

Protocol for Mediating Misdemeanor Jury Trial Cases

1. Defendant prays a jury trial in district court.
2. If the case is not one of the excluded cases* and defense counsel (DC) chooses to do so, DC sends a referral for mediation to Community Mediation (CM) within three days.
3. DC also faxes to one of the Supervisors for the State's Attorney's Misdemeanor Jury Trial Division (SA):
 - A copy of the Statement of Charges
 - A copy of the referral to CM; and
 - A consent motion signed by the DC asking the Circuit Court to lift any pre-trial stay away provisions for the limited purpose of the parties mediating (Motion)
4. CM calls SA to see if SA is OK with mediation. If SA OK with mediation SA gives CM contact information on the victim and sends an email with the contact information. If SA not OK with mediation, process stops. CM memorializes the termination of the mediation with an email to the DC and SA.
5. If mediation is to proceed, SA signs the Consent Motion and faxes it to Circuit Court (J. Hargadon) for signature. SA mails the hard copy with both signatures to Judge Hargadon.
6. If the Order is signed, a true test copy is sent to the CM before mediation begins.
7. CM updates all counsel of the status of the mediation no later than three business days prior to trial.

*Excluded Cases are Firearms Cases, Narcotics Cases and Domestic Violence Cases (See examples of cases appropriate for mediation in the document entitled Sample Cases)

Contact Information:

Community Mediation (Julia Hammid):

Phone: 410-467-9165 ext. 409 (o) or 443-990-0143 (cell)

Fax: 410-467-9155

Email: jhammid@communitymediation.org

State's Attorney's Office:

Phone: 443-984-6080

Fax: 443-984-6262

Email: kbjorklund@stattorney.org

Court Fax: 410-545-7319 (Judge Hargadon)