District Court, _____County, Colorado Court Address: Plaintiff(s): v. Defendant(s):	▲ **COURT USE ONLY** ▲ Case Number: Division: Courtroom:

ALTERNATIVE DISPUTE RESOLUTION/MEDIATION ORDER (CIVIL CASE)

1. The Court finds that the interests of a just, speedy and economic resolution of the disputes herein would be served by referral of this action to mediation, or to some other form of Alternative Dispute Resolution (ADR).

2. Accordingly, pursuant to the Colorado Dispute Resolution Act, §13-22-301, C.R.S. *et seq.* and specifically §13-22-311, C.R.S. the Court orders that, except as provided in paragraph 6, all claims in this action are hereby referred to mediation.

3. All parties are ordered to cooperate in arranging for, and participating in mediation. Each party shall be present personally at the mediation session, or shall have a representative present (other than the attorney), with full settlement authority.

☐ The Plaintiff's attorney is ordered to set up mediation in sufficient time so that it will be completed:
- ☐ _____ days before the next hearing;
- ☐ _____ days before trial;
- ☐ within _____ days after the case is at issue; or
- ☐ by the following date:_____

4. Pursuant to §13-22-311(1), C.R.S., the parties may select their mediator from private mediators, mediation organizations, or from the **Colorado Judicial Branch Office of Dispute Resolution**. The Office of Dispute Resolution for the _____ Judicial District may be contacted at _____ (telephone number). If you need a referral for the Office of Dispute Resolution in the Denver Metro area, please call **(303) 837-3672**.

5. A list of other mediators who provide services in the _____ Judicial District
☐ is attached ☐ is available in the clerk's office. The information contained on this list is as supplied by the providers themselves and does not mean that the provider is recommended, approved, or verified by the Judicial District.

☐ is not available through this courthouse.
Mediators may be identified through contacting the Colorado Council of Mediators and Mediation Organizations at 1-800-864-4317 or www.coloradomediation.org , through the Yellow Pages, or through contacting the local bar association at _____.

6. Compliance with paragraph 3 of this Order is excused if, within the time limits set forth in paragraph 3, the parties settle all claims, participate in another form of ADR, including but not limited to, arbitration, early neutral evaluation or mini-trial, pursuant to §13-22-313, C.R.S., or the Court grants a Motion re: Exemption from Mediation/ADR.

7. Except as expressly provided in this Order, applicable Colorado statutes, rules and/or case law shall govern the mediation or other ADR process.

8. The expense of the mediation or other ADR process shall be the responsibility of the parties, and shall be divided equally between the parties unless otherwise agreed.

9. When using mediation, the parties are advised that:

- The primary purpose of a mediator's service is to assist them to reach a mutually acceptable resolution of their dispute.
- The mediator chosen may or may be not a lawyer, but the mediator cannot and will not provide legal advice to either or both parties.
- Any documents used and prepared by the mediator are ancillary to the mediation process and do not constitute legal advice,
- The mediator is not obligated to identify or resolve legal issues.
- The parties' settlement may result in the waiver or compromise of legal rights.
- It is the responsibility of the parties to obtain legal advice if they so choose. Any mediator chosen by the parties who operates under a written Agreement to Mediate, which includes these advisements, shall be authorized by this court to act as the parties' mediator. In so doing, the mediator may develop and draft a Memorandum of Understanding that reduces the agreement of the parties to writing, if requested by the parties.

9. Within five days after the completion of the mediation or other ADR process, the attorney for the Plaintiff is ordered to complete, file with the Court, and serve upon all other parties the Certificate of Compliance (JDF 1119) attached to this Order.

10. Failure to comply with this order may result in sanctions.

Date: _____

_____
District Judge

CERTIFICATE OF SERVICE

I certify that on _____ (date), I mailed, faxed, e-filed, or hand-delivered a copy of this Order to the following:

- ❑ Attorney for Plaintiff(s) or Plaintiff(s) *pro se*
- ❑ Attorney for Defendant(s) or Defendant(s) *pro se*
- ❑ Other: _____

_____
Clerk