



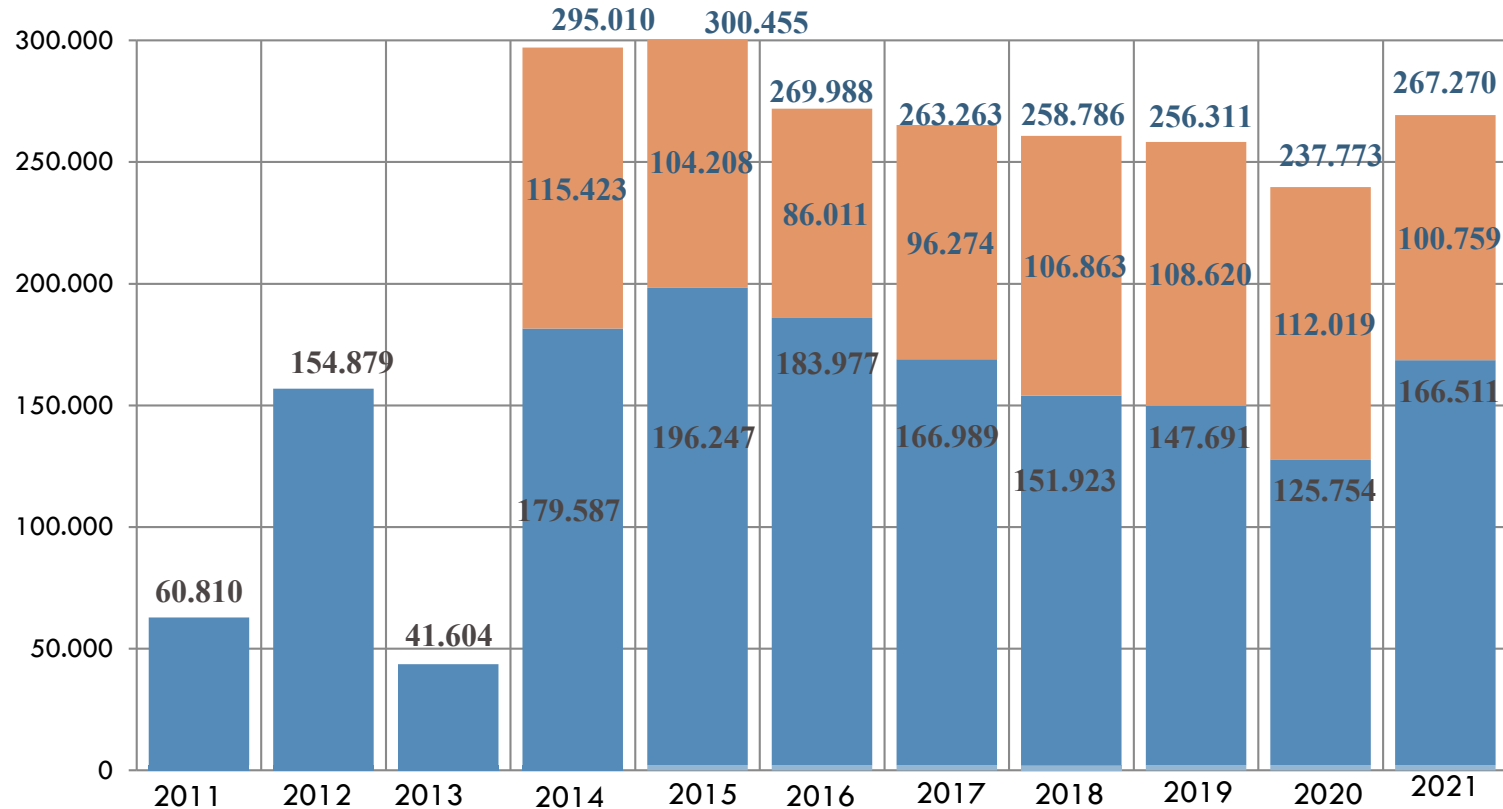
CIVIL MEDIATION LEGISLATIVE DECREE 28/2010

STATISTICS FOR THE PERIOD JANUARY 1ST – DECEMBER 31ST 2021

Incoming mediations

Statistical projection

March 2011 – December 2021



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 some mediation firms, statistical «outlier»

Data by subject matter

2021

Condominium
Property
Partition
Wills and inheritance
Family covenants and agreements
Lease
Loans
Business rents
Medical malpractice damages
Libel
Insurance contracts
Bank contracts
Financial contracts
Other proceedings (non mandatory mediations)
Breach of contractual obligations due to COVID containment measures d.l.6 / 20 art. 3 co. 6bis and 6ter
Total

January 1 st – December 31 st 2021			
INITIAL PENDING	INCOMING	RESOLVED	FINAL PENDING
15.491	21.435	19.745	17.181
21.161	24.254	22.081	23.334
8.181	8.686	7.664	9.202
6.884	8.771	7.907	7.748
199	110	93	217
12.807	20.846	20.186	13.468
1.504	1.934	1.856	1.582
1.762	1.163	1.163	1.762
5.363	5.323	5.053	5.633
1.000	1.630	1.533	1.097
7.237	15.250	14.708	7.779
19.266	23.059	19.840	22.485
3.432	4.170	3.915	3.688
23.293	29.008	26.350	25.952
309	871	826	354
127.889	166.511	152.919	141.480

The comparison of incoming and resolved mediations 2021 with those of 2020 shows, respectively, an increase of about 32% and 40%. The increase is partly attributable to a resumption of judicial activity after the Codiv-19 pandemic that has led to a partial recovery of the incoming and resolved cases not made during 2020.

Data by subject matter: focus on insurance contracts

2021

Incoming mediations for insurance disputes decreased.

The decrease is concentrated into few “outliers”, i.e. mediation bodies showing an anomalous and extremely high percentage of proceedings that end in “no participation” (99%).

Following the decision no. 19596 of 18.09.2020 of the Supreme Court, incoming mediations for insurance disputes increased in the “no-outlier” bodies (+23%).

