

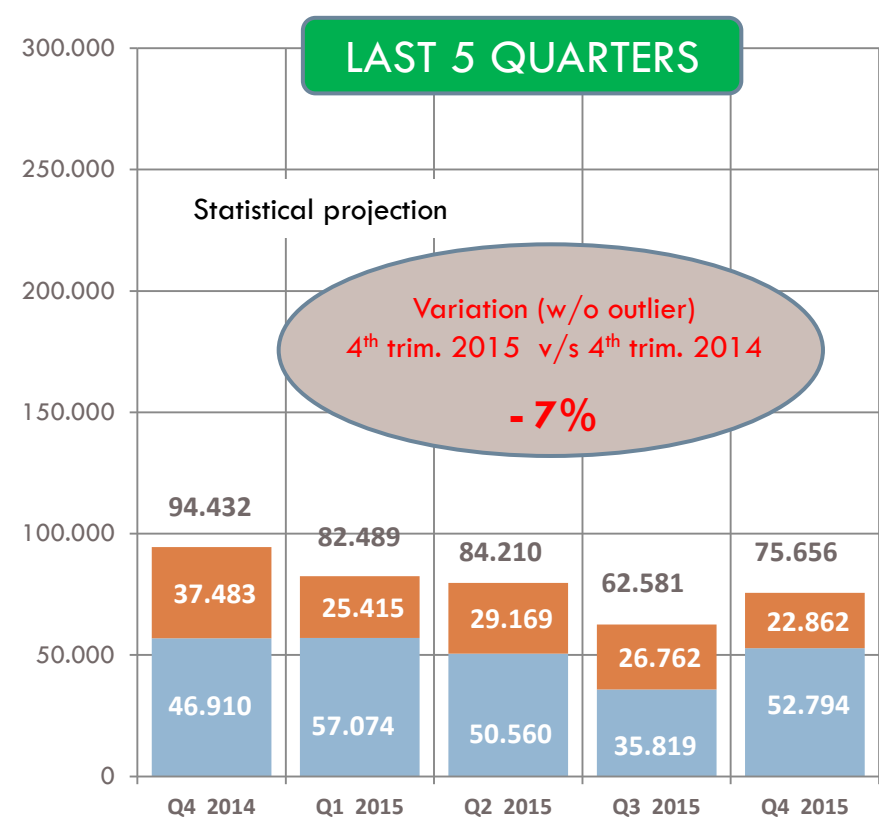
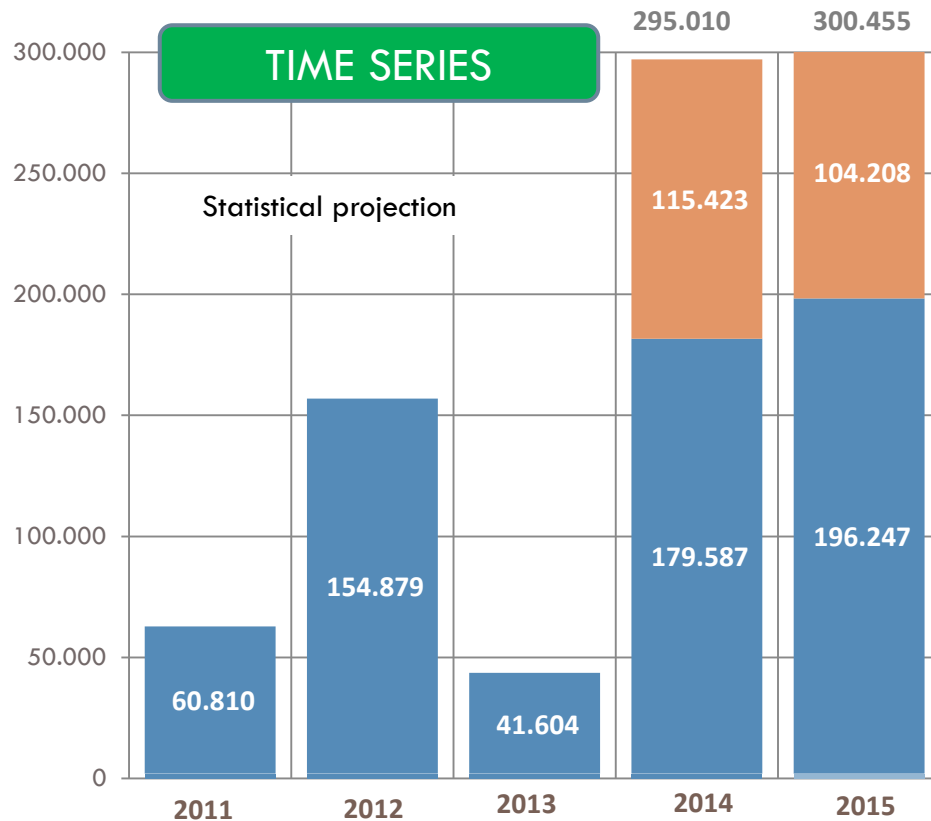


CIVIL MEDIATION LEGISLATIVE DECREE 28/2010

STATISTICS FOR THE PERIOD JANUARY 1ST – DECEMBER 31ST 2015

Incoming mediations

March 2011 – December 2015



In the comparison between years, it has to be taken into account that:

- From 13 December 2012 to 30 September 2013 the compulsory attempt at conciliation was suspended;
- In 2012 there were approximately 45.000 mediations (an average of 11.165 per quarter) for damages from circulation of vehicles and boats, this subject matter is no longer mandatory as of September 20, 2013

