

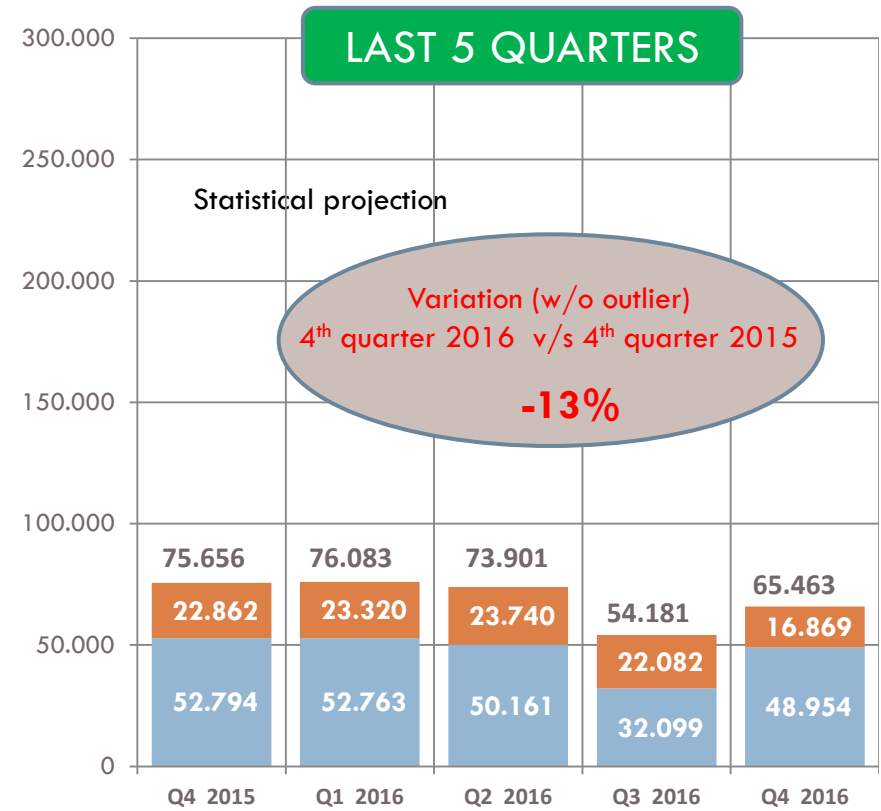
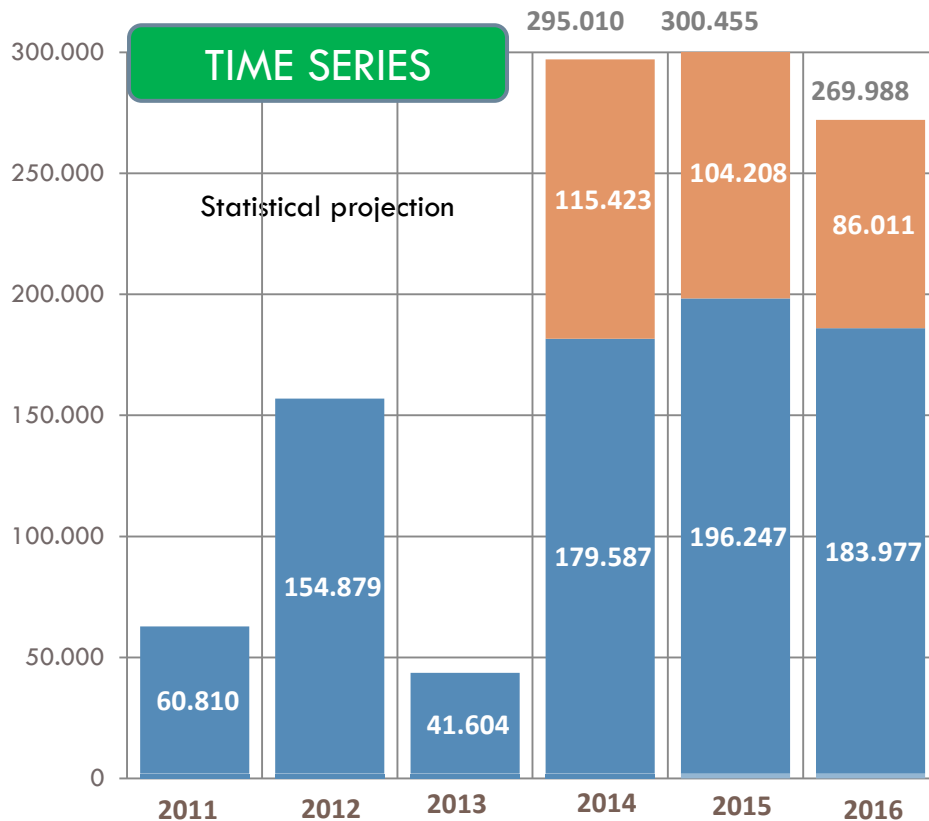