		January 1st – December 31st 2021				
		INITIAL PENDING	INCOMING	RESOLVED	FINAL PENDING	% Variation 2021 vs 2019
Insurance contracts		7.237	15.250	14.708	7.779	23%
Insurance contracts "outlier"		10.235	100.759	101.468	9.526	-7%
	Totale	17.472	116.009	116.176	17.305	-4%

In the following analysis the “outlier” bodies are not considered

Data by subject matter: focus on cases related to COVID containment measures

2021

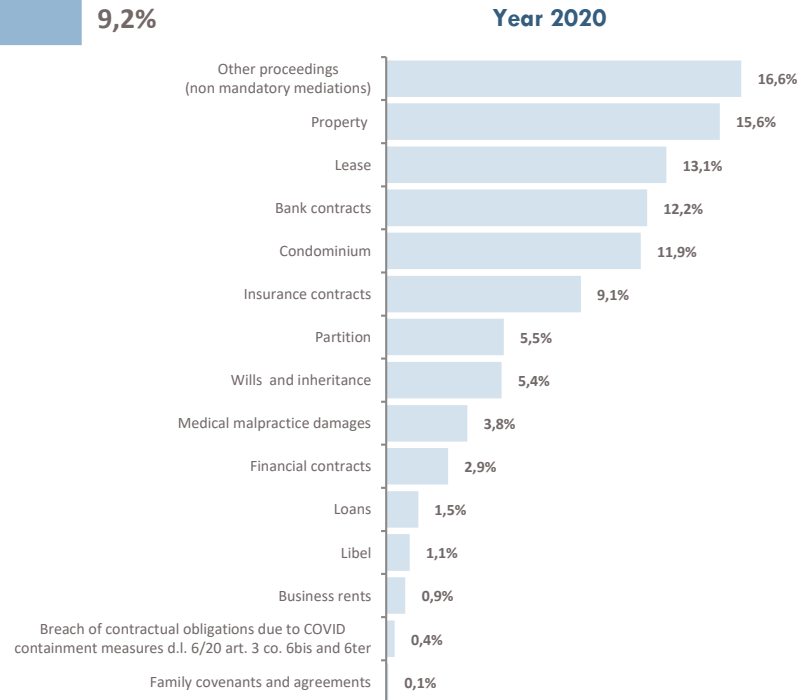
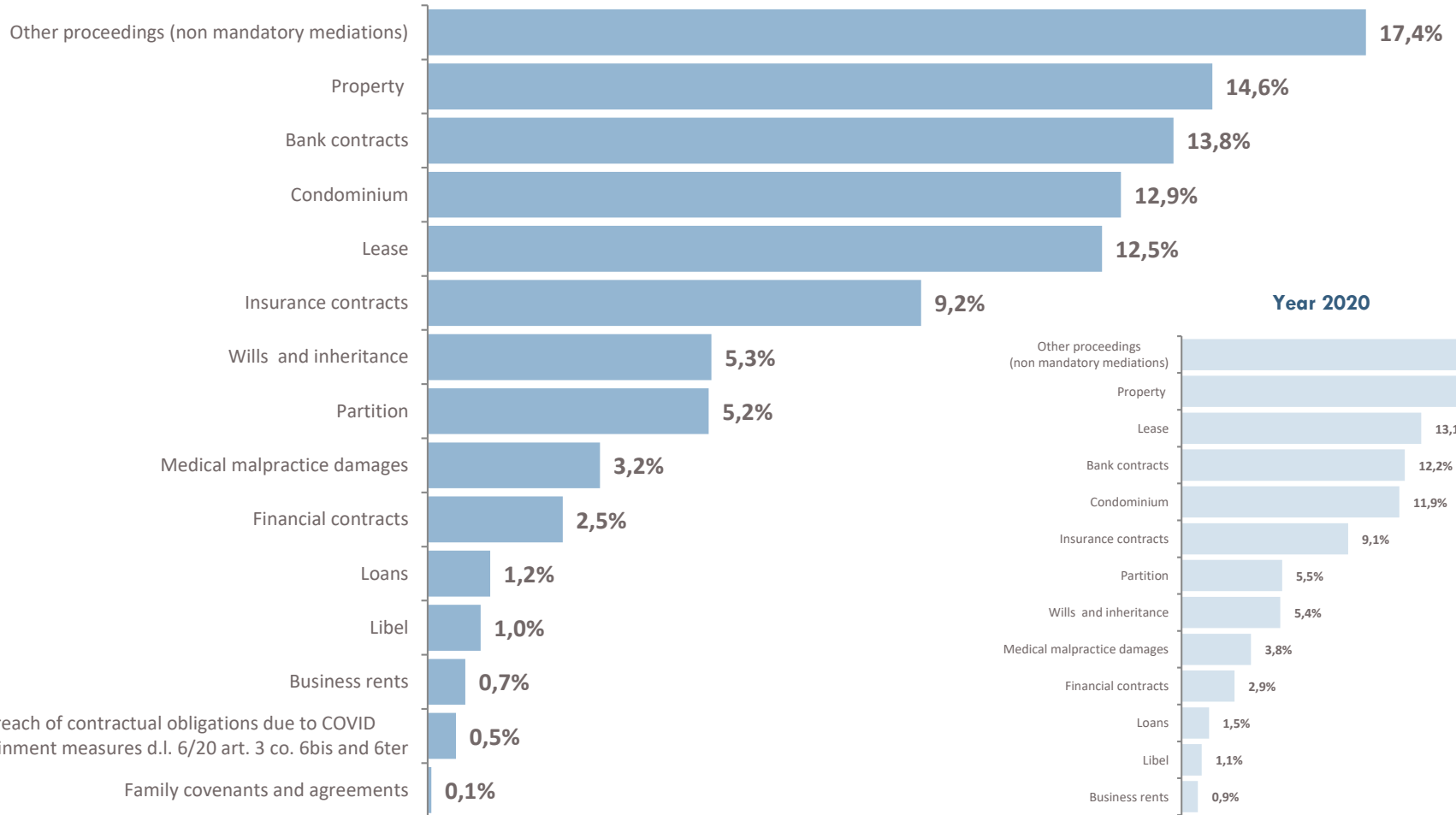
	January 1 st – December 31 st 2021			
	INITIAL PENDING	INCOMING	RESOLVED	FINAL PENDING
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Property	21.161	24.254	22.081	23.334
Partition	8.181	8.686	7.664	9.202
Wills and inheritance	6.884	8.771	7.907	7.748
Family covenants and agreements	199	110	93	217
Lease	12.807	20.846	20.186	13.468
Loans	1.504	1.934	1.856	1.582
Business rents	1.762	1.163	1.163	1.762
Medical malpractice damages	5.363	5.323	5.053	5.633
Libel	1.000	1.630	1.533	1.097
Insurance contracts	7.237	15.250	14.708	7.779
Bank contracts	19.266	23.059	19.840	22.485
Financial contracts	3.432	4.170	3.915	3.688
Other proceedings (non mandatory mediations)	23.293	29.008	26.350	25.952
Breach of contractual obligations due to COVID containment measures d.l.6 / 20 art. 3 co. 6bis and 6ter	309	871	826	354
Total	127.889	166.511	152.919	141.480

In 2021, incoming mediations related to the COVID containment measures were 5.504, equal to 3% of the total.

The data is the sum of **871** cases in the specific matter «Breach of contractual obligations due to COVID containment measures d.l.6 / 20 art. 3 co. 6bis and 6ter» introduced in the third quarter of 2020, and **4.733** cases related to COVID containment measures in already existing matters.

