

NON-COURT MEDIATION BY THE NEW JERSEY OFFICE OF DISPUTE SETTLEMENT

Under *R. 1:40-11*, cases may be sent to non-court mediation through the Office of Dispute Settlement (ODS). However, the approval of the Assignment Judge or designee is required. ODS has full-time mediators on staff with expertise in all areas of civil litigation including construction, insurance coverage, environmental clean-up and employment law. Costs of the mediation are paid for by the parties at the rate of \$250 per hour. The ODS retains the discretion to waive or reduce fees. A [sample order](#) referring a case to the ODS appears in the Civil CDR Program Resource Book appendix.

ODS has been providing sophisticated mediation services to the state and federal courts to resolve complex civil litigation and public disputes. Significant cases mediated by ODS in the past include the major Exxon oil spill in the waters between New York and New Jersey, a 40-party \$500 million environmental insurance coverage dispute, and a \$100 million class action lawsuit involving the proposed demolition of high-rise public housing in Newark.