



ALTERNATIVE DISPUTE RESOLUTION DATA SUMMARY FISCAL YEAR 2024

MEDIATION AND CONFLICT
RESOLUTION OFFICE

ADMINISTRATIVE OFFICE OF
THE COURTS

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I. Acknowledgments

This report was written by Tara Cuffia and Nick White of the Maryland Judiciary's Mediation and Conflict Resolution Office (MACRO). It would not have been possible without the help of our many partners, who provided their insight, time, and data. Thank you to our Program Director Cynthia Jurrius, MACRO Senior Program Manager Lisa Mannisi, Program Manager Monica Villarreal, and Assistant State Court Administrator for Programs Lou Gieszl. Thank you to the Juvenile and Family Services team of Richard Abbott, Kelly Franks, and Jovonne Lewis. Thank you to the District Court Alternative Dispute Resolution (ADR) Office, Maureen Denihan and Sarah Kauffman. Thank you to Anna Walsh and Faten Gharib of the Appellate Court of Maryland ADR Division. Thank you to the circuit court ADR program managers, court administrators, and family support services coordinators. Finally, thank you to State Court Administrator Judy Rupp and Supreme Court of Maryland Chief Justice Matthew J. Fader for your interest in and support of ADR programs in the courts.

II. Executive Summary

This report examines the alternative dispute resolution (ADR) data collected by the District Court, circuit courts, and Appellate Court of Maryland (ACM) in fiscal year 2024. The data sets were analyzed by court, case type (domestic/family or civil, non-domestic), and the way in which ADR was held (remote or in person). Three measures of effectiveness were studied: settlement data, public experience, and the impact of technology. These measures were then compared to data collected in fiscal years 2022 and 2023 to support future decision-making around the effective use of remote and in-person ADR processes in the Maryland Judiciary.

Settlement Data

Both the District Court and circuit court civil non-domestic programs reported more data in fiscal year 2024 than in the prior year. The District Court agreement rates were nearly identical when comparing fiscal years 2022, 2023, and 2024. Agreement rates for the civil non-domestic cases in the circuit courts are similar between fiscal years 2023 and 2024. The agreement rates for circuit court domestic/family cases were consistent across the years, however, there continues to be a notable difference when comparing remote to in-person agreement rates. MACRO has started conversations and deeper data analysis to better understand the implications.

Public Experience

The participant responses received in fiscal year 2024 indicate that participants were satisfied with their ADR session, regardless of the case type or the way in which the session was conducted. Remote and in-person participants across case types provided predominantly positive responses and indicated they would be willing to participate in ADR in the future or recommend the process to others.

Impact of Technology

Across courts, technology had no reported negative impact on the ability of remote sessions to occur as scheduled. Additionally, participants overwhelmingly responded that they would participate in a future ADR process in the same manner they had previously participated, regardless of whether that was remote or in person.

For several reasons, some data sets gathered in fiscal year 2023 are small. For those data sets, the comparisons drawn in this report should be viewed as informative rather than conclusive. Additional data gathered in the coming fiscal years should provide a more complete picture of the ADR landscape in the Maryland Judiciary.

Based on three years of data, both remote and in-person ADR processes appear advantageous for participants and the courts, however, further exploration of differences for domestic/family cases is underway to gain better insights.

III. Introduction

Since court ADR program inception, alternative dispute resolution (ADR) processes have been offered and conducted in person. The COVID-19 pandemic prompted courts to introduce and offer remote ADR processes. Today, courts provide ADR processes in both formats and continue to explore other ways to improve the ADR services.

Now in its third annual compilation, this report examines ADR data from fiscal years 2022, 2023, and 2024. While three years of data does not forecast the future, it does offer initial insight into potential trends.

Data Collection Tools

Given the diversity of alternative dispute resolution processes and programs in the Maryland Judiciary, a variety of tools are used to collect data from court programs, ADR practitioners, and participants. The tools mentioned below were used to inform the discussions in this summary.

1. **Online Surveys | circuit courts, District Court, and Appellate Court of Maryland | fiscal year 2022-2024.** To support courts and ADR practitioners that use ADR processes, the Mediation and Conflict Resolution Office (MACRO) maintains an online, user-friendly evaluation tool to assess the effectiveness of and user satisfaction with ADR. As part of the online survey tool roll-out process, MACRO offers courts an onboarding checklist, how-to guides and video tutorials, training and continuing support for court staff, and a presentation for ADR roster members. A SurveyMonkey Enterprise account enables MACRO to directly support the courts' work, and court program managers can use the online survey tool for other court-related work. Where an in-person ADR session is conducted, some courts use the online survey tool by providing a quick response (QR) code to in-person participants. Participants can use their smart device cameras to scan the code and navigate to the online survey. The District Court and 16 circuits have accounts with the online survey. The District Court and 10 circuit courts reported data for FY2024.
2. **Alternative Dispute Resolution Evaluation Support System (ADRESS) | District Court | fiscal years 2011-2024.** ADRESS provided in-depth data collection for in-person ADR processes through scannable surveys connected to case information from Maryland Electronic Courts (MDEC). Data for the District Court dates to 2010, and circuit court data collection began in 2013. Courts have shifted to online surveys for data collection on varying timelines, the District Court utilized the paper surveys for in-person ADR through June 30, 2024.
3. **Juvenile and Family Services (JFS) Surveys | circuit courts | fiscal years 2022-2024.** All circuit court jurisdictional family services grant recipients report aggregate ADR data to JFS each fiscal year. JFS compiles this data and shares it



with MACRO, as well as with Judiciary leadership in its annual family jurisdictional grant reports.

4. **MACRO Grant Data | circuit courts | fiscal year 2022-2024.** In fiscal year 2024, MACRO provided grant funding to nine circuit court civil, non-domestic ADR programs. The grantees reported quarterly ADR data directly to MACRO. While this information can provide longitudinal data for repeat grantees, it only represents 38% of the circuit courts in Maryland. To foster data collection and sharing by the remaining 62% of circuit courts, MACRO developed other tools as discussed in this summary.
5. **Civil Non-Domestic Survey | circuit courts | fiscal year 2023-2024.** MACRO used an online survey to request fiscal year 2024 data from the civil, non-domestic ADR circuit courts. This is an annual MACRO survey. All 24 circuit courts in Maryland offer some form of ADR for domestic/family cases, and 22 reported data indicating they offer ADR in civil, non-domestic cases as well.
6. **MDEC ADR Tab | circuit courts and District Court.** MACRO worked closely with Judicial Information Systems (JIS) and the courts to configure the MDEC tab to track and collect ADR data. If fully utilized by the courts, this tab will support case management efforts and foster efficient and consistent ADR data collection statewide. The tab launched for circuit court use on April 1, 2022, and the District Court ADR Office started using the tab on July 1, 2023. MACRO continues to work with JIS to develop automated reports to streamline data export from the tab.

Data Samples

There is a wide range of data sets from the courts. Some courts have dedicated resources and staff for ADR management and data collection and intentionally foster a culture of quality assurance among their staff and ADR practitioners. Other courts have staff that have responsibilities across many programs and have limited time and support for much beyond minimal attempts at data collection, yet some do an excellent job of data collection. Finally, some civil circuit court programs did not collect any ADR data.

Additionally, the courts and the public are in a time of flux as each grapple with new technology and the courts are working through the balance of in-person and remote services; all having implications for data collection. This data set may be an undercount of the ADR activity provided to the public by the circuit courts.

Annual statewide ADR data collection will help courts routinize their ADR data collection process. The civil non-domestic ADR survey that MACRO deployed has led to multiple meetings with court staff and leadership about ADR data collection. MACRO will continue to provide general data collection support and tools statewide, including online survey software and individualized support for courts to foster, enhance, and optimize ADR data collection and analysis.

All graphs display both percentages and raw count. While the percentages can be useful to facilitate comparisons and track for changes, it is important to note that in some cases the raw count is so small that the data can only provide limited tracking from year to

year. Major policy decisions based on a small sample size are not ideal since the small sample may not be representative of the full program(s).

This report identifies three categories for people who participate in ADR: participants, attorneys, and ADR practitioners. Each has a different role and potentially a different perspective on the ADR process.

IV. Alternative Dispute Resolution Outcomes

Alternative dispute resolution processes provide parties with the opportunity to settle their disputes in a timely, cost-effective manner. While settlement rates are not necessarily indicative of the quality of the ADR process or participant satisfaction, they do provide information about the impact of ADR on court dockets. This report examines settlement data by case type (domestic/family or civil, non-domestic) and the way in which the ADR session was conducted (remote or in person). Settlement data from previous fiscal years will also be reviewed to analyze the similarities and differences between past and the remote and in-person outcomes reported in fiscal year 2024.

District Court

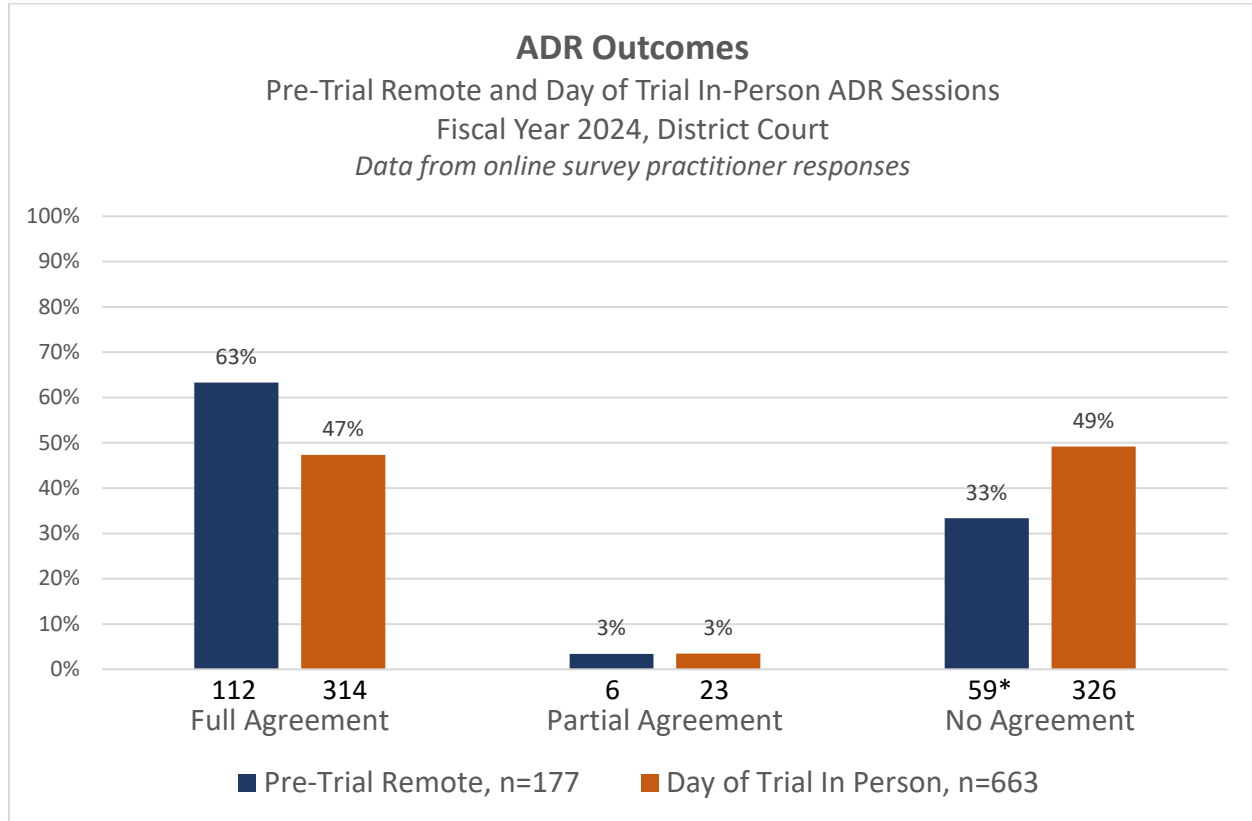
The District Court of Maryland ADR Office provides mediation and settlement conferences for civil cases in the District Court, and are offered at no charge, either on the day of trial or before the trial date. Historically, most ADR sessions occur on the day of trial, with participants returning to the courtroom from the ADR session either having reached an agreement to conclude their case or, without an agreement, proceeding with trial.

When reviewing the remote and in-person data, it should be noted that the format is not the only difference. Cases participating in pre-trial ADR are subject to an intake conversation between each participant and ADR Office staff to prepare for the ADR session and help to determine the desired and appropriate ADR process (mediation or settlement conference) for the case. The ADR session is scheduled prior to the trial date and on a date and time mutually agreed upon by the parties. Cases may participate in multiple ADR sessions prior to the trial date to extend the conversation as needed.

Day of Trial ADR sessions are conducted in person and occurs when the case is referred (either by the judge or party self-referral) from the courtroom to the scheduled ADR practitioner for the particular docket. ADR Office staff or the judge may review case files before the docket, but individual intake conversations are not conducted. In Day of Trial ADR, the type of ADR process available and provided, settlement conference or mediation, is determined by the qualifications and ADR designation of the scheduled ADR practitioner and does not include advance consultation with the parties.

Settlement Data

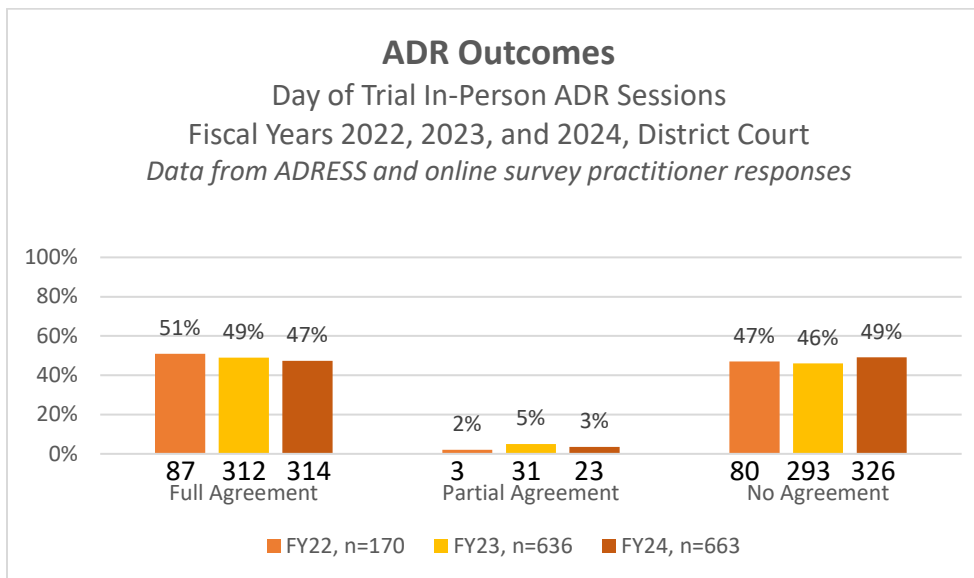
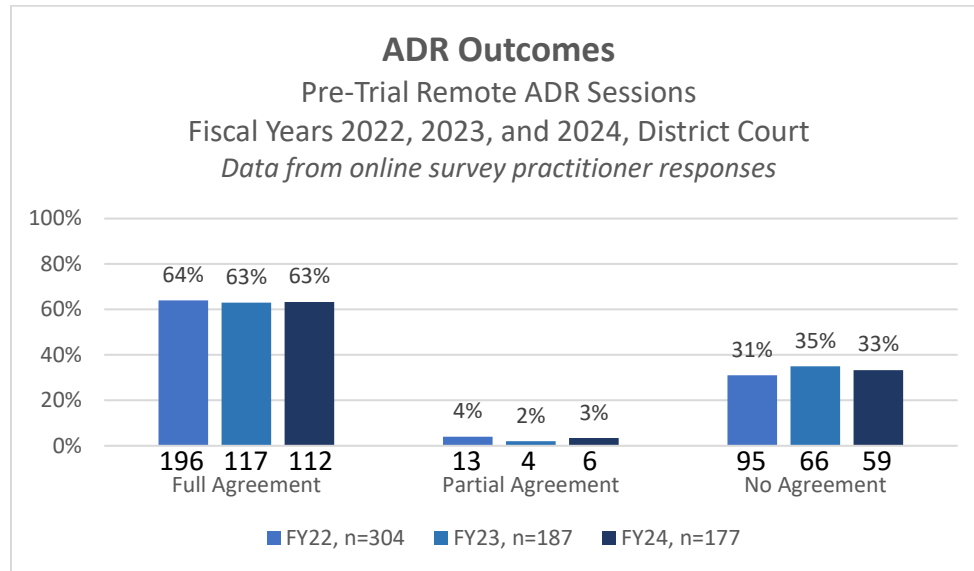
In fiscal year 2024, the District Court ADR Office conducted ADR sessions both remotely and in person. Most sessions were held in person 663 (79%) while remote ADR accounted for 177 (21%) sessions.



*Two cases that are categorized as no agreement in Pre-Trial Remote, notified the District Court ADR Office that they reached an agreement after the ADR session, but prior to the trial date.

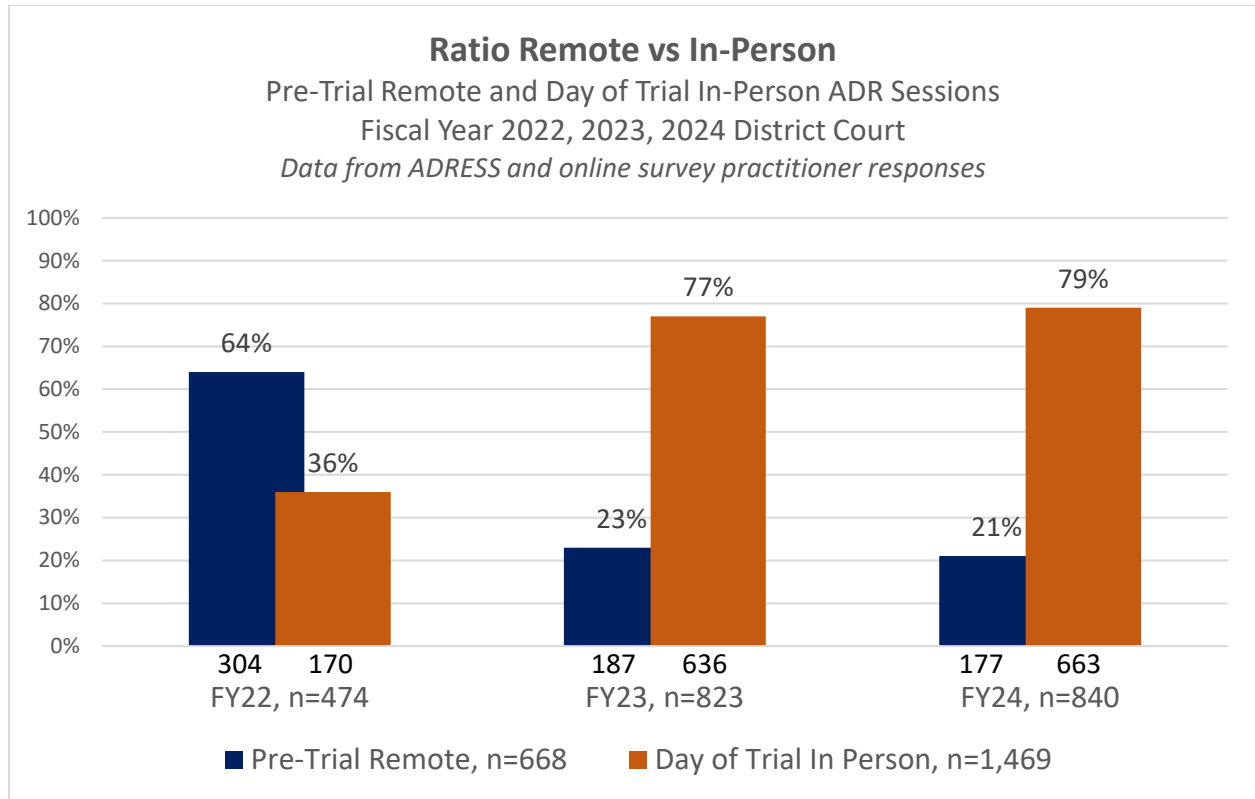
In both Pre-Trial and Day of Trial ADR sessions in the District Court, agreement information (full, partial, no) is provided by the ADR practitioners at the end of each session. Practitioners reported that 112 (63%) Pre-Trial remote ADR sessions resulted in a full agreement and partial agreements were reported in six (3%) cases. Day of Trial in-person ADR sessions resulted in 314 (47%) full agreements and 23 (3%) partial agreements. These settlement rates are nearly identical to fiscal years 2022 and 2023 for both Pre-Trial remote and Day of Trial in-person sessions, as shown in the graphs below.

Pre-Trial remote ADR full agreement rates are 64% (FY22), 63% (FY23), and 63% (FY24).



Day of Trial in-person ADR full agreement rates have remained consistent with 51% in FY22, 49% in FY23, and 47% in FY24. The District Court ADR Office has provided remarkably consistent ADR services over the last three years based on outcomes.

The data set does highlight a change when comparing the fiscal years. The District Court resumed the in-person Day of Trial ADR program post-pandemic. In FY22, 36% of the 474 cases were held in person and in FY24, 79% of the 840 ADR sessions were in person.



