



# Alternative Dispute Resolution in Virginia's Courts

DISPUTE RESOLUTION SERVICES | 2024-2025 FISCAL YEAR REPORT



**Judicial Services**  
Office of the Executive Secretary  
Supreme Court of Virginia

## JUDICIAL SETTLEMENT CONFERENCES

**27**

JUDGES

**1147**

INVOICES

## PARENT EDUCATION

**98**

PROVIDERS

**11**

NEW PROVIDERS

## DISTRICT COURT MEDIATIONS

**7861**

JDR INVOICES

**935**

GDC INVOICES

## MEDIATION CERTIFICATION

**526**

MEDIATORS

**37**

NEW MEDIATORS

## EXECUTIVE SUMMARY

This fiscal year, DRS welcomed a new staff member. In early 2025, Terry Dysick joined as the new Parent Education Coordinator, taking over for Ann Warshauer. DRS also saw its programs grow, as three new judges joined the Judicial Settlement Conference program, 37 mediators were newly certified, and 11 new providers joined the Parent Education Program. DRS also started several new initiatives this year aimed at ensuring the quality of its programs, including convening a committee to review the current Standards of Mediator Ethics and Professional Responsibility for Certified Mediators, convening a Child Support Committee to address concerns raised by mediators, and a creating a program that calls on the new Parent Education Coordinator to observe the seminars of approved providers. With this growth, however, came a decline in invoices from district court mediations. DRS is working with courts and mediation coordinators across the Commonwealth to investigate and address any issues that could be causing these declines.

## ABOUT DISPUTE RESOLUTION SERVICES

Dispute Resolution Services (DRS) is a division of the Department of Judicial Services within the Office of the Executive Secretary of the Supreme Court of Virginia. It was founded in 1991 in response to the 1989 Futures Commission Report to encourage and support the development of alternative dispute resolution programs in Virginia's courts. Today, DRS's mission is, *to promote equal access to justice for all Virginia citizens by supporting and expanding the use of high-quality, diverse dispute resolution options*. The Division oversees the certification of individuals to mediate disputes referred from the courts, and supports court-referred mediation programs in district courts; and also administers the Judicial Settlement Conference Program in circuit courts, and the Parent Education Program in all family courts.

This mission would not be possible without the dedicated staff of DRS, listed below:

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DRS Manager

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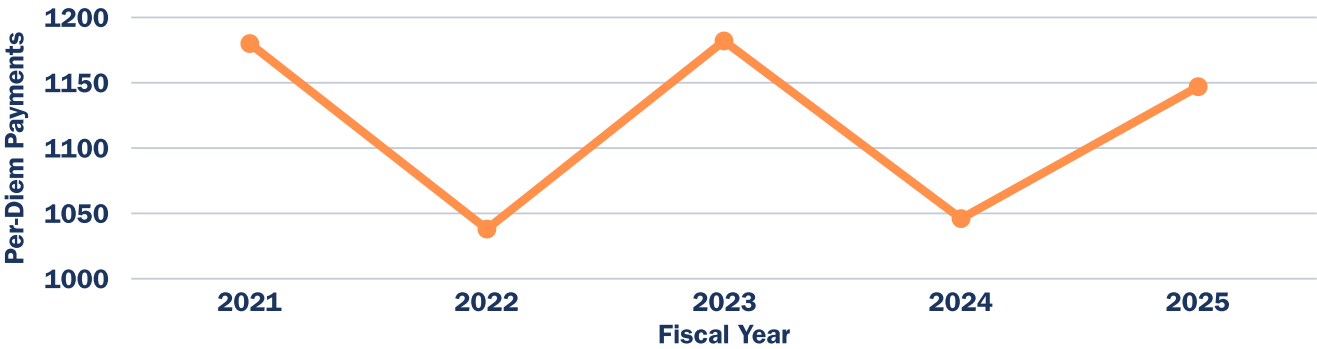
[mbarr@vacourts.gov](mailto:mbarr@vacourts.gov)**Terry Dysick**

