

RULE 3 ALTERNATIVE DISPUTE RESOLUTION

A. POLICY STATEMENT

The Probate Division endorses the policy statement set forth in Local Civil Rule 2A

B. PROBATE EARLY SETTLEMENT CONFERENCE PROGRAM

The Probate Early Settlement Conference Program is available to parties who stipulate, using the Probate ADR Stipulation and Order Form (see attached form PB-4063), to have a neutral conduct a settlement conference in their case. The program is governed by the following rules:

(1) SELECTION OF NEUTRAL

The parties may, but are not required to, select the neutral from the Court's list of program neutrals available from the Court's Probate web page. If the parties do not agree on a neutral, the Court will assign the case to the next available neutral.

(2) STIPULATION

All parties must complete and file the Probate ADR Stipulation and Order form (attached form PB-4063) and must file the form in the Clerk's Office.

(3) LOCATION OF HEARING

Probate Early Settlement Conference sessions will be held in the Probate Division or at a location designated by the neutral.

(4) STATEMENTS, ATTENDANCE, AUTHORITY, CONFIDENTIALITY AND NOTIFICATION OF SETTLEMENT

Submission of settlement conference statements, attendance and settlement authority are governed by CRC 3.1380. A Probate Early Settlement Conference is not a mediation, as defined in Evidence Code § 1115. There is no provision for confidentiality of communications. If the parties are able to settle the case, counsel must promptly notify the Court.

~~(5) GRIEVANCES~~

~~Any grievance regarding a neutral will be handled pursuant to Local Civil Rule 2G~~