■ Incoming mediations

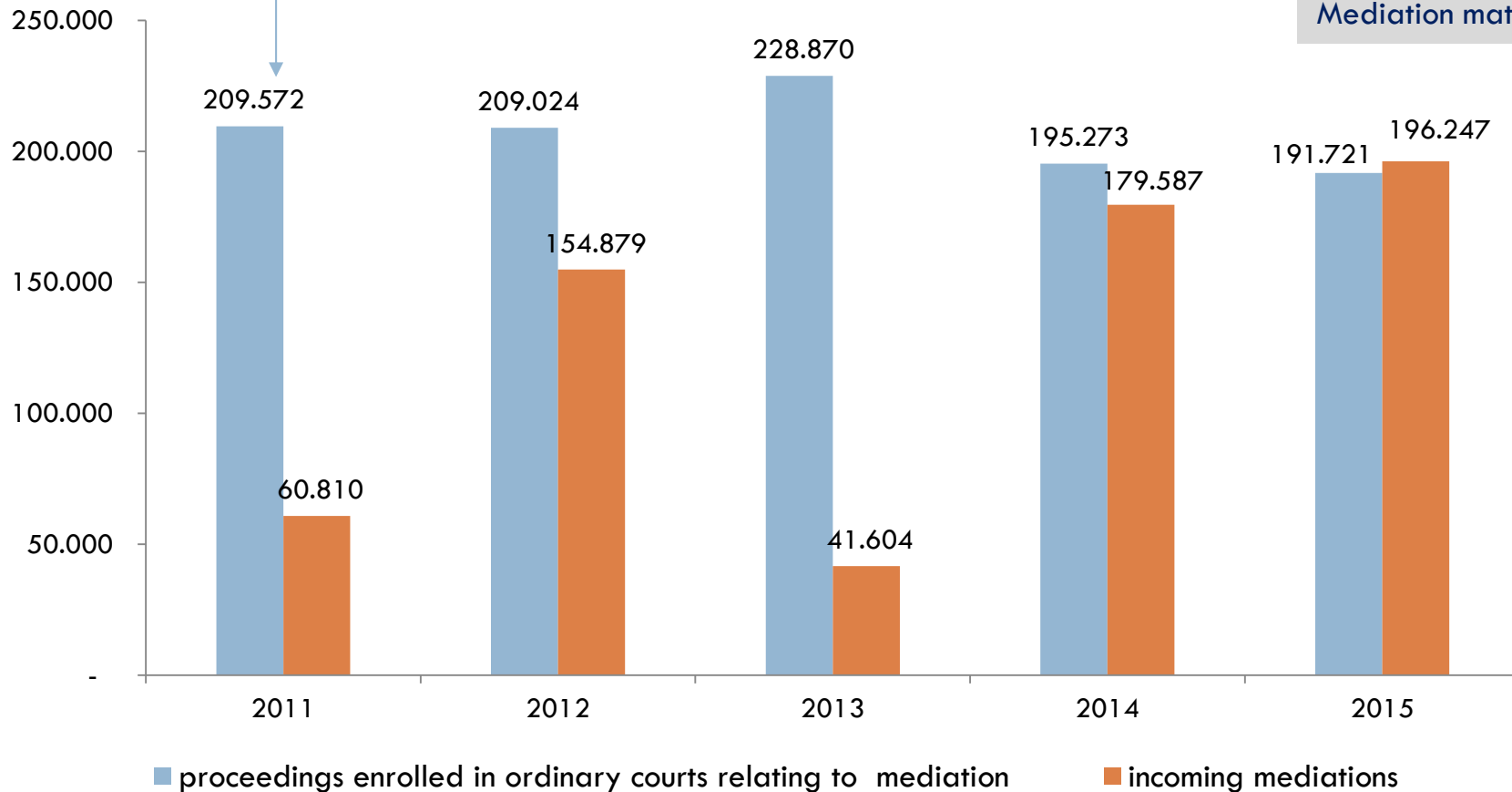
■ Incoming mediations for one mediation firm, statistical «outlier»

Comparison between cases handled in mediation and those handled in the Tribunals

2011 – 2015

The proceedings enrolled in the ordinary courts relating to matters for which a mediation attempt is compulsory represent nearly 8% of the total civil cases registered in Italian tribunals each year.

Reduction
2015 vs 2013
Civil Total = -8%
Mediation matters = -16%



Mediation firm statistically an «outlier»

4th quarter 2014 – 4th quarter 2015

- Registered in 2014.
- Has 104 operational sites.
- Manages only insurance contract related litigations:

Incoming cases	
4 th quarter 2014	37.483
1 st quarter 2015	25.415
2 nd quarter 2015	29.169
3 rd quarter 2015	26.762
4 th quarter 2015	22.862

- Almost all cases have ended due to the lack of presence of the counterparty:

Resolved cases	With counterparty Agreement not-reached	With counterparty Agreement reached	No presence of counterparty
4 th quarter 2014	25	25	36.844
1 st quarter 2015	29	29	21.663
2 nd quarter 2015	39	19	26.611
3 rd quarter 2015	17	17	26.115
4 th quarter 2015	34	13	26.672

*This firm, for the activities reported above, represents a statistical outlier.
For this reason the analysis of subsequent pages are processed without its data.*

Data by subject matter

2015

Condominium
Property
Partition
Wills and inheritance
Family covenants and agreements
Lease
Loans
Business rents
Liability for damages from vehicles and boats*
Medical malpractice damages
Libel
Insurance contracts
Bank contracts
Financial contracts
Other proceedings (non mandatory mediations)
Total

*non mandatory matter since September 2013

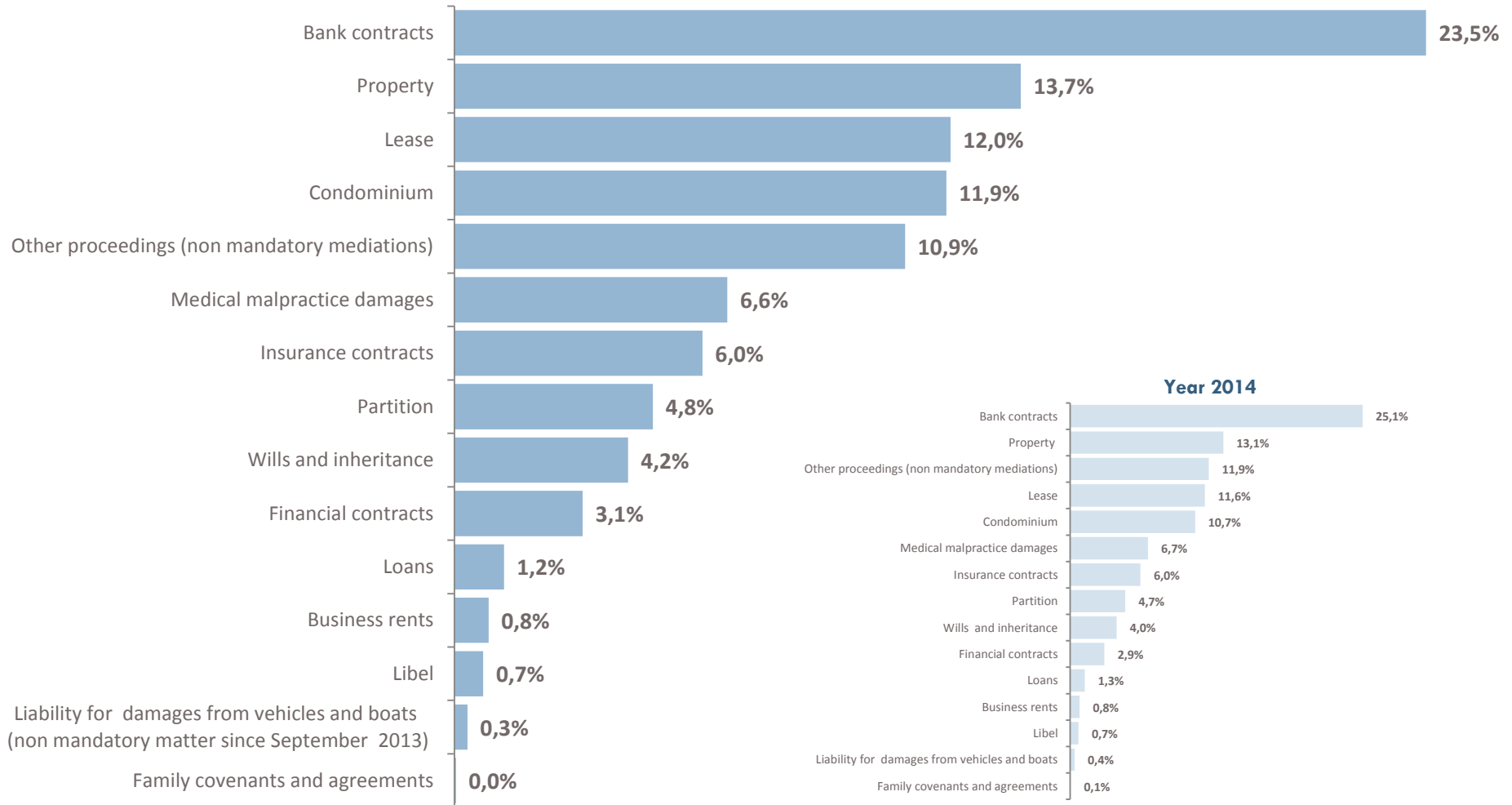
January 1 st – December 31 st 2015			
INITIAL PENDING	INCOMING	RESOLVED	FINAL PENDING
6.212	23.368	21.522	8.057
9.342	26.934	24.717	11.559
3.469	9.429	8.486	4.413
2.791	8.210	7.508	3.493
104	74	85	93
6.486	23.492	22.680	7.298
775	2.450	2.331	894
724	1.668	1.588	804
1.103	657	624	1.136
3.799	13.019	12.347	4.472
477	1.419	1.359	537
3.450	11.811	11.345	3.917
12.696	46.094	44.911	13.878
2.064	6.170	5.923	2.311
11.001	21.452	20.321	12.133
64.493	196.247	185.745	74.995