Parent Education Coordinator

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# THE JUDICIAL SETTLEMENT CONFERENCE PROGRAM

JSC Payments by Fiscal Year



## THROUGH THE JSC PROGRAM, RETIRED CIRCUIT COURT JUDGES HELP PARTIES SETTLE THEIR DISPUTES BEFORE TRIAL

The Judicial Settlement Conference (JSC) Program connects parties with civil cases in circuit courts to retired Circuit Court Judges with mediation skills training. The judge is designated to meet with the parties and their attorneys to discuss settlement, leveraging conflict resolution skills in addition to their own experience on the bench. To participate in the JSC program, a retired Circuit Court judge must be eligible for recall pursuant to Virginia Code § 17.1-106, and must have completed mediation skills training before reviewing program-specific videos. Once approved to join the program, they may be designated by a Circuit Court to offer a settlement conference for referred cases. Three new judges joined the program this fiscal year, bringing the total number of JSC Judges to 27.

### IN FY2025...

- 25 JUDGES CONDUCTED CONFERENCES
- 84 COURTS REFERRED CASES TO JSC PROGRAM
- 81% OF CONFERENCES ENDED IN AN AGREEMENT

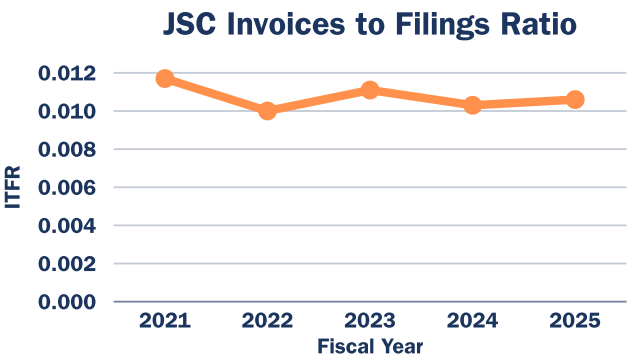


DRS met with the JSC Judges at the annual Judicial Conference in Norfolk in mid-May. In the meeting, DRS welcomed new JSC judges, discussed 2024 statistics and several program updates, and gave the judges time to discuss issues important to them.



PROGRAM EXPENDITURES IN 2025

There were 1147 requests for payment submitted by JSC judges in FY2025, which is 10% higher than the 1046 requests in FY2024. There were approximately 108,000 civil filings in circuit courts\* in FY25, and the ratio of JSC payments to filings in FY25 is similar to the FY21-FY24 average (0.01).



Domestic Relations	60%
Tort/Personal Injury	21%
Commercial	8%
Misc	12%

CONFERENCE COMPOSITION AND RESULTS

JSC Judges submitted 1102 data sheets for conferences in FY25. 56% of the reported conferences ended in agreement on all issues, 25% with agreement on some issues, and 19% with no agreement. The majority of cases that were referred to the JSC program were domestic relations cases - those relating to divorce or separation. The next most common case type was tort / personal injury, including auto accidents, medical malpractice, and others. Other case types referred to JSC include commercial cases such as real estate and contract disputes.

EXIT SURVEY RESULTS

Following each conference, JSC Judges provide parties and attorneys with an exit survey. DRS received and entered 216 exit surveys from settlement conferences between July 2024 and October 2025.

“THE SETTLEMENT PROCESS WAS...”

	Very Helpful	Somewhat Helpful	Not at all helpful
Attorney	53	9	2
Party	134	13	5

“WOULD YOU RECOMMEND SETTLEMENT CONFERENCE TO OTHERS?”

