

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend subdivision (f) of section 160.1, paragraph (4) of subdivision (a) of section 160.2, subdivision (a) of section 160.3, and section 160.5 of Part 160 of the Rules of the Chief Administrator, effective January 20, 2026, to read as follows (deletions in ~~strike through~~ and additions underscored):

**Part 160. Alternative Dispute Resolution in the Trial Courts**

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**§ 160.1. Definitions**

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(f) “Mediation-trained court staff” shall refer to employees of the UCS who have completed the training required of a mediator pursuant to subdivision (b) of section 146.4 of the Rules of the Chief Administrator of the Courts (22 NYCRR § 146.4(b)), or its equivalent as approved by the administrative judge of the judicial district in which they serve in consultation with the ~~Statewide ADR Office~~ Division of ADR of the UCS, and who provide mediation services in disputes referred to an ADR process in accordance with this Part.

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**§ 160.2. Court Referral of Civil Disputes to ADR**

(a)(1) As provided in this Part, a state-funded court of the UCS shall refer each civil dispute pending before it to an appropriate ADR process at the earliest practicable time unless: (i) such referral is prohibited under statute, local rule of court, or administrative order of the Chief Administrator of the Courts or the Chief Administrator's designee, (ii) the court determines that the parties cannot participate effectively in an ADR process or that, for any other reason, referral to such a process will not serve the interests of justice, (iii) a party to the dispute objects to and opts out from such referral in accordance with local rule of court or administrative order of the Chief Administrator or designee (iv) the court determines, in consultation with the local Administrative Judge, that insufficient ADR resources, including but not limited to, mediators and neutral evaluators, are currently available, or (v) there are allegations of domestic violence as defined by the New York State Office for the Prevention of Domestic Violence or of child abuse or neglect.

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(4) Where the parties in a family court or matrimonial matter are referred to mediation under this Part, the parties shall be screened using a standardized mediation screening tool developed by the ~~Statewide ADR Office~~ Division of ADR of the UCS, to determine whether it is appropriate for mediation to proceed. This screening is in addition to any statutory registry checks under section 240(1)(a) of the Domestic Relations Law and section 651(e) of the Family Court Act. Where mediation is determined to be inappropriate, the matter shall be returned to the referring court.

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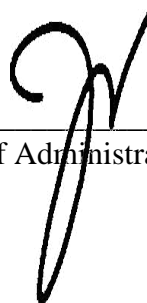
**§ 160.3. ADR Process Conducted by a Mediator or Neutral Evaluator to be Confidential**

(a) Except as otherwise provided herein or as otherwise required by law, all communications, memoranda, and work products made in preparation for, during, or in connection with ~~an ADR process~~ mediation or neutral evaluation conducted by a mediator or neutral evaluator to whom a dispute is referred pursuant to this Part shall be confidential and not subject to disclosure in any judicial or administrative proceeding.

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**§ 160.5. Local ADR Rules**

Following consultation with local bar associations and, as appropriate, with others, including but not limited to the Chief Judge's Advisory Committee on ADR, the UCS Commercial Division Advisory Council, and the Office of Court Administration ~~Office~~ Division of ADR, and with the approval of the appropriate Deputy Chief Administrative Judge, each District Administrative Judge shall develop local rules for the implementation of this Part in the courts of the Judicial District over which such District Administrative Judge exercises jurisdiction. These local rules may include a proposal for such local rules of court as may be necessary for their implementation.

  
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Chief Administrative Judge of the Courts

Date: December 24, 2025

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