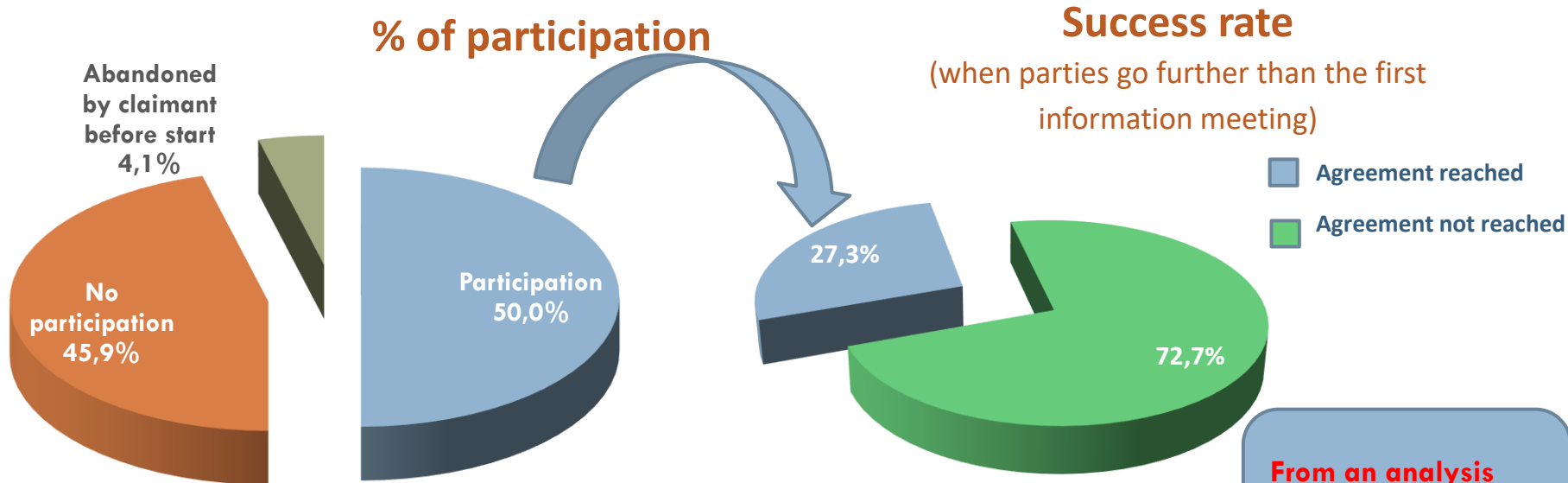
Incoming mediations by subject

2021



Success rate

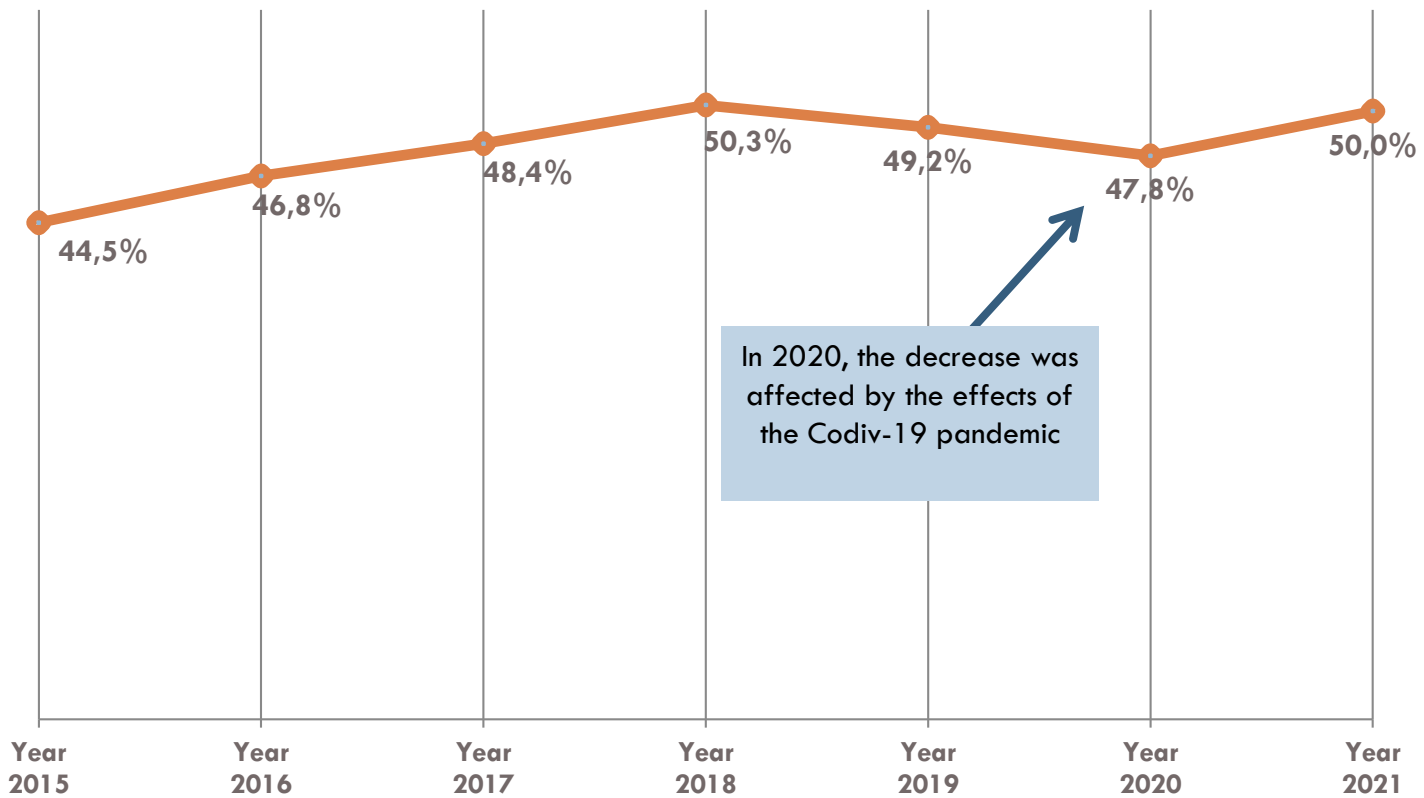
2021



	03/2011 – 12/2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Participation	27,0%	32,4%	40,5%	44,9%	46,9%	48,2%	50,4%	49,2%	47,8%	50,0%
Success rate	43,9%	42,4%	24,2%	22,6%	23,7%	25,4%	27,3%	28,6%	28,7%	27,3%

From an analysis carried out on a part of organisms it appears that the success rate rises to 45,8% if the parties agree to sit at the mediation table even after the first meeting introduced with Law 98/2013.