CIVIL MEDIATION LEGISLATIVE DECREE 28/2010

STATISTICS FOR THE PERIOD JANUARY 1ST – DECEMBER 31ST 2016

Incoming mediations

March 2011 – December 2016



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»

Data by subject matter

2016

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)
Total

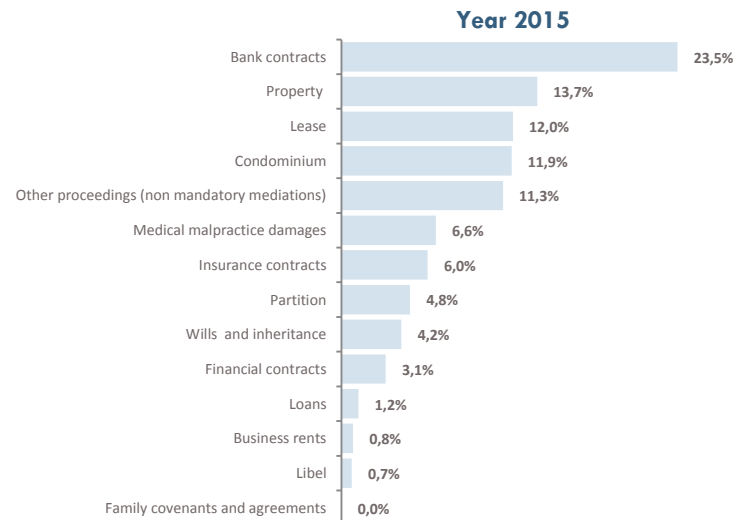
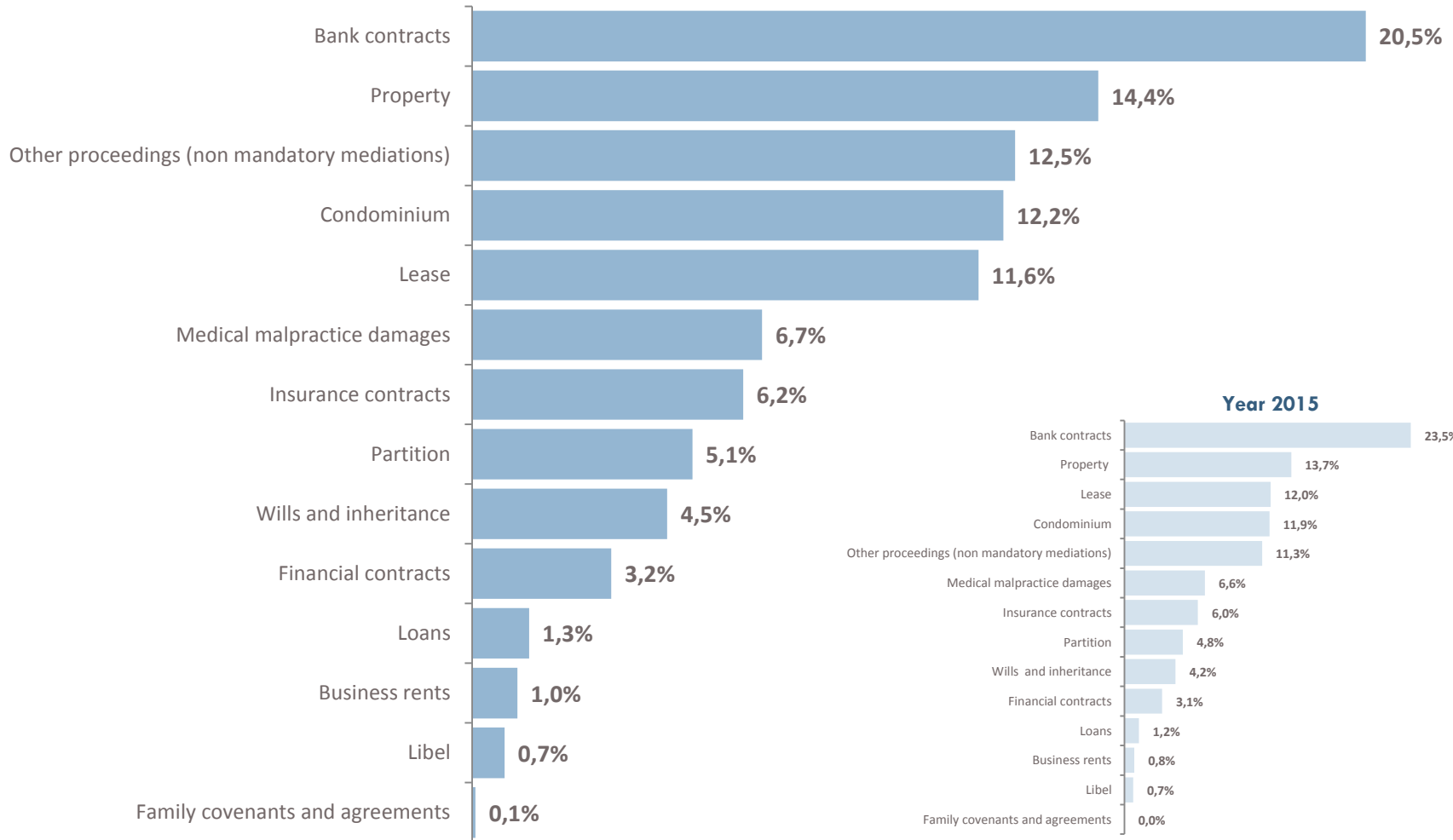
January 1 st – December 31 st 2016			
INITIAL PENDING	INCOMING	RESOLVED	FINAL PENDING
8.057	22.446	20.983	9.521
11.559	26.456	24.392	13.622
4.413	9.307	8.469	5.251
3.493	8.246	7.471	4.268
93	144	107	131
7.298	21.397	20.709	7.986
894	2.413	2.267	1.039
804	1.916	1.490	1.230
4.472	12.254	11.812	4.914
537	1.376	1.311	603
3.917	11.454	11.064	4.307
13.878	37.749	36.407	15.220
2.311	5.882	5.603	2.589
12.133	22.937	21.388	14.818
74.995	183.977	173.474	85.499

<i>Insurance contracts «outlier»</i>

8.870	86.011	80.554	14.327
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Incoming mediations by subject