	Yes	No
Attorney	64	0
Party	152	0

SELECTED EXIT SURVEY COMMENTS

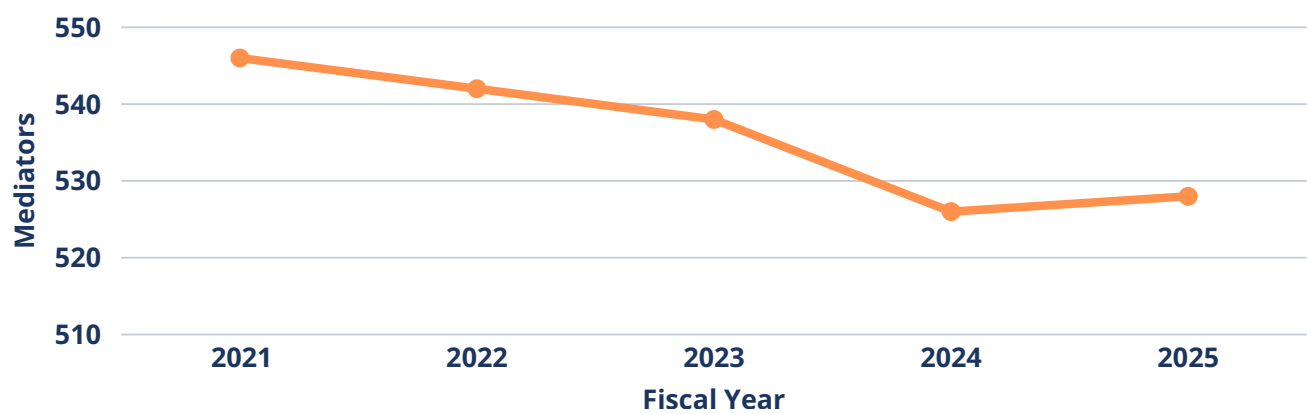
“[The judge] was terrific and helped end an awful chapter in my life. Appreciate her professionalism.”

“[The judge] is exceptionally adept at assisting in settlement of cases. He reviews all material provided in advance, listens closely, asks questions and encourages thoughtful and productive settlement agreements.”

\*Filings as retrieved through the Statewide Circuit Court Filings Per Month report maintained by OES. Filings in the current calendar year are subject to change. Filings exclude Fairfax County Circuit Court, and filings related to concealed handguns (CHP, CHPL, CHPN, and CHPR filing types)

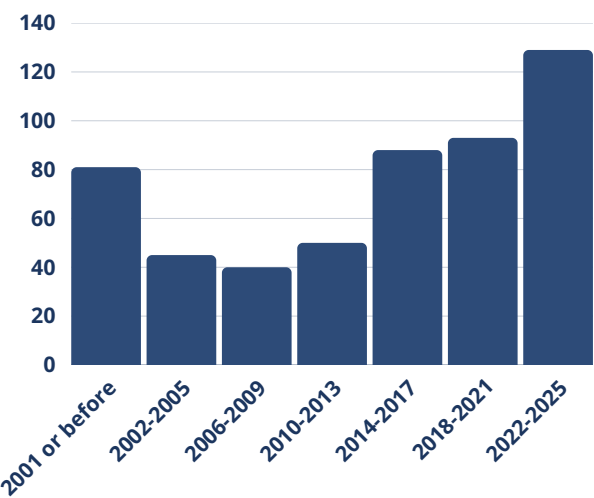
# MEDIATION

Total Mediators Certified by End of Fiscal Year



THE JUDICIAL SYSTEM CERTIFIES NEUTRALS TO MEDIATE DISPUTES REFERRED FROM COURTS

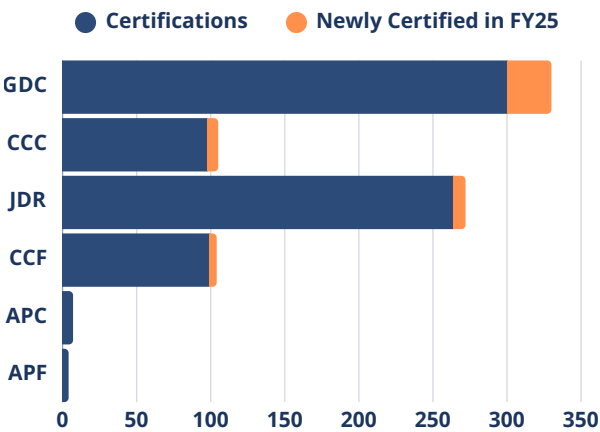
Active Mediators by Year First Certified



Per Virginia Code § 8.01-576.8 the Judicial Council of Virginia promulgates guidelines to certify qualified neutrals to mediate court-referred disputes. DRS manages the Mediation Certification program, reviewing applications for certification, investigating complaints against certified mediators, approving mediator trainings and continuing education, proposing edits to the mediator guidelines, and advising the judicial system on mediation-related topics.

At the end of FY2025 there were 526 Virginia Certified Mediators. 37 new mediators were certified since the end of last fiscal year, and 35 let their certification lapse at the end of October 2024. The net change of total mediators in FY2025 is the first in over five years that more mediators joined than lapsed. Between FY2022 and FY2024, the total number of certified mediators had decreased by an average of about 8 per year.

