

The Courthouse Steps

A NEWSLETTER FOR NEUTRALS WHO SERVE THE NEW HAMPSHIRE JUDICIAL BRANCH

May 2, 2022

Monday



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Circuit Court Small Claims/Civil Mediation Protocols

Small claims and civil cases restarted in January of this year, with some courts holding hearings telephonically, and others, in-person. Court clerks received clarified small claims/civil mediation protocols last week. A summary is below. Email mhuang@courts.state.nh.us if you have any questions.

	Telephonic	In-Person
Small Claims Pre-trials	<ul style="list-style-type: none"> - 5 cases per session - Mediator calls into pre-trial session - Judge assigns cases to mediation time-slots - If the case does not settle, mediator fills out pre-trial order with the parties. 	<ul style="list-style-type: none"> - About 5 cases per mediator per session - Mediator goes to courtroom and attends pre-trial session - Judge assigns cases to mediation - If the case does not settle, the mediator sends the parties back to the courtroom. Judge fills out pre-trial order with the parties.

	Telephonic	In-Person
Civil Structuring Conferences	<ul style="list-style-type: none"> - If approved structuring order requests mediation, court reaches out to mediator to schedule ad hoc mediation - If parties do not submit a structuring order, then the case is scheduled for a structuring conference. - Mediators provide dates and times of availability to the court. - During structuring conference, judge fills out the structuring order with the parties. If mediation is requested, judge schedules mediation for one of the dates the mediator has provided. - After the structuring conference, the mediator is notified of the scheduled cases. 	<ul style="list-style-type: none"> - If approved structuring order requests mediation, court reaches out to mediator to schedule ad hoc mediation - If parties do not submit a structuring order, then the case is scheduled for a structuring conference. - During the structuring conference, the judicial officer goes over the structuring order with the parties. If the parties choose to mediate, the mediator will be in the courtroom to mediate the same day.

Case Manager-Family Mediator Summit

Please save the date! The annual Case Manager-Mediator Summit will be held on **September 16, 2022** from 9am-3pm. The summit will be held **in-person**. We look forward to seeing you then.

Non-Judicial Branch Trainings

Ethics for Advocates in Online Mediation

May 3, 2022 at 12pm, OR May 5, 2022 at 4pm via Zoom

Although Covid cases may be on the decline, online mediation will be with us long after the pandemic is over. It is more critical than ever that we understand the ethical implications of representing clients online. Whether you are representing clients on Zoom or another online platform, this training will review key legal and ethical considerations and highlight questions you should be asking yourself to ensure you are considering the ethical implications of advocating for your client when mediation is online.

Register, by emailing admin@hessgehris.com Include:

Name:

Email address for invoice:

Email address for confirmation and Zoom link:

Preferred date (5/3 or 5/5):

May Lunch & Learn – Representatives of Bridges and Manchester YMCA will explain their services so that mediators can make appropriate referrals.

May 12, 2022 12pm-1:30pm via Zoom

1.5 CEUs through FMCB is forthcoming for 1.5 hours DV

\$20 for this lunch and learn to be donated to the agencies. Venmo; @Mary-Sargent-10 or send a check to the address in my signature made out to Bridges or Manchester YWCA.

Register by emailing mary@marysargentmediation.com

An Exploration of Ethical and Practical Problems for Attorneys Who Mediate

May 18, 2022 12pm Online

Ethics counsel Mac Reed and mediator Ken Rosenbaum return to discuss another set of ethical and practical problems for attorneys who mediate. How do you handle a party who asks you to carry across a communication that you believe may be misleading or simply untrue? What do you do if parties or attorneys appear to be recording a session in violation of the agreement to mediate? How do you handle an attorney who seems to be unprepared for the mediation? And which of these raise issues that might land you in the middle of an ethics investigation?

Register by emailing mediation@dcapeals.gov

Excellence: Practice (Alone) Does Not Make Perfect

May 19, 2022 12pm-1:30pm via Webex

Presented by the US Department of Energy's ADR Office

To attend via WebEx:

<http://doe.webex.com>

Meeting Number: 2761 320 6816

Password, if prompted: ADRO

To preserve the rule of law and to protect the rights and liberties guaranteed by the US and NH Constitutions, the Court will provide accessible, prompt, and efficient forums for the fair and independent administration of justice, with respect for the dignity of all we serve