<i>Insurance contracts «outlier»</i>

5.886	104.208	101.224	8.870
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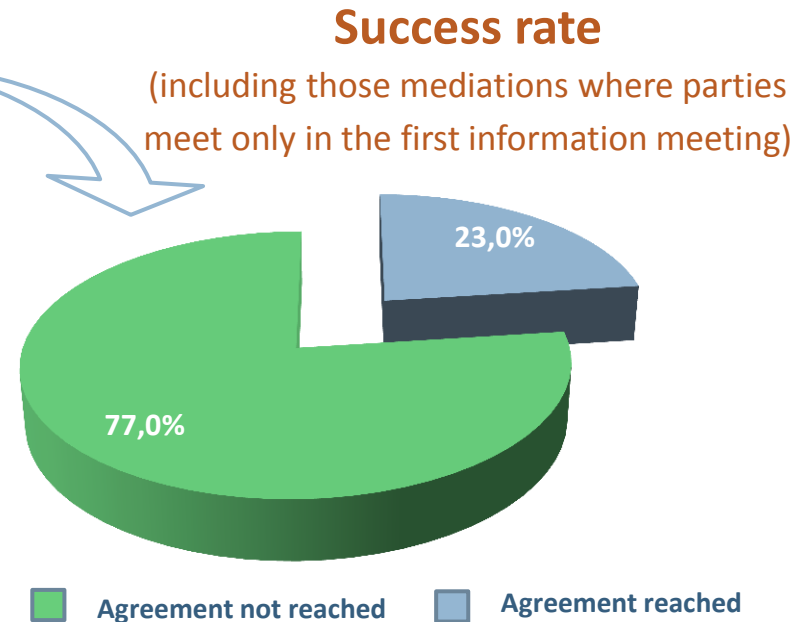
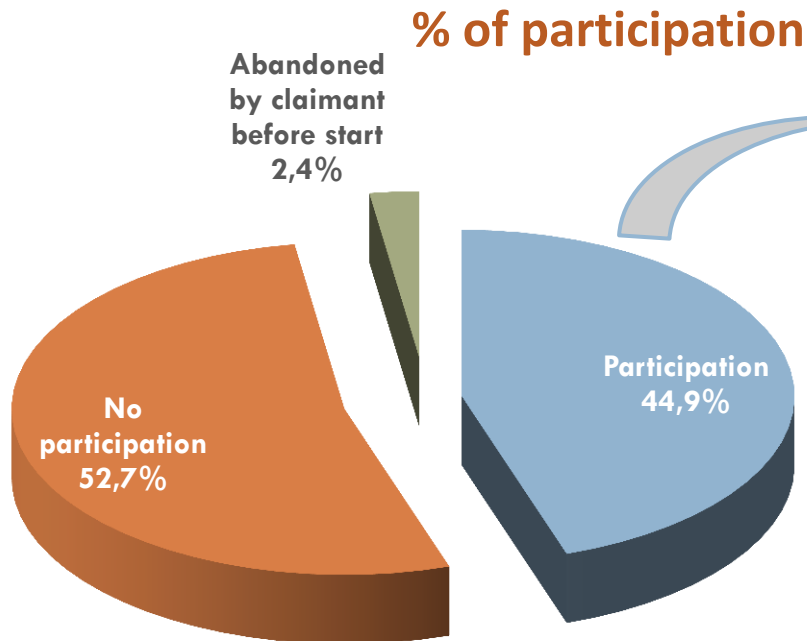
Incoming mediations by subject

2015



Success rate

2015



	Mar. 2011 - Dec. 2012	2013	2014
Participation	27,0%	32,4%	40,5%
Success rate	43,9%	42,4%	47,0% (*)

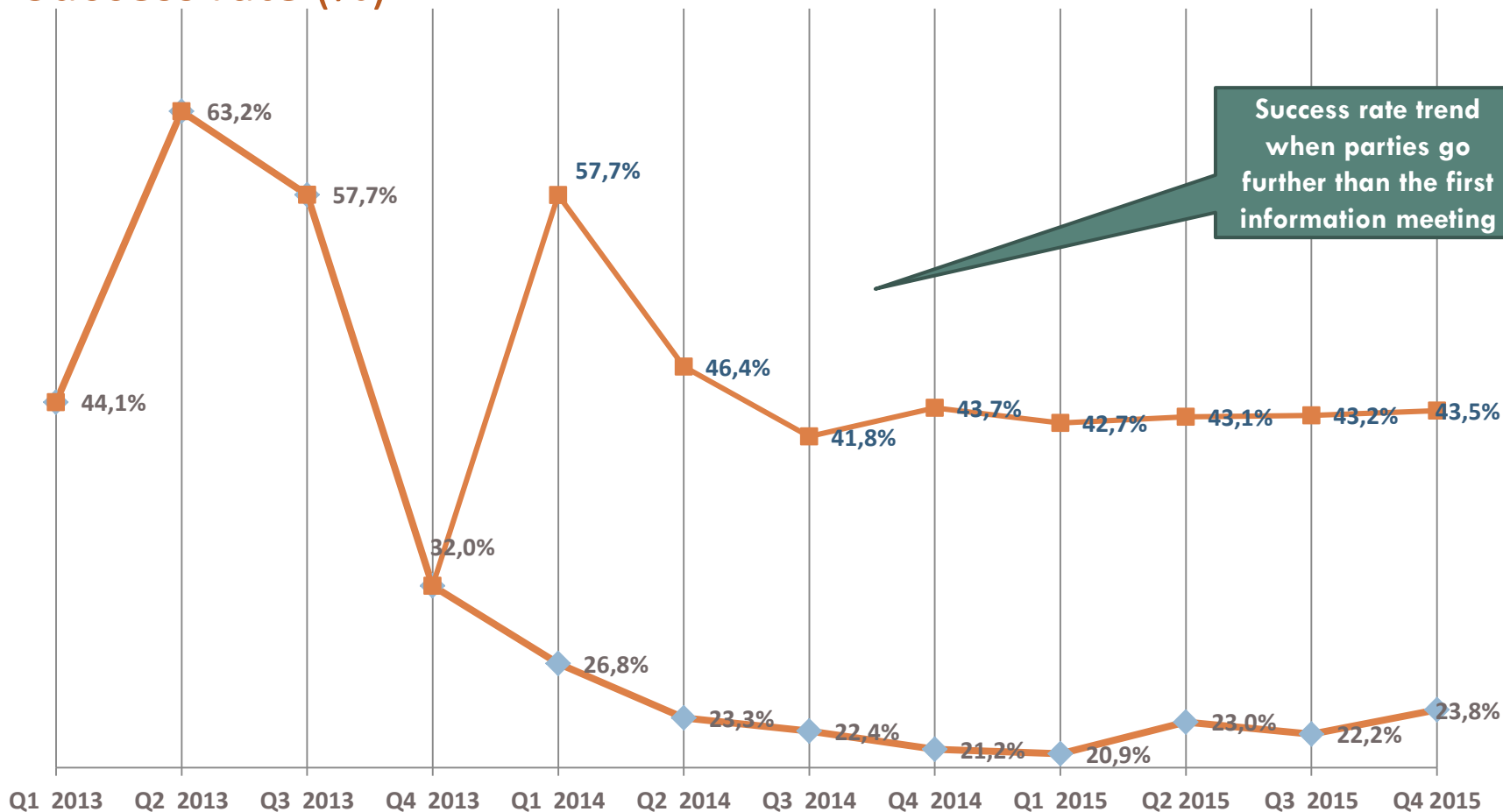
A sample analysis shows that the success rate goes up to 43,5% when parties go further in the mediation attempt after the first information meeting