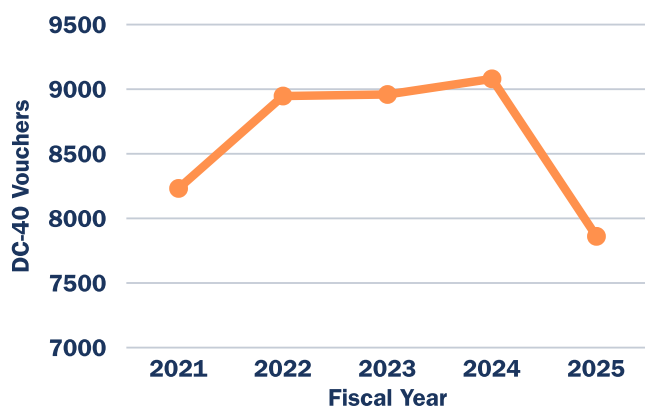
Active Certifications by Type



Certified mediators in Virginia that recertify at least once tend to stay certified for many years. 26% of the mediators that lapsed in FY2025 had not recertified once. However, 46% of mediators certified by the end of FY2025 first certified more than 10 years ago. GDC certification, requiring less training than other types, gained the most new certifications in FY2025, and was the most common certification among mediators.

# CUSTODY, VISITATION, AND SUPPORT

## CVS Payments by Fiscal Year



## FY25 CVS HIGHLIGHTS

- **7861 invoices** were processed from **86 courts**
- Including the three months following the end of the fiscal year, **6991** mediations billed through EVPS ended in FY2025, of which **66% resulted in agreement on some or all issues** (including provisional agreements)

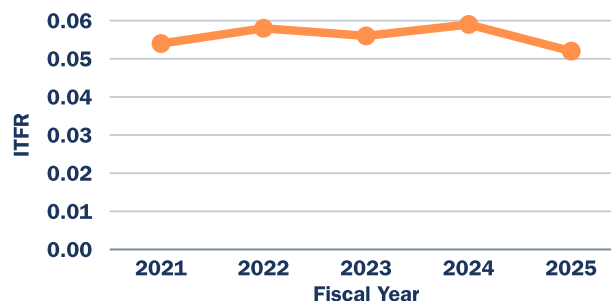
## PARTIES WITH CONTESTED CUSTODY, VISITATION, OR SUPPORT FILINGS MAY BE REFERRED TO A FREE MEDIATION WITH A CERTIFIED MEDIATOR.

Virginia Code § 20-124.4 authorizes payment for custody, visitation, or support (CVS) mediations referred from court. Mediators may be paid \$120 per custody and/or visitation appointment, and \$120 per support appointment (child support and/or spousal support). Payment requests pursuant to code § 20-124.4 are used to estimate the number of mediations each year. Last fiscal year, mediation vendors were first given the option to submit their requests for payment electronically through the Electronic Voucher Payment System (EVPS). The new system allows the vendor to submit payment requests online rather than by paper, and allows the vendor to track submissions through processing. In exchange, vendors must enter limited information about the mediation, including the result of the mediation, time spent mediating, associated court cases, and other information. 89% of invoices received in FY2025 were through the EVPS system, giving DRS access to a large amount of information not previously available through the Mediation Information System (MIS).

## CVS VOLUME IN FY2025

In Virginia, custody and visitation court filings are counted together as CV filings, and child and spousal support filings are counted together as VS filings. In FY2025, there were approximately 151,000 CV and VS filings\*. In that same time period, 7,861 invoices were submitted for CVS mediations. This ratio of invoices to filings (0.052) is lower than the FY2022 - FY2024 average (0.058).

