

M.R. 3140

**IN THE
SUPREME COURT
OF
THE STATE OF ILLINOIS**

Order entered December 6, 2021.

(Deleted material is struck through, and new material is underscored.)

Effective January 1, 2022, Illinois Supreme Court Rule 99 is amended, as follows.

Rule 99. Mediation Programs.

(a) Applicability to Circuits. Mediation programs may be undertaken and conducted in those judicial circuits which, with the approval of the Supreme Court, elect to utilize this procedure and in such other circuits as directed by the Supreme Court.

(b) Fee/Assessment Waivers. Mediation programs undertaken pursuant to this Rule shall include method(s) for providing no-cost mediation services for parties who have been granted a full fee/assessment waiver and lower-cost or no-cost mediation services for parties who have been granted a partial fee/assessment waiver.

(c) Local Rules.

(1) Each judicial circuit electing to establish a mediation program shall adopt rules for the conduct of the mediation proceedings. A person approved by the circuit to act as a mediator under these rules shall have judicial immunity in the same manner and to the same extent as a judge. Prior to the establishment of such a program, the Chief Judge of the circuit shall submit to the Supreme Court for its review and approval, through its Administrative Office, rules governing the operation of the circuit's program. A circuit operating a mediation program on the effective date of this Rule may continue the program for one year after the effective date of this Rule, but must, within 90 days of the effective date of this Rule, submit for the Supreme Court's review and approval the rules under which the mediation program is operating. Any amendments to approved local rules must be submitted to the Administrative Office for review and approval prior to implementation.

(2) At a minimum, the local circuit court rules shall address:

- (i) Actions eligible for referral to mediation;
- (ii) Appointment, qualifications and compensation of the mediators;
- (iii) Scheduling of the mediation conferences, either in person or remotely;
- (iv) Conduct of the conferences;
- (v) Discovery;
- (vi) Absence of party at the conference and sanctions;
- (vii) Termination and report of mediation conference;
- (viii) Finalization of agreement;

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(ix) Confidentiality;

(x) Reporting to the Supreme Court for each approved mediation program shall be conducted in a manner and method as prescribed by the Administrative Office of the Illinois Courts.

Adopted April 11, 2001, effective immediately; amended October 10, 2001, effective immediately; amended Oct. 15, 2015, eff. immediately; amended Sept. 29, 2021, eff. Oct. 1, 2021; amended Dec. 6, 2021, eff. Jan. 1, 2022.