(*) Excluding mediations in which parties participated only in the first information meeting

Trend of success rates

2013 – 2015

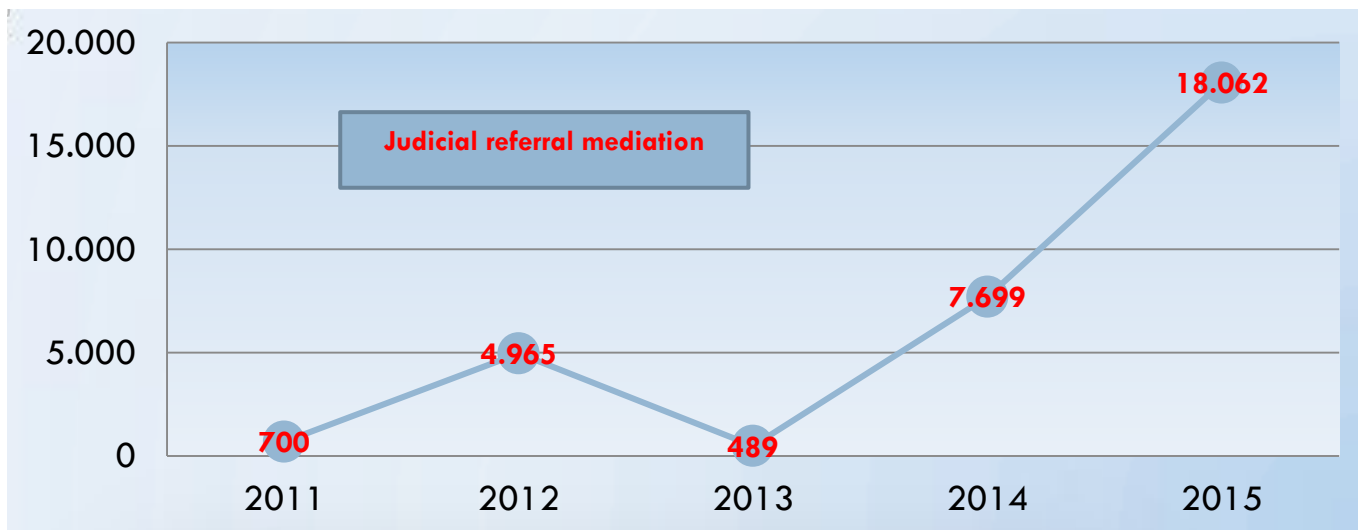
Success rate (%)



Success rate trend when parties go further than the first information meeting

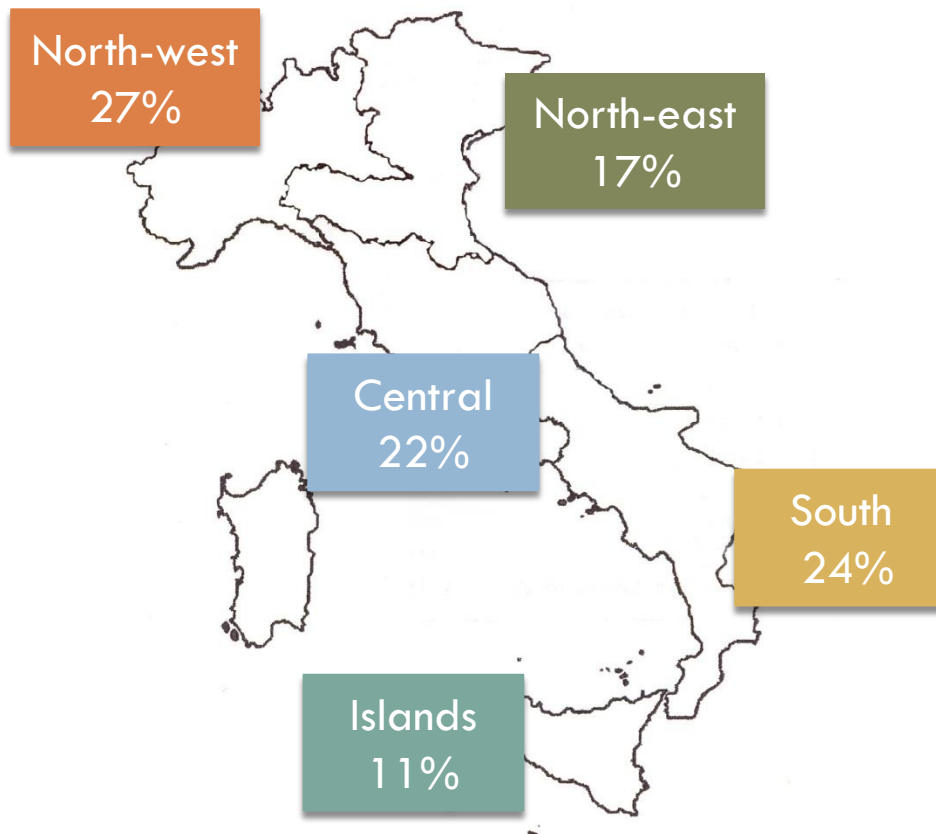
Categories of mediation – resolved cases