Circuit Courts

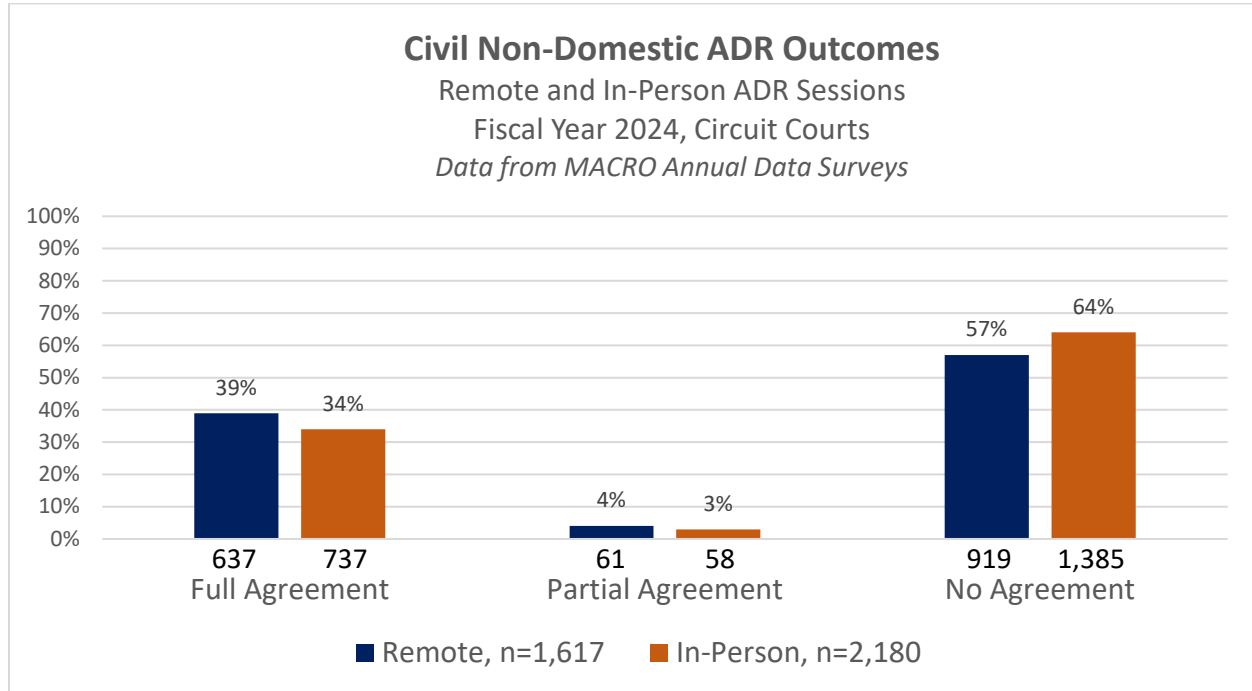
Circuit courts in Maryland refer cases to several types of ADR, including mediation, settlement conferences, and facilitation. All 24 circuit courts in Maryland offer some form of ADR for domestic/family cases, and 22 reported data indicating they offer ADR in civil, non-domestic cases as well. MACRO is actively working to increase civil, non-domestic ADR across the state and provided grant funding to nine circuit courts offering civil, non-domestic ADR services in fiscal year 2024.

Civil, Non-Domestic Cases

A variety of civil, non-domestic case types are referred to ADR (mediation and settlement conference) including torts, contracts, worker's compensation, administrative agency appeals, declaratory judgments, real property cases, and employment cases. To increase the data reporting from the courts, MACRO now conducts an annual ADR survey of every court. While it will take several years for courts to become accustomed to ADR data collection, the benefit is already clear. Three years of data now provide insight into the consistency and dynamic nature of court ADR work. Three years hints at possible trends; as more annual data is collected, themes will emerge.

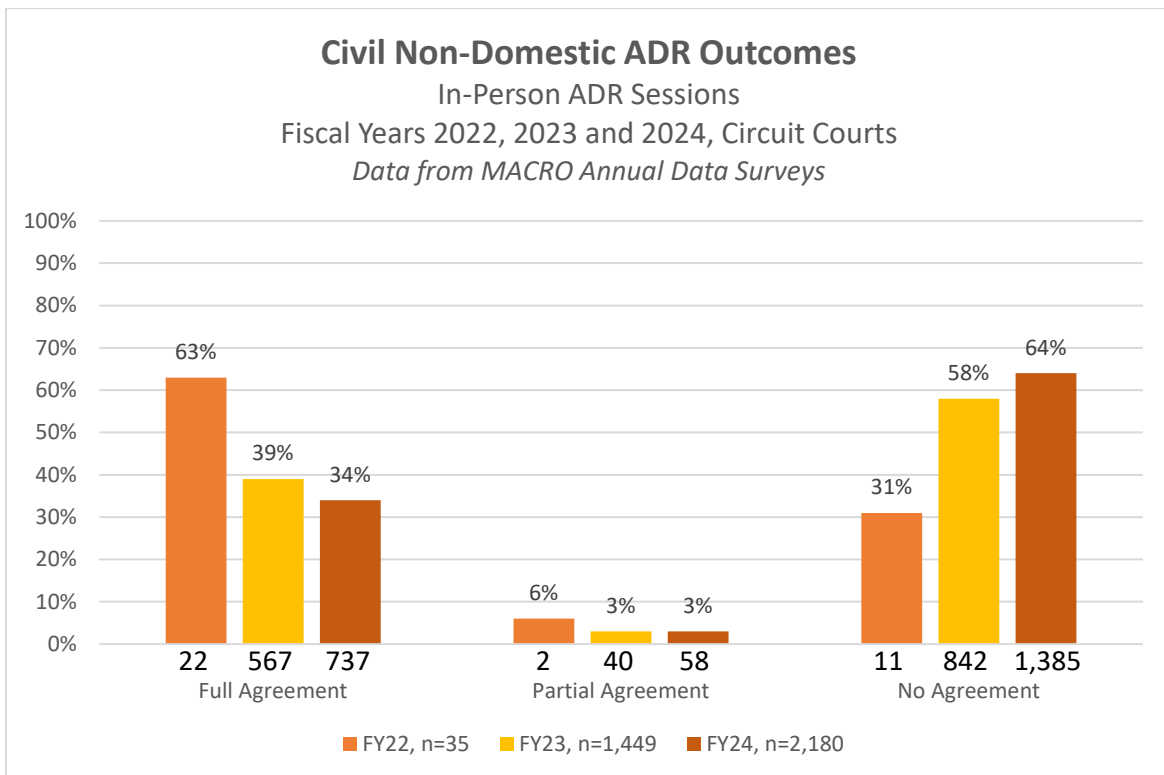
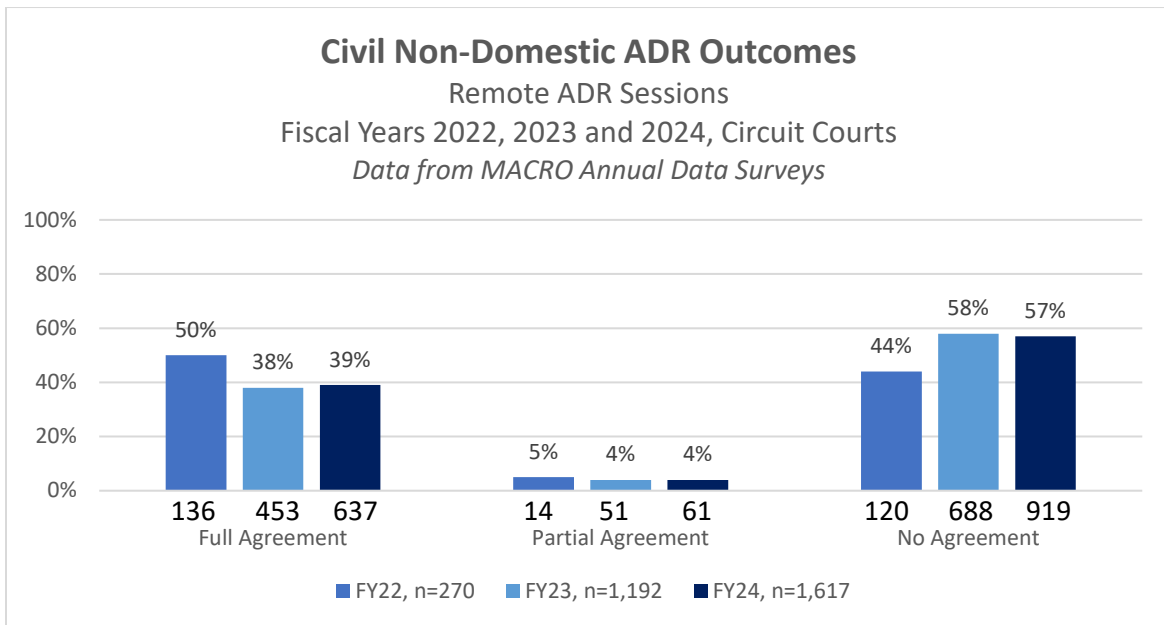
Settlement Data

In fiscal year 2024, remote sessions had 637 (39%) full agreements. In-person ADR sessions resulted in 737 (34%) full agreements. This year, 22 circuit courts reported either mediation, settlement conferences, or both.

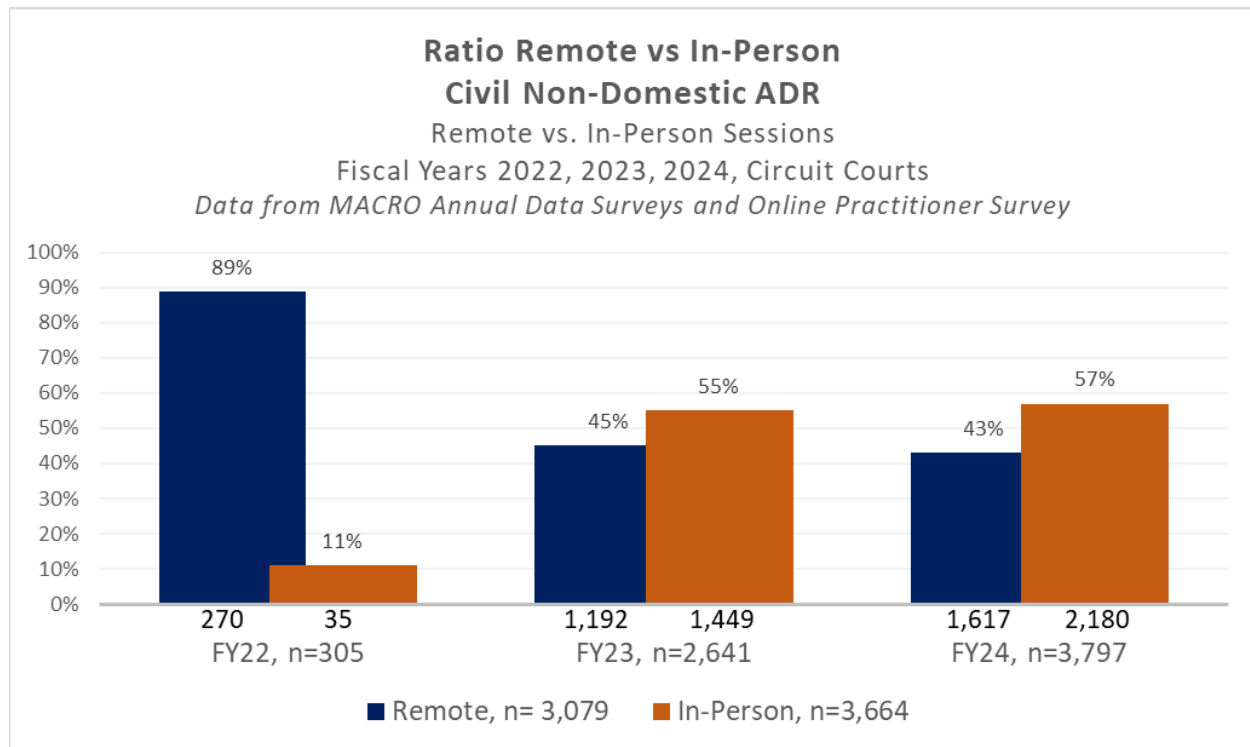


While the outcome rate is a single measurement of complex processes, 43% of remote cases had a full or partial settlement when ADR was utilized. For in-person ADR, 37% of cases had a full or partial settlement. These outcomes indicate that both formats have value for the courts and the public.

The two graphs below provide a comparison of remote and in-person ADR across fiscal years 2022, 2023, and 2024. During fiscal year 2022, many courts were transitioning from entirely remote to a hybrid of both remote and in-person as the country emerged from the COVID pandemic. The data sets for both formats are much smaller in fiscal year 2022. Particularly for in-person, with fiscal year 2022 having 22 cases with full agreements while 2023 had 567, and 2024 had 737. Given the small data set, the dramatic difference of 63% for full agreements in 2022 should not carry too much emphasis.



Similar to the District Court, a shift towards more in-person ADR has occurred when comparing fiscal years 2022 and 2023. While both the District Court and circuit courts shifted from predominantly remote to predominantly in-person ADR, the extent of the shift is different for the two court systems. For the fiscal year 2024, the District Court ratio for Day of Trial in person is 79% while Pre-Trial remote is 21%; page 9. As shown below, the circuit court ratio is 57% in person and 43% remote.

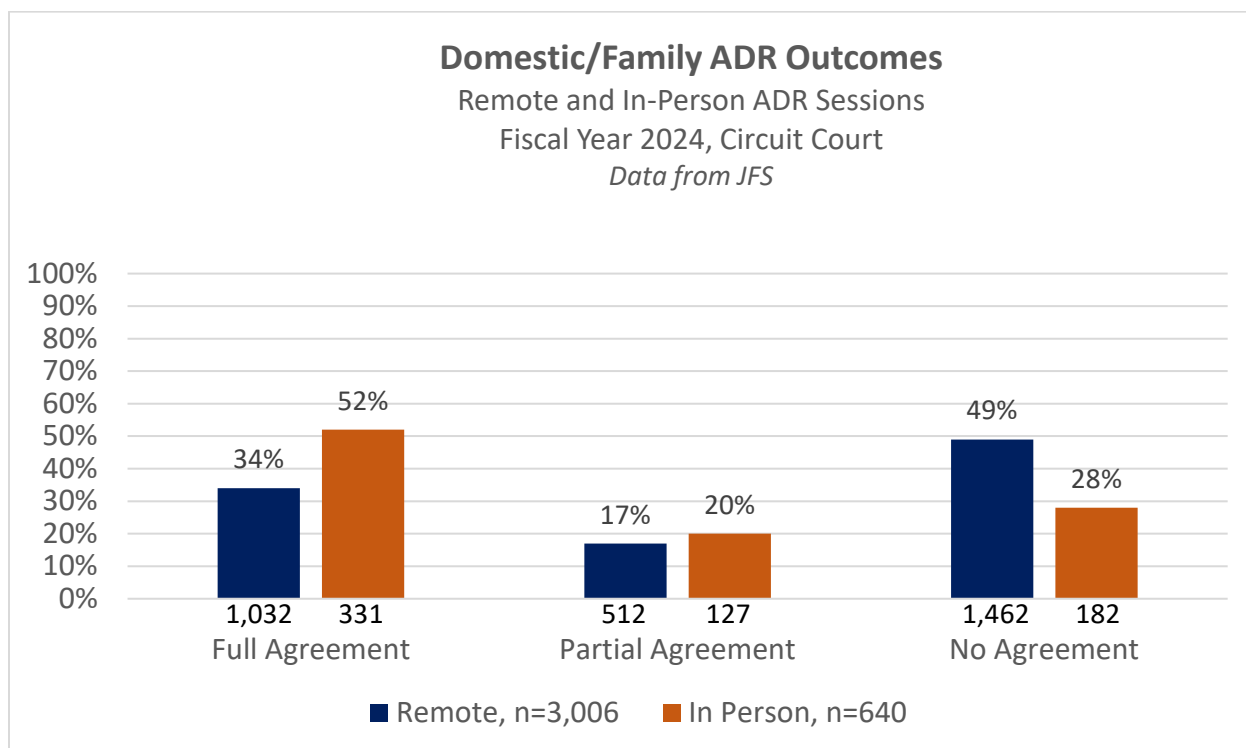


Domestic/Family Cases

Issues referred to domestic/family ADR (mediation) include child access and parenting time, marital property and finances, complete domestic mediation, child in need of assistance, termination of parental rights, and guardianship. The Administrative Office of the Courts provided domestic/family ADR grant funding to all 24 circuit courts in fiscal year 2024. Juvenile and Family Services (JFS) collected outcome data through the jurisdictional grant partnerships to provide a snapshot of domestic/family ADR statewide.

Settlement Data

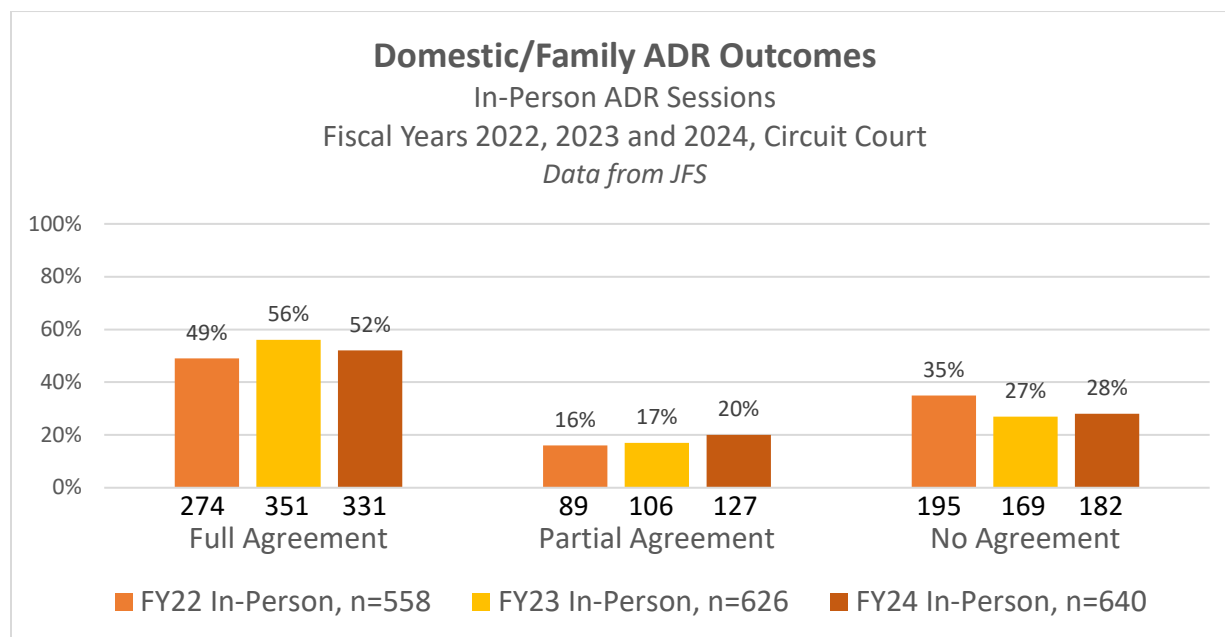
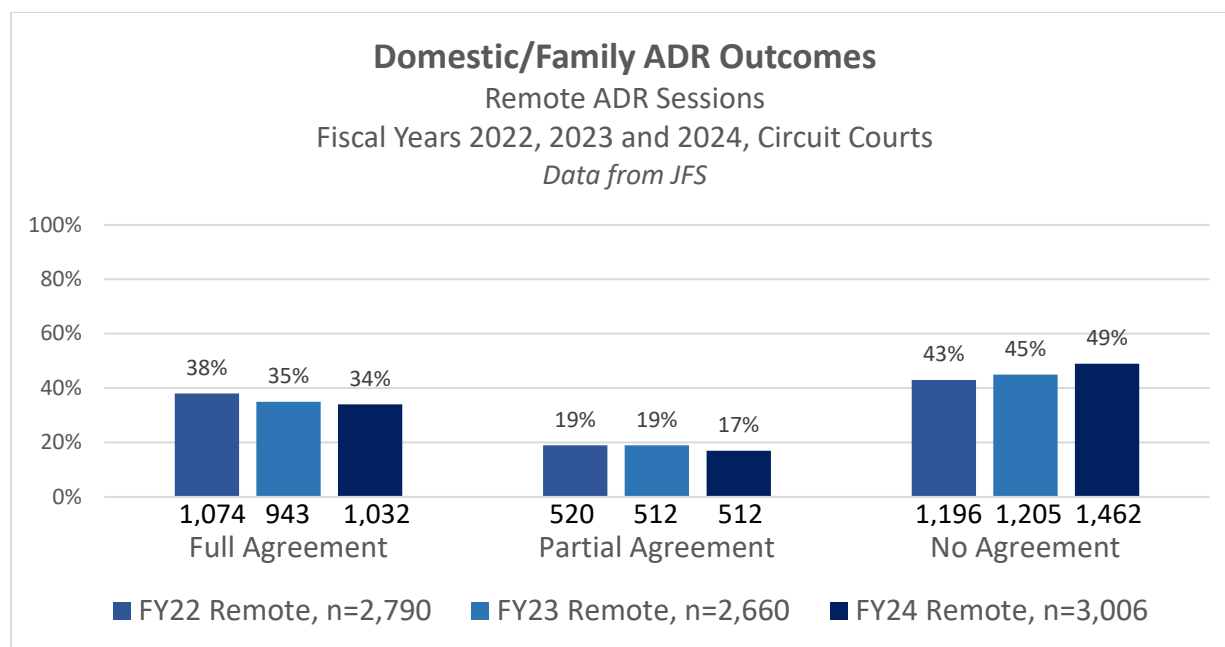
In fiscal year 2024, circuit court ADR practitioners conducted 3,006 domestic/family sessions remotely and 640 sessions in person.



The agreement rates in the graph above show a difference between remote and in-person full agreement rates. The following two graphs compare fiscal year data for 2022, 2023, and 2024, showing a similar trend of a difference in outcome by format. Given this trend, MACRO met with JFS staff. MACRO attended a quarterly Family Support Services Coordinators' meeting hosted by JFS, where MACRO staff presented some preliminary mediation data and fostered a discussion about possible reasons for the differences in outcomes and the large number of cases using remote. Not surprisingly, with 24 jurisdictions, there were different experiences. One jurisdiction shared that for them, the attendance rate was better with remote mediation. Another shared, remote mediation allows for flexibility for the parties. A new screening has helped an additional jurisdiction find cases that are willing to mediate remotely that earlier had refused to mediate at all. Similarly, one shared experience of being able to get more parties to remote mediation,

even after they said no to in person. A contrasting experience was also shared, that parties were not taking the mediation sessions seriously when they were remote.