Rate of Counterparty Participation in a Mediation Process



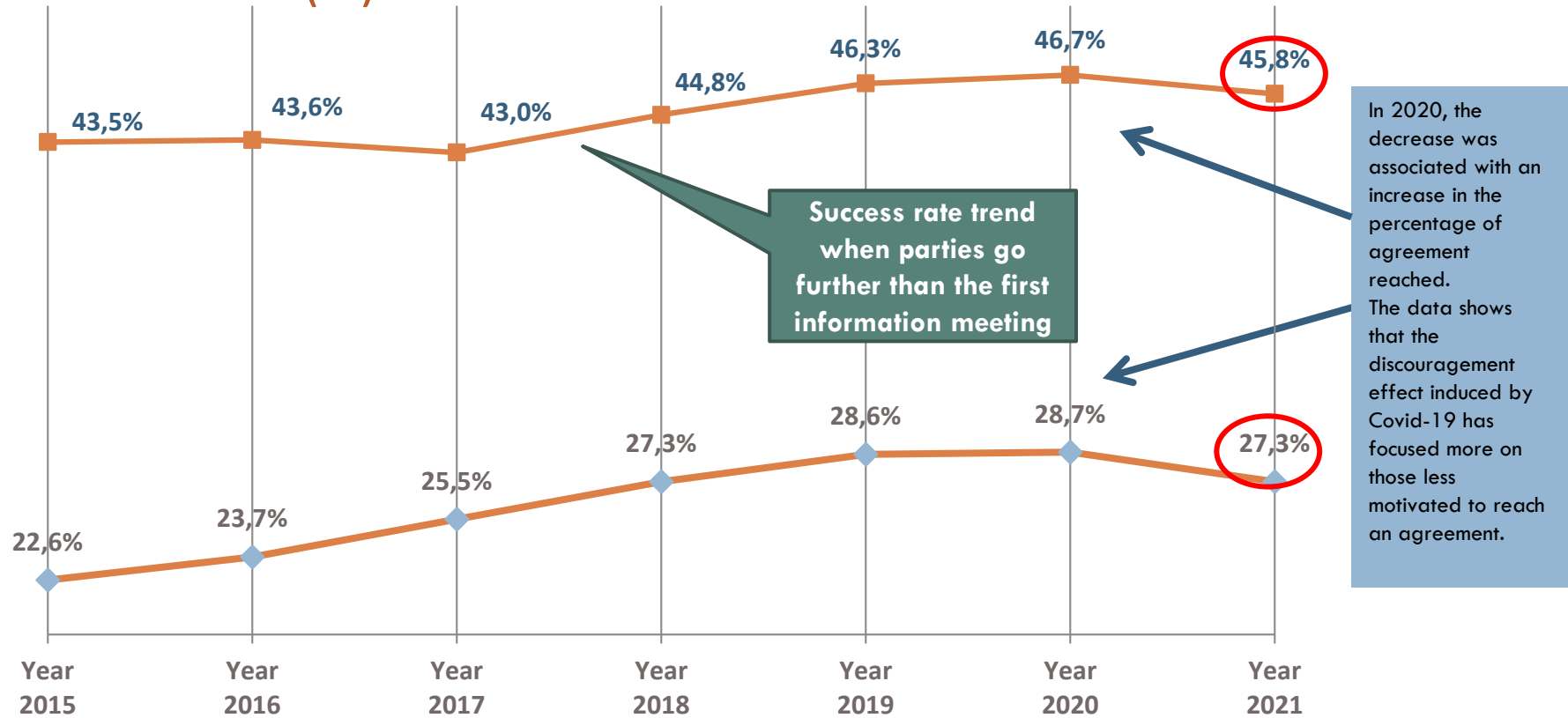
Participation by subject

2021

Subject	% of participation
Wills and inheritance	68,5%
Business rents	64,5%
Partition	63,1%
Breach of contractual obligations due to COVID containment measures d.l.6 / 20 art. 3 co. 6bis and 6ter	61,1%
Property	60,6%
Family covenants and agreements	59,5%
Lease	58,6%
Bank contracts	53,5%
Condominium	53,2%
Loans	48,6%
Medical malpractice damages	44,6%
Other proceedings (non mandatory mediations)	43,6%
Financial contracts	43,4%
Libel	43,3%
Insurance contracts	10,7%

Trend of success rates

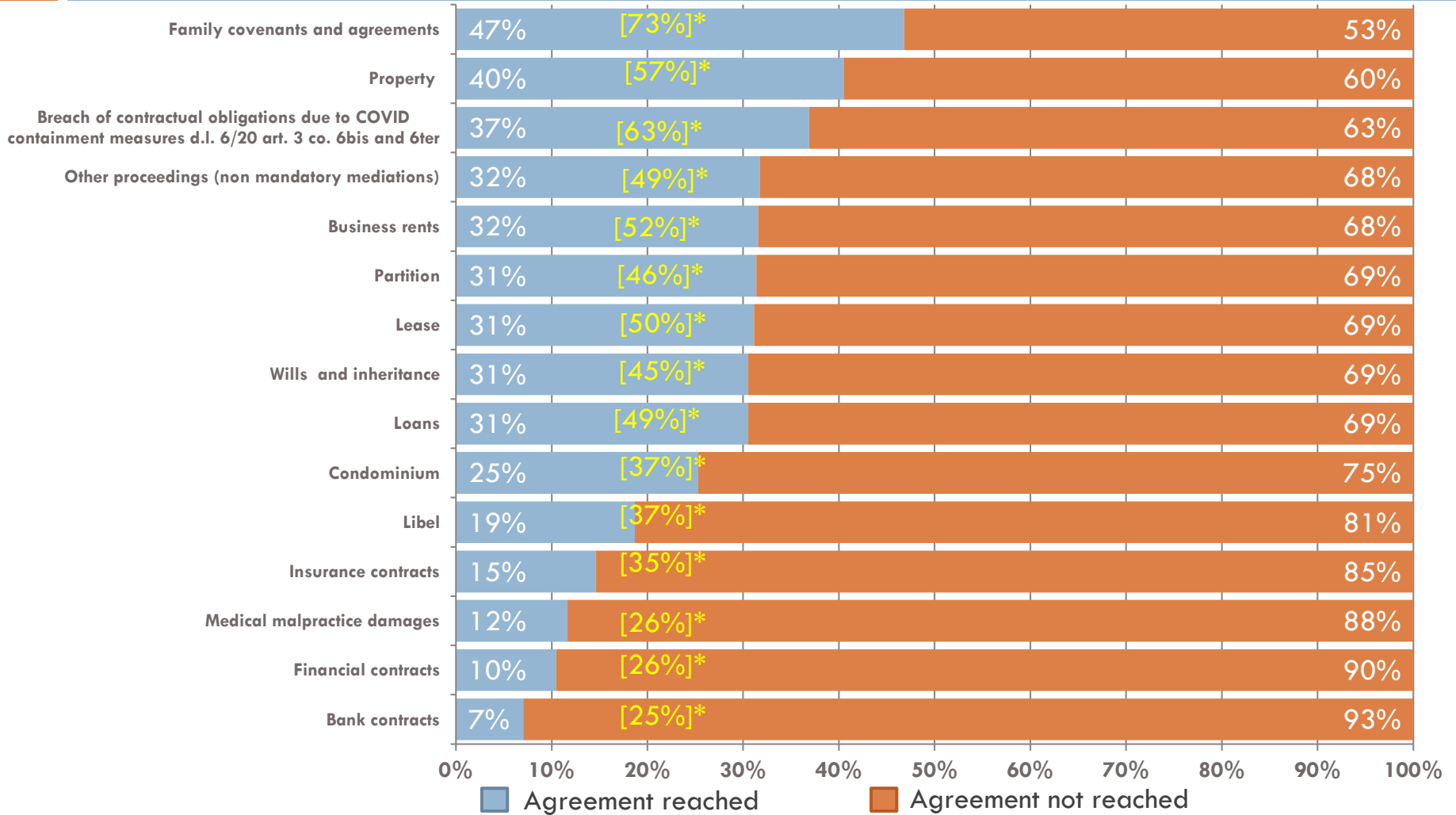
Success rate (%)



