

Supreme Court

In re Amendment to Provisional Rule A, :
Mediation Session Procedures :
(Sanctions) :

ORDER

Subdivision A(8) of Provisional Rule A (as amended), which provisional rule is situated in the Appendix to the Rules of Appellate Procedure and is captioned “Mediation Session Procedures,” is hereby amended to read as follows:

“Provisional Rule A

Mediation Session Procedures

* * *

“A(8.) **Sanctions.** A party or counsel for a party who fails to participate in a mediation session after notice, or fails to provide the necessary preliminary documents and other information required for a meaningful mediation session, or fails to keep confidential any mediation statements or documents, or fails to participate in the mediation session in good faith, or otherwise fails to follow the provisions of this Rule, may be prohibited from filing further pleadings with the Clerk of the Supreme Court relevant to the pending appeal, or otherwise be subject to sanctions to be imposed after hearing by the Court or the mediator-justice. Sanctions may be brought either on motion by a party, or by the mediator-justice or the Court. Such sanctions may include

monetary fines, costs, counsel fees, or orders that may deny or grant relief to appellant(s) or to appellees(s) as circumstances and justice may require.

Entered as an Order of this Court this 27th day of ***October 2005***.

s/s

WILLIAMS, C. J.

s/s

GOLDBERG, J.

s/s

FLAHERTY, J.

s/s

SUTTELL, J.

s/s

ROBINSON, J.