

mjg

MAY 10 2016

Thomas M. Gould, Clerk
U. S. District Court
W. D. OF TN, Memphis

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

In Re: Adoption of Modifications to ADR Plan)
for Incorporating Provisions of the Pro) Admin. Order No. 2016-16
Se IFP Plan When Non-IFP Party Is)
Granted a Fee Waiver)
)

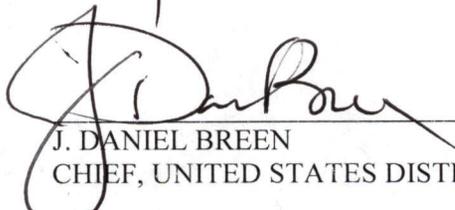
This Administrative Order amends the current ADR Plan for incorporating provisions of the Pro Se IFP Plan (Appendix D.2) when a non-IFP party moves for and receives a waiver from the payment of his or her share of mediation expenses. The Court approved connecting these plans when this sort of waiver has been granted in order to “cap” the Court’s responsibility for paying mediation costs to \$500, which would be the Pro Se non-IFP party’s share of the maximum \$1,000 mediation fee. The following underlined text has been approved for inclusion in the ADR Plan:

SECTION 5.3 COMPENSATION OF MEDIATORS

(d) At the scheduling conference, a party who has been granted *in forma pauperis* status may apply to the court to be relieved of his or her obligation to pay a *pro rata* share of the Mediator’s fee, in whole or in part. While all other parties shall continue to bear their *pro rata* portions of the fee, the court shall enter an order following the scheduling conference addressing whether the *in forma pauperis* party is relieved of their obligation in whole or in part and, if necessary, the source of payment for this portion. When an IFP party has been relieved of his or her obligation to pay a *pro rata* share of the Mediator’s fee, the entire compensation of the Mediator shall be governed by Section 9 of the pro se IFP plan, which “caps” the Mediator’s fees at \$1,000 based on 4 hours at \$250 per hour.

(e) A party who has not sought *in forma pauperis* status, but is financially unable to pay all or part of the *pro rata* share of the Mediator’s fee, may move for a waiver of the fee requirement on a form provided by the Court. When a non-IFP party has been granted a waiver of his or her obligation to pay a *pro rata* share of the Mediator’s fee, the entire compensation of the Mediator shall be governed by Section 9 of the Pro Se IFP Plan, which “caps” the Mediator’s fees at \$1,000 based on 4 hours at \$250 per hour.

IT IS SO ORDERED this 10th day of May, 2016.



J. DANIEL BREEN
CHIEF, UNITED STATES DISTRICT JUDGE