

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
First Circuit						
Maine	Yes	LBR 9019-2	No	No	judge or other qualified judicial officer	no info
Massachusetts	Yes	LBR 7016-1; Standing Order 09-04	No	Yes	governed by standing order	<i>pro bono</i> or as agreed by the parties
New Hampshire	Yes	LBR 7016-1	No	no info	governed by the court's "Guidelines for Mediation Program"	no info
Puerto Rico	No					
Rhode Island	No	LBR 9019-2 is reserved				
Second Circuit						
Connecticut	Yes	LBR 9019-2	No	no info	the parties agree to the ADR provider	no info
New York Eastern District	Yes	LBR 9019-1	No	Yes	extensive qualifications given in the local rule (may be attorneys or non-attorneys)	<i>pro bono</i> or as agreed by the parties

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New York Northern District	Yes	LBR 9019-2 (Appendix II)	No	Yes	governed by the local rule and chosen by application (does not indicate if non-attorneys may apply)	<i>pro bono</i> if process takes less than six hours or at the consent of the mediator; past six hours or absent consent, the parties must agree but cannot exceed \$150/hr
New York Southern District	Yes	LBR 9019-1; Bankr. Court Gen. Order M-390	No	Yes	governed by the rule and chosen by application (generally required to be an attorney, but non-attorneys may serve in matters where the court determines a need for special skills)	no info
New York Western District	No					

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
Vermont	Yes	LBR 9019-1 (The rule makes the District Court's Early Neutral Evaluation rules applicable to bankruptcy matters.)	No	no info	no info	no info
Third Circuit						
Delaware	Yes	LBRs 9019-2, 3, 4, 5, 6	No	Yes	governed by the rule and chosen by application (does not state if the mediator has to be an attorney)	<i>pro bono</i> if approved by court, otherwise compensation must be reasonable and is also subject to judicial review

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
New Jersey	Yes	LBR 9019-2	No	Yes	governed by the rule and chosen by application (does not state whether mediator has to be an attorney)	no info on <i>pro bono</i> services; mediators receive \$200/hr but the parties can agree to more at the approval of the court
Pennsylvania Eastern District	Yes	LBRs 9019-2, 3	No	no info	certified by the chief judge; qualifications for attorneys and non-attorneys are governed by the rule	first four hours done <i>pro bono</i> ; mediator paid \$150 for each additional hour
Pennsylvania Middle District	Yes	LBR 9019-2	No	no info	governed by the rule (mediators appear to have to be an attorney)	first four hours done <i>pro bono</i> ; thereafter, the parties agree to reasonable rate

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Pennsylvania Western District	Yes	LBR 9019-2; Bankr. Court Gen. Order 97-4; Court Procedure Manual	No	Yes	selected by application (does not state whether the mediator has to be an attorney, but language of “statement of professional qualifications” indicates that some non-attorneys might qualify)	court can appoint a mediator <i>pro bono</i> ; otherwise fees must be reasonable and approved by the court
Virgin Islands	Yes	LBR 9019-2; court procedures manual	No	no info	no info	no info
Fourth Circuit						

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
Maryland	Yes	LBR 9019-2	No	Yes	governed by the local rule and the district's Bankruptcy Dispute Resolution Program (does not state whether non-attorneys may qualify)	<i>pro bono</i> mediation is available; rule includes guidelines if the advocate's compensation is less than \$3,000 and if the compensation exceeds \$3,000
North Carolina Eastern District	Yes	LBR 9019-2	No	No	certified pursuant to the rules of the Supreme Court of North Carolina	agreed to by parties; if appointed by court, the judge sets the hourly rate

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
North Carolina Middle District	Yes	LBR 9019-2	No	No	certified pursuant to the rules of the Supreme Court of North Carolina	agreed to by parties; if appointed by court, the judge sets the hourly rate; compensation also varies if one counsel represents multiple parties to the process
North Carolina Western District	No					
South Carolina	Yes	LBR 9019-2	No	Yes	Agreed upon by parties; on the list or otherwise qualified	no info
Virginia Eastern District	Yes	LBR 9019-1	No	No	parties select any mutually acceptable non-judicial mediator	no info

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Virginia Western District	No					
West Virginia Northern District	No					
West Virginia Southern District	Yes	LBR 9019-2 –the mediation scheduling order governs the terms and conditions of the mediation	No	no info	no info	no info
Fifth Circuit						
Louisiana Eastern District	Yes	LBR 9019-2-- the court may employ any ADR programs designated for use by the district court	No	no info	no info	no info
Louisiana Middle District	No					

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Louisiana Western District	Yes	No–Bankruptcy Court Voluntary Mediation Program	No	Yes	selected by application and qualifications found in the program’s guidelines (any licensed professional can apply)	<i>pro bono</i> if at least one party demonstrates financial need; otherwise agreed to by the parties
Mississippi Northern District	Yes	LBR 9019-1	No	no info	no info	The mediator may require reasonable fees and charges for services and expenses.
Mississippi Southern District	Yes	LBR 9019-1	No	no info	no info	If any compensation comes from the estate, the court must approve it.
Texas Eastern District	No					

