

Association of Attorney-Mediators Criteria for Determining Number of Mediations Conducted

1. *In order to be a conducted mediation, the mediation session must have been convened.* Cases settled prior to mediation do not count as a conducted mediation. A mediation is "convened" when the mediator has either opened a joint session (and allowed the parties to present their cases) or has caucused with one of the parties.

2. *Only a mediation which involves a pending lawsuit or a pre-litigation mediation should be counted as a mediation.* Generally, "pre-litigation mediations" are disputes where at least one of the parties is represented by counsel; or, if neither party has counsel, then at least one of the parties should be either a corporation, partnership or entity other than an individual. Settlement Week cases and cases mediated through a county dispute resolution service would be counted as long as they met other criteria.

3. *One case can produce no more than one conducted mediation regardless of the number of days mediated.* A single case may produce more than one conducted mediation if it becomes several other cases in different courts, all of which required separate mediations.