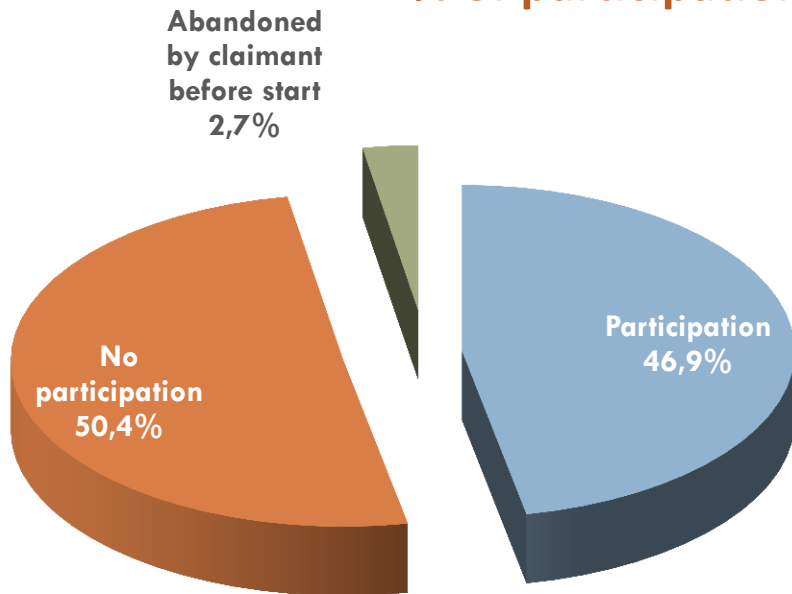
2016



Success rate

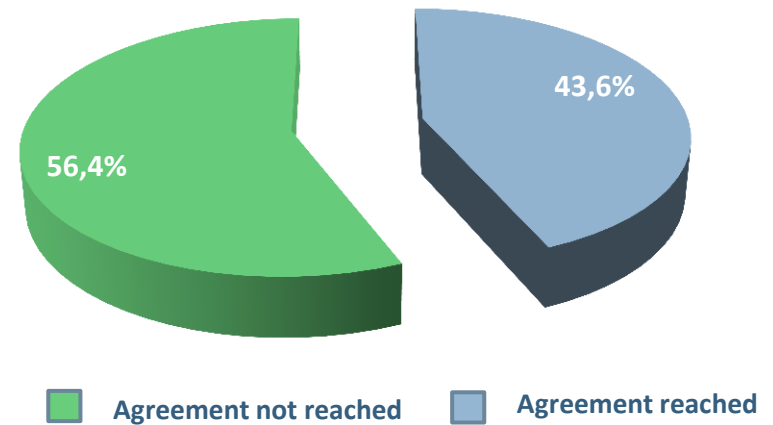
2016

% of participation



Success rate

(when parties go further than the first information meeting)