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Texas Northern District	Yes	LBR 9019-2	No	no info	no info	no info
Texas Southern District	Yes	LR16.4	No	Yes	<p>A three-person panel, selected by the chief judge of the district, oversees the program, including the selection of ADR providers.</p> <p>Only active members of the bar of the U.S. Bankr. Court for the S.D. Tex. may join the list.</p>	No info
Texas Western District	Yes	LBR Appendix L-10001-1	No, but all parties are required to submit a report stating whether ADR is appropriate for the case	Yes	no info	no info
Sixth Circuit						

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
Kentucky Eastern District	No					
Kentucky Western District	No					
Michigan Eastern District	Yes	LBR 7016-2	No	panel appointed by the court	one that has participated in a court-approved ADR training seminar (does not state whether non-attorneys may participate)	Each party pays \$200 up front.
Michigan Western District	Yes	LBR 9016-1	No, but favored by the court	no info	no info	totally on the parties
Ohio Northern District	Yes	LBR 9019-2; the court adopts the district court's local rule on ADR	No	Yes	lawyers with five years of experience who are qualified according to the rules	first 4.5 hours are <i>pro bono</i> ; remaining hours are at the equal responsibility of the parties at \$150/hr

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
Ohio Southern District	Yes	LBR 9019-2	No	No	This district uses the phrase “settlement judge,” but it is not clear if that person is a judge, attorney, or non-attorney. The phrase may be synonymous with “mediator” generally.	no info
Tennessee Eastern District	Yes	LBR 9019-2	No	no info	no info	compensated at rates agreed to by the parties
Tennessee Middle District	Yes	LBR 9019-2 and “The ADR Program”	No	No	selected by the parties; if parties cannot agree, the court appoints settlement conferences are conducted by a bankruptcy judge who is not the trial judge	agreed upon by parties or ordered by the court

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Tennessee Western District	No					
Seventh Circuit						
Illinois Central District	No					
Illinois Northern District	Yes	LBR 9060	No	no info	no info	as agreed to by the parties
Illinois Southern District	No					
Indiana Northern District	Yes	LBR B-9019-2	No	no info	no info	no info

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Indiana Southern District	Yes	LBR B-9019-2	No	No	any person selected by the judge (does not indicate whether non-attorneys qualify, but the language of “any person” implies that non-attorneys can serve as mediators in this district)	no info
Wisconsin Eastern District	No					
Wisconsin Western District	No					
Eighth Circuit						
Arkansas Eastern District	No					
Arkansas Western District	No	Local Rule 1001-1				

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Iowa Northern District	No					
Iowa Southern District	No					
Minnesota	No					
Missouri Eastern District	Yes	LBR 9019-1; also governed by the court's mediation order	No	No	no info	as agreed by the mediator and the parties
Missouri Western District	No					
Nebraska	No					
North Dakota	No					
South Dakota	No					
Ninth Circuit						
Alaska	Yes	LBR 1001; adopts the district court's local rule 16.2	no info	no info	no info	no info

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
Arizona	Yes	LBRs 9072-1 through -9	No	Yes	governed by the rules and selected by application (attorneys and non-attorneys may qualify)	as agreed to by the parties or set by the court; if one party is unable to pay, the mediator can serve <i>pro bono</i> as to that party; if the mediator serves <i>pro bono</i> , they do not have to have gone through training
California Central District	Yes	LBR Ap. III (Second Amend. Gen. O. 95-01); Bankruptcy Mediation Program Procedures Manual	No	Yes	panel of lawyers and non-lawyers who apply and are accepted by the judges of the court	mediators must serve on a <i>pro bono</i> basis for the first full day of at least one mediation conference per quarter

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
California Eastern District	Yes	Bankruptcy Court General Order 95-1	No	Yes	“Resolution Advocates” appointed by the judges—must be an attorney with a bankruptcy-centered practice	no info
California Northern District	Yes	LBRs 9040–9050	No, but the counsel and the client must sign a certification of discussion and consideration of ADR options within 28 days after the initial status conference.	Yes	“Resolution Advocates” appointed by the judges—must be an attorney with a bankruptcy-centered practice	no info

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California Southern District	Yes	LBR 7016-6		Yes—two: (1) <i>Pro Bono</i> list; (2) compensated mediators (to join this list, the mediator must have completed 25 hours of mediation training)	the rule establishes qualifications for attorneys and non-attorneys	Except for the first 2.5 hours, the mediator receives \$200 per 3.5 hours of mediation
Guam	No					
Hawaii	Yes	LBR 9019-2 and Guidelines for Bankruptcy ADR Program	No	Yes	determined by the local rule; must attend at least one, four-hour, district conference a year (does not indicate whether non-attorneys may apply)	<i>pro bono</i> if telephonic and for the first four hours; after four hours, mediator can request compensation at normal rate
Idaho	Yes	District Local Rule 16.4 and Mediation Plan	No	no info	no info	no info

