

ADR Use In Wisconsin

ADR Subcommittee

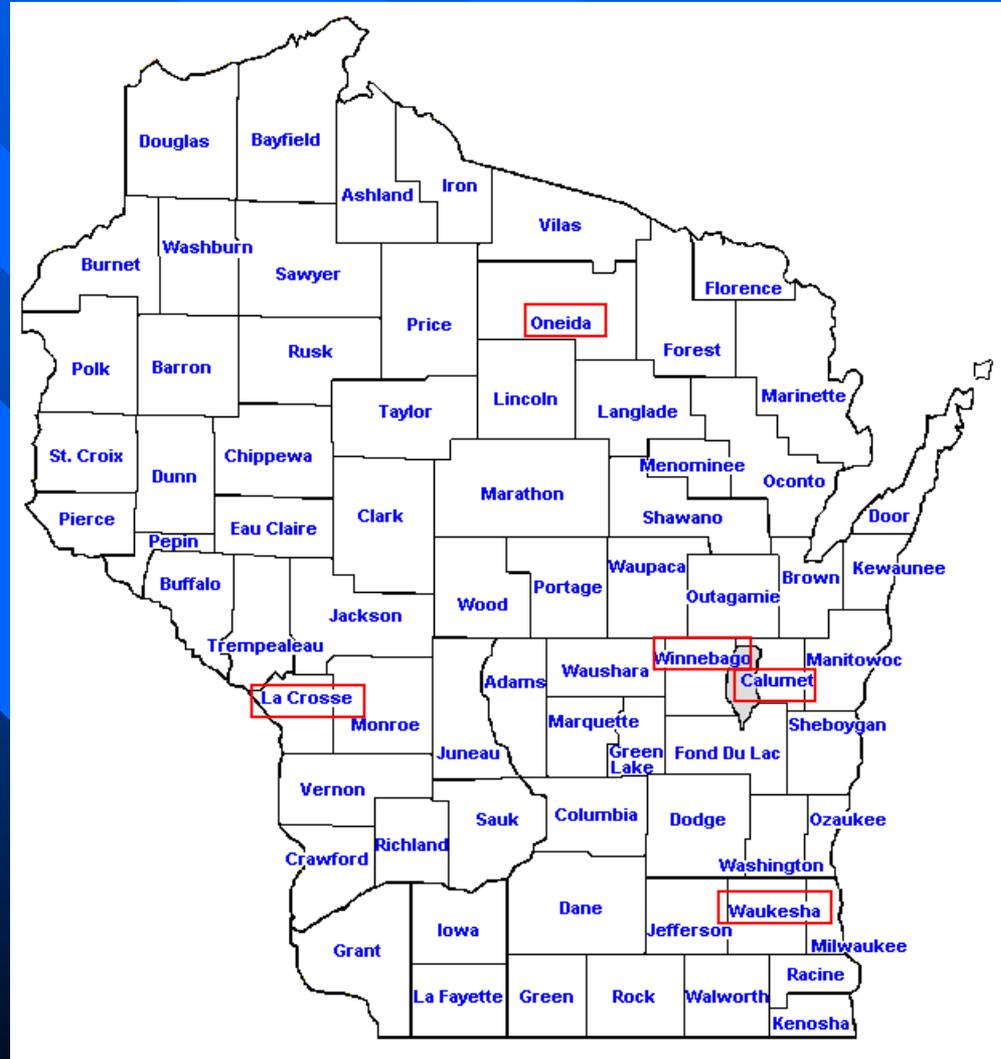
Policy & Planning Advisory Committee

Introduction

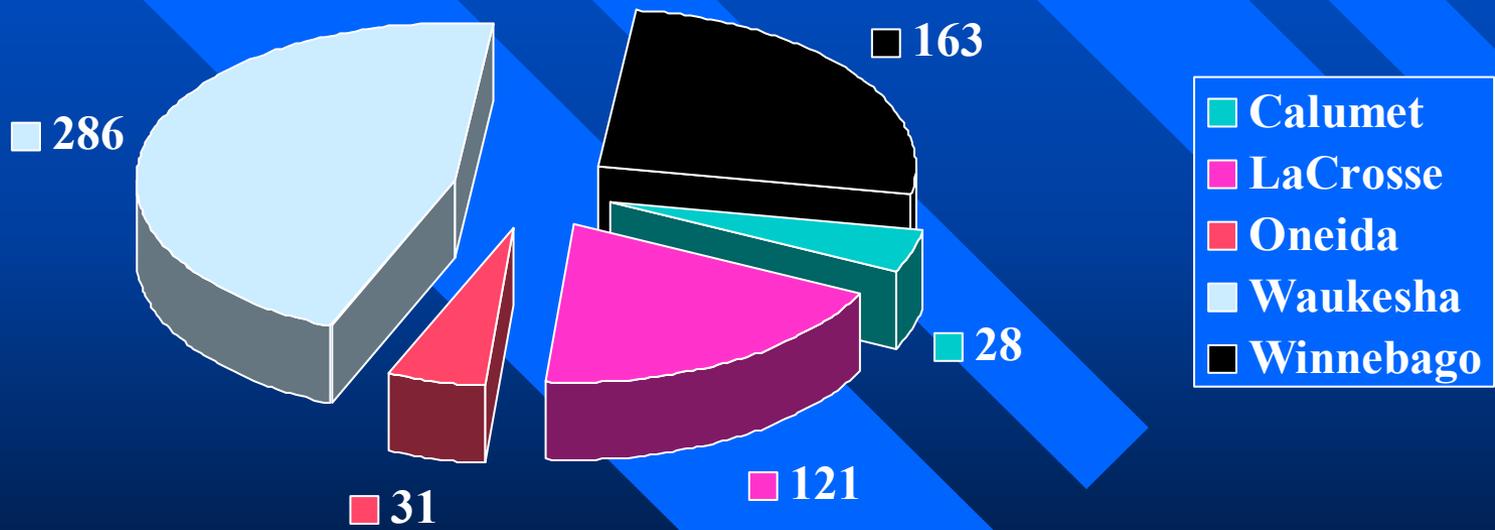
In an effort to document ADR use in Wisconsin the committee has undertaken a survey of attorneys. Five pilot counties were selected and the judges hearing civil cases were asked to have a one-page survey sent to the attorneys whenever a case settled before trial.

Pilot Counties

- Calumet
- LaCrosse
- Oneida
- Waukesha
- Winnebago



Responses By County



Total Responses: 629

Questions Asked

The respondents were asked:

- Which ADR method did you use in this case?
- Who served as the ADR provider or neutral?
- Did this case settle
- Why was ADR used in this case?

Type Of Cases Surveyed

The committee selected eight case types to be included in the survey. The case classification codes used by CCAP were selected to make the survey user-friendly

Case Types Selected

- 30101 Personal Injury-Auto
- 30107 Personal Injury-Other
- 30106 Intentional Tort
- 30100 Products Liability
- 30104 Medical Malpractice, Ch. 655
- 30103 Medical Malpractice, Other
- 30105 Wrongful Death
- 30201 Property Damage

Distribution Of Case Types

Personal Injury-Auto	73.9%
Personal Injury-Other	13.7%
Intentional Tort	4.5%
Property Damage	2.5%
Products Liability	1.9%
Medical Malpractice-Ch. 655	1.8%
Medical Malpractice-Other	1.0%
Wrongful Death	0.8%

Frequency of ADR Use

Somewhat surprising is the finding that ADR was used in slightly more than one-half of the civil cases in the survey.

ADR Used	53.2%
ADR Not Used	46.8%

Type of ADR Used

Mediation was the most common form of ADR used, it was used in 98% of those cases that used some form of ADR. The other forms used were binding arbitration, usually required in uninsured or insured motorist claims. One summary jury trial has been conducted.

Case Type & Form of ADR Used

Case Type	Mediation	Other
Personal Injury-Auto	254	6
Personal Injury-Other	41	0
Intentional Tort	10	0
Products Liability	6	0
Medical Malpractice-Ch.. 655	4	0
Property Damage	3	0
Medical Malpractice-Other	3	0
Wrongful Death	3	0

ADR As A Factor In Settlement