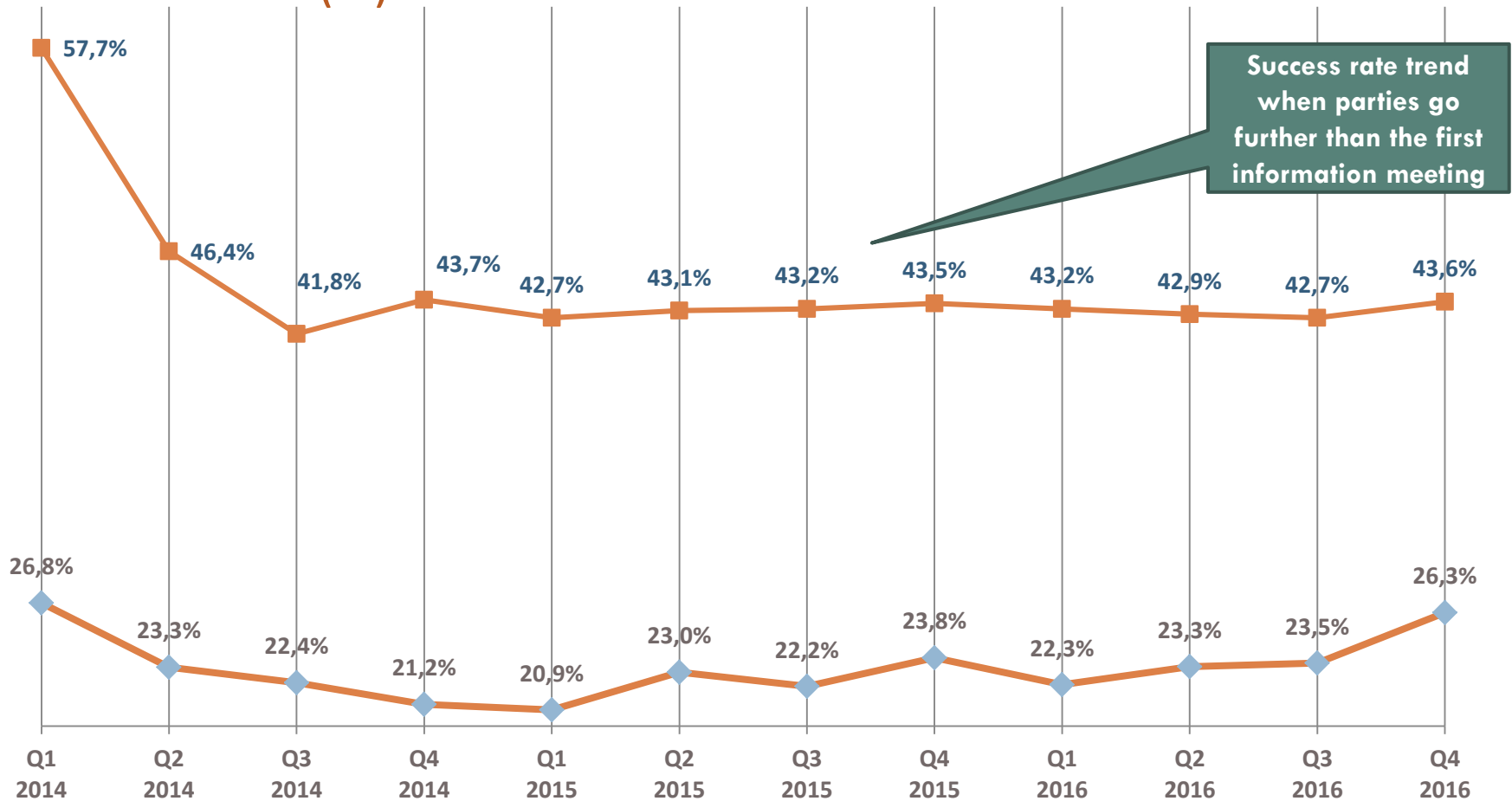


	03/2011 – 12/2012	2013	2014	2015
Participation	27,0%	32,4%	40,5%	44,9%
Success rate	43,9%	42,4%	47,0% (*)	43,5% (*)