## CVS Invoices to Filings Ratio

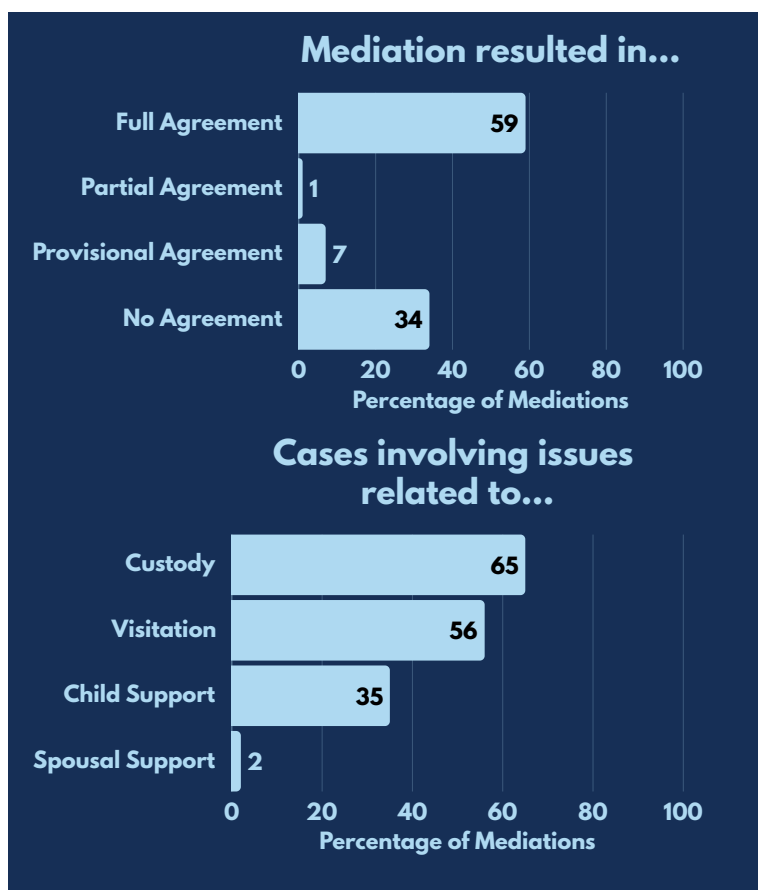


\*Filings as retrieved through the Statewide Juvenile and Domestic Relations Court Filings Per Month report maintained by OES. Filings in the current calendar year are subject to change.

## CVS MEDIATION COMPOSITION AND RESULTS

As of October 2025, **6,991** CVS mediations in FY25 were submitted via EVPS. 58% of the reported mediations ended in agreement on all issues, 1% with agreement on some issues, 7% on a provisional or draft agreement, and 34% with no agreement.

CVS mediations can involve any combination of custody, visitation, child support, or spousal support issues. The most commonly reported issue is custody, present in 64% of EVPS submissions. Child support is a mediated issue in 35% of submissions, and 27% of submissions only include child or spousal support as a mediated issue. This number may be inflated, though, as payment requests will sometimes be erroneously sent as two \$120 payment requests for each appointment, rather than a single \$240 request for both appointments.



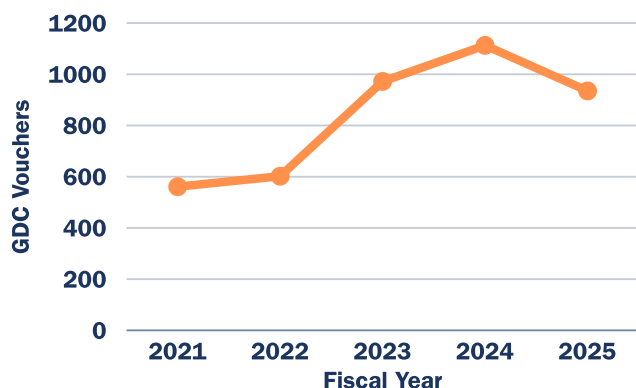
In addition to questions about case type and mediation result, vendors are also asked to note a few optional fields for statistical purposes. These fields collect information about the time spent in mediation, the representation of the parties, and the medium for the mediation.

Mediations can be any number of sessions for any length of time, and often involve preparation of materials and research or follow up after the mediation is over. Of the cases submitted in EVPS, vendors reported an average time of 1.46 hours spent mediating per case, and 1.23 hours outside of the mediation session per case. 7% of EVPS vouchers received for mediations ending in FY2025 reported two or more mediation sessions were held for that case.

