

Rule 31 a bit confusing on reporting requirements. You need to look at both Section 5 and Section 18 of Rule 31. Section 5 reports are required when a court orders mediation. But Section 18 requires a different, statistical report which is required for all mediations done by a Rule 31 mediator, including ones that are not court-ordered. Co-mediators should keep in mind that only one statistical report should be submitted by one of the co-mediators per advice from the ADRC office. Here are the two rules:

Section 5. Reports

(a) The Order of Reference shall require the Rule 31 Neutral to file a final report pursuant to Rule 5.06, Tenn. R. Civ. P., with the court at the conclusion of the Rule 31 ADR Proceeding. The final report shall state only: (i) which parties appeared and participated in the Rule 31 ADR Proceeding; (ii) whether the case was completely or partially settled; and (iii) whether the Rule 31 Neutral requests that the costs of the Neutral's services be charged as court costs. The report shall be filed within the time specified by the court in the Order of Reference. In the event the Order of Reference does not specify a deadline, the final report shall be filed within 60 days of the initial meeting with the parties.

(b) Unless otherwise directed by the Order of Reference, the Rule 31 Neutral shall file status reports with the court every 30 days until the Rule 31 ADR Proceeding is concluded.

(c) For an Eligible Civil Action mediated by a Rule 31 Mediator, a final report shall be filed in the manner described within this section.

Section 18. Additional Obligations of Rule 31 Mediators

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(e) Reports Required of Rule 31 Mediators. In addition to compliance with Section 5 of this Rule, **Rule 31 Mediators shall be required to submit to the ADRC reports of any data requested by the ADRC consistent with the requirements of Section 19(a)(8) as to any mediation conducted by a Rule 31 Mediator, including those mediations which are not subject to Rule 31. The report forms will be available on the AOC website and from the AOC.**

Rule 31, Sections 5 and 18 (emphasis added). Rule 31 is available online at <http://tncourts.gov/rules/supreme-court/31>.