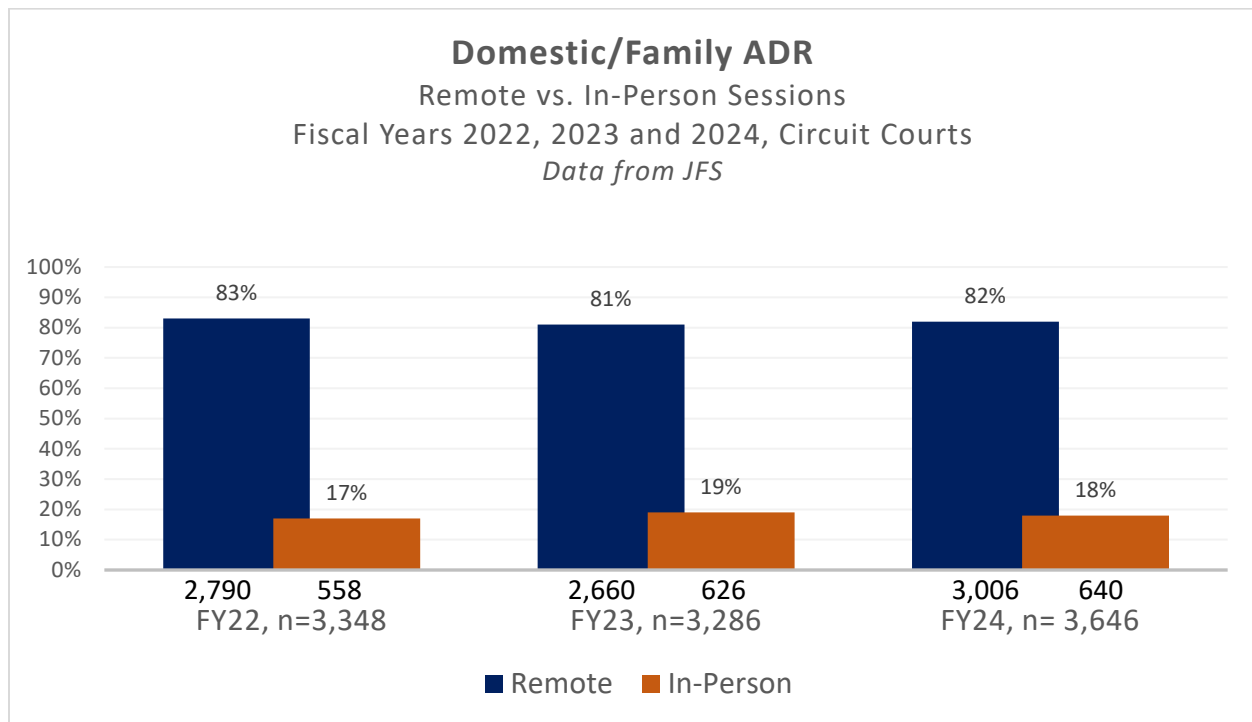
Regarding more cases using remote, one large jurisdiction indicated their court has been encouraging mediation. Remote is much easier to manage, and they could not maintain their current caseload if they didn't have a remote option for parties. Finally, a court indicated that it would see value in MACRO offering a refresher training for their remote mediators.



In fiscal year 2024, an interesting trend appeared between large and small jurisdictions in terms of mediation formats. The five largest mediating jurisdictions

account for 2,316 (65%) of the cases that went to mediation across the state. In those five jurisdictions, 2,254 or 97% of those cases were mediated remotely. However, the other nineteen jurisdictions saw a more even split in platform usage, with 699 (55%) cases remote and 578 (45%) cases in-person ADR.

As seen in the graph below, fiscal year 2024 is the third year in a row that family mediation cases have favored a remote platform. MACRO is currently working with a jurisdiction to take a deeper look as their mediation programs shifted from in person to more remote sessions and see if that can provide insights on how to support mediation across the state.



Appellate Court of Maryland (ACM)

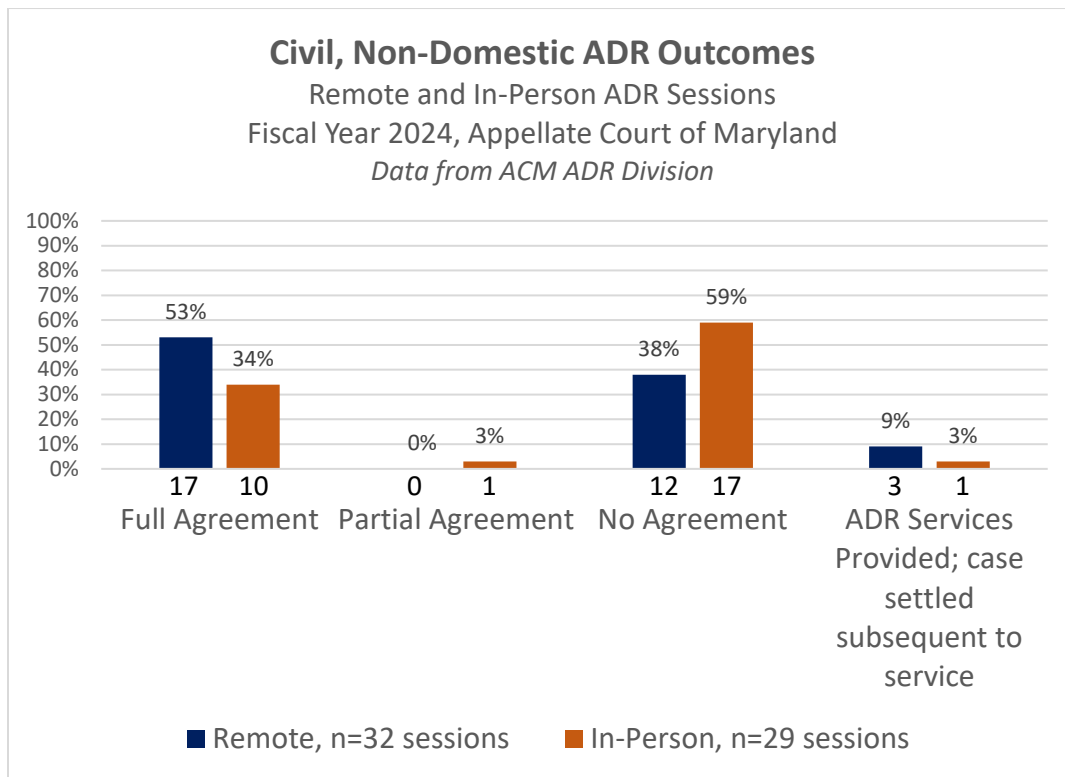
The Appellate Court of Maryland (ACM) ADR Division screens most civil appeals for alternative dispute resolution. Mediation is the most commonly ordered method of ADR; however, settlement conferences may also be ordered. ACM uses a co-mediation model that includes one senior judge mediator and one staff attorney mediator from ACM's ADR Division working together on each case. In addition, if the parties have attorneys, the attorneys are required to be present during the session.

The ACM refers domestic/family and civil, non-domestic case types to ADR. ACM tracks its ADR data somewhat differently from the other courts. For clarity, below is a list of definitions for their processes, outcomes, and data collection categories:

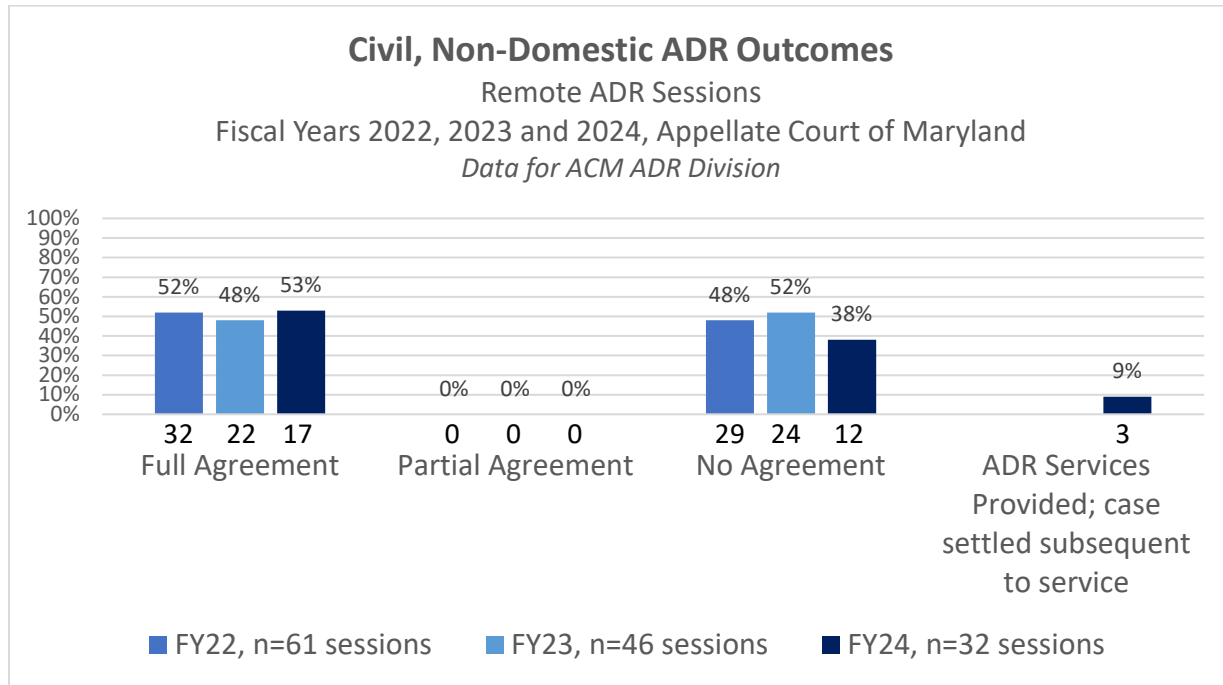
1. Referral: Case ordered to a formal ADR process (mediation or pre-hearing conference).
2. Pre-Mediation Facilitation (PMF): Informal settlement discussions between counsel, facilitated by a staff attorney-mediator, that result in an agreement or otherwise dispose of the appeal.
3. Full Agreement: An effectuated agreement that results in a remand to the circuit court for entry of a consent order or a voluntary dismissal of the appeal.
4. Partial Agreement: Refers to situations in which the ADR process reduces the number of appellate issues or streamlines the appellate procedure, but does not dispose of the appeal.
5. No Agreement: No agreement is reached in a formal ADR process and the appeal moves forward.
6. ADR service provided; case settled subsequent to service: Case settles and the appeal is voluntarily dismissed at some point subsequent to completion of formal ADR process that did not result in agreement at the time of ADR.
7. Mediation: As described in Maryland Rule 17-404.
8. Pre-Hearing Conference (PHC): As described in Maryland Rule 17-403.

Settlement Data

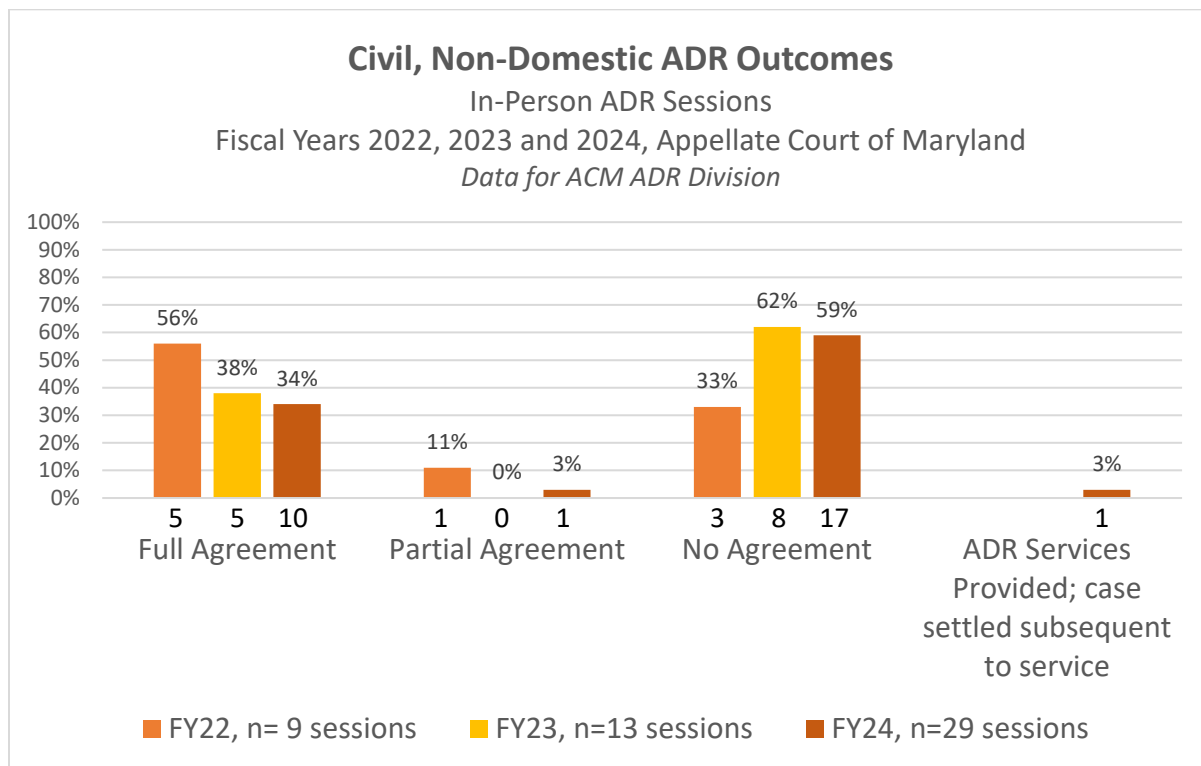
For fiscal year 2024, 32 (52%) of the civil, non-domestic ADR sessions were remote, with a full agreement rate of 17 (53%). In-person ADR represented 29 (48%) of the ADR sessions, resulting in 10 (34%) full agreements. While an agreement rate of 53% vs 34% appears noteworthy, the data sets are so small that caution should be used in drawing conclusions.



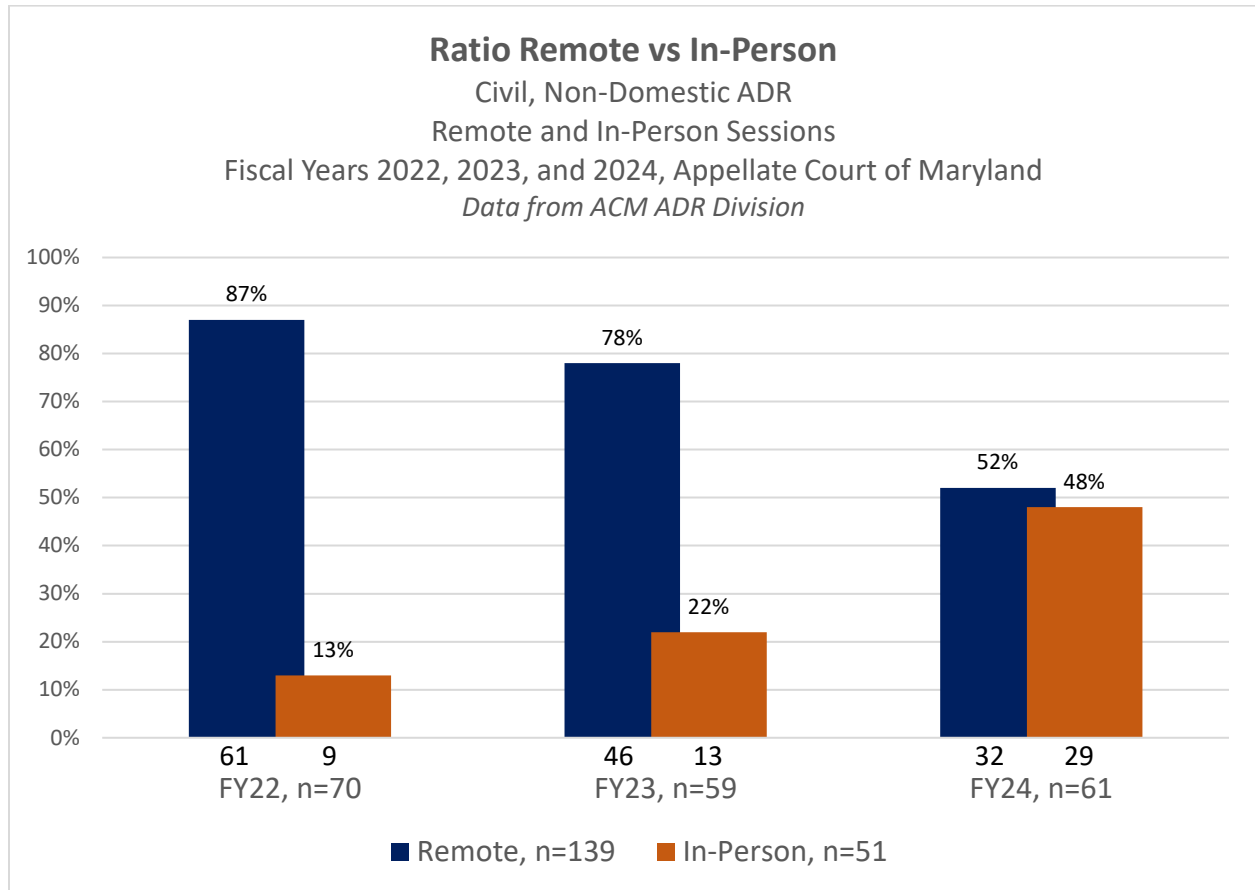
The graph below shows fiscal years 2022, 2023, and 2024 for remote civil, non-domestic outcomes. With three years of data and a small data set, the agreement rates have thus far been consistent.



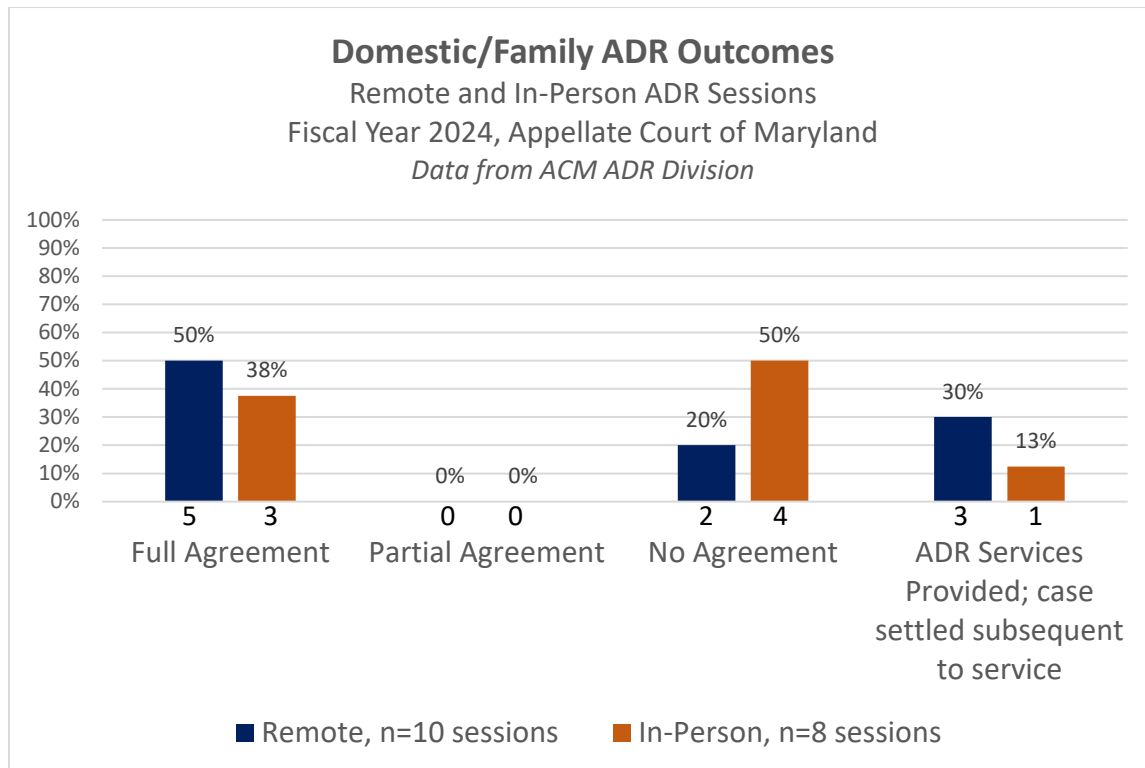
As noted earlier, the data sets in the graph below are so small that it is not advisable to read too much into the agreement rates or the changes.