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Montana	Yes	LBR 9019-1; the district court's local rules on Early Neutral Evaluation apply	no info	no info	no info	no info
Nevada	Yes	LBR 9019	No	no info	no info	no info
Oregon	Yes	LBR 9019-2	No	Yes	chosen by the court from applications (no indication whether or not non-attorneys may apply)	as agreed to by the parties and the mediator

District ¹	Mediation Program (Y/N)	Local Rule ²	Mandatory? ³	List of Mediators	Type of Mediator ⁴	Cost
Washington Eastern District	Yes	Bankr. Ct. General Order; Voluntary Mediation; Bankr. Ct. ADR Form #2: Procedural Requirements	No	Yes	governed by the rule; chosen from applications (the language implies that non-attorneys, as well as attorneys, may serve as mediators)	each mediator must serve <i>pro bono</i> on one matter every half-year; mediator receives compensation as agreed to by the parties unless one party demonstrates need

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Washington Western District	Yes	LBR 9040-1	No, but no later than 28 days after an answer or other response to the complaint is filed, the client and counsel must sign and serve a mediation certification showing that they have considered mediation.	Yes	qualifications laid out in the rules (attorneys only)	every mediator must serve <i>pro bono</i> twice each year; otherwise mediators may charge normal hourly rates
Northern Mariana Islands	No					
Tenth Circuit						

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Colorado	Yes	LBR 919	No	no info	no info	Unless a party qualifies for <i>pro bono</i> services, or unless the court orders otherwise, the parties pay the mediator on a pro-rate basis.
Kansas	Yes	LBR 9019.2	No	Yes	judge or neutral attorney (qualifications laid out in rule)	as agreed upon by the parties
New Mexico	No					
Oklahoma Northern District	Yes	LBR 9019-2	No	no info	chosen by the court (no indication whether or not non-attorneys may apply)	no info

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Oklahoma Eastern District	Yes	LBR 9019-2(d)	No	no info	no info	The court has the authority to order payment for the mediator at his or her normal hourly rate on an equitably shared rate for the parties
Oklahoma Western District	Yes	LBR 7016(f)	No			borne by the party who requested the ADR unless the parties agree to share the costs.
Utah	Yes	LBR 9019-2	No	no info	no info	no info
Wyoming	No					
Eleventh Circuit						
Alabama Middle District	No					

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Alabama Northern District	Yes	LBR 9019-2	No	Yes	<p>apply to the chief judge and then apply to the court (language implies that non-attorneys may qualify)</p>	<p>each mediator is encouraged to complete five <i>pro bono</i> hours a year</p> <p>this district has three tracks</p> <p>“Open ADR” is paid for by the parties</p> <p>“Mediation” track is paid for at an agreed rate by the parties or as ordered by the court</p> <p>“Mediation/Arbitration” track–no info on payment of this track</p>

District¹	Mediation Program (Y/N)	Local Rule²	Mandatory?³	List of Mediators	Type of Mediator⁴	Cost
Alabama Southern District	No					
Florida Middle District	Yes	LBR 9019-2	No	Yes	qualifications set by the court (attorneys only)	no info
Florida Northern District	Yes	LBR 7016-1, Addendum B	No	No	Must be certified according to the standards of the rule (language implies that non-attorneys may qualify)	as agreed to by the parties or the court
Florida Southern District	Yes	LBR 9019-2	No	Yes	attorneys or retired judges plus other qualifications set out in the rule (unless parties agree to a non-certified mediator)	no info
Georgia Middle District	No					
Georgia Northern District	No					

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Georgia Southern District	No					
The D.C. Circuit						
District of Columbia	No					

1. The information found in this chart can be found in more detail at Jacob A. Esher, Compendium of Bankruptcy Court Local Rules on ADR, <http://www.mwi.org/compendium>. I tried to summarize the compendium based on Judge Kelley's requests. However, several of her questions (see infra) were not addressed in the compendium.
2. Every district with a program or rule has attendance requirements, and many require a representative with full settlement ability to attend the sessions. I did not find any direct mentions of pro-se litigants' participation in mediation.
3. Mandatory? Yes or No: Mandatory here means "automatic." The vast majority of the districts do not automatically require mediation, but every court in a district with a mediation rule or program has the power to order mediation upon the parties. A few districts require the parties to at least consider mediation. At the same time, only one or two districts explicitly referred to their programs as voluntary.
4. Type of Mediator: Almost all districts maintain a list of qualified mediators. The vast majority of districts limit admission to the list to licensed attorneys. Very few districts allow the district's judges to participate, although at least one allows retired judges to participate. If a district allows non-attorneys to participate as mediators, the mediators must meet certain qualifications, often including district-approved training or some level of professional certification.