

## GENERAL ORDER NO. 35

### CERTIFICATION OF DISCUSSION OF ADR OPTIONS

#### I. PURPOSE

It is the policy of this court to help litigants resolve their civil disputes in a just, timely and cost-effective manner. To that end, the court makes available to the parties in civil litigation several dispute resolution services described in the brochure entitled *Dispute Resolution Procedures in the Northern District of California*. The court encourages attorneys and clients to call its ADR Program Director or Deputy Director at (415) 556-3167 to discuss the various options and their suitability for particular types of cases.

#### II. SERVICE

When serving a Complaint or Notice of Removal, the filing party shall serve on all other parties a copy of this General Order and the brochure entitled *Dispute Resolution Procedures in the Northern District of California*.

#### III. CERTIFICATION

Within 110 days after the filing of a Complaint or Notice of Removal, or within 30 days after being served, whichever is later, in all civil cases except those exempted below, each party shall file and serve on all other parties, a *Certification of Discussion of ADR Options*, in the form attached to this General Order as Appendix A, signed by *both* client and counsel, certifying that they have:

- (1) read the brochure entitled *Dispute Resolution Procedures in the Northern District of California*;
- (2) discussed the available court and private dispute resolution options; and
- (3) considered whether their case might benefit from any of them.

#### IV. SCOPE

This order applies to all civil cases filed in this court on or after July 1, 1993 *except*: class actions, multidistrict litigation, transferred cases, cases filed by pro se plaintiffs, cases remanded from appellate court, reinstated and reopened cases, and cases in the following nature of suit categories indicated on the civil cover sheet: Prisoner Petitions (510 - 550) Forfeiture/Penalty (610 - 690), Bankruptcy (422 - 423), Social Security (861 - 865), Contracts (only nos. 150 (Recovery of Overpayment and Enforcement of Judgment), 151 (Medicare Act), 152 (Recovery of Defaulted Student Loans), and 153 (Recovery of Overpayment of Veteran's Benefits)), Civil Rights (only no. 441 (Voting)), and other Statutes (only nos. 400

(State Reapportionment), 460 (Deportation), 810 (Selective Service), 875 (Customer Challenge 12 USC 3410), 892 (Economic Stabilization Act), 894 (Energy Allocation Act), 895 (Freedom of Information Act) and 900 (Appeal of Fee Determination Under Equal Access to Justice)).

ADOPTED: July 1, 1993

FOR THE COURT

  
\_\_\_\_\_  
CHIEF JUDGE

MEDPI\G035

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
6

7 CASE NO. CV

8 CERTIFICATION OF DISCUSSION  
9 OF ADR OPTIONS

10 v.

11 Plaintiff,

12 Defendant.

13 *Instructions: Pursuant to General Order 35, within 110 days after the filing of the Complaint*  
14 *or Notice of Removal, counsel and client shall sign this Certification, file it with the court and*  
15 *serve it on all other parties.*

16 *ADR options are explained in the brochure entitled "Dispute Resolution Procedures in the*  
17 *Northern District of California." The court encourages attorneys and clients to call its ADR*  
18 *Program Director or Deputy Director at (415) 556-3167 to discuss the various options and their*  
19 *suitability for particular types of cases.*

20 We hereby certify that we have (1) read the brochure entitled "Dispute Resolution  
21 Procedures in the Northern District of California," (2) discussed the available court and  
22 private dispute resolution options and (3) considered whether this case might benefit from  
23 any of them.

24 Client: \_\_\_\_\_

Date: \_\_\_\_\_

25 Attorney: \_\_\_\_\_

Date: \_\_\_\_\_

26  
27 Party: \_\_\_\_\_  
28 Plaintiff / Defendant