cause shown	File written motion	Yes, if case has changed or if requested by party	Yes	Be prepared to discuss ADR at Rule 16; discuss beforehand
PITLYK	Presumption exists that all cases will be referred	Cases with purely legal issues; or excluded by L.R. 6.01(A)	Yes, but case-by-case exceptions will be considered	At the Rule 16 Conference	Discuss with parties; after enough discovery to evaluate case.	60 days; but can be extended	Plaintiff's counsel, if SRL, then defendant's counsel	Yes, for good cause shown	File written motion stating good cause to vacate	Yes, if requested or deemed useful by the Court	Yes, on request of parties	Be prepared to discuss ADR at Rule 16; discuss beforehand
SCHELP	Presumption exists that all cases will be referred	Cases with purely legal issues; or excluded by L.R. 6.01(A)	Yes, but case-by-case exceptions will be considered	At the Rule 16 Conference	Discuss with parties; after enough discovery to evaluate case	60 days; but can be extended	Plaintiff's counsel, if SRL, then defendant's counsel	Yes, for good cause shown	File written motion stating good cause to vacate	Yes, if requested or deemed useful by the Court	Yes, on request of parties	Be prepared to discuss ADR at Rule 16; discuss beforehand

SENIOR DISTRICT JUDGE	Types of cases referred	Types of cases that are not referred	Are unwilling parties referred?	When is a decision made re: ADR	When is a case referred to ADR?	How much time for completion?	Who is designated as lead counsel	Can ADR referral be vacated?	What procedure is used to vacate ADR referral?	Are cases ever referred to ADR more than once?	Any cases referred to Early Neutral Evaluation?	Other comments
PERRY	Almost all cases are referred	Cases with purely legal issues; some pro se cases	Yes, if the Court believes that ADR may be productive	At the Rule 16 Conference	After some fact discovery but before summary judgment motions are filed	60 days	Plaintiff's counsel in most cases	Yes, where counsel demonstrates a very good reason	File written motion to vacate with supporting memo	Yes, if parties request and trial date is not affected	Rarely	Be prepared to discuss ADR at Rule 16; discuss beforehand
LIMBAUGH	All cases in which parties agree	Cases in which counsel feels it will be futile	No, except in four-plus party cases, and one or more parties are reluctant	At the Rule 16 conference	Discussed with parties; sometimes after 2-5 months of discovery	six weeks	Plaintiff's counsel; if SRL, then defendant's counsel	Yes, if the referral is futile	File written motion to vacate, stating reason	Yes, if first referral was vacated and ADR is later desired	Yes, on request of parties	Prefer that ADR occurs at some point in all litigation
SIPPEL	Presumption exists that all cases will be referred	Cases that present only legal issues	Yes, but case-by-case exceptions will be considered	At the Rule 16 conference	Discussed with parties; after enough discovery to evaluate case	60 days	Plaintiff's counsel in most cases	Yes, for good cause shown	File written motion, come to informals or request hearing	Yes, if case has changed, or if requested by party	No	None
FLEISSIG	All types that lend themselves to ADR	Only those set forth in L.R. 6.01(A)	Yes, but case-by-case exceptions will be considered	At the Rule 16 conference	Discussed with parties; after enough discovery to evaluate case	60 days	Plaintiff's counsel; if SRL, then defendant's counsel	Yes, for good cause shown	File written motion, or request hearing	Yes, if case has changed, or if requested by party	Yes, rarely, on request of parties	Be prepared to discuss ADR at Rule 16; discuss beforehand
ROSS	Presumption exists that all cases will be referred	Cases that present only legal issues; some pro se cases	Yes, but case-by-case exceptions will be considered	At the Rule 16 Conference	Discussed with parties; after enough discovery to evaluate case	45 days, but can be extended	Plaintiff's counsel in most cases	Yes, for good cause shown	File written motion, come to informals, or request hearing	Yes, if case has changed or if requested by party	No	None

Updated 6/9/2023