

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI**

FACT SHEET #2

RESPONSIBILITIES OF THE COURT IN ALTERNATIVE DISPUTE RESOLUTION (ADR)

WHAT IS THE ROLE OF THE CLERK OR COURT IN ADR? The District Court's alternative dispute resolution (ADR) program is administered by the Office of the Clerk of the Court. The Clerk's Office is responsible for maintaining lists of certified neutrals, providing parties and assigned neutrals with proper notification of significant events in the ADR process, generally overseeing a smooth running program. The Clerk's Office will also monitor the progress of cases and collect pertinent statistical information. Assistance is available to parties who want to schedule ADR conferences in meeting rooms in the United States Courthouse. There is no charge for the use of the meeting rooms.

WHAT IS THE ROLE OF THE OFFICE OF THE CLERK IN APPOINTING ADR NEUTRALS? In January of each even-numbered year, the Clerk examines the list of certified neutrals to determine which neutrals did not receive appointments during the previous two years. The Clerk notifies those neutrals that the Court's record does not show any appointments for those years, and solicits their interest in continuing to be carried on the Court's list of certified neutrals. If the neutral desires to remain on the list, the neutral is to submit, by March 1, information demonstrating ADR experience and/ or training during the previous two years. If such information is not provided the neutral shall be removed from the list. If the parties fail to notify the Clerk in writing of the parties' choice of a neutral within the time prescribed by the Order Referring the Case to Alternative Dispute Resolution, the Clerk will select a neutral from the list and notify the parties. The Clerk shall send a Notice of Appointment of Neutral to the parties and to the individual designated by the parties, after lead counsel has confirmed that individual's availability. Upon receipt of the Notice of Appointment, lead counsel shall send to the neutral a copy of the Order referring the case to Alternative Dispute Resolution. The Appointment shall be effective until the neutral notifies the court in writing that the referral has been concluded.

HOW DO I CONTACT THE CLERK'S OFFICE? Interested parties are encouraged to contact the Clerk's Office at the following address and telephone number:

**Office of the Clerk of the Court
United States District Court
Eastern District of Missouri
111 South 10th Street
Room 3.300
Saint Louis, Missouri 63102
314-244-7461**

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI**

FACT SHEET #2

RESPONSIBILITIES OF THE COURT IN ALTERNATIVE DISPUTE RESOLUTION (ADR)

WHAT ARE THE RESPONSIBILITIES OF THE COURT IN INITIATING ADR? On its own motion or on the motion of any party, the Court may enter an Order Referring Case to Alternative Dispute Resolution. The Order includes the information of whether the case is referred to mediation or ENE or any other mutually agreed-upon ADR process, the lead counsel who is responsible for coordinating ADR, and any additional obligations of counsel and parties regarding ADR. The Order includes the information of a specific date on which the ADR referral will terminate. Absent good cause, this date will not be extended. Unless otherwise ordered, referral to ADR does not abate or suspend the action, and no scheduled dates shall be delayed or deferred, including the date of trial.

WHAT IS THE ROLE OF THE COURT IN CERTIFYING NEUTRALS? The Court may certify those persons who are eligible to serve as neutrals in such numbers as the Court deems appropriate. The Court shall have the authority to establish qualifications of Neutrals, monitor the performance of Neutrals, and withdraw the certification of any Neutral. The Court maintains a list of the certified Neutrals, which shall be made available to counsel, litigants, and the public for inspection and copying upon request. The certified list of neutrals is also available on the court's website at www.moed.uscourts.gov.

WHAT IS THE ROLE OF THE COURT IN APPOINTING NEUTRALS? The Judge may appoint a neutral who has special subject matter expertise germane to a particular case, whether or not such individual is on the list of certified Neutrals.