

HIGH COURT OF JAMMU AND KASHMIR

(Office of the Coordinator, Meditation Monitoring Committee at Srinagar)

To

All Principal District and Sessions Judges,
of the State.

No: 70/mme


Dated: 20.08.2018

Sub:- Feedback Proforma for the Mediation Centre.

Sir/Madam,

On the subject cited above and in reference to the communication received from MCPC, Supreme Court of India, bearing No. 803-840/MCPC/2018 dated 10th August, 2018, you are requested to maintain the data as detailed in the above mentioned communication of MCPC. Copy of communication along with requisite proforma is enclosed.

Yours faithfully,


(Puneet Gupta)
Coordinator 20/8/18

Encls: (10 lvs).



MEDIATION AND CONCILIATION PROJECT COMMITTEE (MCPC)

Member Secretary,
MCPC

Dharmender Rana,
Additional Registrar,
Supreme Court of India

Address:
Old Building,

Supreme Court of India,
New Delhi-110001.
Telephone:
011-23073970
e-mail: mcpc@sci.nic.in

803-840/MCPC/2018

10th Aug, 2018

To,
All Co-ordinators/Member Secretaries/ Directors,
State Legal Services Authority/State Mediation Centres.

Subject: Feedback Proforma for the Mediation Centre

Respected Madam/Sir,

I have been directed by the Competent Authority, to request you to also maintain the Mediation data regarding the Category of cases referred for Mediation. The cases can be broadly classified under the various categories as per '**Annexure A**'.

You are also requested to maintain data regarding the time invested by a Mediator in conducting a particular Mediation and obtain the Feedback of the Litigants, as per the proforma attached, with respect to the Mediations conducted in your Mediation Centre.

The attached Proforma may be suitably customized with respect to name and description of the Mediation Centre along with other incidental details.

This is for your kind co-operation.

Regards,

Sd/-

Dharmender Rana

ANNEXURE 'A'

S.No.	Name of the Mediator	Category of Matters	Cases Referred	Cases Settled	Cases Not Settled	Cases Non-Starters	Cases Pending
1		Civil Suits (includes)					
		(i) Suit for Recovery					
		(ii) Suit for Damages					
		(iii) Suit for injunction					
		(iv) Suit for Partition					
		(v) Other					
2		Rent Petition (includes)					
		(i) Suit for Recovery of Rent					
		(ii) Suit for Possession of premises					
		(iii) Rent Cases (Dispute between Landlord & Tenant)					
3		Matrimonial Disputes					
		(i) Divorce Cases					
		(ii) Maintenance Cases					
		(iii)					
		Custody/Guardianship Cases					
		(iv) Cases U/s. 498A/406 IPC					
		(v) Domestic Violence Act Cases					
		(vi) Matrimonial Cases (other than above)					
		(vii) Other					
4		Complaint Cases U/s. 138 of N.I. Act					

5		Cases of Electricity Act					
6		Labour/Management Cases					
7		Motor Accident Claim Cases					
8		Criminal Compoundable Cases					
9		Cases Referred from Hon'ble Supreme Court and Hon'ble High Court					
10		IPR Cases and Commercial Disputes					
11		Arbitration Cases (Petition U/s. 9 & U/s. 34)					
12		Miscellaneous					



SUPREME COURT MEDIATION CENTRE (SCMC)

SCMC FEEDBACK REQUEST FORM

(CONFIDENTIAL)

This Feedback Request will take just 10 minutes to complete

Every Supreme Court Mediation Centre, Mediator has attained professional competency in the practice of mediation. On completion of each mediation, the Mediator will invite the participants to complete this Feedback Request Form.

Your feedback will:

- Help future users to have more information about working with this Mediator
- Provide the mediator with an opportunity to know your perception of the mediation process on this occasion, how effective (s) he was, and why, and
- Enable MCPC to prepare the Mediator's Feedback Digest which is a professional requirement of all Supreme Court Mediation Centre, Mediators.

You may complete this Feedback Request Form and deposit the same in the Box maintained in the Mediation Centre. The Feedback Digest may be relied upon by other parties in the future in deciding whether to appoint this Mediator, so please try to be fair and helpful as possible in providing your comments. Please try not to be influenced unduly by the outcome of your mediation but to focus on the Mediator him / herself and on any particular contributions that (s) he may have made that you found to be especially important. The Mediator's task is a challenging one. In your responses, please try to appreciate this and to be specific and constructive as possible.

FEEDBACK

Name of Mediator :

Mediation Institution:

Start Date of Mediation:

End Date of Mediation:

Place of Mediation:

Nature of mediated matter :



SUPREME COURT MEDIATION CENTRE (SCMC)

SCMC FEEDBACK REQUEST FORM

Please check the appropriate boxes, below and add any comments you wish to make.

