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Mediation meets judges – FINAL fact sheet – WS2

BULGARIAN CHAMBER OF COMMERCE AND INDUSTRY

The Court annexed mediation pilot scheme fact sheet aims to provide information about the experiences of mediation projects in Courts that have been developed during the project.

Description

- Who is involved:
 - Which court (or judge/clerk)? Number of judges?*(initials will do in case privacy issues are raised)*
Regional Court Varna, Varna District Court, Regional Court Provadia, Regional Court Devnya
 - Name and contact person in the Court/Tribunal.
 - **Varna District Court: Ms. Nora Velikova, tel.: +359 52 623 362**
 - **Regional Court Varna: Ms. Veselina Todorova, tel.:+359 52 662 596**
 - **Regional Court Devnya: Ms. Desislava Savova, tel.: +359 519 92737**
 - **Regional Court Provadia:Mr. Rumen Vichev, tel.: +359 518 47722**
- e-mail: mediation@vos.bg**
- Number of mediators involved in the or on call
15
 - Name and contact details of concerned MmJ partner/Chamber
Gabriela Dimitrova, Bulgarian CCI
tel.: +359 2 8117 489
e-mail: interdpt@bccci.bg
 - Other (bar association, lawyer, mediation centres, mediators...)
The Center for Settlements and Mediation at Sofia Regional Court and Sofia City Court (CSM)
- When did it start? Is there a date foreseen for review/evaluation?
11 November 2015
 - What is the process?
 - Where/when is info about mediation communicated

By the judges orally during the hearings and in written when there is a positive feedback from the parties that they enquire more information on mediation process.



- Who receives the info (lawyers, parties)

Parties and their lawyers.

- How is the communication made (individual meeting, permanence, group meetings, written...)?
The judge explains the opportunity to go to mediation during the first hearing. If needed individual meetings with the judge or the mediators are held. The contact person at the Mediation center provides information on the phone or by e-mail.
- Is it an invitation or an order by the judge? (discretionary)
Invitation
- Is there a feedback given to the judge?(discretionary)
Yes
- Are there statistics collected and how? (discretionary)
Yes, through the contact person at the Mediation center
- Where there any prerequisite? (such as trainings for the judges)
Two seminars with judges and mediators from the region were held - 15 May 2015 and 22 January 2016.
- Others

Evaluation of the scheme

The scheme was evaluated three months after its establishment.

- What works well/what is positive?
The pilot scheme was well communicated /media articles, tv interviews, information in the courts/ and as a result it happens often that parties and lawyers when proposed by the judge to go to mediation react positively and confirm they have information what is mediation and how it works. The number of mediators grew from 9 in November 2015 to 15 at present.
- What are the difficulties
**Even being aware about mediation some parties consider mediation is not for them and they insist on a trial usually strongly supported by their lawyers.
Not all judges inform parties about the opportunity to use mediation. Reasons vary from lack of knowledge to lack of time.**
- How many cases were referred to mediation?
33



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- How many mediation were positively concluded (even partially)
10
- Number of cases that were concluded through negotiation (other than mediation) with or without lawyers' assistance
n/a
- Number of summons before the court (to mediate)
n/a
- Average number of parties
2
- Number of informative sessions organized by the mediation service
75

Conclusion

- What is the future of this pilot scheme like?
The efforts of the courts participating in the scheme will continue in direction to encourage judges to suggest mediation and to provide the necessary basic information for parties.
- Suggestion for improvement?
Administrative competent bodies should be included in the management of courts resources.
- What are you planning/able/ready to do to improve the service?
The Bulgarian CCI will go on providing support and expertise to the mediation center in Varna. If enquired further training and technical support will be provided.