IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN RE ALTERNATIVE DISPUTE RESOLUTION

GENERAL ORDER NO. 50

Purpose. In accordance with the Alternative Dispute Resolution Act of 1998, the United States District Court for the Eastern District of Arkansas has established an alternative Dispute Resolution (ADR) program. This program is designed to afford litigants an opportunity to reach a satisfactory resolution of disputes before litigation.

The ADR Administrator. The Clerk of Court is appointed "ADR Administrator." While attached administratively to the Clerk's office, the ADR Administrator reports directly to the Chief Judge of this Court. The ADR Administrator must:

(1)   Prepare any applications for funding fo the ADR program by the United States Government and other entities, and prepare reports required by the United States Government or other parties on the use of funds in the operation and evaluation of the ADR program;

(2)   Develop and maintain such forms, records, docket controls, and data as may be necessary to administer and evaluate the program, and,

(3)   Periodically evaluate the ADR program and submit the resulting evaluation to the Court, along with any recommendations for changes, if needed.

The ADR Program. On the date of the enactment of the Alternate Dispute Resolution Act of 1998, the Court had an ADR program, the provision of settlement conferences conducted by a United States Magistrate Judge who has been trained to serve as a neutral in alternative dispute

resolution processes. Upon examination and review, the existing program is adopted as the ADR process of the court.

(1)   Exempted cases. Unless otherwise ordered by the court, the following cases are excluded from the program:

    (a)   Appeals from rulings of administrative agencies;

    (b)   Social Security Cases;

    (c)   Bankruptcy appeals;

    (d)   Habeas corpus and extraordinary writs; and

    (e)   Prisoner civil rights cases.

Consideration of the Alternative Dispute Resolution process. Litigants in all civil cases, except as exempted above, shall consider the use of the Alternative Dispute Resolution process provided by this Court at an appropriate stage in the litigation.

Procedure:

(1)   This district's United States Magistrate Judges are authorized to conduct settlement conferences in each civil case other than those cases exempted above. Such settlement conferences may be conducted if all parties consent to the same, or if all parties so request and the district judge assigned to the case believes that such would be useful.

(2)   All settlement conferences will be conducted at such times and under the procedures as may be established by the respective United States Magistrate Judges.

(3)   The rules governing disqualification, as set forth in 28 U.S.C. 455 and Canon 3 of

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Code of Conduct for the United States Judges, will apply to a Magistrate Judge to whom a case is referred.

Confidentially. Communications of litigants, attorneys and magistrate judges during the ADR process are confidential, and disclosure of these communications is prohibited. However, the magistrate judge shall be permitted to inform the presiding judge and/or Clerk's office of the outcome of the process.

Other ADR Processes. The litigants must not be prohibited or discouraged from utilizing other ADR processes to assist in the resolution of issues in controversy, such as mediation, minitrial, and arbitration. However, these procedures are not available in this Court's ADR program.

IT IS SO ORDERED this 31ST day of July, 2000.

/s/ Susan Webber Wright
SUSAN WEBBER WRIGHT, CHIEF JUDGE
UNITED STATES DISTRICT COURT

Amended August 16, 2012