



AAA® JUDICIAL SETTLEMENT CONFERENCE

Another AAA Settlement Solution

AAA Judicial Settlement Conference (JSC) is a settlement procedure with the highest degree of case evaluation. The mediator is a retired judge who assesses the respective merits of each party’s case and provides feedback on the strengths, weaknesses, and value of the claims to help parties arrive at settlement.

Traditional mediation, on the other hand, is a process for parties to explore crafting their own solutions, with communication facilitated by a mediator who can help identify common interests.

JSC provides businesses, individuals, and government agencies with an alternative dispute resolution (ADR) approach that is similar in methods and objectives to the judicial settlement conferences used successfully by the courts and with which parties and their representatives are confident and comfortable—however, and significantly, with JSC, they can select their own judge.

AAA JUDICIAL SETTLEMENT CONFERENCE PANEL

The judges on the AAA Judicial Settlement Conference panel are former federal or state appellate-level judges and trial court judges selected for their success settling cases. Each has heard a great number of cases on a wide variety of topics and industries and is skilled in presiding over settlement conferences.

AAA JUDICIAL SETTLEMENT CONFERENCE PROCESS

- Parties select their judge from the JSC Conference Panel.
- Parties submit relevant and important material for the judge’s consideration and present their respective viewpoints on the case at a subsequent session.
- The judge makes an assessment of the case to the parties at a private caucus if parties choose or during an open session, either of which can be elected at the beginning of the Conference proceeding.
- Although the judge assists the parties in reaching a settlement, the judge does not make a binding decision or award.
- Parties can accept or reject a settlement or resolution proposal.
- Parties and their representative(s) understand that the judge may comment on the strength or weakness of a case, its relative value, and the likely outcome of subsequent proceedings.

In your contract, should you write in AAA Judicial Settlement Conference (JSC) or a traditional mediation clause?

To the right is a brief summary of the main differences.

ATTRIBUTES TO CONSIDER	JSC	MEDIATION
STYLE OF PROCESS	Evaluative	Facilitative
MEDIATOR	Retired judge	Commercial mediator
FOCUS	Merits of each claim	Common interests
MAIN MEDIATOR TRAIT	Brings authority of judge and years of evaluative experience	Skill at communication and teasing out commonalities

For more information about the AAA Judicial Settlement Conference Rules, fees, finding a judge, filing a case, and other solutions, please visit www.adr.org/alacarte.