

FIFTH JUDICIAL DISTRICT

Family Court ADR - Custody & Visitation*

Case is scheduled to Judge/CAR for Preliminary Conference.
If not settled, Judge/CAR screens case for ADR.

ADR deemed not appropriate:

- Paternity not confirmed
- Order of Protection/SORA registration/Domestic violence history of a party (or power imbalance)
- Neglect or abuse adjudication (within 2 years or under Order of Disposition)
- Pending criminal charges against party or litigant incarcerated
- Address confidentiality request
- Petition already pending before Court

ADR deemed appropriate:

- Refer case to CDRC
- Schedule return date for report

Judge/CAR will conduct a Settlement Conference and either settle the case, refer to ADR, or schedule a pre-trial conference.

Referred to CDRC:

- Court gives parties information about ADR & CDRC
- Court schedules a return/control date
- Clerk sends referral to CDRC

CDRC receives the referral. Within 5 business days, CDRC contacts the parties. Mediation to be completed within 30 days. ADR Report to Judge/CAR within 5 business days thereafter.

If neglect/abuse alleged, mediation terminates & case returned to Court.

Case settled.
Stipulation and Order.

Case not settled. Pre-trial conference and/or Trial.

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Case settled.
Stipulation & order.

*Child Permanency matters may be referred to the Fifth Judicial District Permanency Mediation Program upon request of an individual involved in the proceeding or on the Court's own initiative.