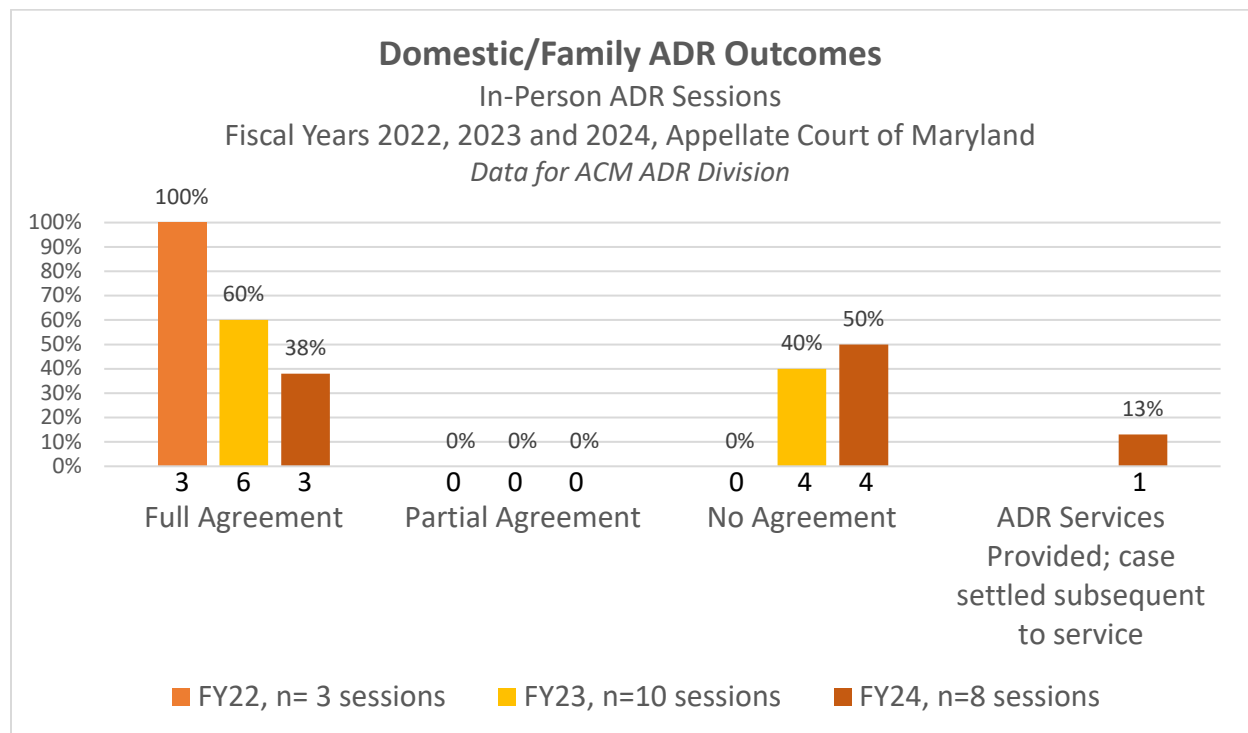
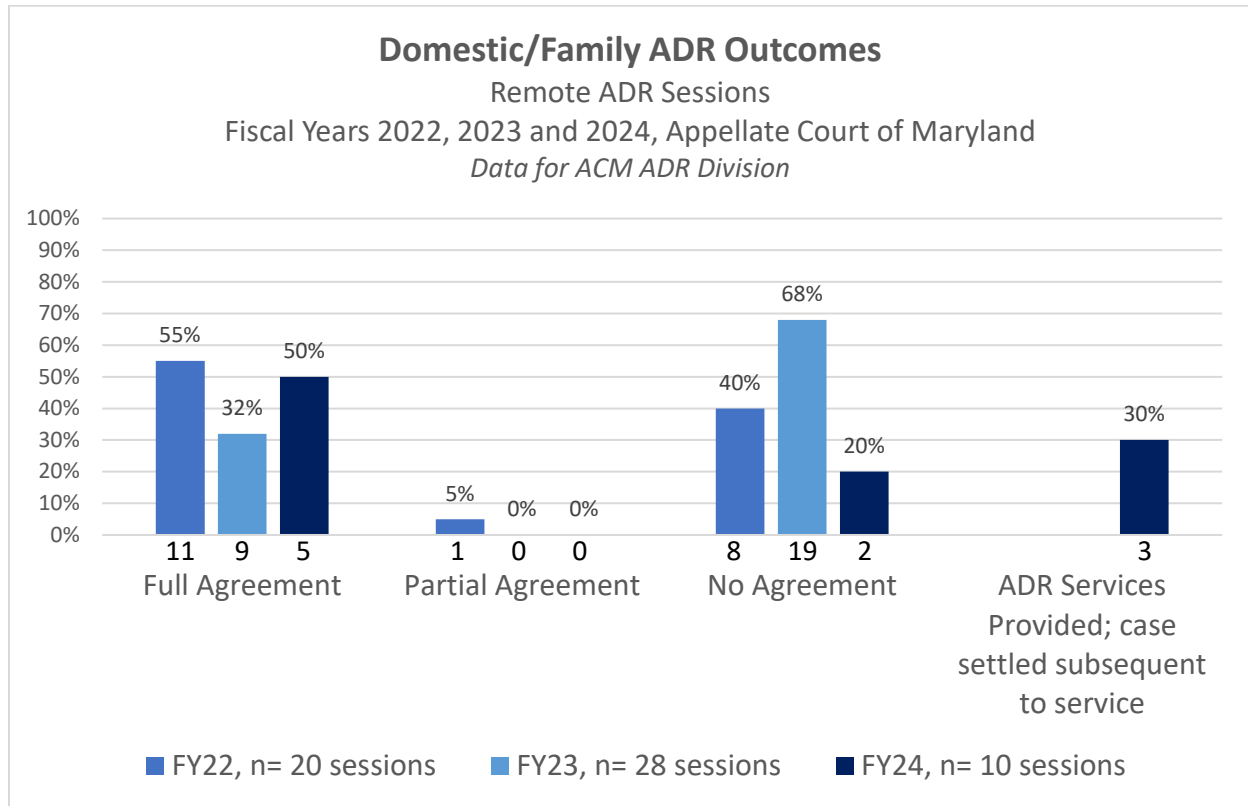
While ACM has maintained a similar caseload (70, 59, 61) across the three fiscal years, the data shows a shift from heavily remote to near equal split with remote (52%) and in person (48%) for the fiscal year 2024.



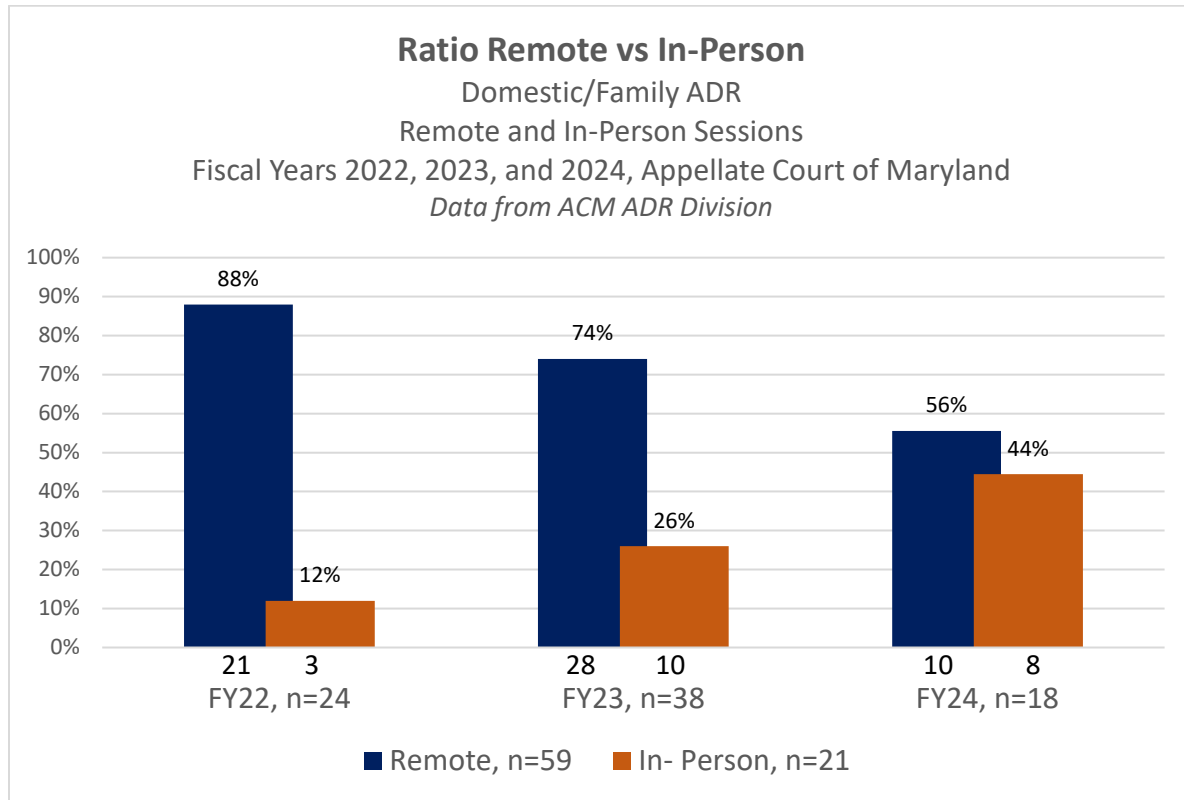
As with the civil, non-domestic cases in the ACM program, the majority of domestic/family cases in the ACM program occurred remotely. Remote sessions were held in 10 (67%) of the 15 instances, with the remaining five (33%) occurring in person. A full agreement was reached in five (50%) remote sessions and three (60%) in-person sessions. As discussed earlier, the sample size is small, so extrapolation of the data is not appropriate.



The graph below shows fiscal years 2022, 2023, and 2024 for remote domestic/family outcomes.



In contrast to the civil/non-domestic ratio on page 20, the domestic/family ratio is not a near equal split in 2024.



Alternative Dispute Resolution Outcomes – Summary

For the most part, outcomes appear consistent across the years. As the courts settle into a new era of remote and in-person ADR formats, additional data will provide insights into the stability or dynamic nature of outcomes. MACRO has been working to better understand the differences in outcomes between remote and in person.

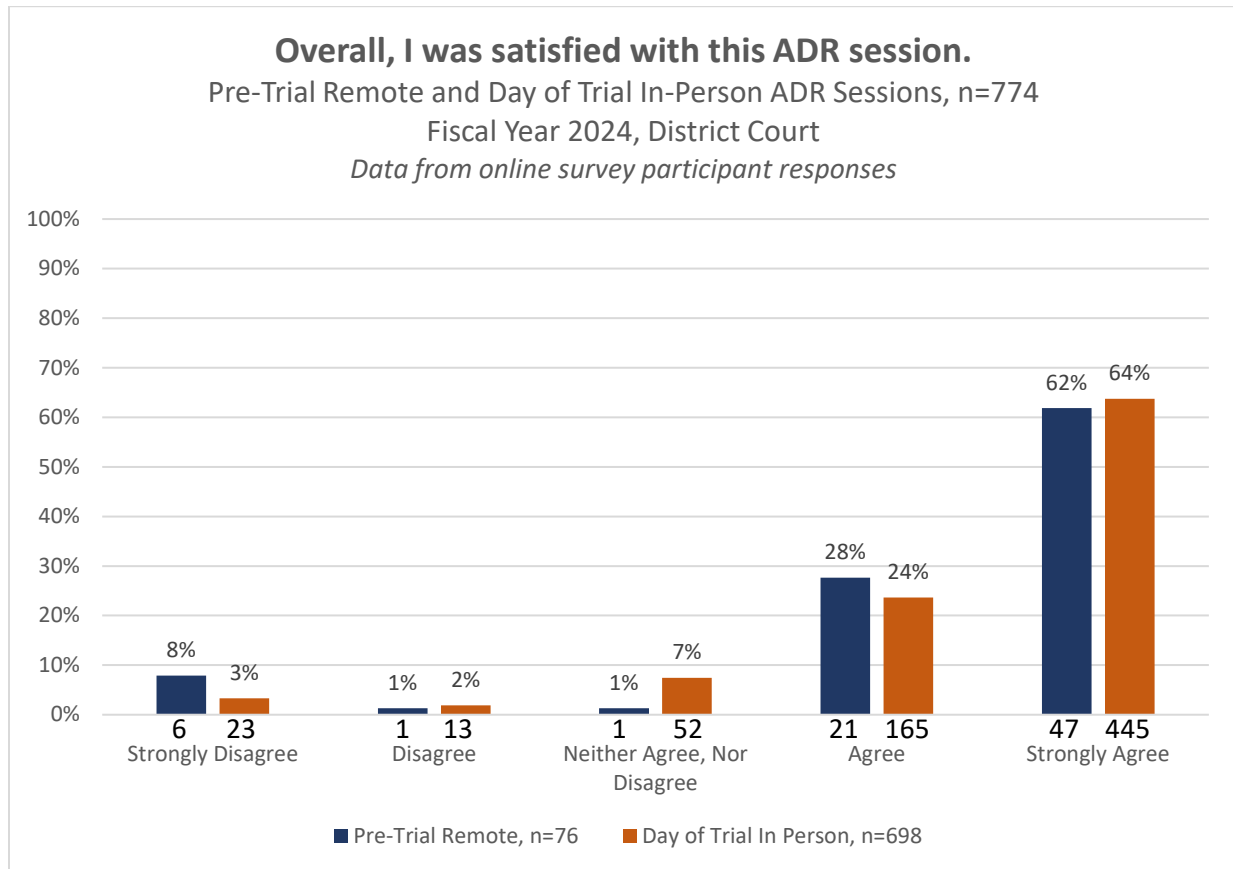
V. Public Experience

While case settlement outcomes are a measure of the effectiveness of an ADR program in removing cases from a court docket, other factors provide important insight. Are parties satisfied with the court-ordered ADR process? Would they recommend ADR to a friend or colleague? The participant satisfaction questions in the survey help us understand the public's perceptions of the processes and their experiences. This dimension of ADR impact is even more relevant today as the public has a shifting view of judiciaries and justice.

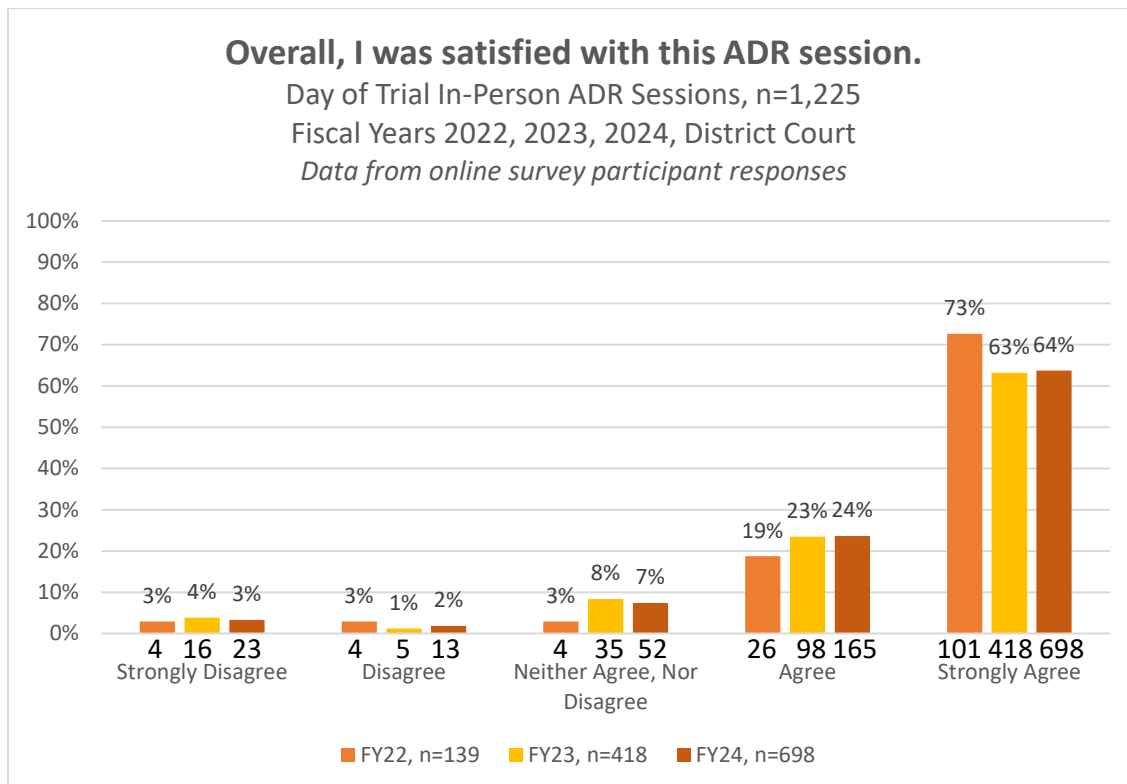
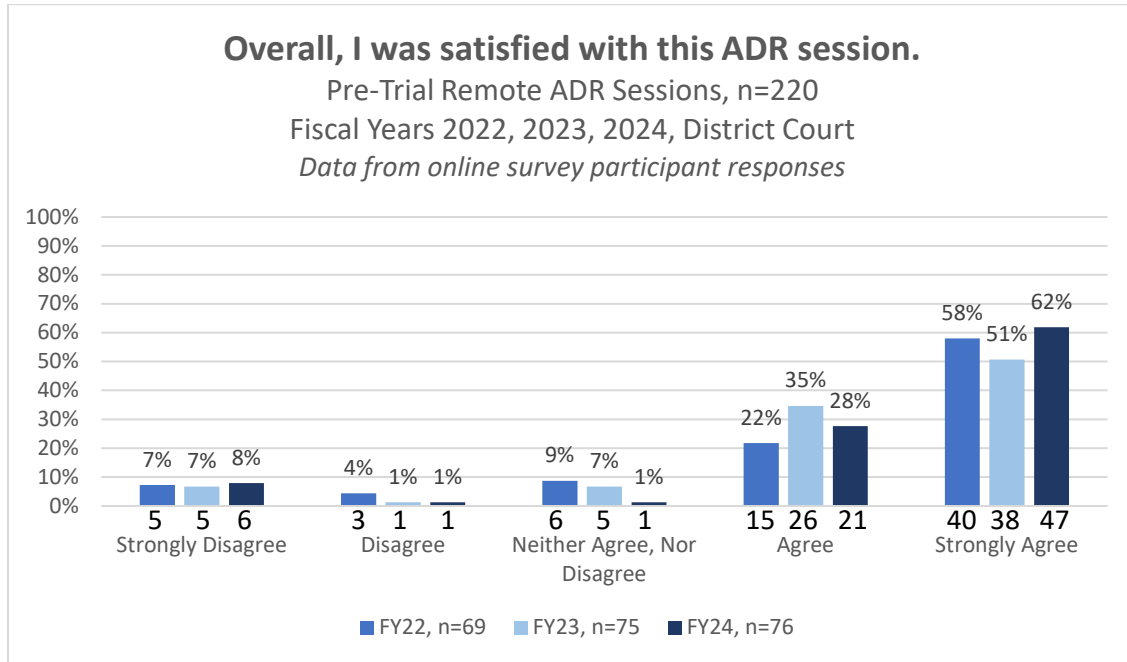
District Court

Participant (Party) and Attorney Satisfaction

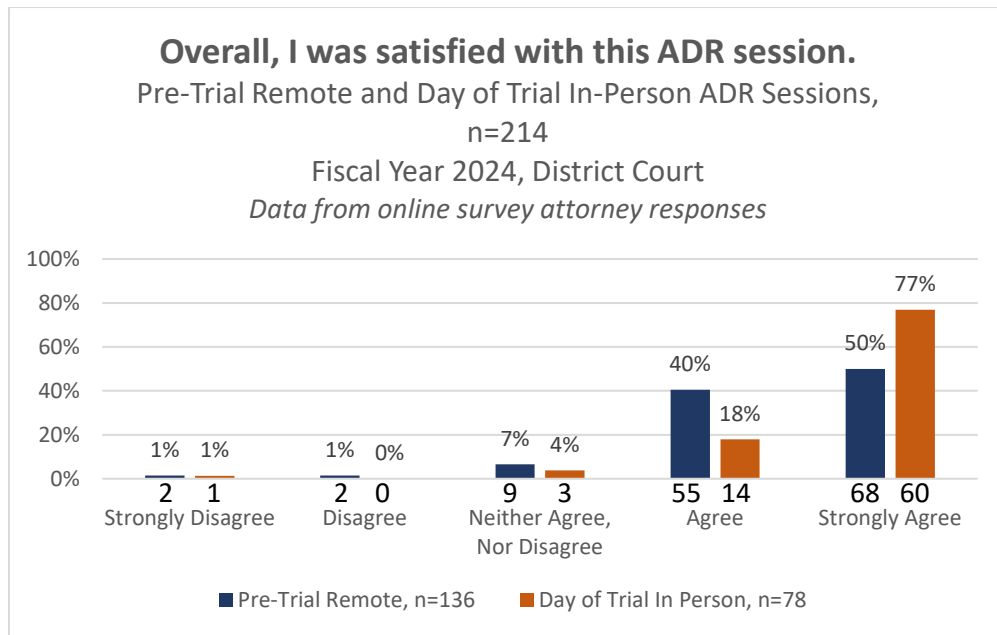
In fiscal year 2024, the District Court ADR Office received 774 participant (party) responses to the statement, "Overall, I was satisfied with this ADR session." This is a 57% increase in response rate over the fiscal year 2023 participant response total of 493. Of the fiscal year 2024 participants, 76 (10%) participated in their ADR session remotely, and 698 (90%) participated in person. Most participants had a positive response to the statement, with 68 (89%) remote participants selecting that they agreed or strongly agreed and 610 (87%) in-person participants stating the same.



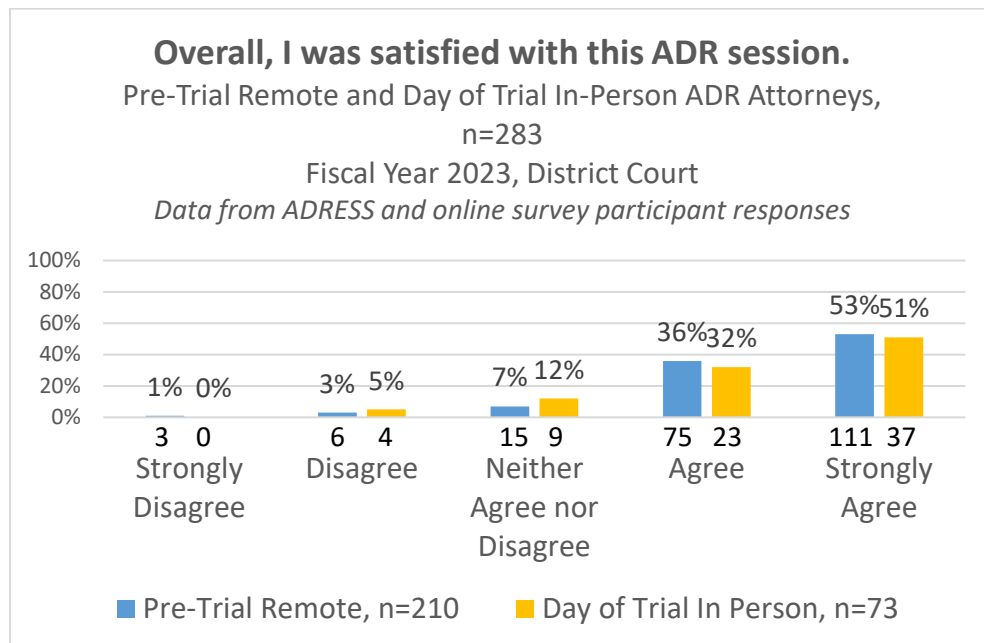
The graphs below represent three years of data for Pre-Trial Remote and Day of Trial In-Person, fiscal years 2022, 2023, and 2024. Both graphs consistently show high levels of positive feedback. When combining "agree" and "strongly agree" responses, the Pre-Trial Remote graph shows an upward trend in positive feedback: 80% in 2022, 86% in 2023, and 90% in 2024. Positive feedback for Day of Trial In-Person experiences were also high: 92% in 2022, 86% in 2023, and 88% in 2024.