In 2021, there was a decrease in agreements focused more on those less motivated to reach an agreement

Success rate by subject

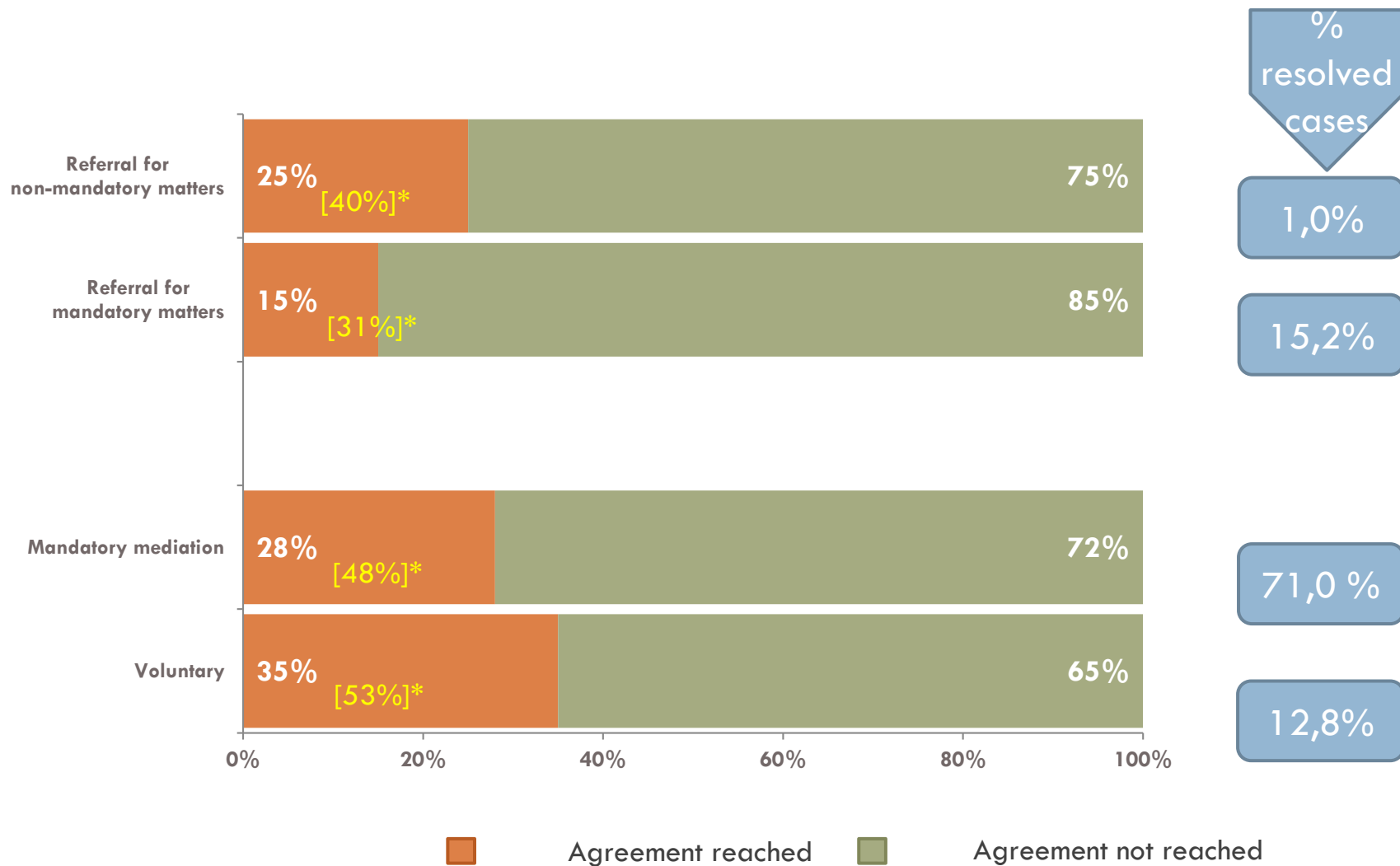
2021



* Outcome of the procedures when parties agree on meeting