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

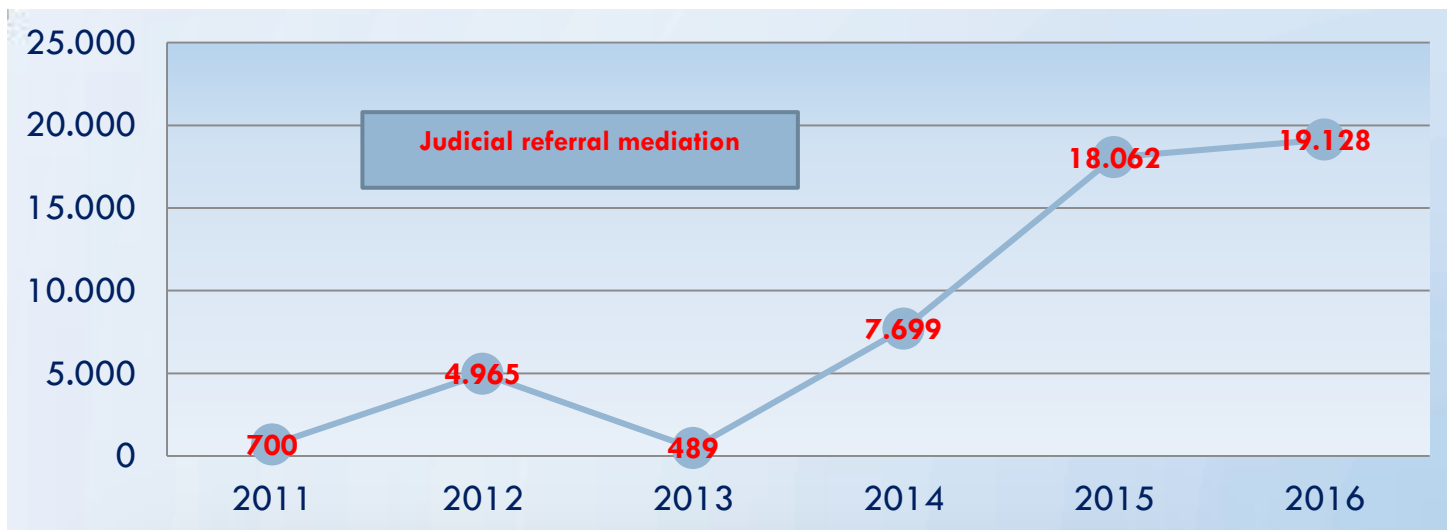
Trend of success rates

Success rate (%)