For each participant to mediation, vendors are asked to indicate whether each participant was self-represented or had an attorney present, and whether the participant was remote at the time of mediation (i.e. online or by phone). This question is currently optional, and 5,386 CVS mediations ending in FY25 submitted through EVPS included participant information. Based on these responses, 92% (+/- 1%) of cases included at least one self-represented litigant, and 63% (+/- 1%) included a remote participant.

# GENERAL DISTRICT COURT

GDC Payments by Fiscal Year



## FY25 GDC HIGHLIGHTS

- **935 invoices** were processed from **48 courts**
- Including the three months following the end of the fiscal year, **882** mediations billed through EVPS ended in FY2025, of which **64% ended in agreement on some or all issues** (including provisional agreements)

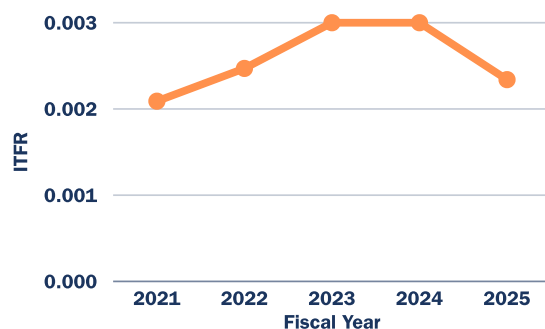
## PARTIES WITH A CIVIL CASE IN GENERAL DISTRICT COURT MAY BE REFERRED TO A FREE MEDIATION WITH A CERTIFIED MEDIATOR.

Virginia Code Section § 8.01-576.5 gives courts the authority to refer civil cases to an orientation session about options for dispute resolution at no cost to the parties. In General District Courts, cases referred to an orientation session may mediate with a certified mediator, also at no cost to the parties. DRS pays the mediator of such cases \$120 for each court-referred mediation. Like CVS cases, court-referred mediations in this program are tracked through requests for payment. Also like CVS cases, GDC mediation vendors now have the opportunity to submit cases through EVPS. With GDC cases, invoices received by DRS on paper can be entered into the EVPS system to collect limited information. Invoices submitted this way have information regarding the mediation date, but not information used for reporting on mediation result and composition, or other data points included in this report. In FY2025, 92% of invoices received were submitted through EVPS by the vendor.

### GDC VOLUME IN FY2025

While any civil case in district courts can be referred to mediation, there are two filing types that are most commonly referred (according to case numbers referred to mediation). These are warrant in debt filings (a lawsuit over money owed) and unlawful detainer filings (generally eviction cases). In FY2025, there were approximately 400,000 WD and UD filings statewide\*. In that same time period, **935** mediation invoices were submitted for GDC cases. The ratio of invoices to filings in FY2024 (0.0023) is lower than the FY2022-FY2024 average ratio of .0028.

GDC Invoices to Filings Ratio



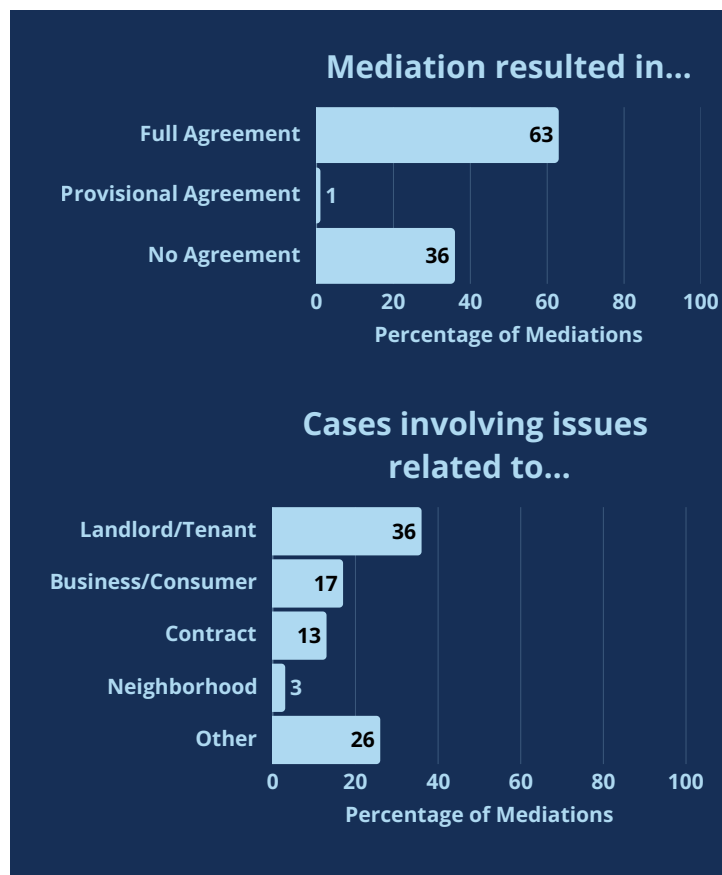
\*Filings as retrieved through the Statewide General District Court Filings Per Month report maintained by OES. Filings in the current calendar year are subject to change.