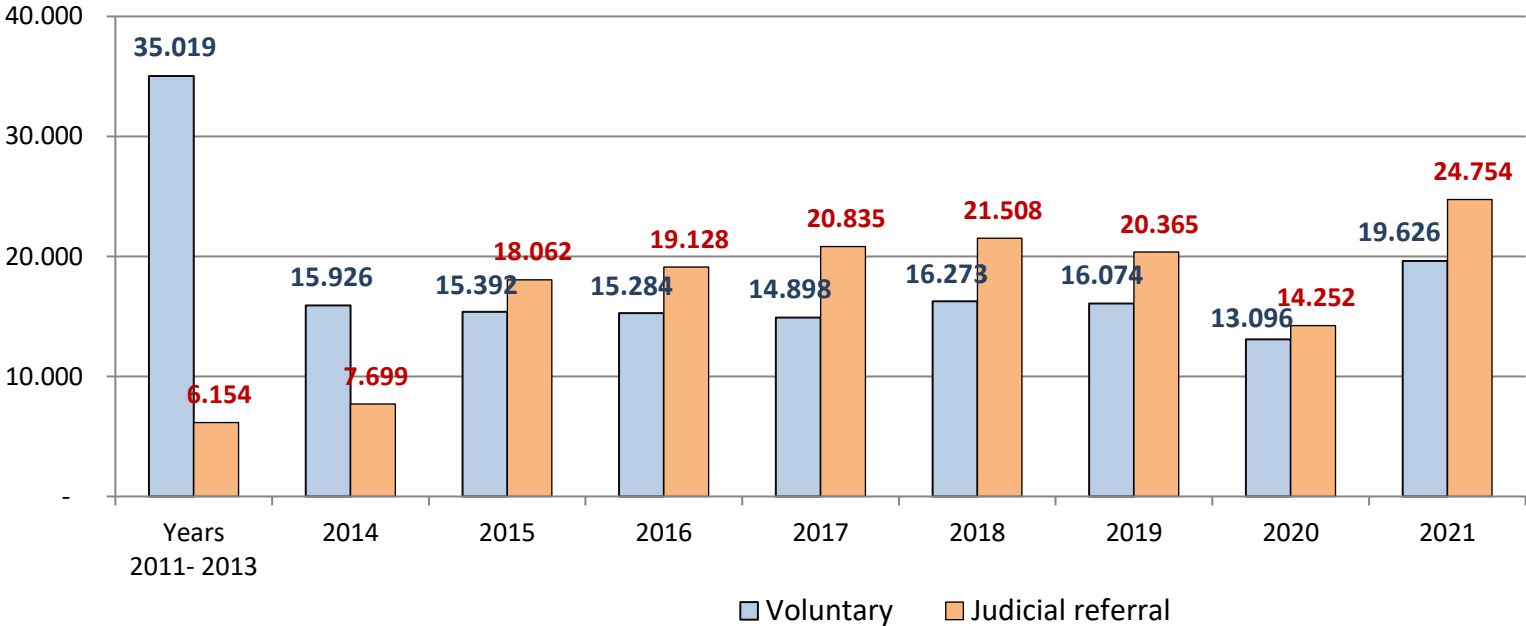
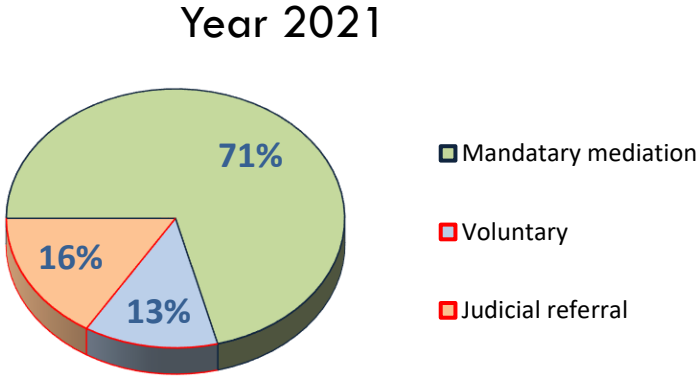
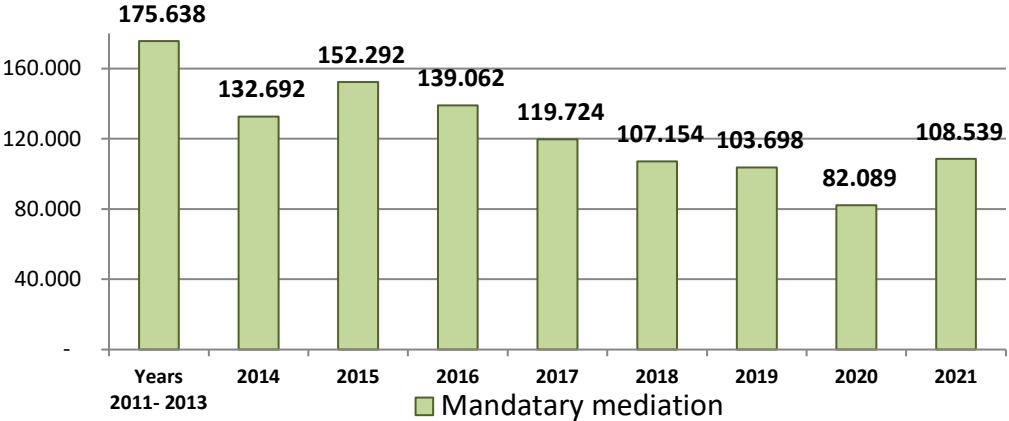
Success rate by Type of Referral

2021



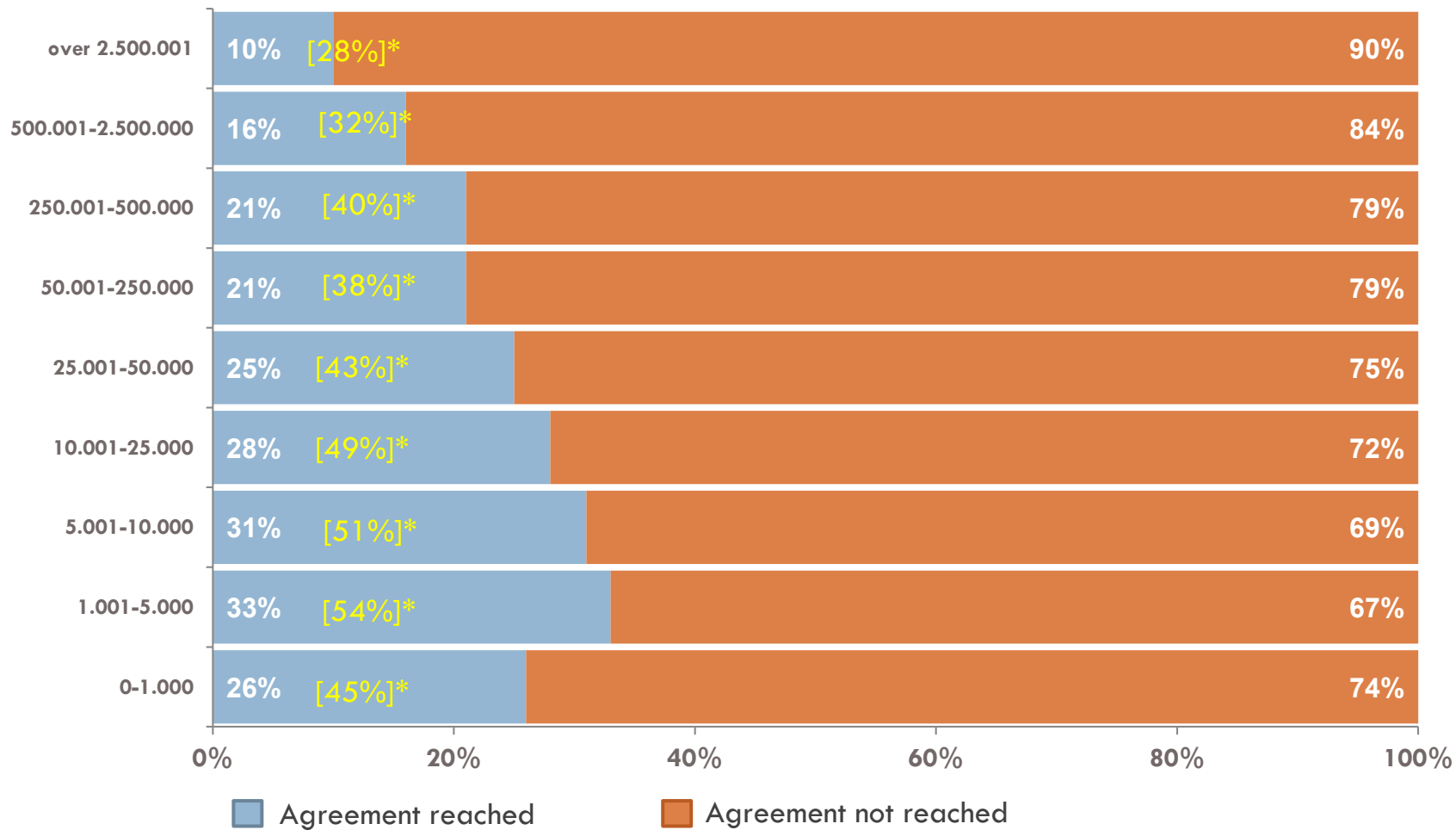
* Outcome of the procedures when parties agree on meeting

