

RULE 43: COLLABORATIVE SETTLEMENT

A. Upon the filing of a joint motion of all parties in a case requesting a stay of all adversarial proceedings and indicating the determination to pursue a resolution of the dispute, by settlement with no future litigation, using Collaborative Law techniques and having signed the Collaborative Law Participation Agreement, the court may grant such request and if so shall deny all pending motions as moot without prejudice to the parties' right to refile within 15 days of termination of the stay and shall stay all proceedings, including case management orders under local rule 15, for an initial period of 120 DAYS, after which, the matter shall be set for a case management conference to inquire as to the likelihood of settlement. If the court then determines that the Collaborative Law efforts are likely to resolve the case, an additional extension of the stay may be granted for up to 90 DAYS, after which, the matter shall be set again for case management conference. If, after consultation with the parties, the court determines that the Collaborative Law efforts are not likely to be effective, the stay shall be terminated, new counsel designated, the matter restored to the active docket, and a new case management order issued. If at any time during the initial stay or otherwise, the parties determine they have reached impasse, they may request advancement of the case management conference.

B. For purposes of the Court's statistical report to the Ohio Supreme Court, the matter shall be disposed under line 14 when the stay is granted. In the event that the matter is resolved by settlement during the stay, the case shall be reactivated under line 3 and disposed under line 7 in the same month when the settlement is reported. In the event the stay is terminated and the matter reinstated for traditional proceedings, the case shall be reactivated under line 3, in the same month when the stay is terminated and disposed appropriately thereafter. Upon reinstatement, the time guideline for determination on line 21 shall be calculated based on the original assignment date minus the length of time the stay is in effect. For example, a case that is assigned three months prior to being referred to Collaborative Law will be three months old upon reactivation regardless of how long the stay is in effect.

The above Amendment shall be effective October 1, 2001 and until further order of the Court.