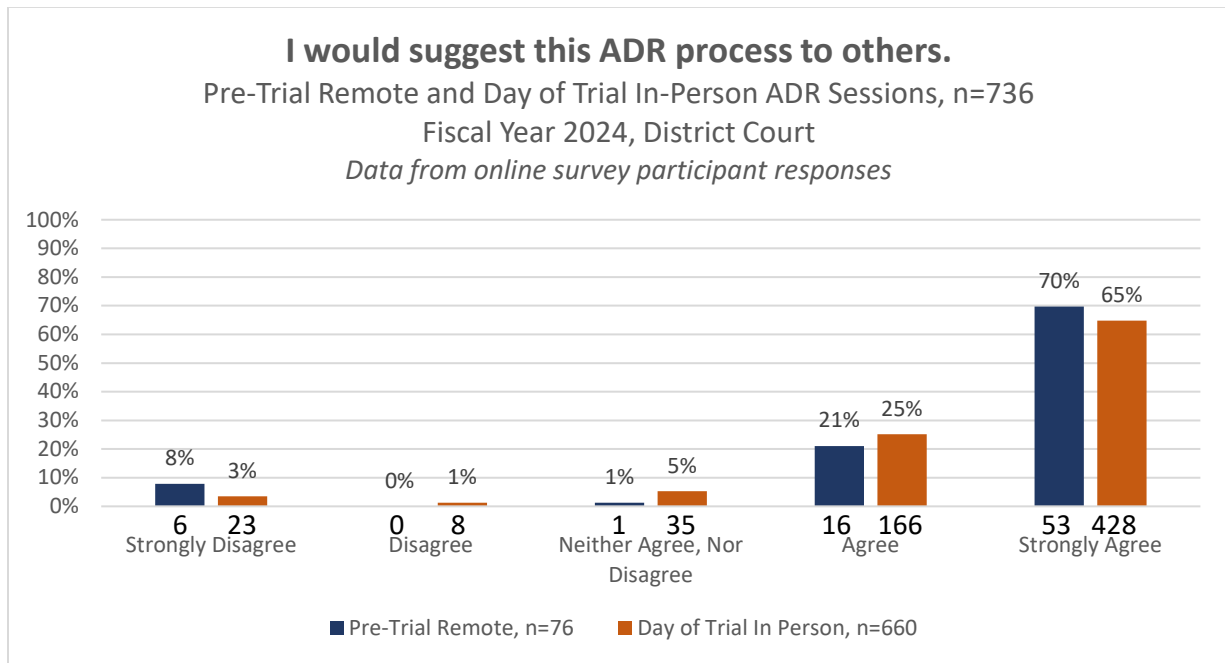
Feedback surveys are also collected from attorneys participating in ADR sessions. Attorney feedback mirrors that of participants, showing overwhelmingly positive sentiment. The graph below shows that attorneys who participated remotely in Pre-Trial Remote ADR agreed or strongly agreed 90% of the time with the statement, “Overall, I was satisfied with this ADR session.” For Day of Trial In-Person ADR, the combined response was 95%. This is closely aligned with the respective 89% and 87% response rates by participants.



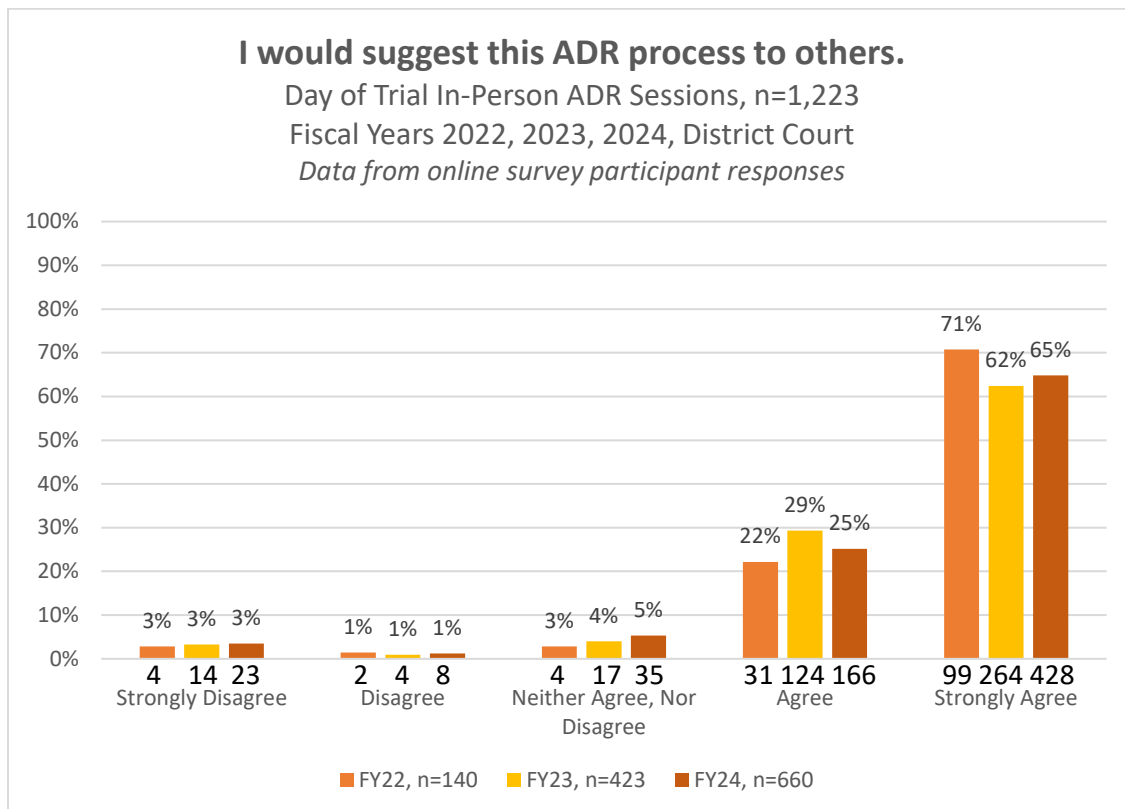
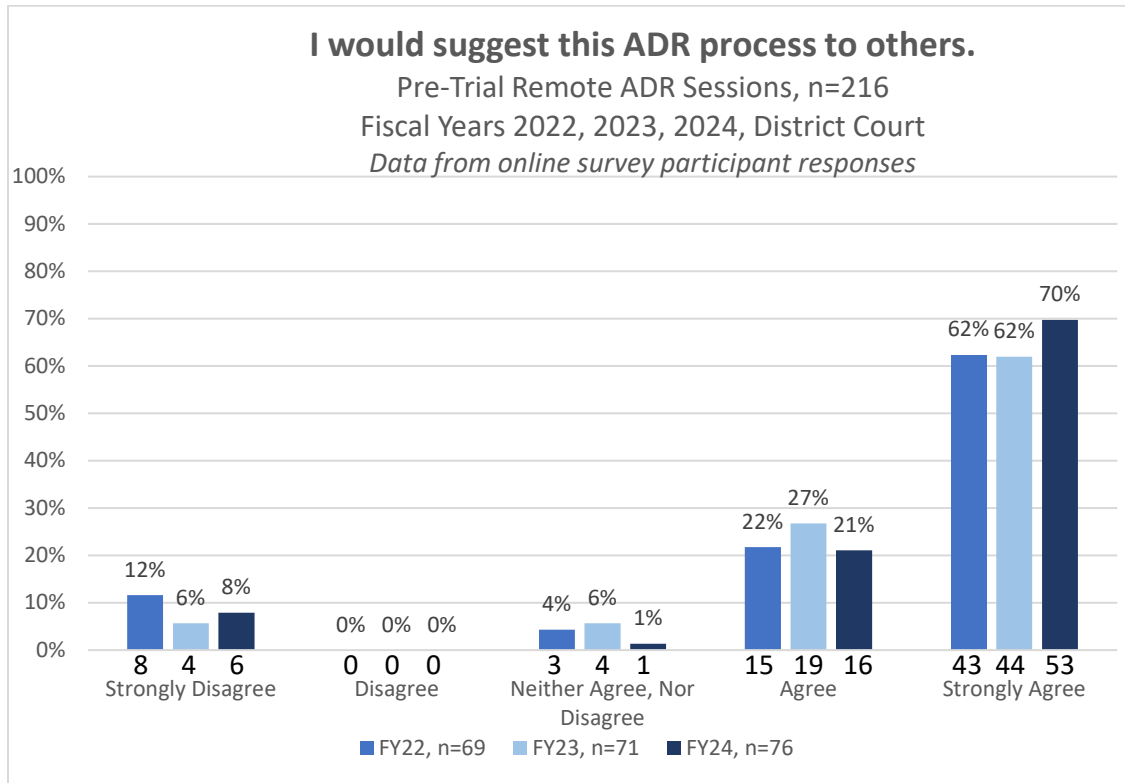
Comparing fiscal year 2024 to 2023 shows similar results. Agree and strongly agree were selected 186 (89%) times for Pre-Trial Remote and 60 (82%) times for the Day of Trial In Person.



As shown in the graphs below, participant satisfaction is also measured by whether participants would recommend the ADR process to others. In fiscal year 2024, District Court ADR participants provided 736 responses to the prompt, “I would suggest this ADR process to others,” a 49% increase in response rate over fiscal year 2023. Participants in both processes were similarly positive for in-person and remote formats. Focusing on fiscal year 2024, remote participants agreed or strongly agreed, in 69 (91%) instances, and 594 (90%) in-person participants agreed or strongly agreed, that they would recommend the ADR process to others.



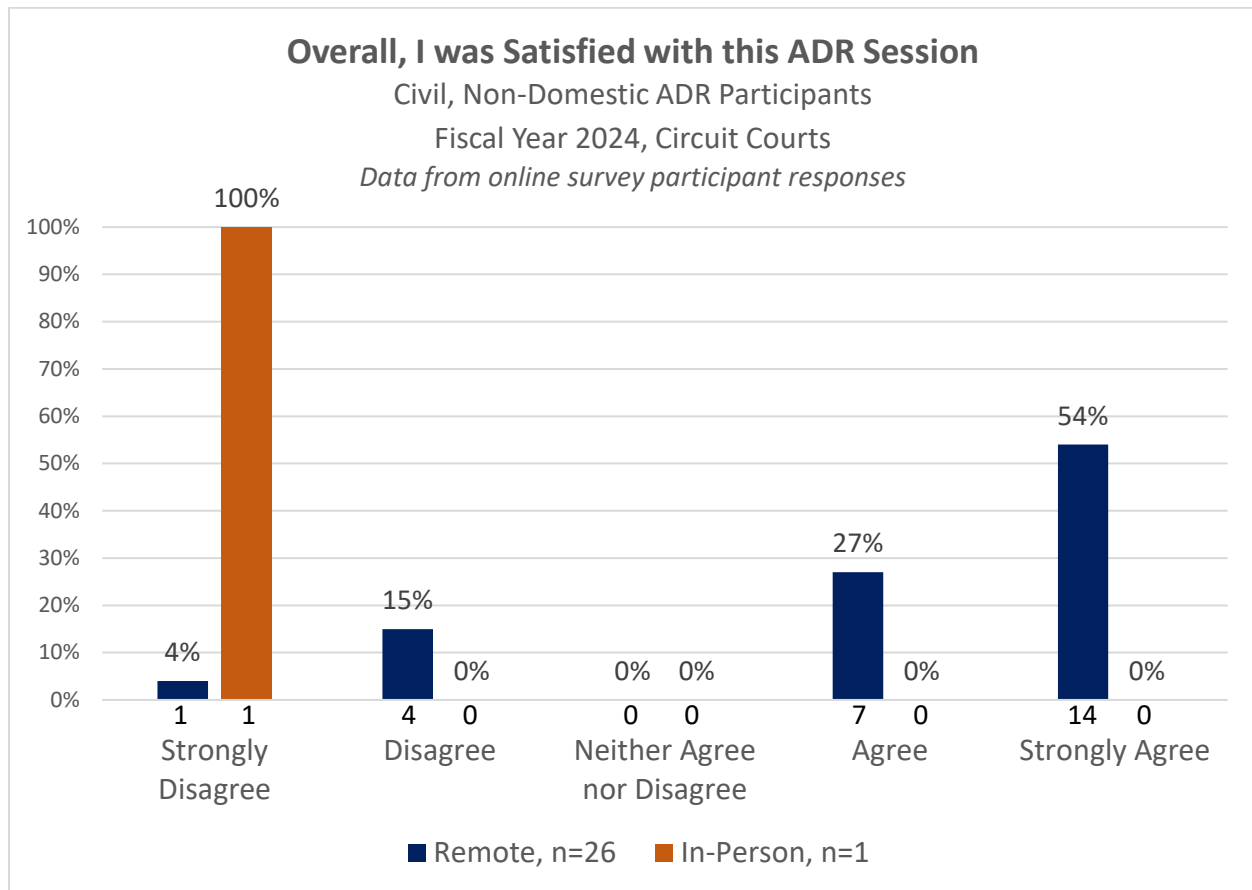
Fiscal years 2022 and 2023 had similar results as 2024. With participants selecting agree or strongly agree 58 (84%) times in 2022 and 63 (89%) times in 2023.



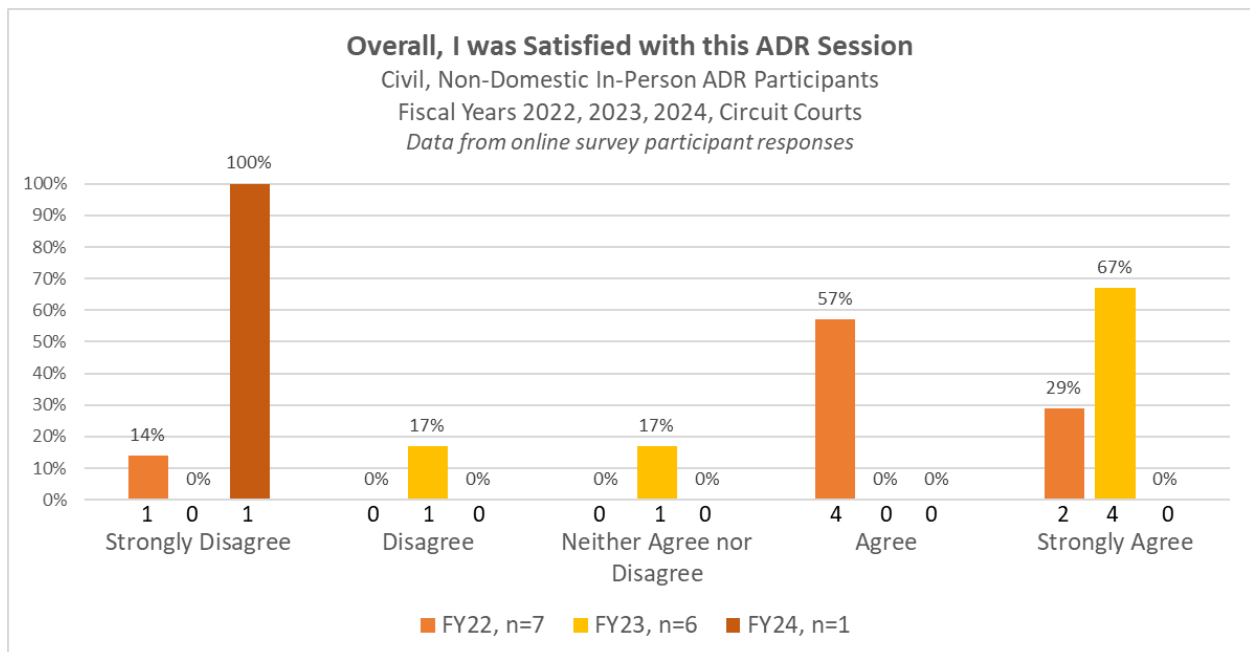
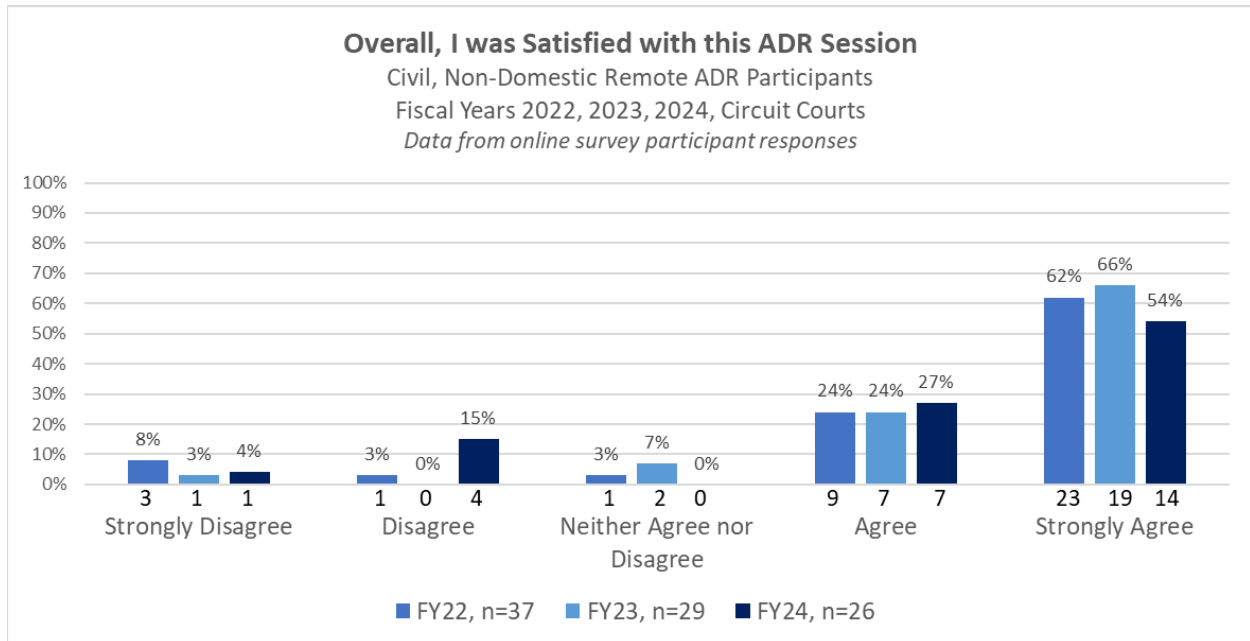
Circuit Courts

Civil, Non-Domestic Participant Satisfaction

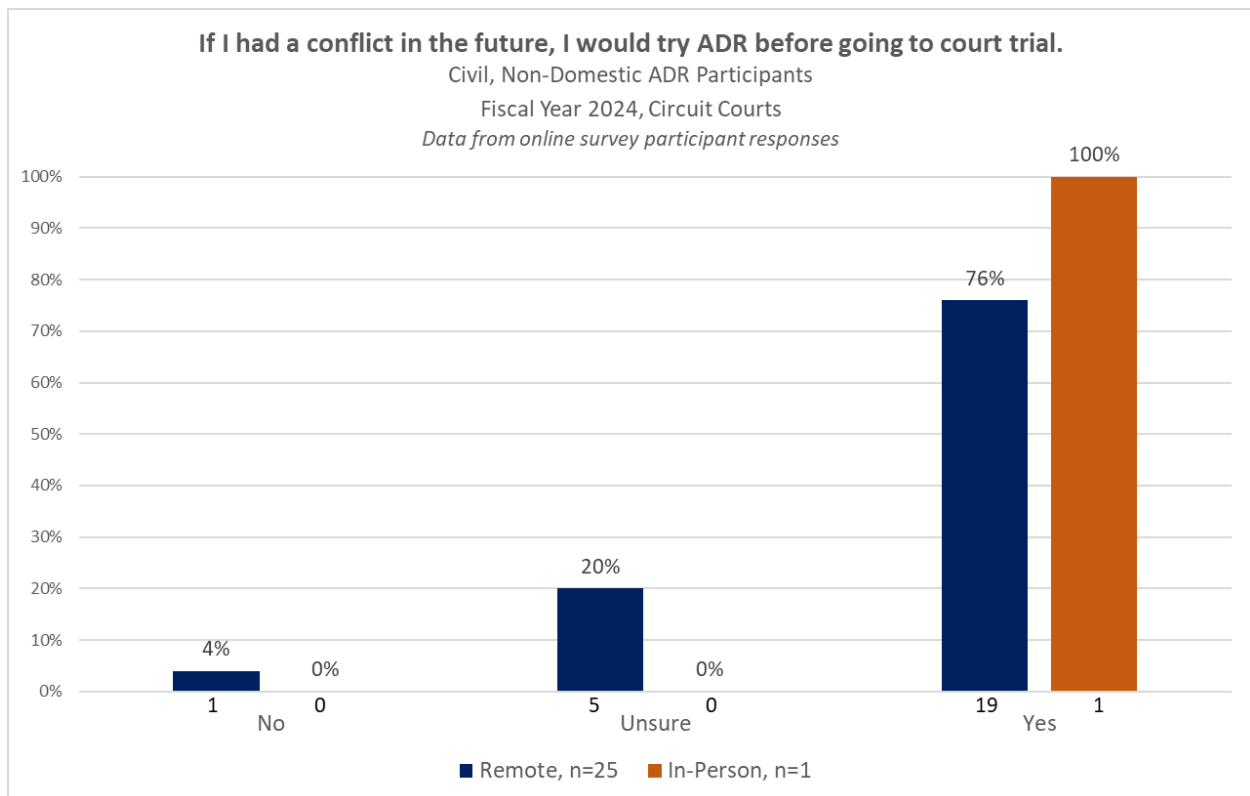
In fiscal year 2024, 27 civil, non-domestic ADR participants responded to the statement, “Overall, I was satisfied with this ADR session.” Of these respondents, 26 (96%) participated in their session remotely and one (4%) participated in person. Remote participants agreed or strongly agreed with the statement in 21 (81%) instances. This should be read with the data set in mind, one response for in-person and 26 for remote. With only one response for in-person ADR, this is not a large enough data set from which to draw any conclusions.