	2011		2012		2013		2014		2015	
Judicial referral	700	<i>1,7%</i>	4.965	<i>3,3%</i>	489	<i>2,0%</i>	7.699	<i>5,6%</i>	18.062	<i>9,7%</i>
Mandatory mediation (2011-2012)										
Mandatory Mediation with easy opt-out at the initial meeting (from end 2013)	31.288	<i>77,9%</i>	129.531	<i>84,9%</i>	13.802	<i>57,5%</i>	131.360	<i>83,8%</i>	151.469	<i>81,6%</i>
Provided by contract / agreement	200	<i>0,5%</i>	458	<i>0,3%</i>	359	<i>1,5%</i>	1.332	<i>0,6%</i>	823	<i>0,4%</i>
Voluntary	7.973	<i>19,9%</i>	17.677	<i>11,6%</i>	9.369	<i>39,0%</i>	15.926	<i>10,0%</i>	15.392	<i>8,3%</i>



Geography of mediations

2015

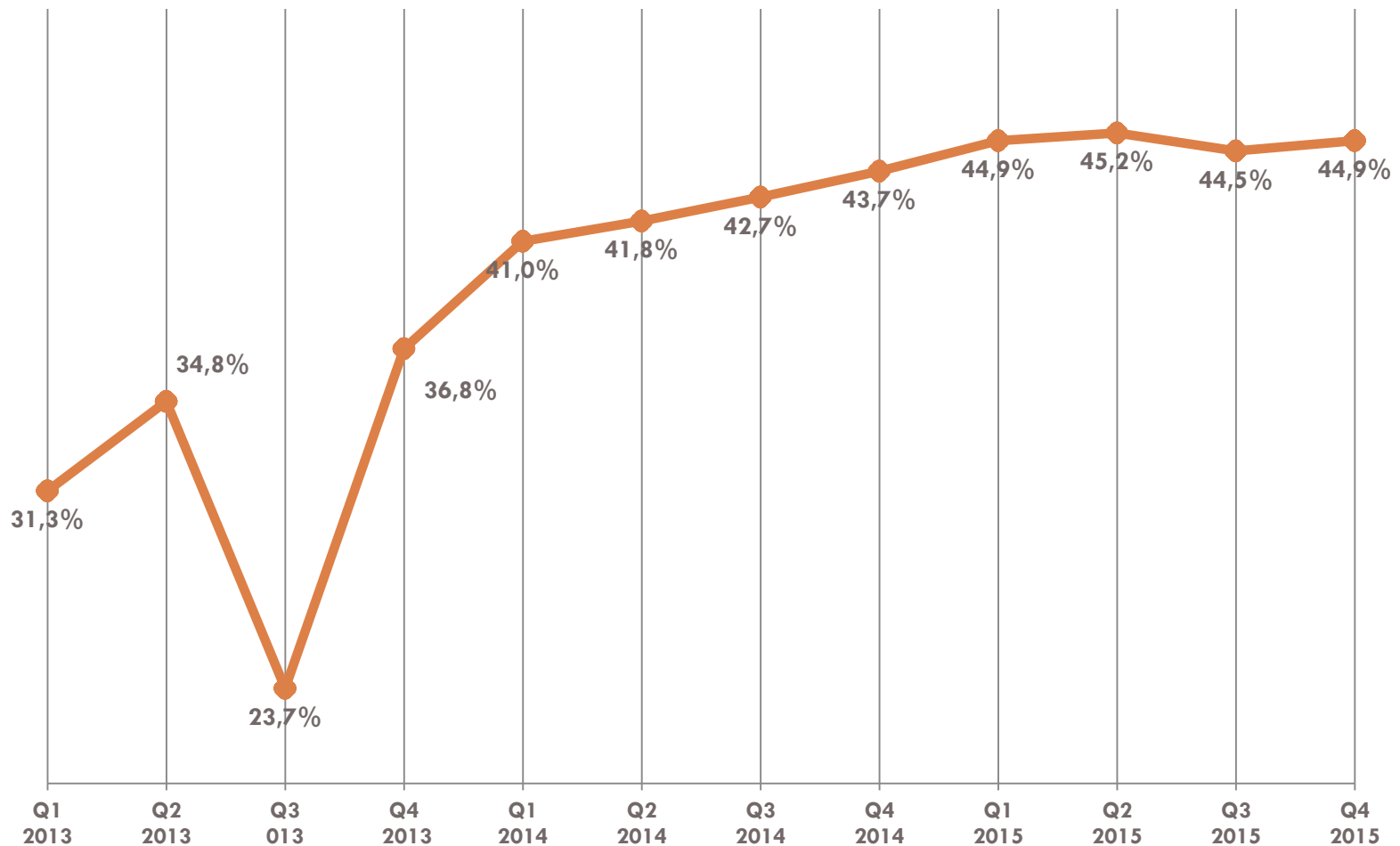


REGIONS	%
LOMBARDY	16,6%
LAZIO	10,7%
CAMPANIA	10,1%
SICILY	7,7%
TUSCANY	7,4%
VENETO	7,0%
EMILIA-ROMAGNA	6,9%
PIEDMONT	6,8%
PUGLIA	5,7%
CALABRIA	4,4%
SARDINIA	3,1%
LIGURIA	2,9%
ABRUZZO	2,3%
MARCHE	2,0%
FRIULI-VENEZIA GIULIA	2,0%
UMBRIA	1,5%
TRENTINO-ALTO ADIGE	1,4%
MOLISE	0,7%
BASILICATA	0,6%
VALLE D'AOSTA	0,2%