## GDC MEDIATION COMPOSITION AND RESULTS

**882** GDC mediations that ended in FY2025 were submitted before the end of September 2025. 830 invoices for mediations ending in FY2025 were submitted via EVPS by the vendor. Of these 830 vendor EVPS submissions, 63% of the reported mediations ended in a full agreement, 1% ended in a partial agreement, and 36% ended with no agreement.

GDC cases can involve a wider range of issues than CVS cases, but the number of issues discussed in mediation is generally less. With family cases, there may be custody and visitation to work out for each child, and child support to calculate after. GDC mediations tend to cover a single topic, such as debt, workplace issues, or landlord/tenant issues. The most commonly reported case type mediated is landlord tenant issues (such as eviction), which are present in about 36% of cases.



In addition to questions about case type and mediation result, vendors are also asked to note a few optional fields for statistical purposes. These fields collect information about the time spent in mediation, the representation of the parties, and the medium for the mediation.

Mediations can be any number of sessions for any length of time, and often involve preparation of materials and research or follow up after the mediation is over. Of the cases submitted in EVPS, vendors reported an average time of 1.3 hours spent mediating per case, and an equal average number of hours outside of the mediation session per case. 2% of EVPS vouchers received for mediations ending in FY2025 reported two or more mediation sessions were held for that case.

For each participant to mediation, vendors are asked to indicate whether each participant was self-represented or had an attorney present, and whether the participant was remote at the time of mediation (i.e. online or by phone). This question is currently optional, and only 520 GDC EVPS submissions included participant information. Based on these responses, 96% (+/- 2%) of GDC mediations involve at least one self-represented litigant, and 31% (+/- 4%) included a remote participant.

# MEDIATION CLIENT FEEDBACK

At the conclusion of each court-referred mediation, mediators are required to provide exit surveys to each participant. The surveys are called the Evaluation of Mediation Session(s) and Mediator(s) (form ADR-1002). The participants may fill out the survey and return them to the mediator to send to DRS, or the participant might choose to keep the survey and return it to DRS themselves. Each survey received by DRS is reviewed by a staff member, but DRS receives more than it has the time and resources to enter. A selection of surveys is entered into a database each year depending on when the evaluations are received and how they are sent in. As of the time of this report, **250** surveys have been entered for mediations that ended in FY2025.

## SURVEY COMMENTS

Below are excerpts of comments entered for mediations in FY2025:

“Wonderful that the Commonwealth offers mediation between parties to try to resolve matters.”

“Very helpful having a voice of reason with us to navigate difficult conversation.”

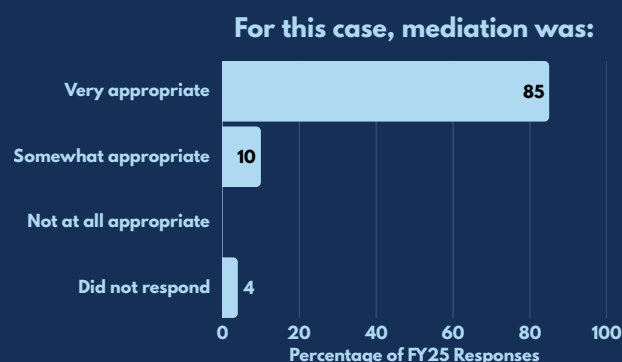
“Much preferred to a court case when both parties are flexible and want a mutually beneficial resolution. Thank you!”

“I feel this was a much calmer environment to do this in and would encourage anyone else in this situation to go through mediation first, if possible.”