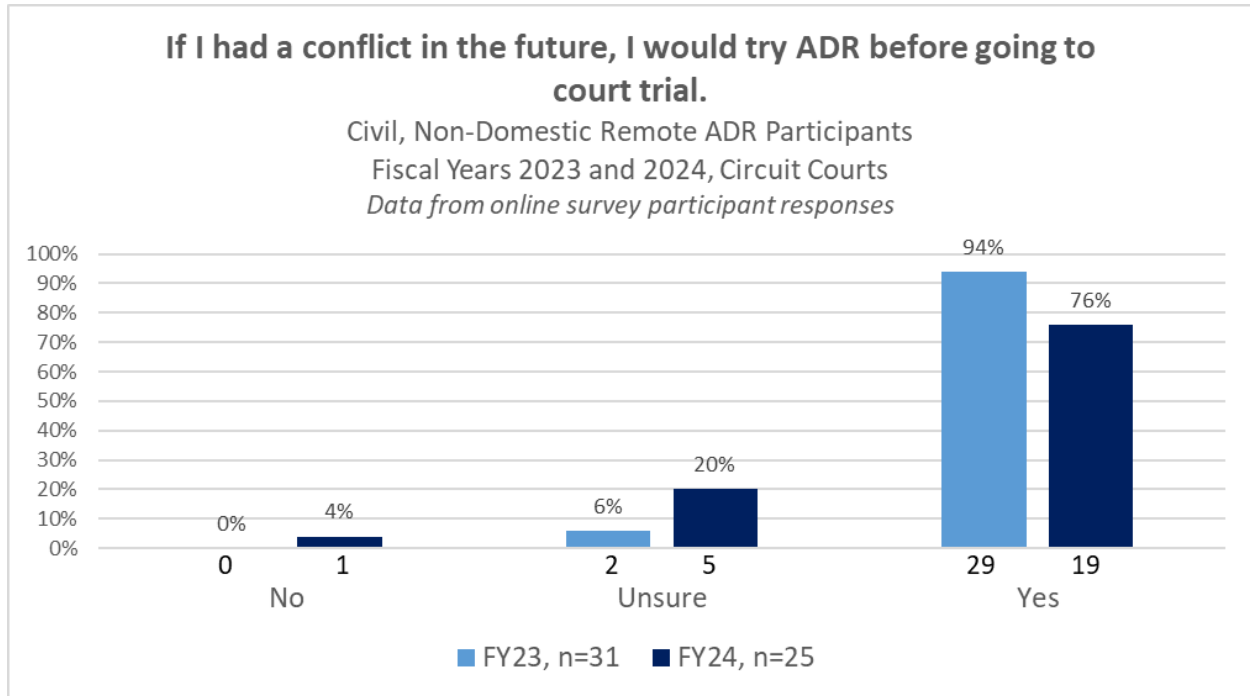
While the graphs show some differences, the data sets are still small. Additionally, the data set for in-person ADR isn't even in the double digits. At this stage, monitoring for extreme changes in remote is what this data set size provides.



In addition to overall satisfaction, participants were asked to respond to statements around their likelihood to use an ADR process again in the future. In fiscal year 2024, 26 participants responded to the statement, “If I had a conflict in the future, I would try ADR before going to court trial.” Remote participants accounted for 25 (96%) of these respondents, and in-person participants encompassed the single remaining response. (4 %). Most participants agreed that they would be willing to try ADR in the future, with 19 (76%) remote participants selecting yes and one (100%) in-person participants responding the same. Participants were given the option to state that they were unsure, and five (20%) remote participants selected that response. One (4%) remote participant indicated that they would not be willing to try ADR before going to court trial in the future. While these numbers are limited by the small data set size, it is encouraging that most participants who completed a survey in fiscal year 2024 would be willing to try an ADR process in the future after their experience.

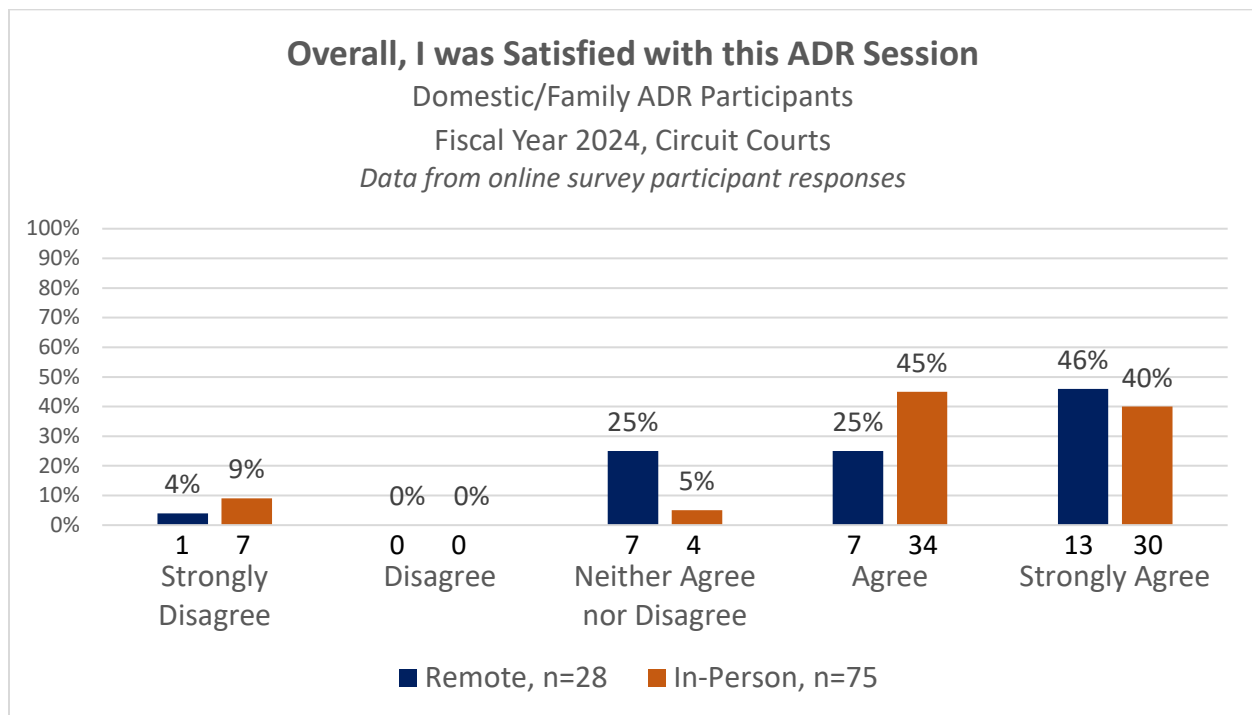


While not a large data set, remote does have survey responses for fiscal years 2023 and 2024. Overall, it is positive feedback, worth monitoring for future trends. In person only has four responses for fiscal years 2023 and 2024, so it is not displayed.

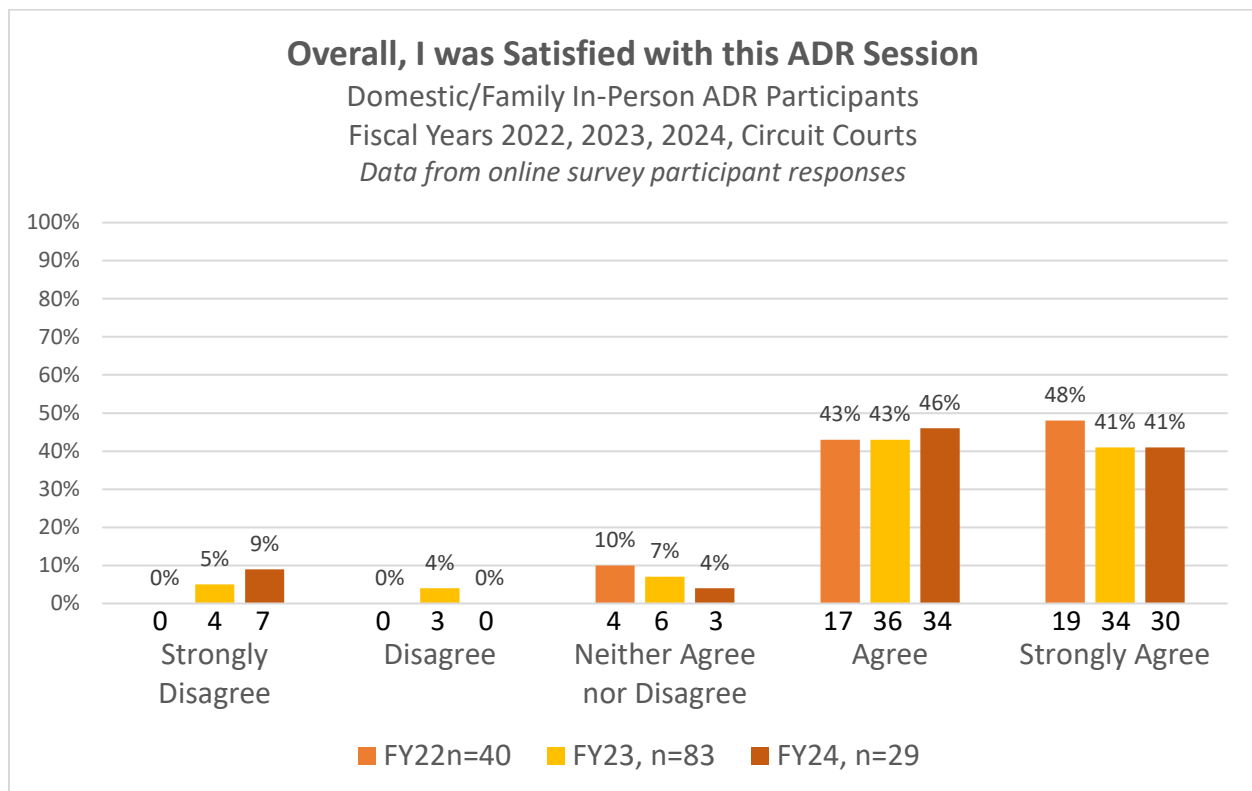
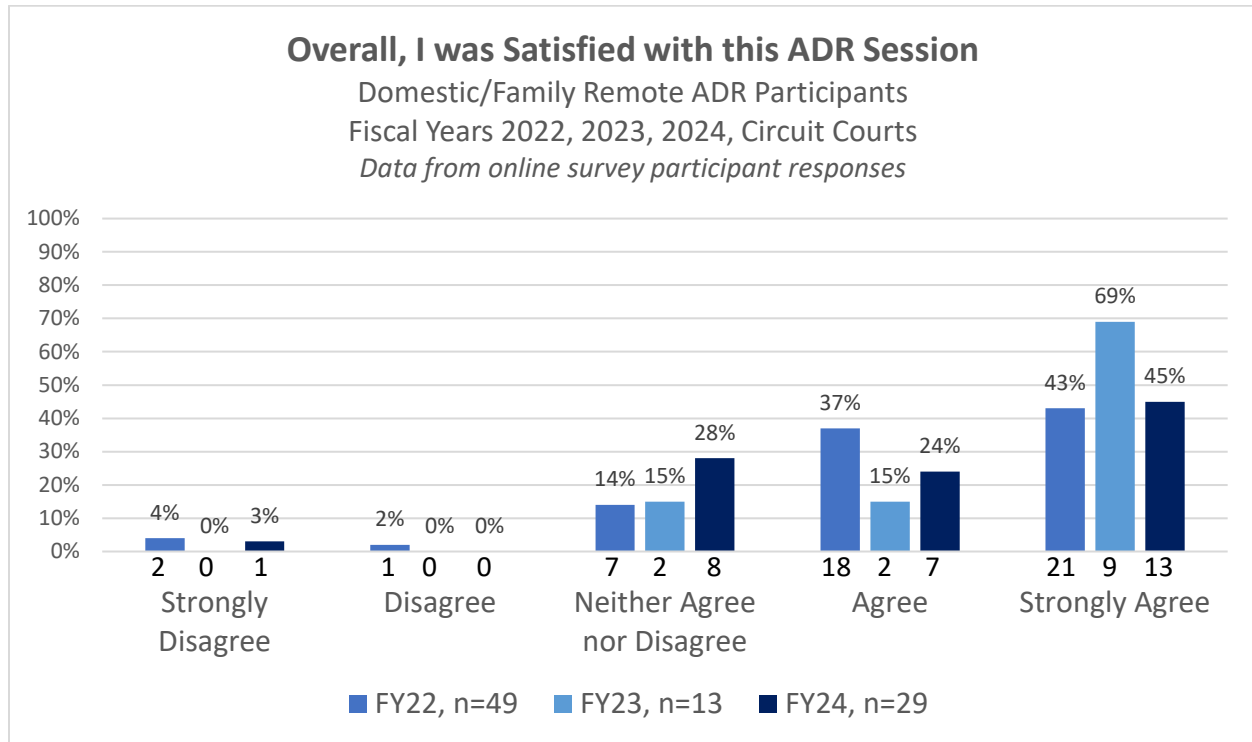


Domestic/Family Participant Satisfaction

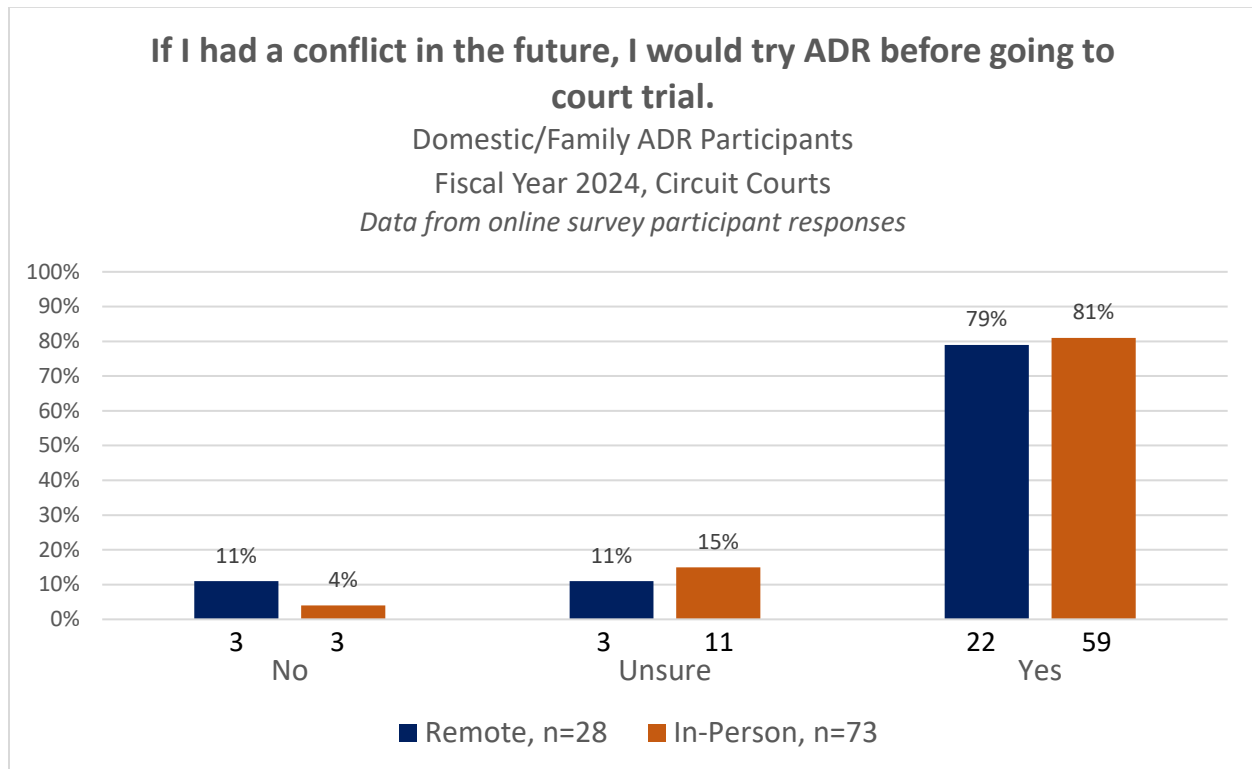
More domestic/family ADR participants submitted survey responses than their civil, non-domestic counterparts in fiscal year 2024. The statement, “Overall, I was satisfied with this ADR session” received 103 responses, most of which were positive. Remote participants accounted for 28 (27%) of the respondents, and 20 (71%) agreed or strongly agreed with the statement. In-person participants made up the remaining 75 (73%) respondents, with 64 (85%) agreeing or strongly agreeing with the statement. One (4%) remote participant responded negatively to the statement, with the remaining seven (25%) answering neutrally with the “neither agree nor disagree” option. Seven (9%) in-person participants responded negatively to the statement, with the remaining 4 (5%) answering neutrally with the “neither agree nor disagree” option. As a whole, the domestic/family responses are positive, continued monitoring should occur given the small data sets.



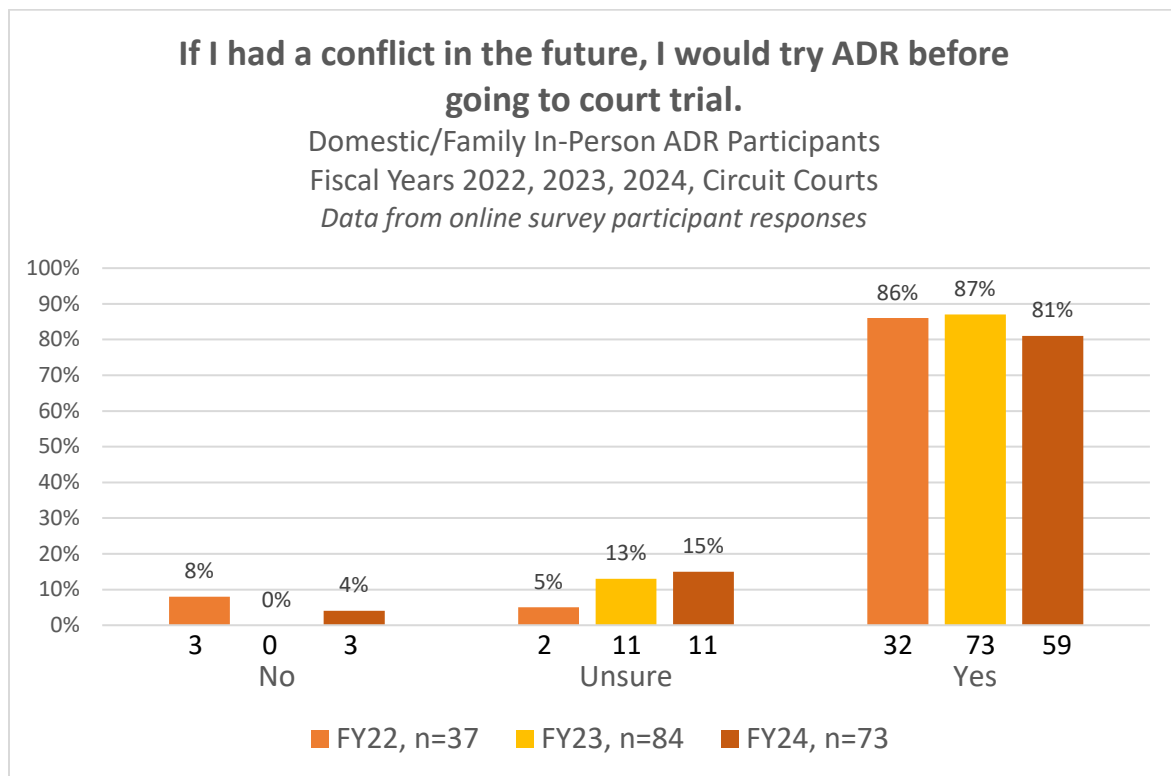
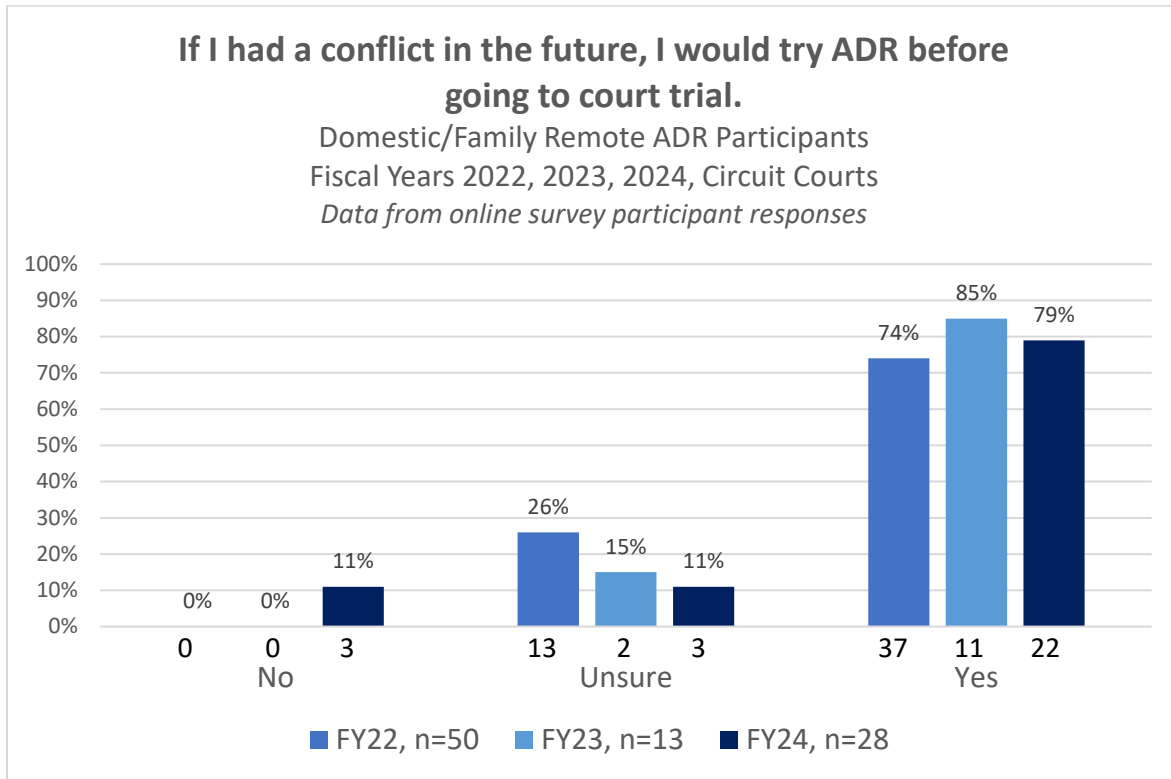
While there is room for the data set size to grow, the current results are positive, with the feedback for both remote and in person being very positive overall.