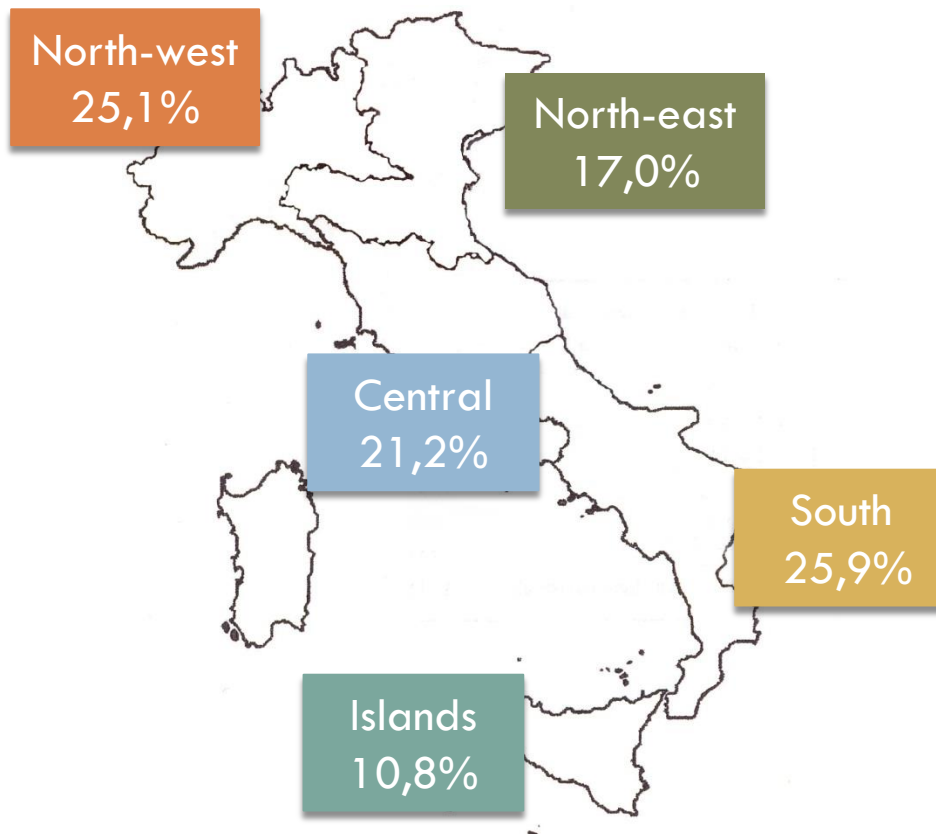
Categories of mediation – resolved cases

	2011		2012		2013		2014		2015		2016	
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>	19.128	<i>11,0%</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>	138.127	<i>79,6%</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>	935	<i>0,5%</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>	15.284	<i>8,8%</i>



