

Snyder, Rachel

From: Ann Olson <Ann.Olson@wicourts.gov>
Sent: Thursday, November 10, 2016 11:21 AM
To: Snyder, Rachel
Subject: RE: List of Mediation Programs

Hi, Rachel.

That is correct. I inquired of all 72 counties; the list I sent reflects what I received back. Around 30 other counties responded to confirm they use mediation only when required for Family Court Services.

There may be a handful of additional counties using mediation for small claims or other case type but my guess is that number is pretty small.

-Ann

>>> "Snyder, Rachel" <Rachel.Snyder@legis.wisconsin.gov> 11/10/2016 10:48 AM >>>
Hello, Ann.

Just a quick follow-up. My understanding is that the list you sent reflects the responses you received, but it is not necessarily a comprehensive review of all 72 counties. Is that correct?

Thanks!

Rachel E. Snyder
Staff Attorney
Wisconsin Legislative Council
(608) 266-0922

From: Ann Olson [mailto:Ann.Olson@wicourts.gov]
Sent: Wednesday, November 09, 2016 2:59 PM
To: Snyder, Rachel <Rachel.Snyder@legis.wisconsin.gov>
Cc: Nancy Rottier <Nancy.Rottier@wicourts.gov>
Subject: List of Mediation Programs

Hello, Rachel.

Attached is a list of mediation programs by county.

21 counties indicated that they utilize mediation for cases other than child custody/family placement required under the Family Court Services statute (Wis. Stat. 767.405).

Of those, 15 counties stated that they require mediation for small claims actions.

Please contact me if you have any questions regarding the attached.

Thank you.

-Ann

Ann Olson
Policy Analyst
Office of Court Operations
Tel. 608-261-7550
Fax. 608-267-0911
ann.olson@wicourts.gov

County	Case Type	Mediation Required or Voluntary	Provider	Cost	Notes
Barron	Contested small claims	Required	Clerk's office staff	No cost to parties	Mediation required for all contested small claims cases before a trial date is set. Eviction cases bypass mediation and are set for trial immediately.
Bayfield	Small claims and some civil cases	Voluntary	Private mediator	Parties pay for mediation	Court appoints mediator. Parties/attorneys have the opportunity to object.
Chippewa	Contested small claims	Required	Court commissioner	No cost to parties	See local Circuit Court Rule 902: Mediation Requirement.
Dane	Civil; Family (financial issues only)	Voluntary	Volunteer	Parties pay for mediation	Mediation provided by volunteers from local bar association. Initial fee of \$75 required by each party. Additional fees if mediation extends beyond a certain number of hours.
Dunn	Contested small claims	Required	Volunteer	No cost to parties	Trained non-attorney volunteer (former law enforcement officer).
Eau Claire	Contested small claims	Required	TRY Mediation, Inc. staff and volunteers	No cost to parties	Mediation services provided through a contract with Eau Claire County. Combination of paid staff and trained volunteer mediators, depending on case type.
Kenosha	Small claims	Voluntary	Volunteer	No cost to parties	Mediation is voluntary but strongly recommended. Most volunteer mediators are practicing attorneys with training through Marquette U.

County	Case Type	Mediation Required or Voluntary	Provider	Cost	Notes
La Crosse	Contested small claims	Required	Law clerk	No cost to parties	No requirement for mediation for small claims if parties are represented by an attorney. Exception: All landlord/tenant disputes are required to go through mediation.
Milwaukee	Small claims	Voluntary	Volunteer	No cost to parties	Volunteer mediation services available for <i>pro se</i> litigants.
Milwaukee	Other civil (non small claims)	Required when ordered	Private mediator	Parties pay for mediation	
Milwaukee	Juvenile	Voluntary	Volunteer	No cost to parties	Mediation provided by volunteers.
Oneida	Contested small claims	Required	Law clerk/ court commissioner	No cost to parties	Mediation required before trial date.
Outagamie	Civil (non small claims)	Required when ordered	Private mediator	Parties pay for mediation	
Polk	Contested small claims	Required	Private mediator	Parties pay for mediation	Parties pay \$25 each for mediation. Mediator present for all small claims return dates. If cases are contested, parties are ordered to mediation that day. Mediation services paid for by the county.
Richland	Contested small claims	Required	Private mediator	No cost to parties	
St. Croix	Contested small claims	Required (see notes)	Volunteer	No cost to parties	If both parties appear in person they are required to attempt mediation before scheduling a trial.
Sheboygan	Contested small claims	Required	Court commissioner	No cost to parties	
Trempeleau	Contested small claims	Required	Volunteer	No cost to parties	If parties contest, a mediator is available that day to try to reach an agreement. Volunteer mediator program overseen by a court commissioner.
Vernon	Contested small claims	Required	Volunteer	No cost to parties	

County	Case Type	Mediation Required or Voluntary	Provider	Cost	Notes
Vilas	Contested small claims	Required	Court commissioner	No cost to parties	Mediation required before hearing date set.
Walworth	Small claims	Voluntary	Volunteer	No cost to parties	Student volunteers with training provide mediation.
Waukesha	Contested small claims	Required	Waukesha County Mediation Center staff or a private mediator	Parties pay for mediation	Mediation required before hearing date set. Modest fee to use Mediation Center staff or parties can secure their own private mediator/attorney.
Waukesha	Contested large claims	Required when ordered	Private mediator	Parties pay for mediation	
Waukesha	Juvenile	Voluntary or required when ordered by the court.	Private mediator	Pay structure varies depending on case type	Professional mediator available or parties can select their own with approval of the court.
Winnebago	Contested small claims and some civil matters	Small claims: Required. Other case types: Required when ordered by the court.	Winnebago Conflict Resolution Center, Inc.	No cost to parties	Services provided by Winnebago Conflict Resolution Center, Inc. through an annual contract with the County. In eviction cases, a mediator attempts to resolve issues before going to trial. Costs may be incurred and split by parties in some circumstances.