In fiscal year 2024, 101 domestic/family ADR participants responded to the statement, “If I had a conflict in the future, I would try ADR before going to court trial.” Of these respondents, 28 (28%) participated remotely and 73 (72%) participated in person. Remote respondents replied that they would try ADR in the future in 22 (79%) instances, and 59 (81%) in-person respondents agreed. Three (11%) remote and three (4%) in-person respondents stated that they would not try ADR before going to court trial in the future. Three (11%) remote and 11 (15%) in-person participants responded that they were unsure. Overall, the responses were consistently positive.

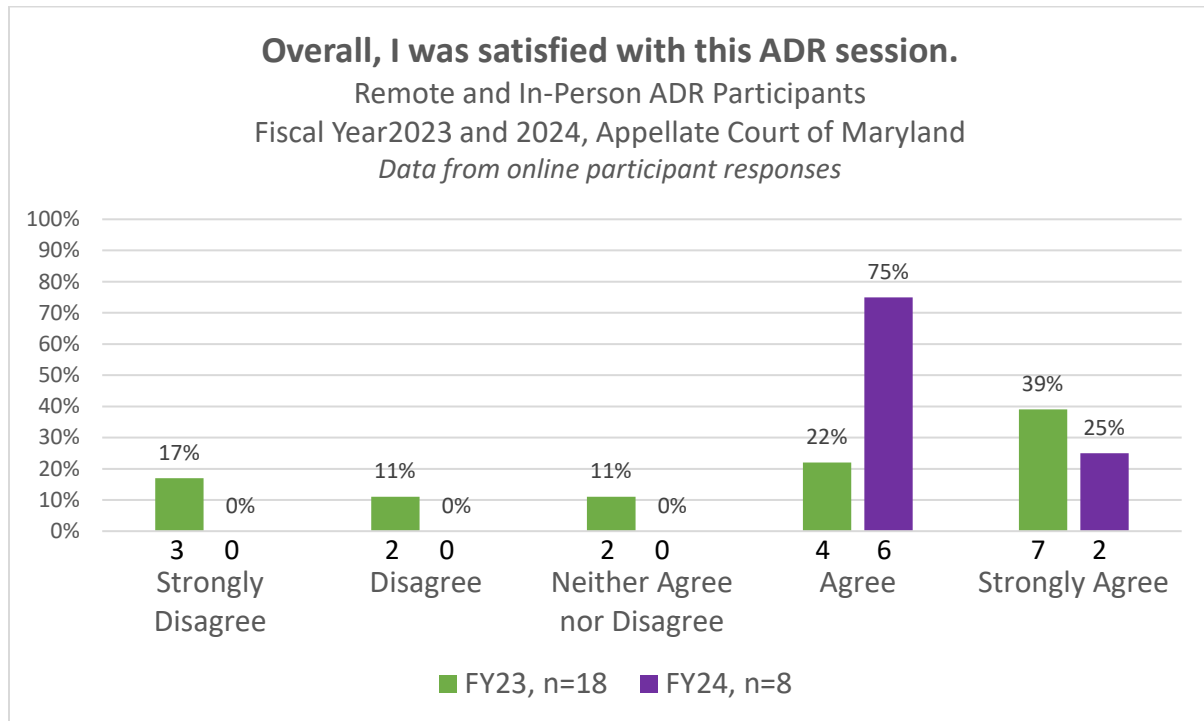
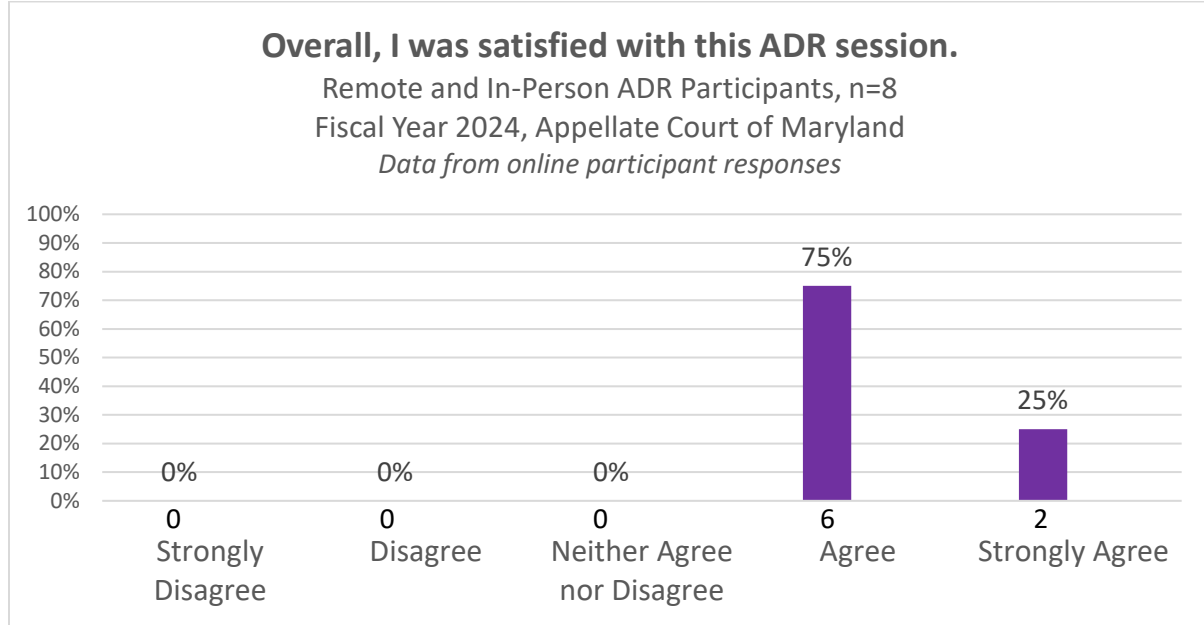


Overall, people see value in their ADR experience, given a large percentage would try it again in the future before going to a court trial.



Appellate Court of Maryland (ACM)

The graphs below show both remote and in-person responses combined. Given the small size of the data set, they were not broken down by remote and in-person formats. The first graph is for fiscal year 2024. The second is both 2023 and 2024.



Public Experience – Summary

In fiscal year 2024, ADR participants were highly satisfied with their ADR session, regardless of the case type or the way in which the session was conducted. In addition to stating that they were satisfied with the session, most participants responded that they would either suggest ADR to others or use the process again in the future. The participant responses collected in fiscal years 2022, 2023, and 2024 indicate that, overall, courts and practitioners effectively provided satisfactory ADR processes to the public.

VI. Impact of Technology

At the onset of the COVID-19 pandemic, court programs and ADR practitioners swiftly transitioned to remote services to continue serving the public. In this post-pandemic era, court programs and practitioners are exploring factors to consider when choosing to conduct ADR remotely or in-person. Maryland Rule 17.106 (b) provides guidance, identifying five factors to consider:

In making that determination, the ADR practitioner or ADR organization shall consider (1) the accessibility of the format to each party, (2) the technological competency of the ADR practitioner, (3) the ability of the format to provide for confidentiality of data and communications, (4) party preference, and (5) whether the format can be used in a manner that does not affect substantially the fairness of the proceeding.

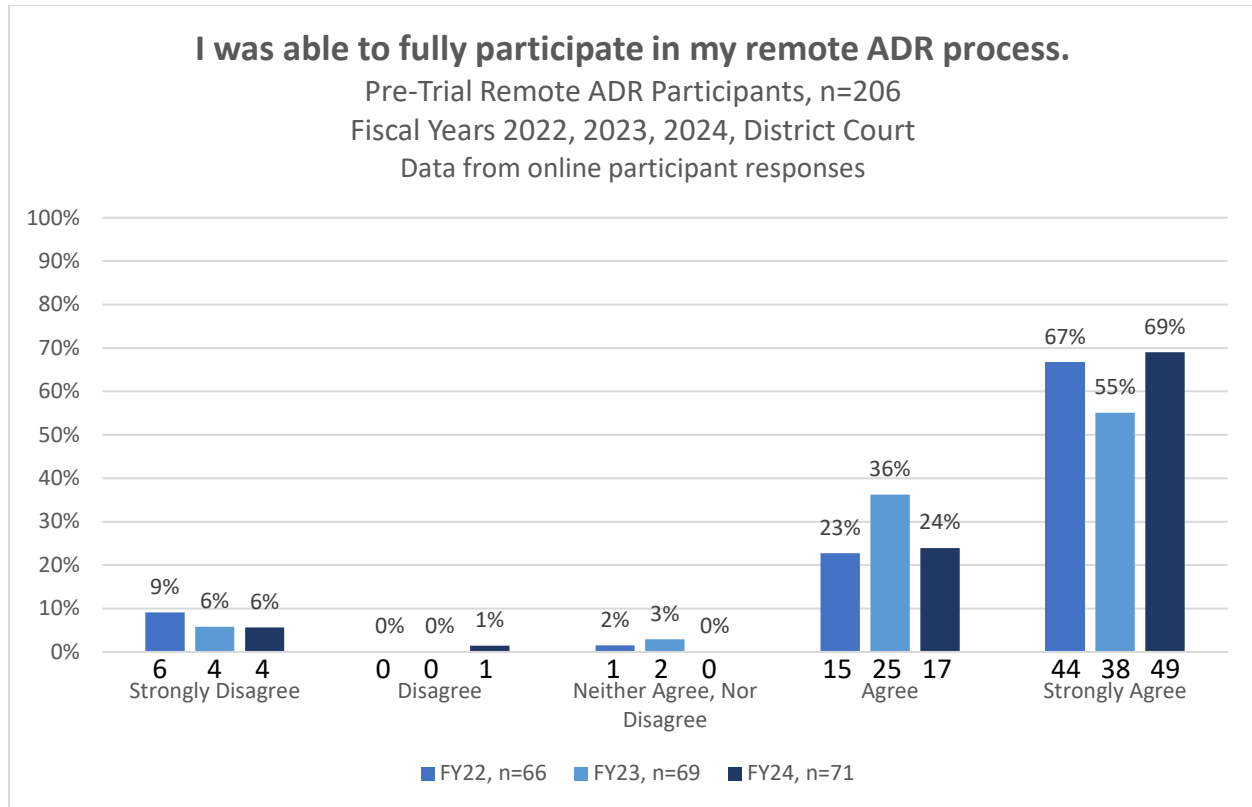
Outcomes and participant satisfaction are two indicators of the effectiveness of these processes. The final factors that this report will consider are how technology issues impacted courts' and practitioners' abilities to offer ADR services, and whether participants prefer remote or in-person ADR. This section examines participant experience with technology in the District Court, circuit courts, and the Appellate Court of Maryland for fiscal year 2024 and in comparison to 2022 and 2023.

District Court

In fiscal year 2024, the District Court ADR Office conducted 177 remote sessions. A dedicated ADR Office staff member (ODR Programs Coordinator) or designee launches every remote ADR session on Zoom with the participants. The staff member is available to assist with technical difficulties at the outset of and throughout the session. One can infer that the measures the District Court employed to avoid a disruption in services were successful.

Public Experience with Technology

While the ability to conduct remote ADR is critical in this digitally reliant age, it is also important that the public to whom the service is provided have a positive experience using the technology. Remote ADR participants in the District Court were provided with the statement, “I was able to fully participate in my remote ADR process.” The graph below shows three years of data: fiscal years 2022, 2023, and 2024. Combining the positive responses of agree and strongly agree illustrates a very high rate of full participation: 89% for 2022, 91% for 2023, and 93% for 2024.



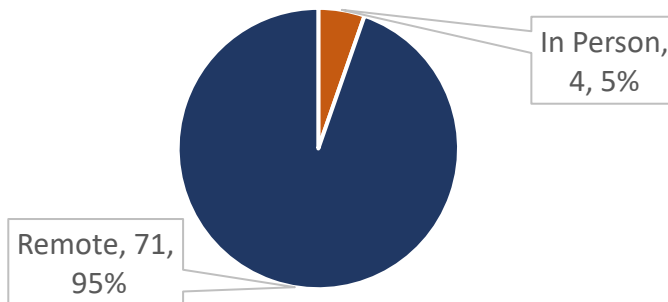
Participants' experience with technology was also measured through the prompt, "In the future, I would most like to attend an ADR session:" Participants were provided with the option of in-person or remote ADR. Of the 75 remote participants' responses, 71 (95%) selected that they would participate in a remote ADR session in the future. This indicates that remote participants are generally satisfied with the remote ADR platform. Fiscal years 2022 and 2023 reflect similar feedback.

In the future, I would most like to attend an ADR session:

Pre-Trial Remote ADR Participants, n=75

Fiscal Year 2024, District Court

Data from online survey participant responses

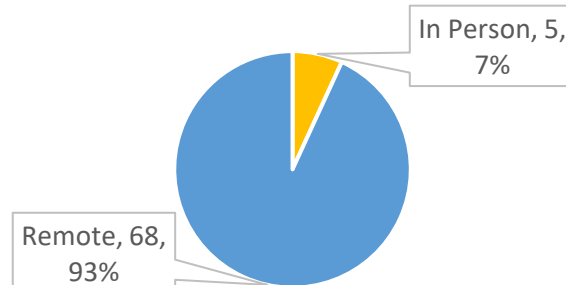


If you were to participate in an ADR session in the future, would you prefer remote ADR ... or in person face-to-face ADR?

Pre-Trial Remote ADR Participants, n=73

Fiscal Year 2023, District Court

Data from online survey participant responses

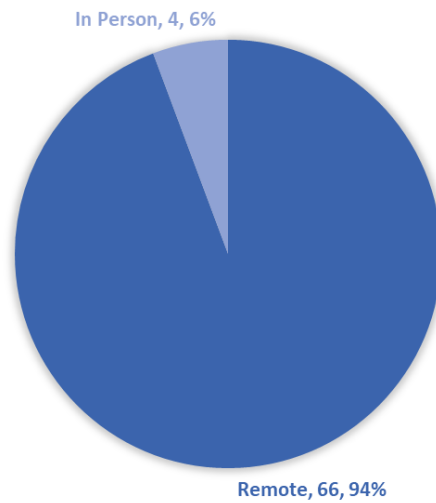


In the future, I would most like to attend an ADR session...

Remote ADR Participants, n = 70

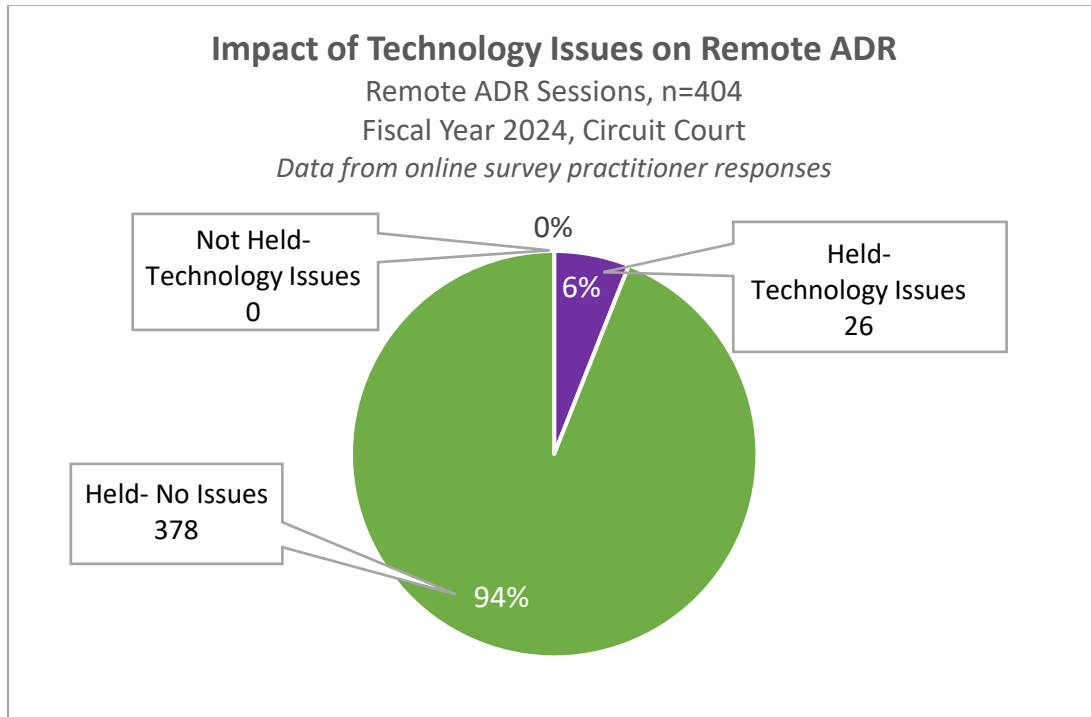
Fiscal Year 2022, District Court

Data from online survey participant responses



Circuit Courts

In fiscal year 2024, 404 circuit court remote ADR sessions were prepared to occur as scheduled. No technology issues were reported that prevented the ADR session from moving forward. Technology issues were reported for 26 (6%) sessions, and the practitioner and parties were able to work through the issues and hold the ADR session. This indicates that the measures circuit court ADR programs and practitioners took to avoid a disruption in services were successful. This is a continuation of a reliable format demonstrated in fiscal years 2022 and 2023.

