

## **Summary of Mediation Reports filed in the Court of First Instance in 2012<sup>^</sup>**

Out of the mediated cases, 38% had resulted in agreements. 62% of the mediated cases did not lead to any agreement. However, out of the mediated cases without any agreement, 49 cases eventually disposed of within 6 months.

Ultimately the settlement rate was **46%**. It was measured by adding the number of cases with settlement by mediation and those not settling through mediation but disposed of within 6 months afterwards, divided by the total number of cases with mediation over that year. The duration between the date of appointing mediator to the date of completion of the whole mediation process, on average, is 39 days.

In addition, 191 reported cases did not go through mediation because they could settle or round up their cases on their own motions through case management procedures.

Out of the mediated cases, it took, on the average, 6 hours to reach a full agreement, 4 hours to reach a partial agreement and 5 hours to reach no agreement.

Regarding the cost of mediated cases, it was, on average HK\$18,200 per case / HK\$3,200 per hour for a case with full agreement; HK\$19,500 per case / HK\$4,400 per hour for a case with partial agreement and HK\$17,100 per case / HK\$3,600 per hour for a case without agreement.

Court of First Instance	Number of cases (%)	Average Time spent on Mediation per case (hour)	Average Cost of Mediation per case (HK\$)
2012 <sup>^</sup>			
Cases with Full agreement	212 (37%)	6	\$18,200 per case/ \$3,200 per hour
Cases with Partial agreement	5 (1%)	4	\$19,500 per case/ \$4,400 per hour
<b>Total number of cases with full/partial agreement</b>	<b>217 (38%)</b>	-	-
Cases with No agreement	358 (62%)	5	\$17,100 per case/ \$3,600 per hour
Sub-total (Cases with Mediation)	575		
Cases not settled through mediation but disposed of within 6 months	49		
<b>Total number of cases with settlement/ rate<sup>#</sup></b>	<b>266 (46%)</b>		
Cases settled/ withdrawn/ discontinued without mediation*	191		
Others (e.g. mediation adjourned, etc)	0		
Total:	766		
Duration of the Whole Mediation Process (days) <sup>+</sup>	39		

<sup>^</sup> It only refers to the number of cases with mediation reports/ letters filed with filing date falls in year 2012.

<sup>#</sup> It is measured by adding the number of cases with settlement (full or partial) by mediation and those not settling through mediation but disposed of within 6 months afterwards, divided by the total number of cases with mediation over that year.

\* Amongst the mediation reports/ letters filed in year 2012, 191 cases with notification to the Court that despite the Court's suggestion, the cases were settled/ withdrawn/ discontinued without mediation.

<sup>+</sup> It refers to the average duration between the date of appointing mediator to the date of completion of the whole mediation process (in days); and it is arrived by having the total number of days reported for the mediation process, divided by the number of cases with duration reported over that year.