Summary Questions:

1. On a scale of 1-5 (1 = low; 5= high), how likely are you to use this Mediator again?

1 2 3 4 5 Not Applicable

Comment:

2. Would you recommend this Mediator to others?

Mediator is assigned by the Supreme Court Mediation Centre

3. On a scale of 1-5 (1 = low; 5= high), how would you rate the mediator's skill and ability?

1 2 3 4 5 Not Applicable

Comments:

Specific Questions:

4. How did you identify or appoint this mediator?

Appointed by Supreme Court Mediation Centre

Others



SUPREME COURT MEDIATION CENTRE (SCMC)

SCMC FEEDBACK REQUEST FORM

5. If you perceive that the Mediator's skills made a decisive difference in the outcome, which particular skills were they?

Comment:-

6. How satisfied are you with the costs of the mediator?

Mediation does not involve any Cost.

7. How do you rate your overall satisfaction with the mediation process and the result obtained by the parties?

(1 = very dissatisfied; 2 = dissatisfied; 3=neutral; 4=satisfied; 5=very satisfied)

1 2 3 4 5 Not Applicable

Comment:

8. Supreme Court Mediation Centre was involved in the selection and appointment of the mediator, please indicate how you rate your overall satisfaction with that Mediation Centre support of the dispute resolution process?

(1 = very dissatisfied; 2 = dissatisfied; 3=neutral; 4=satisfied; 5=very satisfied)

1 2 3 4 5 Not Applicable

Comment:-



SUPREME COURT MEDIATION CENTRE (SCMC)

SCMC FEEDBACK REQUEST FORM

9. Did you resolve most of your issues as a result of the mediation?

Yes No

Independently of whether the mediation resulted in a resolution, what was worthwhile about participating in mediation?

Comment:-

10. Was this your first experience with the mediation process?

Yes No

11. Any other comments?

Comment:-

Your responses on this form will be treated as confidential information by Supreme Court Mediation Centre and by the Mediator but may be referred to in an anonymous form (i.e. without any reference to the parties or any other information identifying you or your mediation) in the Mediator's Feedback Digest.

Thank you for completing this Feedback Request. It will help others in the future.

If you are willing to disclose your name and contact details, please do so below:

Name:

Organization:

Position:

Address:

Phone:

Email:



SUPREME COURT MEDIATION CENTRE (SCMC)

SCMC MEDIATOR SKILL EVALUATION FORM

CONFIDENTIAL

Name of Mediator:	
Number of Parties	
Year of Mediation	
Name of person filling the Evaluation form:	
Number of times you have participated in a mediation as a party / counsel of mediator:	
Telephone / Email:	

- Tick your responses on a scale of 1-5 (1 = low; 5 = high)

1. **Preparation** : Effectiveness at demonstrating an understanding of the dispute.

1 2 3 4 5

2. **Managing the Process / Customization** : Effectiveness at developing an overall approach / strategy for the mediation, including soliciting substantive input from parties and / or Counsel.

1 2 3 4 5

3. **Investigation / Information Gathering** : Effectiveness at seeking out and identifying relevant information pertinent to the dispute.

1 2 3 4 5



SUPREME COURT MEDIATION CENTRE (SCMC)

SCMC MEDIATOR SKILL EVALUATION FORM

4. **Analysis / Critical Thinking :** Effectiveness at assessing strengths and weaknesses; asking relevant and insightful questions; fostering clarity; grasping substantive issues, personal conflicts, and underlying interests; exhibiting intuitive reasoning.

1 2 3 4 5

5. **Managing Emotions & Tensions:** Effectiveness at coping with inter-personal conflicts between the parties and / or the parties' professional representatives and reducing tension by using appropriate disarming tactics.

1 2 3 4 5

6. **Inventiveness / Problem - Solving:** Effectiveness at pursuing collaborative solutions and generating ideas and proposals that were realistic, achievable and consistent with the facts of the controversy.

1 2 3 4 5

7. **Generating Agreements:** Effectiveness at working with the parties' decision-making styles, beliefs, emotions, interests, and knowledge of the facts to facilitate agreements on both procedural and substantive issues.

1 2 3 4 5

8. **Persuasion / Presentation Skills:** Effectiveness of verbal expressions and physical gestures, i.e. "body language," in communicating with the parties and their representatives.

1 2 3 4 5

9. **Empathy:** Effectiveness at expressing awareness and consideration of the needs of others; listening attentively to others and responding with understanding.

1 2 3 4 5



SUPREME COURT MEDIATION CENTRE (SCMC)

SCMC MEDIATOR SKILL EVALUATION FORM

10. **Persistence:** Effectiveness at encouraging the parties to keep on working to achieve settlement without applying pressure to accept a particular outcome.

1 2 3 4 5