

- (4) Short trial, pursuant to Subpart C of these rules; and
- (5) Such other alternative dispute resolution mechanisms contemplated by NRS 38.250 as may from time to time be promulgated.
- (B) Judicial Districts having a lesser population may adopt local rules implementing all or part of these forms of alternative dispute resolution.
- (C) Each district may appoint an alternative dispute resolution commissioner, arbitration commissioner, discovery commissioner, other special master, or any qualified and licensed Nevada attorney appointed by the court (hereafter the Commissioner), to serve at the pleasure of the court. In multi-judge districts, appointment shall be by the concurrence of a majority of all the judges of such district. The Commissioner so appointed shall have the responsibilities and powers conferred by these Alternative Dispute Resolution rules and any local rules.

B. NEVADA ARBITRATION RULES

C. NEVADA SHORT TRIAL RULES

D. NEVADA MEDIATION RULES

Rule 1. The court annexed mediation program.

- (A) The Court Annexed Mediation Program (the program) is an alternative to the Court Annexed Arbitration Program and is intended to provide parties a prompt, equitable and inexpensive method of dispute resolution for matters otherwise mandated into the arbitration program.
- (B) These rules may be known and cited as the Nevada Mediation Rules, or abbreviated N.M.R.

Rule 2. Matters entering the mediation program.

- (A) Any matter that is otherwise subject to the Court Annexed Arbitration Program may be voluntarily placed into the Mediation Program. Participation in the Mediation Program shall be by mutual consent of the parties pursuant to written stipulation or as otherwise provided herein. The stipulation must be filed with the Commissioner within fifteen (15) days after the filing of an answer by the first answering defendant. For good cause shown, an appropriate case may be placed into the program upon the filing of an untimely stipulation; however, such filing may subject the parties to sanctions by the Commissioner.

Rule 3. Assignment to mediator.

- (A) Parties may stipulate to use a private mediator who is not on the panel of mediators assigned to the program, or who is on the panel but who has agreed to serve on a private basis. The private mediator must possess the qualifications as stated in Rule 4 and must present a resume demonstrating said qualifications to the [Arbitration] Commissioner prior to serving as mediator. Such stipulation must be made and filed with the Commissioner no later than the date set for the return of the mediator selection list. The stipulation must include an affidavit that is signed and verified by the mediator expressing his or her willingness to comply with the timetables set forth in these rules. Failure to file a timely stipulation shall not preclude the use of a private mediator, but may subject the dilatory parties to sanctions by the Commissioner.
- (B) Any and all fees or expenses related to the use of a private mediator shall be borne by the parties equally.
- (C) Unless the parties have stipulated to a mediator pursuant to subdivision (A), the Commissioner shall serve the two adverse appearing parties with identical lists of three (3) mediators selected at random from the panel of mediators assigned to the program.
- (1) Thereafter the parties shall, within ten (10) days, file with the Commissioner either a private mediator stipulation and affidavit or each party shall file the selection list with no more than one (1) name stricken.
- (2) If both parties respond, the Commissioner shall appoint a mediator from among those names not stricken.
- (3) If only one party responds within the ten (10) day period, the Commissioner shall appoint a mediator from among those names not stricken.
- (4) If neither party responds within the ten (10) day period, the Commissioner shall appoint one of the three (3) mediators.
- (5) If there are more than two (2) adverse parties, one (1) additional mediator per each additional party shall be added to the list with the above method of selection and service to apply. For purposes of this rule, if several parties are represented by one attorney, they shall be considered as one party.

Rule 8. Report to the Commissioner.

Within five (5) days after the conclusion of the mediation proceedings, the mediator shall file with the Commissioner and serve copies on the attorneys of record and on any unrepresented parties, a report advising whether the matter resolved, an impasse has been declared or that no agreement was reached, or that the matter has been continued, and whether all requisite parties with authority to resolve the matter were present. The report will be similar to the settlement conference report submitted by settlement judges in the appellate settlement program pursuant to N.R.A.P. 16(g), and shall not disclose any matters discussed at the mediation proceedings.

Rule 9. Matters not resolved in mediation.

All matters not resolved in the program shall forthwith enter the Short Trial Program set forth in Subpart C of these rules.

Rule 10. Fees and costs for mediators.

- (A) Mediators shall be entitled to remuneration of up to one thousand dollars (\$1000.00) per case, unless otherwise authorized by the Commissioner for good cause shown.
- (B) Mediators are entitled to recover the costs, not to exceed two hundred fifty dollars (\$250.00), that the mediator reasonably incurs. Costs recoverable by the mediator are limited to:

 - (1) Reasonable costs for facsimilies;
 - (2) Reasonable costs for photocopies;
 - (3) Reasonable costs for long distance telephone calls;
 - (4) Reasonable costs for postage;
 - (5) Reasonable costs for travel and lodging; and
 - (6) Reasonable costs for secretarial services.
- (C) Fees and costs of the mediator are paid equally by the parties unless otherwise stipulated.
- (D) If required by the mediator, each party to a case within the program shall deposit with the mediator, within fifteen (15) days of request by the mediator, a sum of up to two hundred fifty dollars (\$250) as an advance toward the mediator's fees and costs. If any party fails to pay their portion of the mediator's fees and costs within the time prescribed in this subsection, the district court shall, after giving