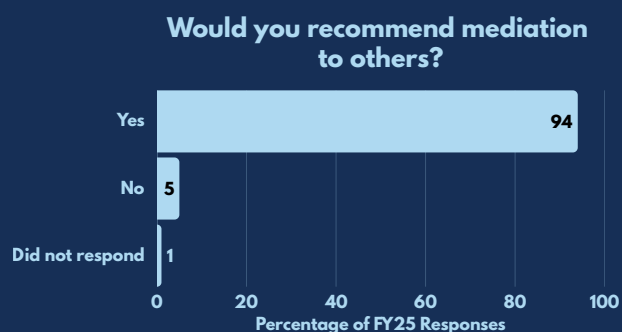
“This was a good and efficient process. It was a very good way to save time in the courts.”

## SURVEY RESPONSES

**85% (+/- 4%) OF PARTICIPANTS THOUGHT MEDIATION “VERY APPROPRIATE” FOR THEIR CASE**

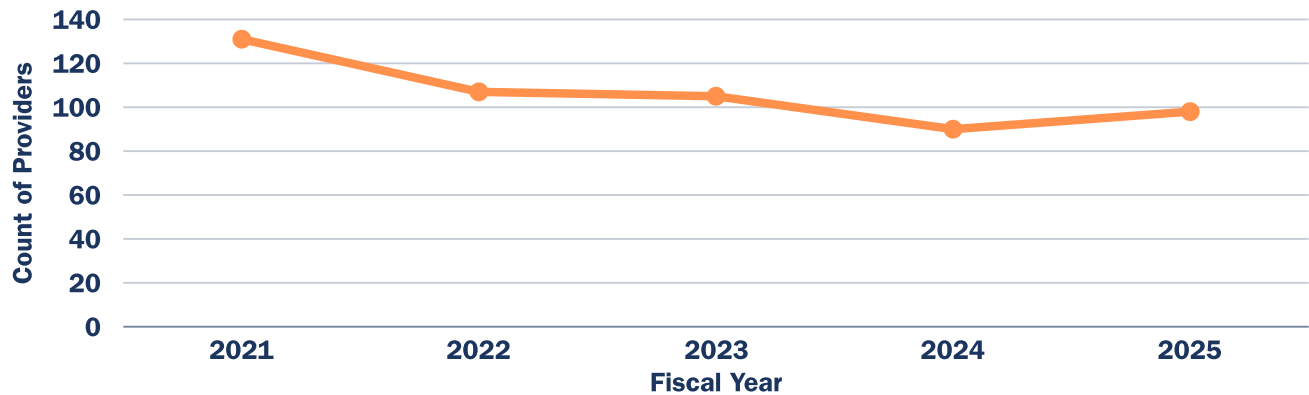


**94% (+/- 3%) OF PARTICIPANTS WOULD RECOMMEND MEDIATION TO OTHERS**



# PARENT EDUCATION

PE Providers at End of Fiscal Year



## THE PARENT EDUCATION PROGRAM TRAINS AND VETS INSTRUCTORS OF CO-PARENTING SEMINARS

Virginia Code Sections 16.1-278.15 and 20-103 require parties to cases where custody, visitation, or support is contested to attend an educational seminar conducted by a provider approved by the Office of the Executive Secretary. By law, these seminars must be at least 4 hours long, and must cover the following topics:

- The effects of separation or divorce on children,
- Parenting responsibilities,
- Options for conflict resolution, and
- Financial responsibilities.



The 2025 Parent Education Symposium was held on April 25<sup>th</sup> in Hanover. 70 providers attended the Symposium this year.

DRS trains new PE providers and instructors, reviews prospective provider curriculum, collects quarterly reports from approved providers, and creates policies for provider and instructor conduct relating to seminars. DRS also hosts an annual symposium for providers to promote continuing education, and provides a space for providers to network and share their experiences. At the end of FY2025, there were **98 providers** approved to conduct court-referred parent education seminars in Virginia, and approved providers were listed in **119** localities. Additionally, DRS approved **11** new providers during FY2025.

Each quarter, DRS requests information from providers about their seminar attendance. This fiscal year, providers reported a total of 7,054 attendees across 1,059 seminars. On average, 77 providers responded to the request each quarter.