Analysis made with a sample of resolved cases

Rate of Counterparty Participation in a Mediation Process

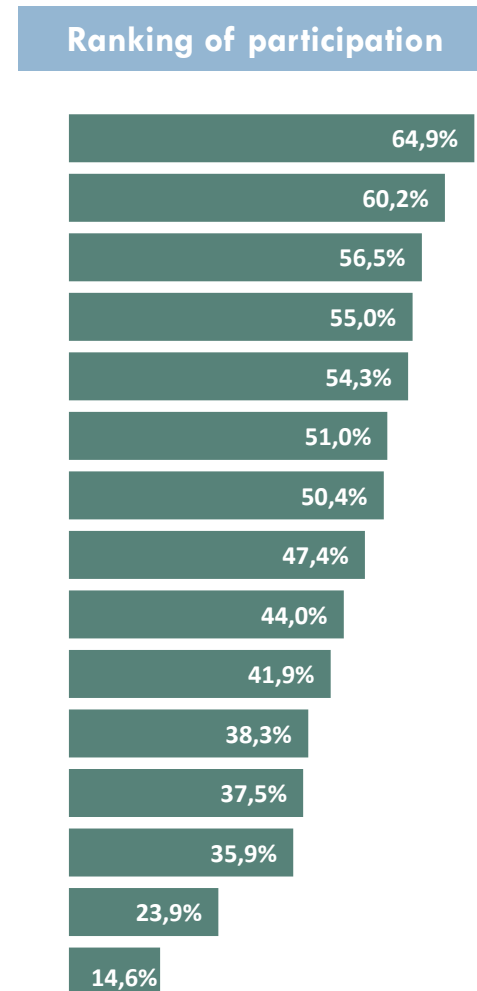
2013 – 2015



Participation by subject

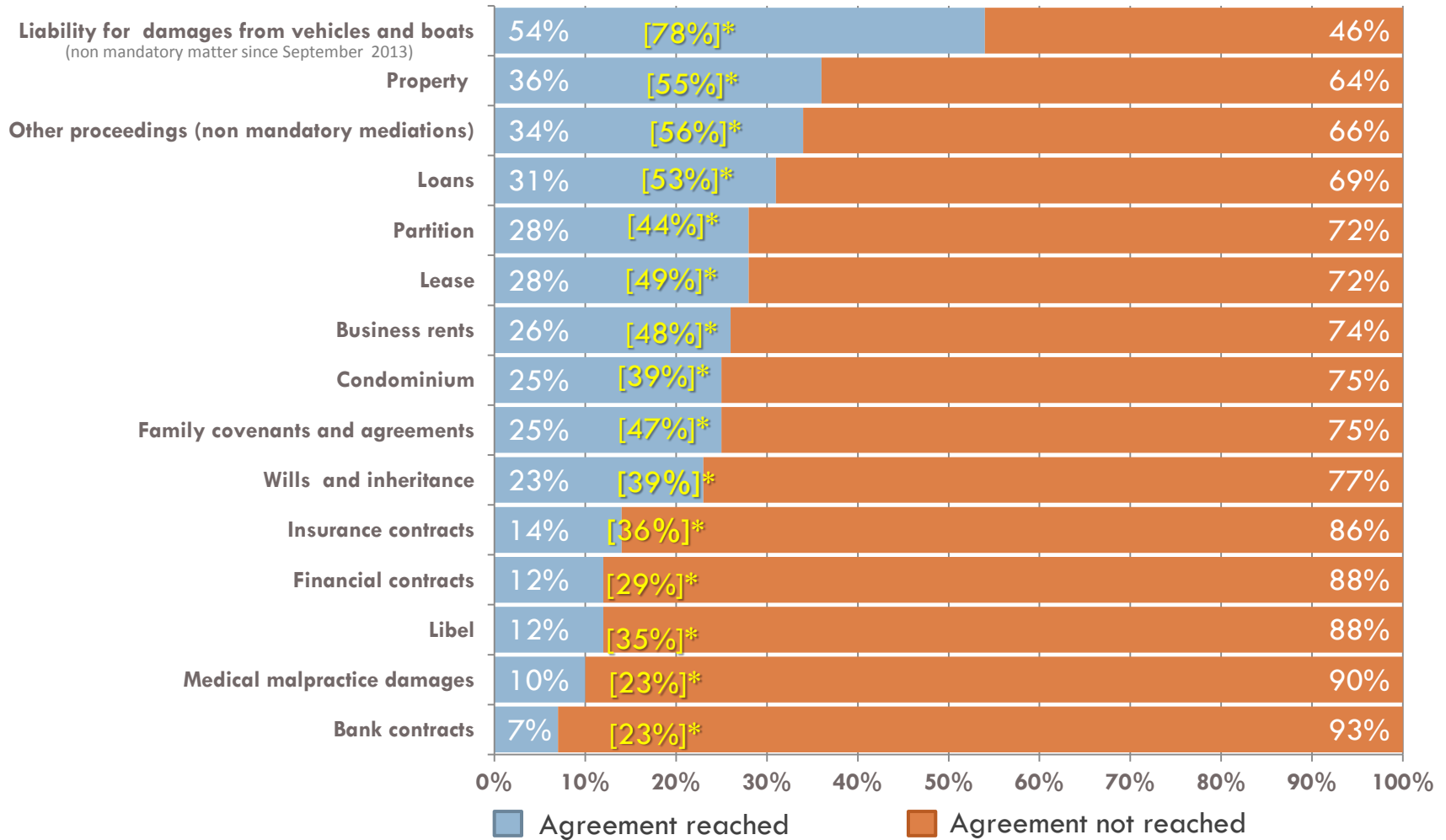
2015

Subject	% of participation
Wills and inheritance	64,9%
Partition	60,2%
Family covenants and agreements	56,5%
Property	55,0%
Condominium	54,3%
Business rents	51,0%
Lease	50,4%
Loans	47,4%
Bank contracts	44,0%
Other proceedings (non mandatory mediations)	41,9%
Libel	38,3%
Medical malpractice damages	37,5%
Financial contracts	35,9%
Liability for damages from vehicles and boats <small>(non mandatory matter since September 2013)</small>	23,9%
Insurance contracts	14,6%