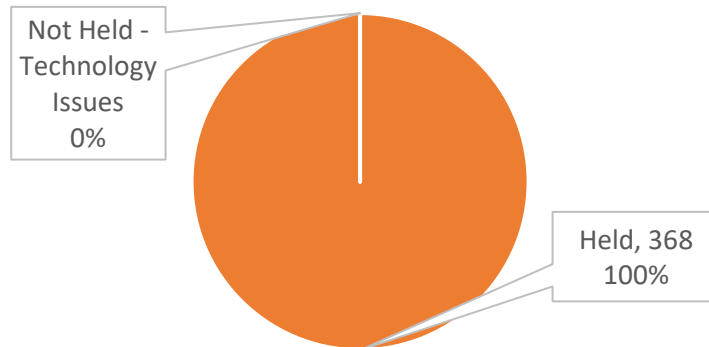


Impact of Technology Issues on Remote ADR

Remote ADR Sessions, n=368

Fiscal Year 2023, Circuit Courts

Data from online survey practitioner responses

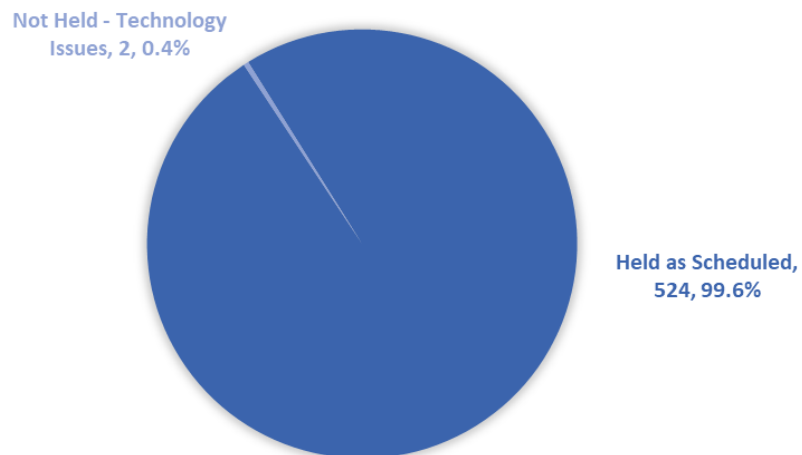


Impact of Technology Issues on Remote ADR

Remote ADR Sessions, n = 526

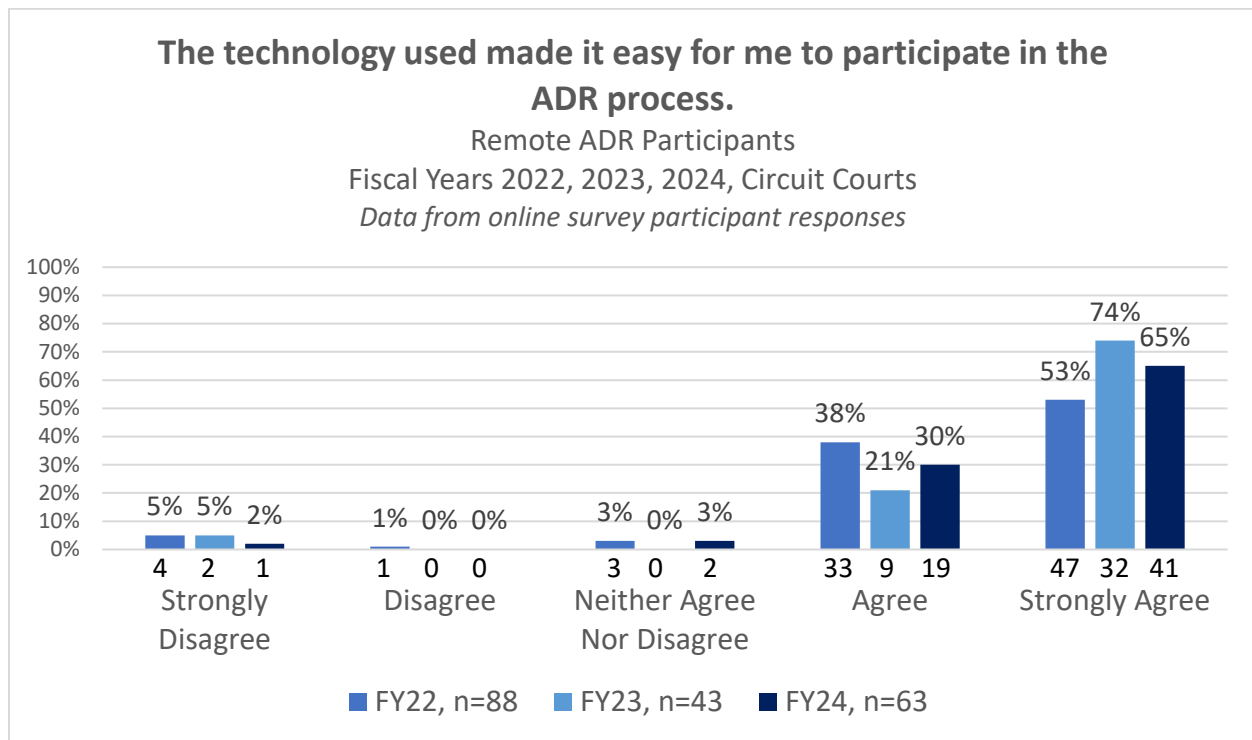
Fiscal Year 2022, Circuit Courts

Data from online survey practitioner responses



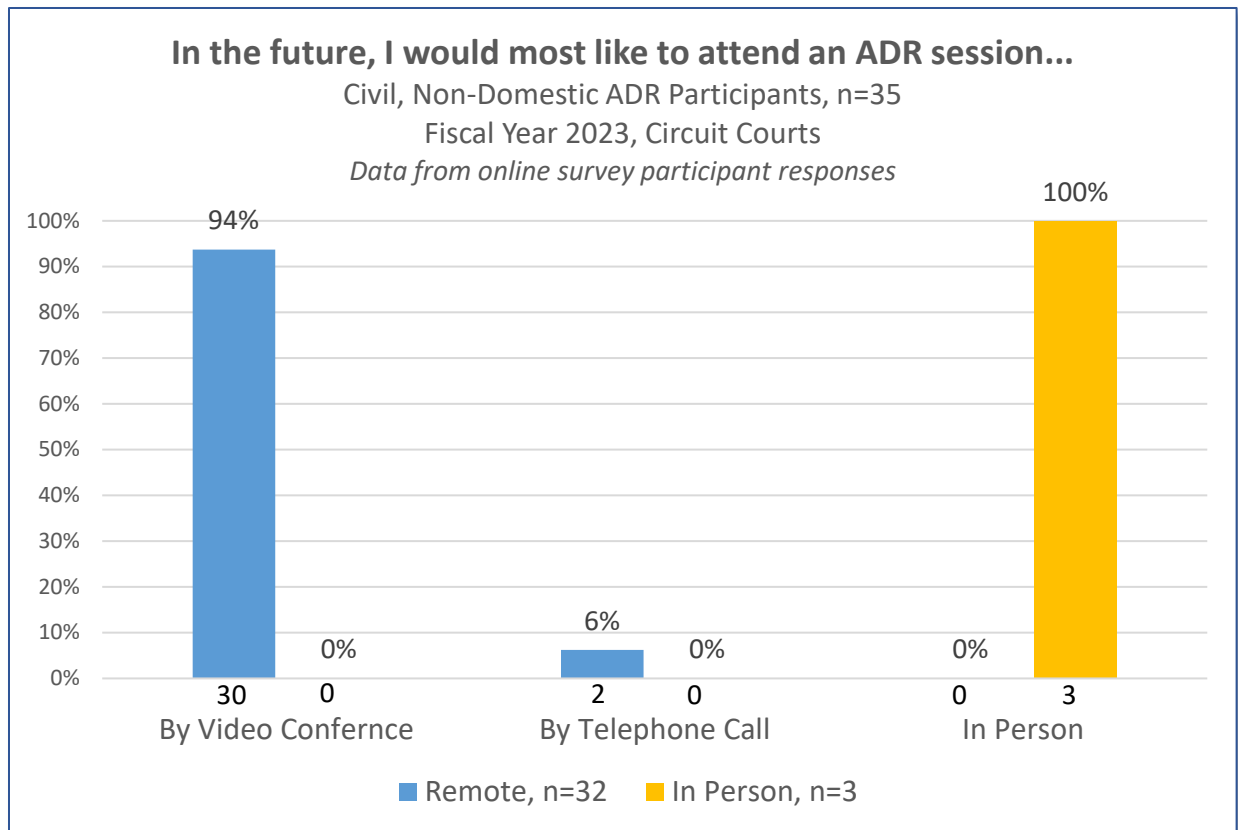
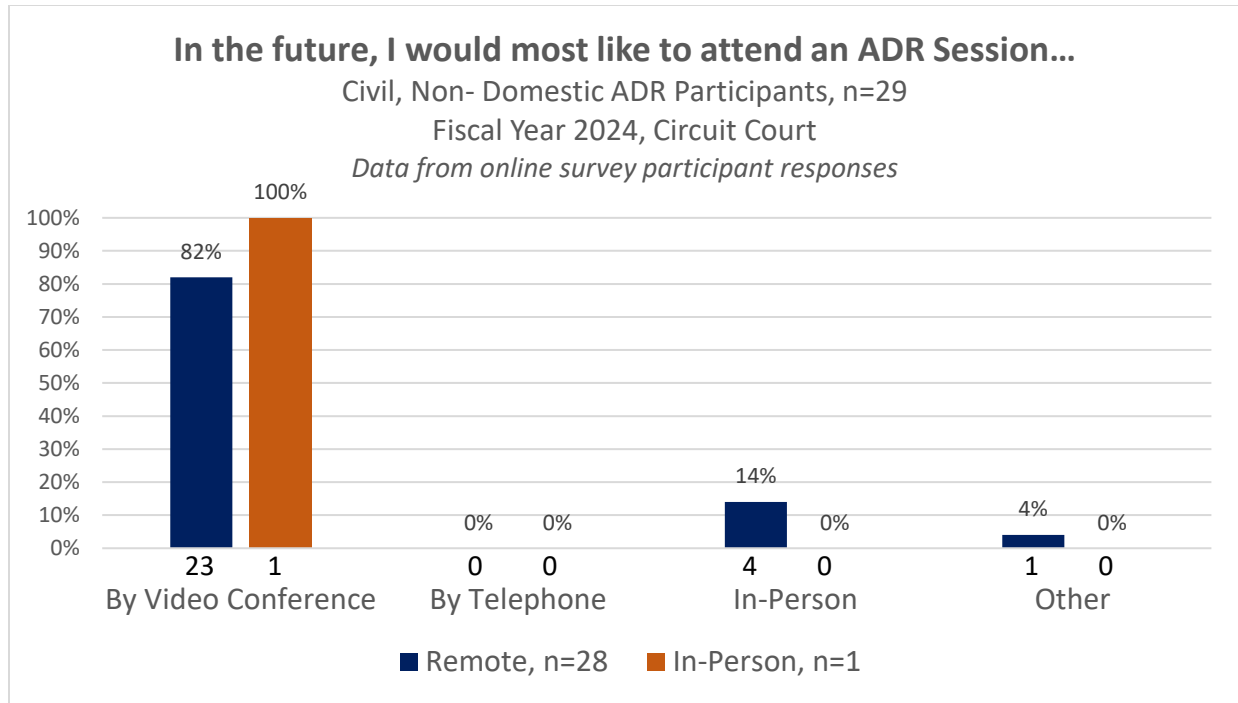
Public Experience with Technology

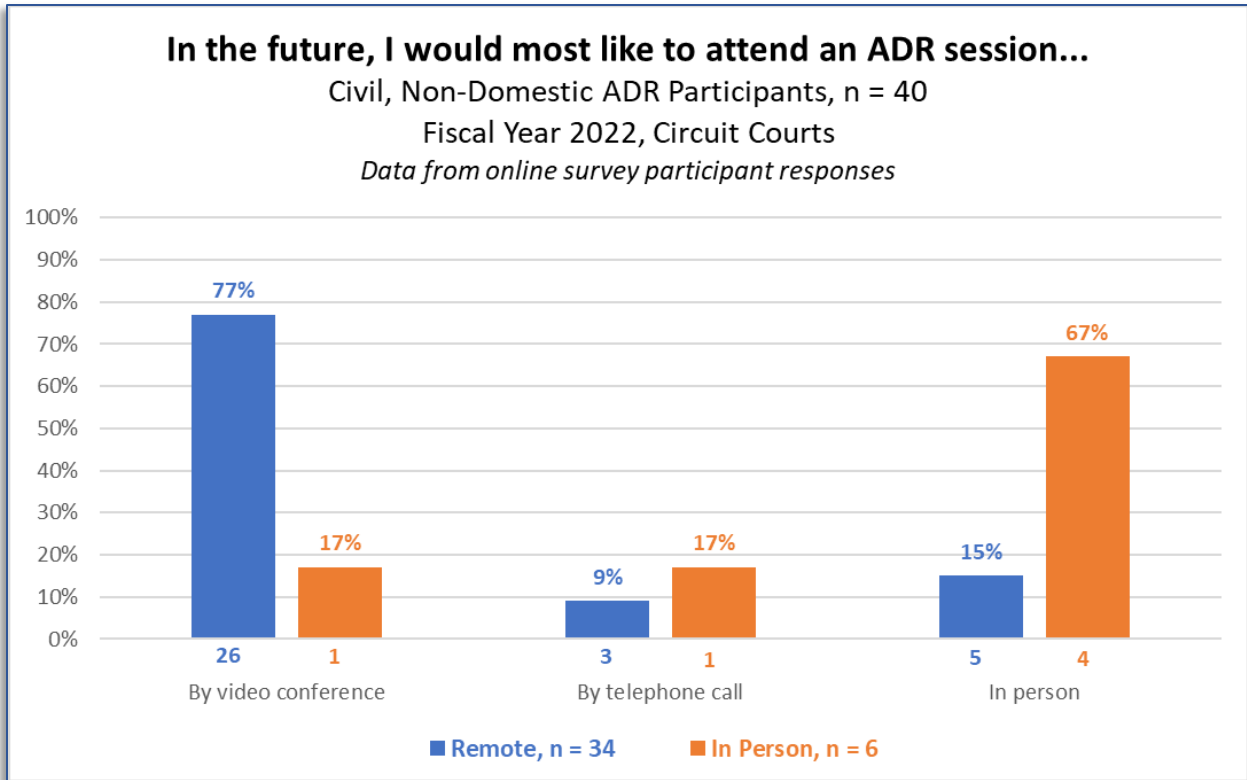
Circuit court remote ADR practitioners and participants were provided with multiple prompts to determine satisfaction with their remote ADR experience. One such statement provided to remote participants was, “The technology used made it easy for me to participate in the ADR process.” Of the 63 remote participants who responded in 2024, 60 (95%) agreed or strongly agreed. This is consistent with the previous years of 2022 (91%) and 2023 (95%). Overall, these responses indicate that remote participants could easily participate in the remote ADR process. While a small data set, the responses are consistently positive over all three years.



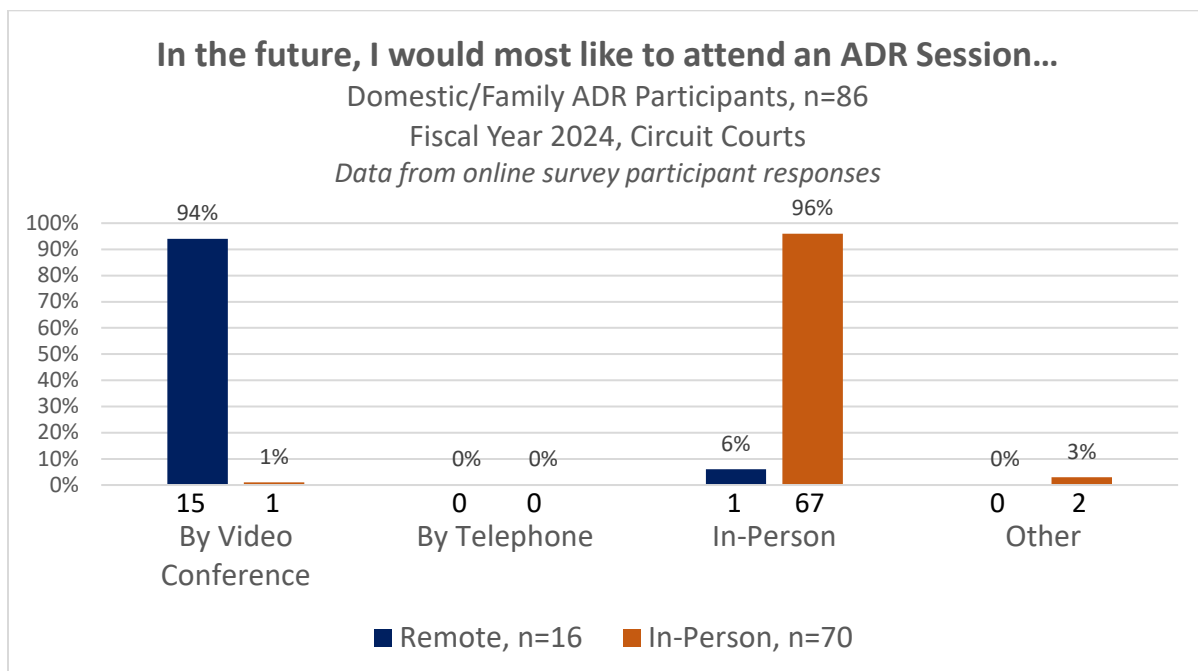
When prompted, “In the future, I would most like to attend an ADR session. . .,” civil, non-domestic and domestic/family participants were most likely to select the process in which they had already participated. Remote participants were most likely to indicate that they would prefer to participate remotely, and in-person participants were most likely to indicate that they would prefer to participate in person.

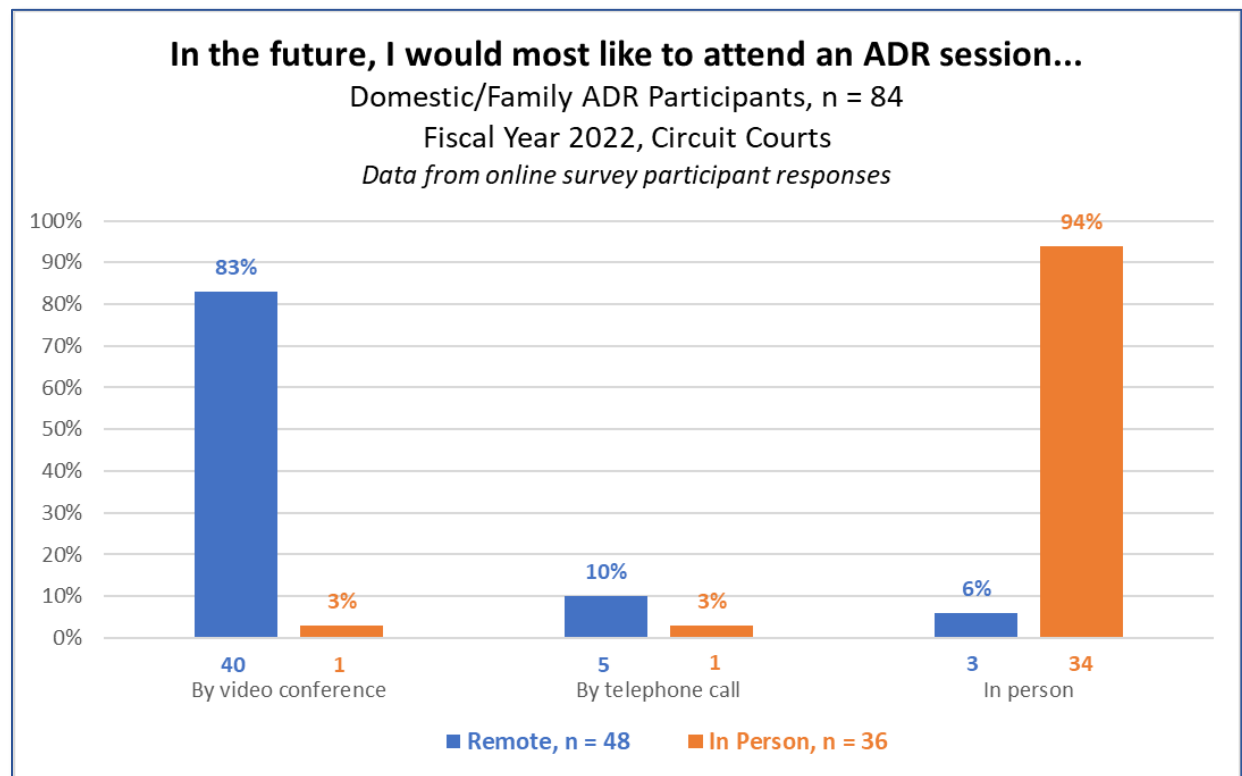
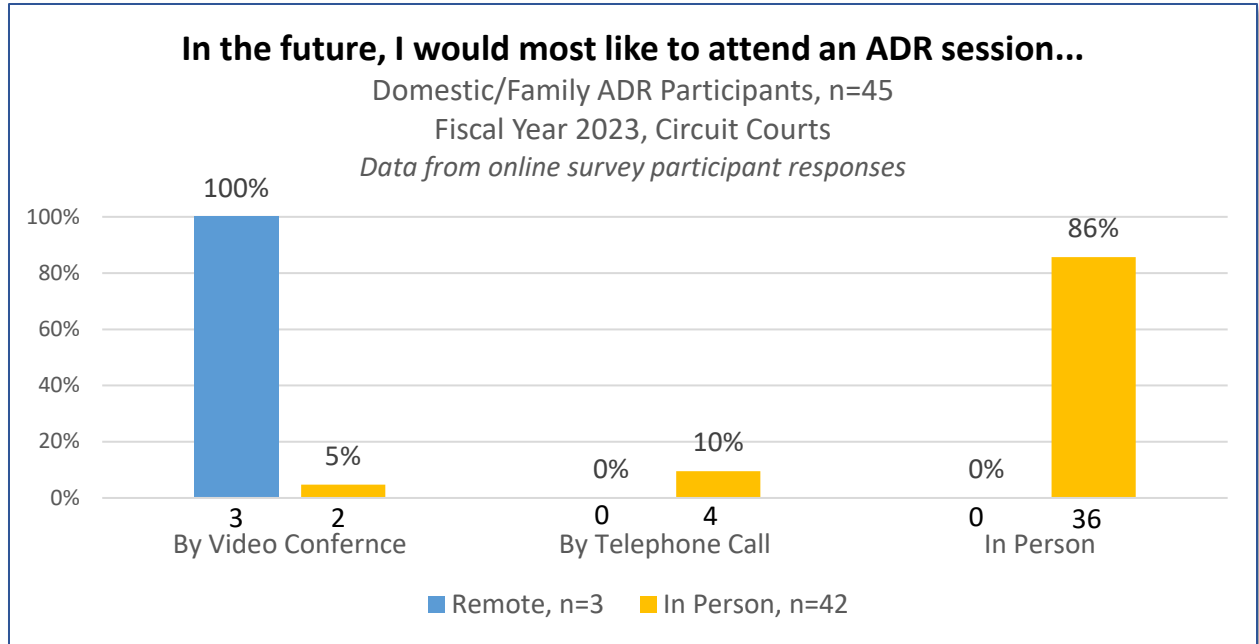
Of the 28 remote civil, non-domestic ADR participants, 23 (82%) selected a remote option. The other five (18%) of remote participants selected in person or other. The one (100%) in-person respondent selected remote. Based on this data, most remote participants will likely choose to participate in the future as they have already participated. This is similar to fiscal year 2023.





Domestic/family ADR participant responses are similar. Of the 16 remote participants who provided a response, 15 (94%) responded that they would most like to attend a remote ADR session in the future. In-person respondents selected an in-person session in 67 (96%) of 70 instances. Fiscal year 2024 reflects a similar theme seen in 2022 and 2023.





Impact of Technology – Summary

The data gathered in fiscal years 2022, 2023, and 2024 suggest that remote ADR is an effective process, demonstrating both reliability and public usability. It is encouraging that most remote ADR participants would choose a remote ADR process again in the future. Equally reassuring, in-person participants would opt to participate in person in the future. This indicates that, as courts continue to examine remote and in-person ADR, participants are generally satisfied with the processes they are receiving.

VII. Conclusion

While data sets vary from the thousands to the teens, there are several themes in the data when analyzing fiscal years 2022, 2023, and 2024. Court ADR programs are removing cases from the docket with remote and in-person formats. The public's perception of their experience with both formats is very positive. The District Court and circuit court civil, non-domestic programs have trended towards more in-person ADR in 2023 and 2024. The circuit court domestic/family and the Appellate Court of Maryland have more remote than in-person ADR. MACRO is working with the domestic/family courts and JFS to better understand the reasons and impact of the heavy use of remote. This may be the best option, and it is worthwhile to gain more insights. Courts have done an amazing job adapting and integrating remote technology with a high-quality/low-failure rate.