

ABSTRACT

RELATIONSHIPS BETWEEN MEDIATOR AND CASE CHARACTERISTICS AND THE RESOLUTION OF MANDATORY SETTLEMENT CONFERENCES

This research thesis investigates whether characteristics of the mediator or characteristics of the case have an impact on the resolution of civil court cases in mandatory settlement conferences. Characteristics of judges, lawyers, and laypersons attempting to settle disputes were examined in 127 cases of different types. Results indicate lawyers and laypeople resolved cases more often than judges, and younger and less experienced mediators were more likely to resolve disputes than older, more experienced mediators. The study also found breach of contract cases had higher settlement rates than personal injury cases, both auto and non-auto related. Both practical and theoretical implications are presented.

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