Success rate analysis by subject

2015



* Outcome of the procedures when parties agree on meeting

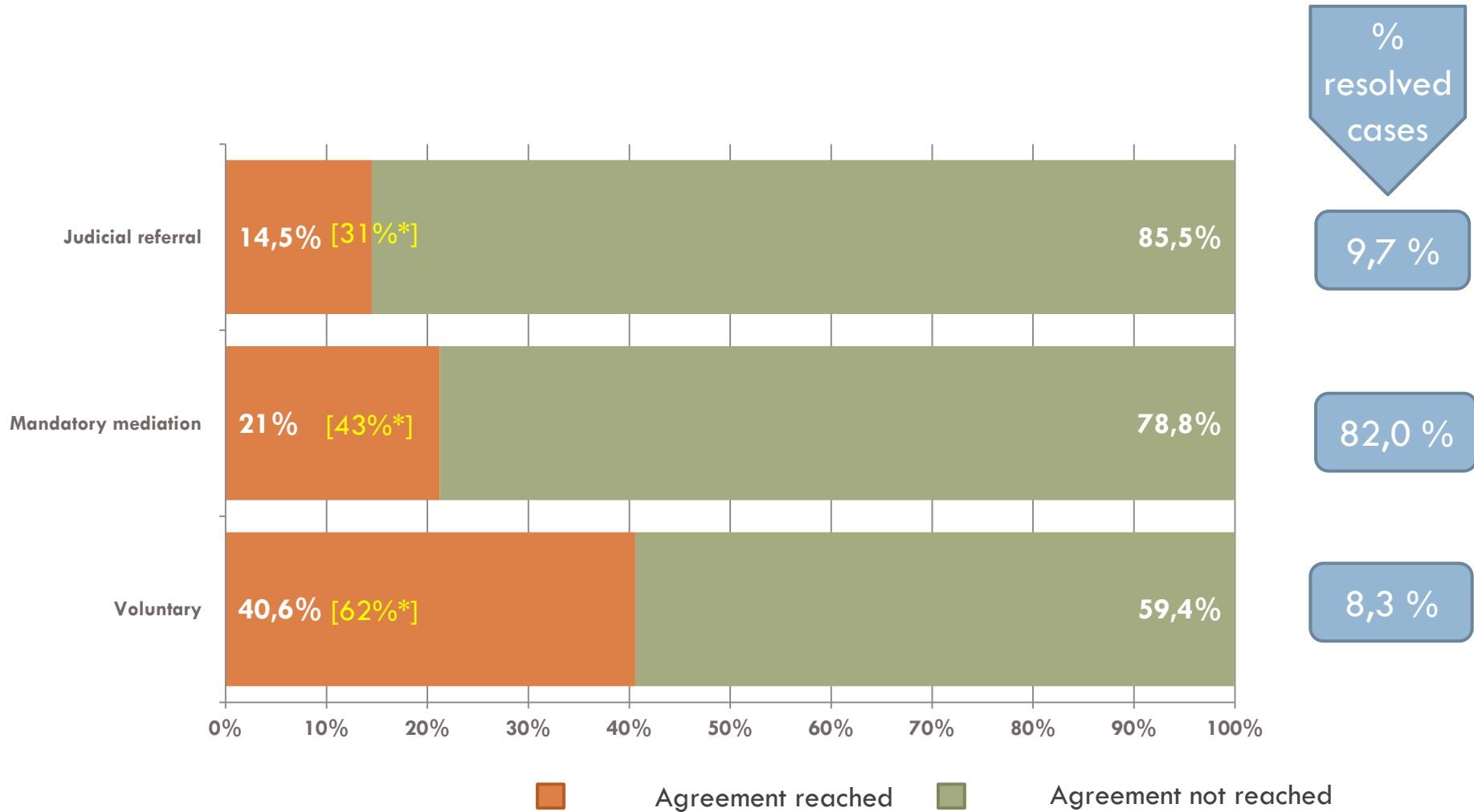
Success rate by type of mediation body

2015

Type of mediation organization	Number of organizations as of 31.12.2015	Resolved	Sample Survey	
			Success rate including cases where the other party did not participate in the process	Success rate including only cases in which both parties participated in meetings following the first information one
Chambers of Commerce	88	20.361	21,8%	47,8%
Private organizations	611	94.415	25,9%	46,8%
Bar associations	107	65.398	18,9%	36,9%
Other professional associations	88	1.571	32,6%	46,6%
Total	894	185.745	22,6%	43,5%