Categories of mediation – resolved cases



Success rate by value range

2021



* Outcome of the procedures when parties agree on meeting

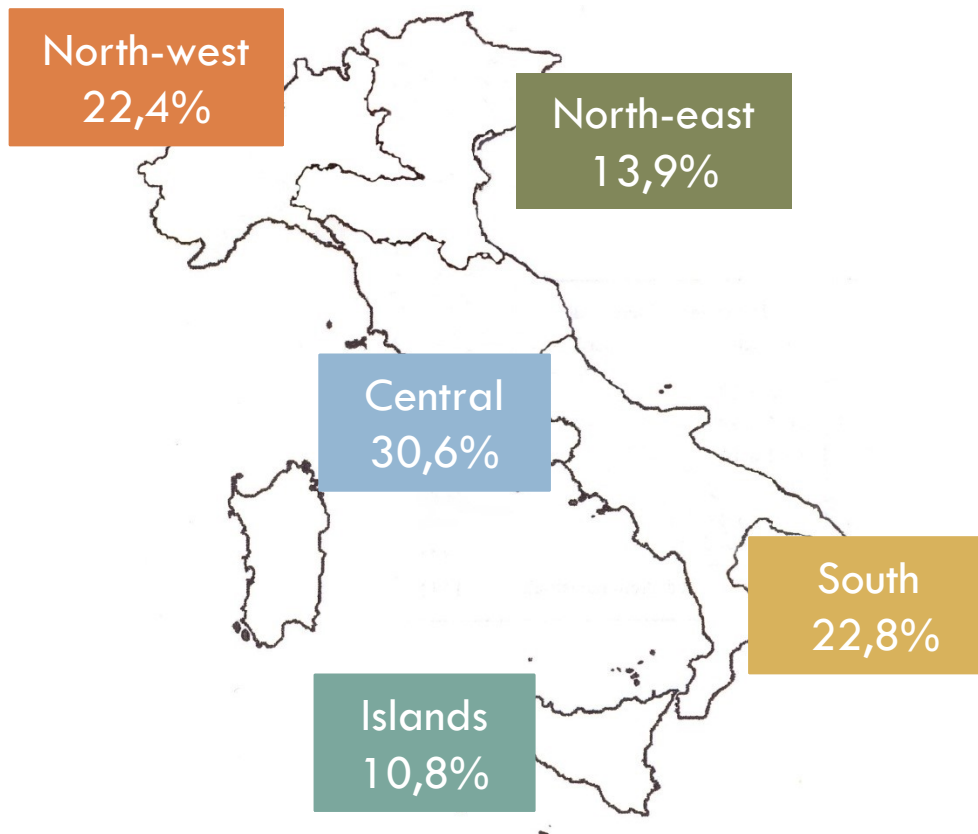
Success rate by type of mediation body

2021

Type of mediation organization	Number of organizations as of 31.12.2021	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	72	11.700	29,4%	49,7%
PRIVATE ORGANIZATIONS	358	90.942	27,5%	50,6%
BAR ASSOCIATIONS	107	49.523	26,4%	40,4%
OTHER PROFESSIONAL ASSOCIATIONS	36	754	34,5%	54,5%
Total	573	152.919	27,3%	45,8%

Geography of mediations

2021

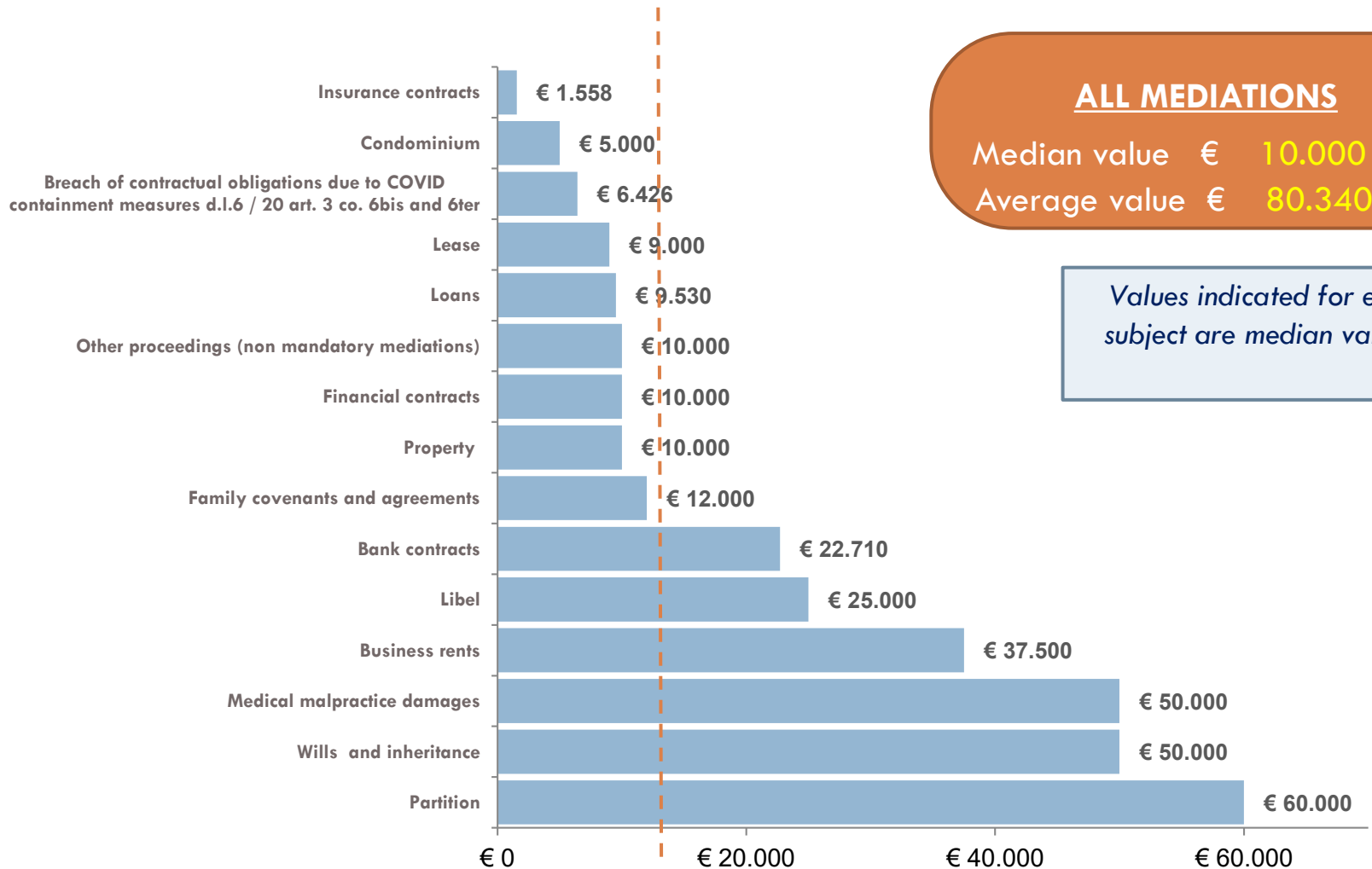


REGIONS	%
LOMBARDY	14,3%
TUSCANY	13,9%
LAZIO	13,2%
CAMPANIA	10,2%
SICILY	8,0%
EMILIA-ROMAGNA	6,3%
PIEDMONT	5,6%
VENETO	5,3%
PUGLIA	5,0%
CALABRIA	3,4%
ABRUZZO	3,0%
SARDINIA	2,8%
LIGURIA	2,3%
MARCHE	1,6%
UMBRIA	1,4%
FRIULI-VENEZIA GIULIA	1,3%
TRENTINO-ALTO ADIGE	1,0%
BASILICATA	0,9%
MOLISE	0,3%
VALLE D'AOSTA	0,3%

