



Developing and Funding a Court Dispute Resolution Program

Hon. Diane M. Palos, Cuyahoga County Domestic Relations Court
 Brian C. Farrington, Supreme Court of Ohio





Session Overview

1. Brian C. Farrington – Ohio's current landscape, *Principles of Judicial Administration*
2. Hon. Diane M. Palos – A practical view from the courts



Ernie Friesen's Purposes of Courts

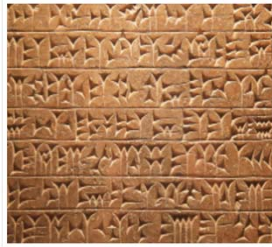
Purpose No. 3
 "To provide a forum for the resolution of legal disputes"

Court-Annexed Mediation

...not exactly a new idea

- Mesopotamia, c. 2000 BC
- The role of the *Mashkim*



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Dispute Resolution Programs in Ohio's Courts

- **Mediation** (all types of courts; 236 of 384) **61%**
- **Early Neutral Evaluation** (trial courts; 3 of 370) **1%**
- **Parenting Coordination** (domestic, juvenile; 20 of 161) **12%**
- **Eldercaring Coordination** (probate; 3 of 88) **3%**
- **Child Protection Mediation** (juvenile; 5 of 88) **6%**

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National Center for State Courts *Principles of Judicial Administration*



Principle 9: Court leadership should make available, within the court system or by referral, alternative dispositional approaches. These approaches include:

- The adversarial process.
- A problem-solving, treatment approach.
- Mediation, arbitration or similar resolution alternative that allows the disputants to maintain greater control over the process.
- Referral to an appropriate administrative body for determination.

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National Center for State Courts
Principles of Judicial Administration



Principle 24: Courts should be funded at a level that allows their core dispute resolution functions to be resolved by applying the appropriate dispositional alternative.



Hon. Diane M. Palos



Mediation Services



Integrating Mediation Services into the Court

- Needs assessment
- Resource assessment
- Funding
 - County Commissioners
 - The reasons are not only about saving money
 - Grant funds
 - Volunteers



Start Small?

- Economies of scale with other courts
 - Share within the county
 - Share with other counties
- Part-time or on call
- Create dual jobs:
 - Marion County ENE
- BUILD BUY-IN



Community Volunteers

- "Settlement Day"
- Lawyer to lawyer exchange
- Nonprofits



Dispute Resolution Community

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The Center for Principled Family Advocacy

- 501(C)(3)
 - Created 1999
 - Mission: to education attorneys, allied professionals and families on dispute resolution processes
 - Requires dispute resolution training
 - Created local legal culture
 - www.famad.com

Divorce inevitable?
You have alternatives
to costly litigation
and a lifetime of hostility

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Party Driven

Use of a Neutral

Attorney Assisted Outside Court

Neutral With Authority and Court Supervision

Court Driven

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Practice Groups

- Mediation
- Collaborative
- Cooperative
- Arbitration
- Parenting Coordination

Party Driven
Use of a Mediator
Attorney Assisted Outside Court
Neutral With Authority and Court Supervision
Court Driven

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