Success rate of Mediation by Type of Referral

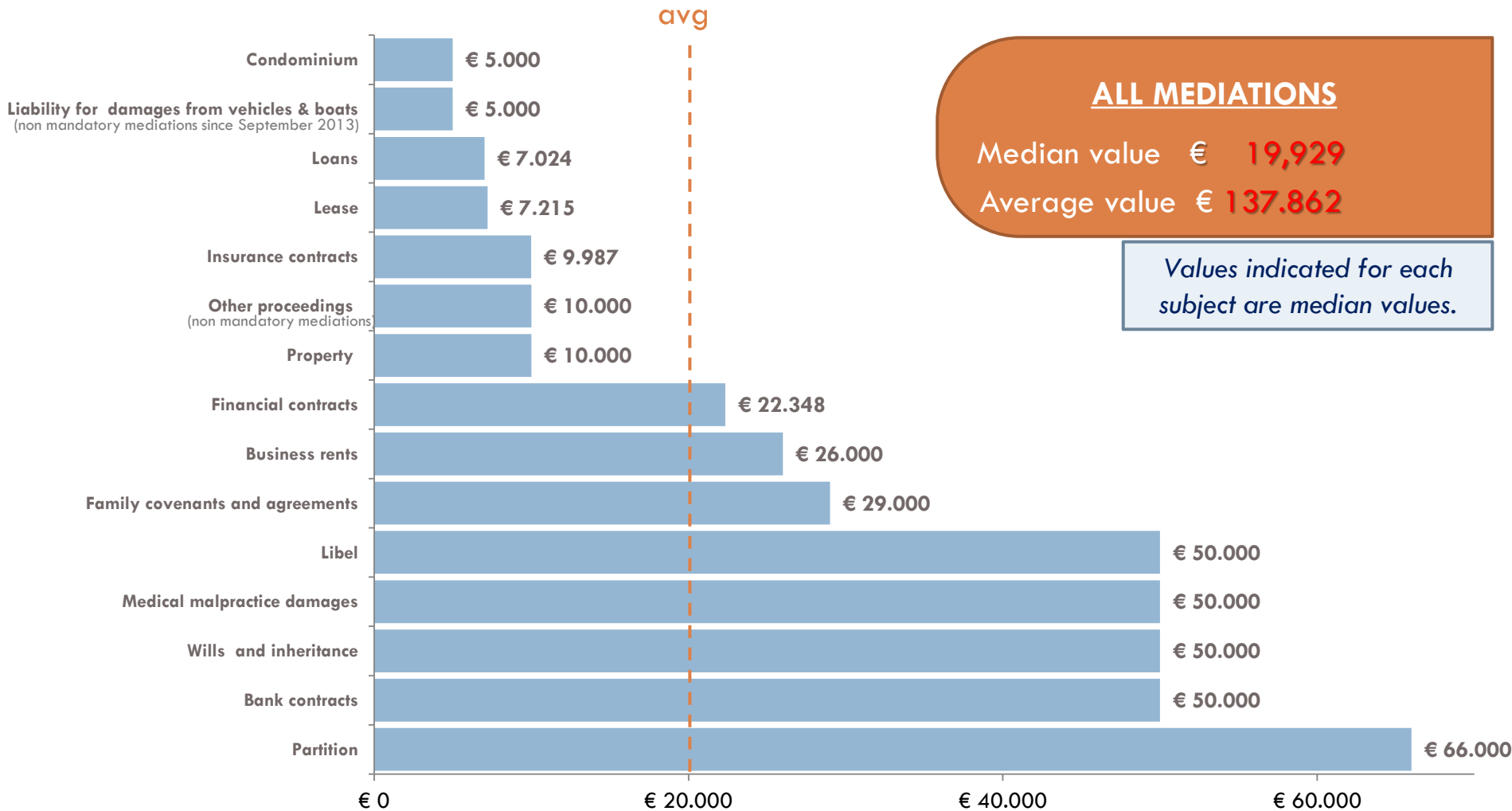
2015



* Outcome of the procedures when parties agree on meeting

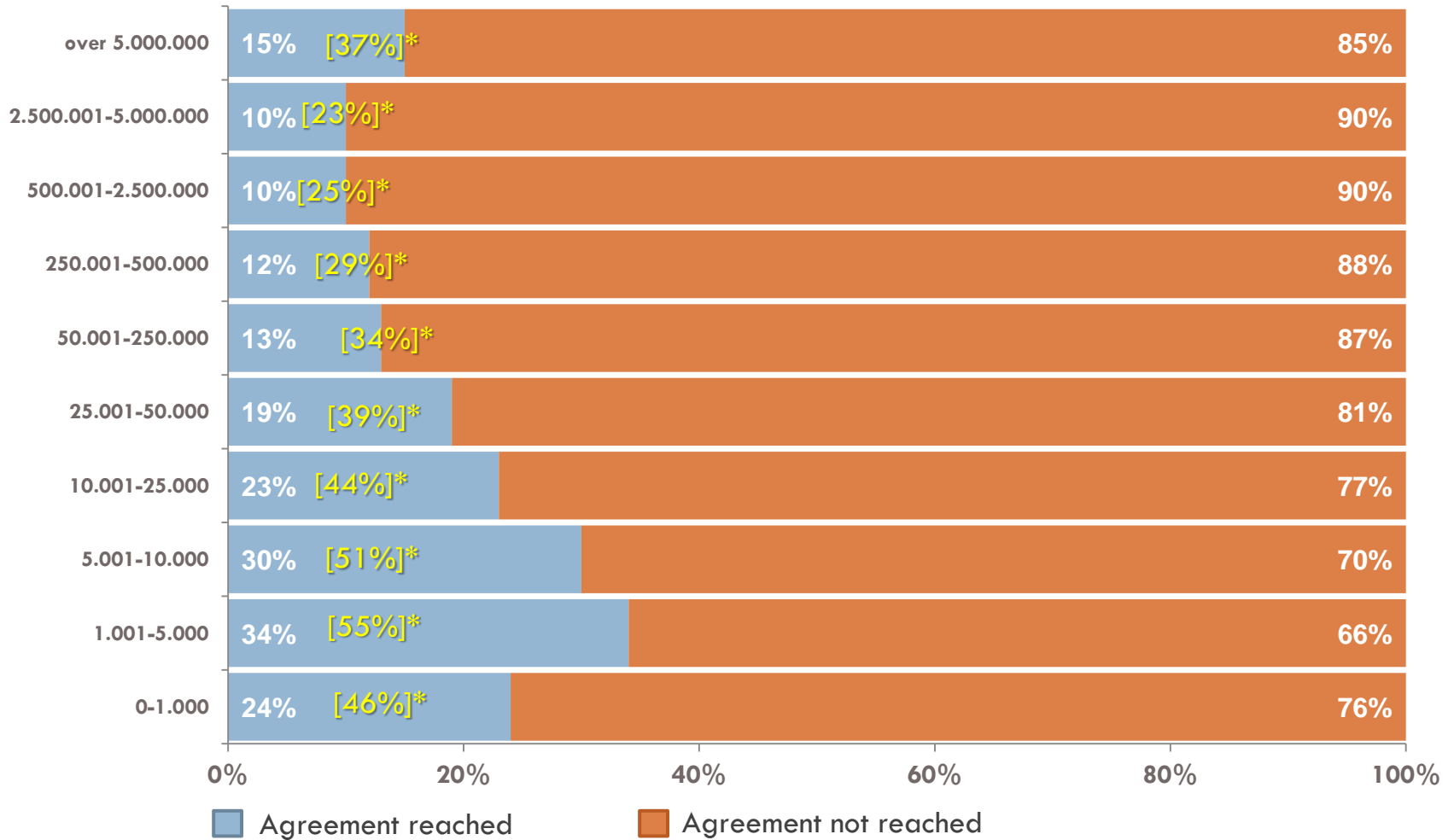
Economic value of mediation disputes

2015



Success rate by value range

2015



* Outcome of the procedures when parties agree on meeting

Legal Aid

2013 - 2015

% of claimants to whom legal aid was granted	% of defendants to whom legal aid was granted
1,0%	1,3%

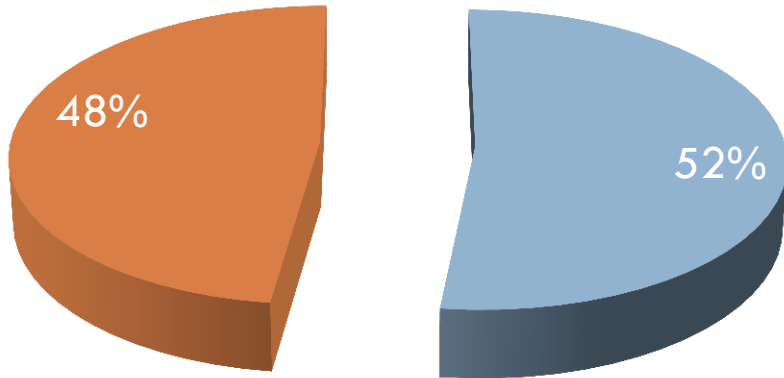
Categories of mediation	% of claimants to whom legal aid was granted	% of defendants to whom legal aid was granted
Judicial referral	1,2%	2,0%
Mandatory mediation	0,9%	1,1%
Voluntary	1,7%	1,6%

Type of mediation organization	% of claimants to whom legal aid was granted	% of defendants to whom legal aid was granted
Other professional associations	0,1%	0,6%
Chambers of Commerce	2,0%	0,5%
Bar associations	0,9%	1,2%
Private organizations	0,9%	1,5%

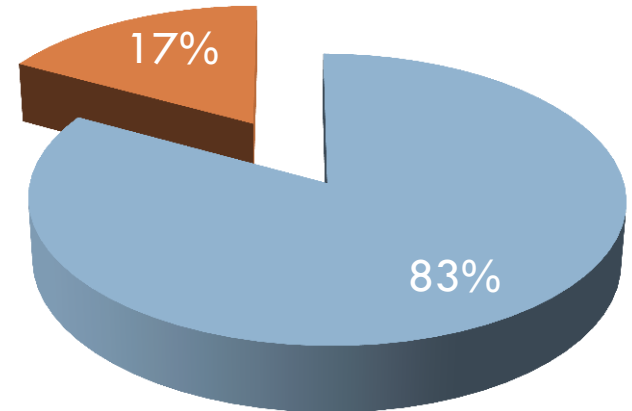
Lawyer's assistance in voluntary mediation

2015

Total claimants



Total defendants



- Assisted by lawyer
- NOT assisted by lawyer

From September 21st 2013 the assistance of parties by lawyers is mandatory for all mandatory mediations

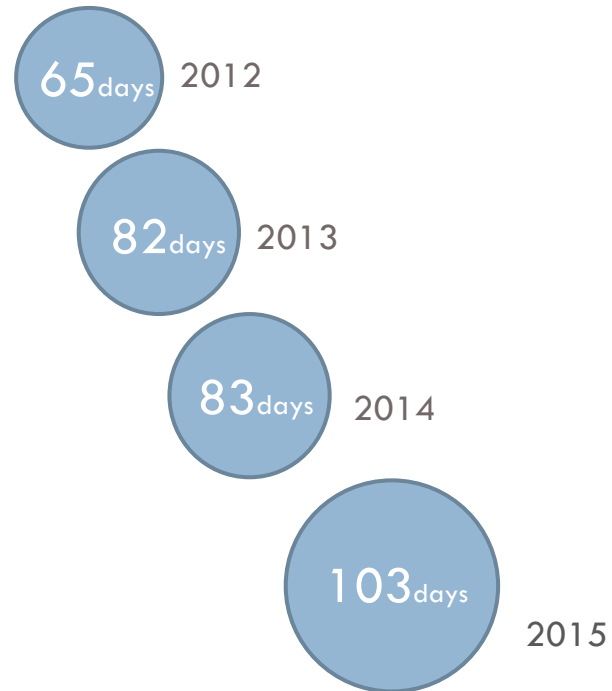
Days in mediation compared to days in Court

CIVIL CASES IN COURTS



MEDIATION

Cases when an agreement is reached



Ministero della Giustizia



Direzione Generale di Statistica
e Analisi Organizzativa

Document available at <https://webstat.giustizia.it>