Analysis made with a sample of resolved cases

Economic value of mediation disputes

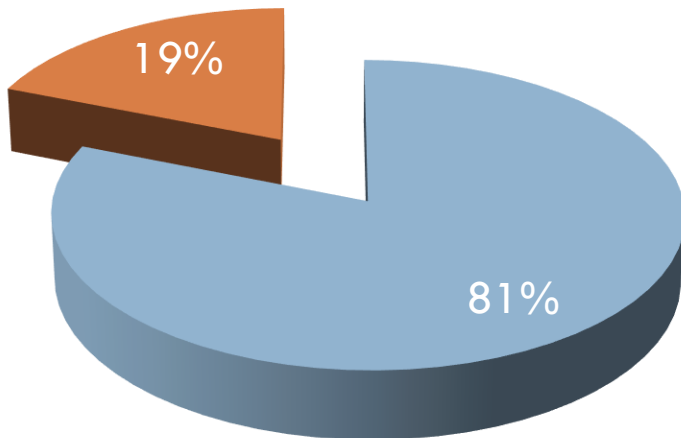
2021



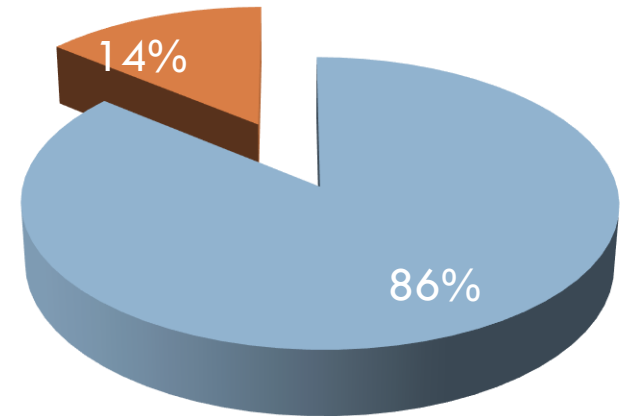
Lawyer's assistance in voluntary mediation

2021

Total claimants



Total defendants



Year 2020	77% Assisted by lawyer
	23% NOT assisted by lawyer

- Assisted by lawyer
- NOT assisted by lawyer

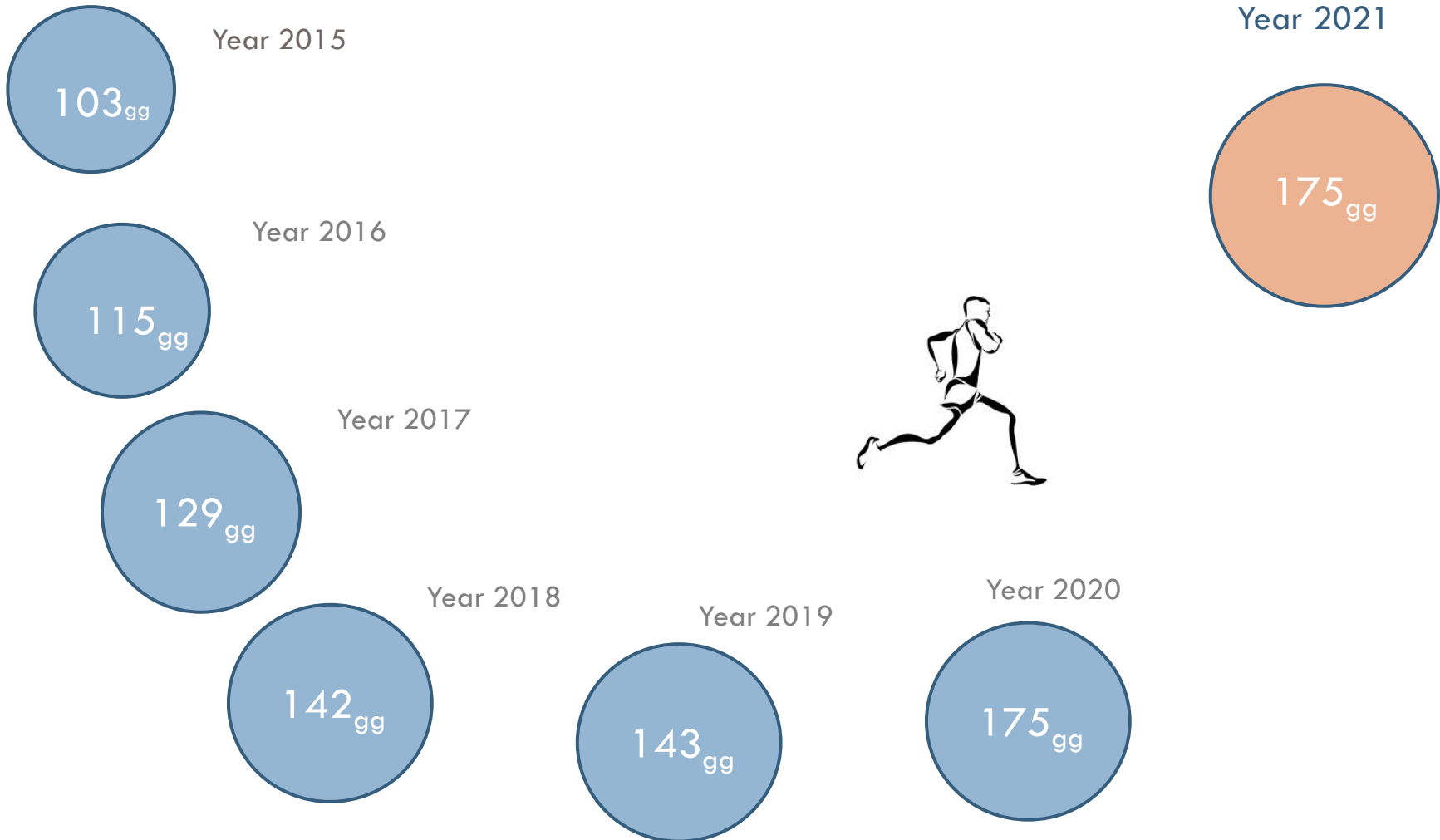
Year 2020	92% Assisted by lawyer
	8% NOT assisted by lawyer

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

Days in mediation

(Cases when an agreement is reached)

19



Ministero della Giustizia



Direzione Generale di Statistica
e Analisi Organizzativa

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