Geography of mediations

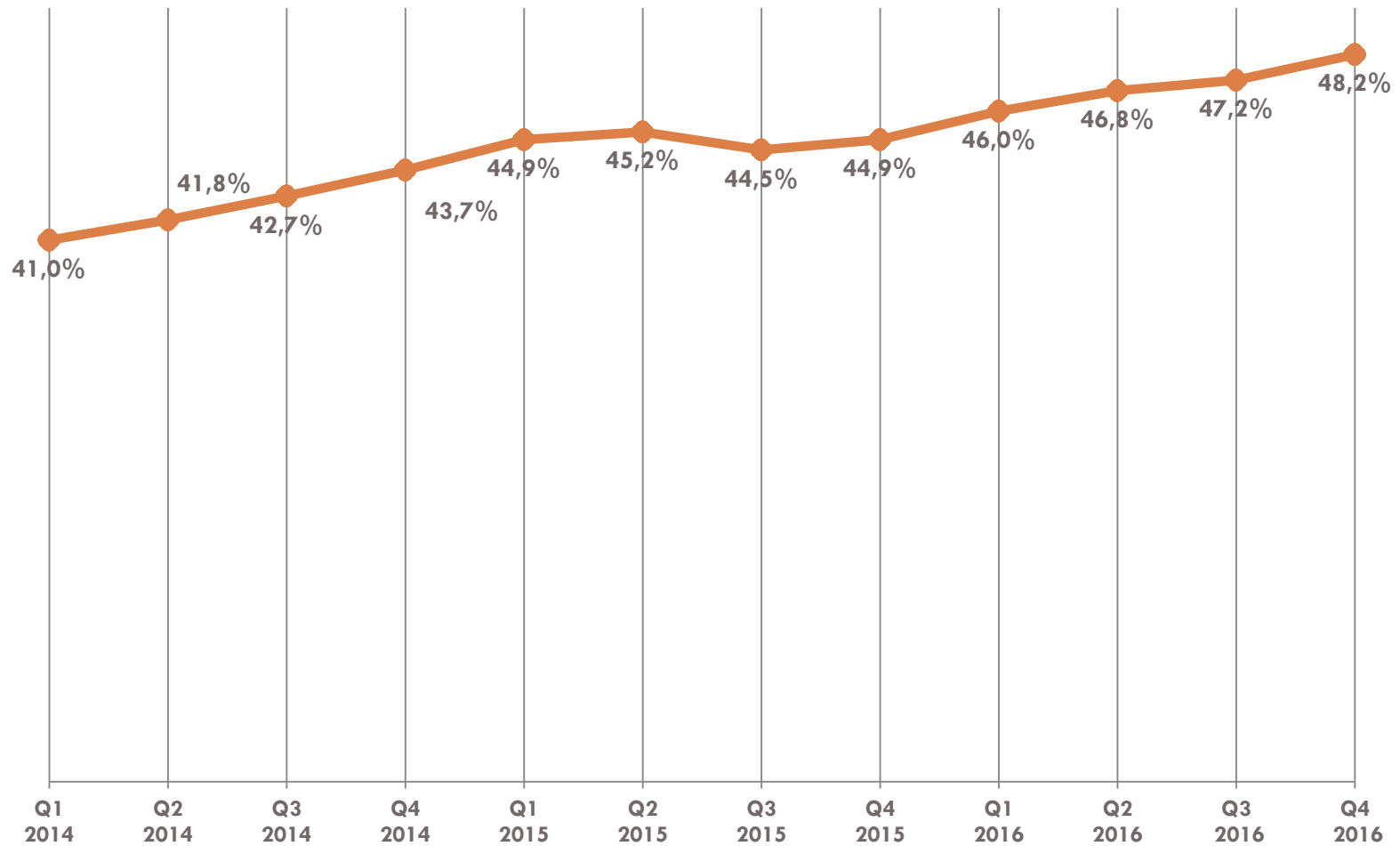
2016



REGIONS	%
LOMBARDY	15,6%
LAZIO	10,3%
CAMPANIA	10,3%
SICILY	7,7%
EMILIA-ROMAGNA	7,2%
TUSCANY	7,2%
PUGLIA	6,9%
VENETO	6,9%
PIEDMONT	6,4%
CALABRIA	4,4%
SARDINIA	3,1%
ABRUZZO	3,0%
LIGURIA	2,9%
MARCHE	2,1%
UMBRIA	1,6%
FRIULI-VENEZIA GIULIA	1,5%
TRENTINO-ALTO ADIGE	1,4%
BASILICATA	0,7%
MOLISE	0,6%
VALLE D'AOSTA	0,2%

Analysis made with a sample of resolved cases

Rate of Counterparty Participation in a Mediation Process



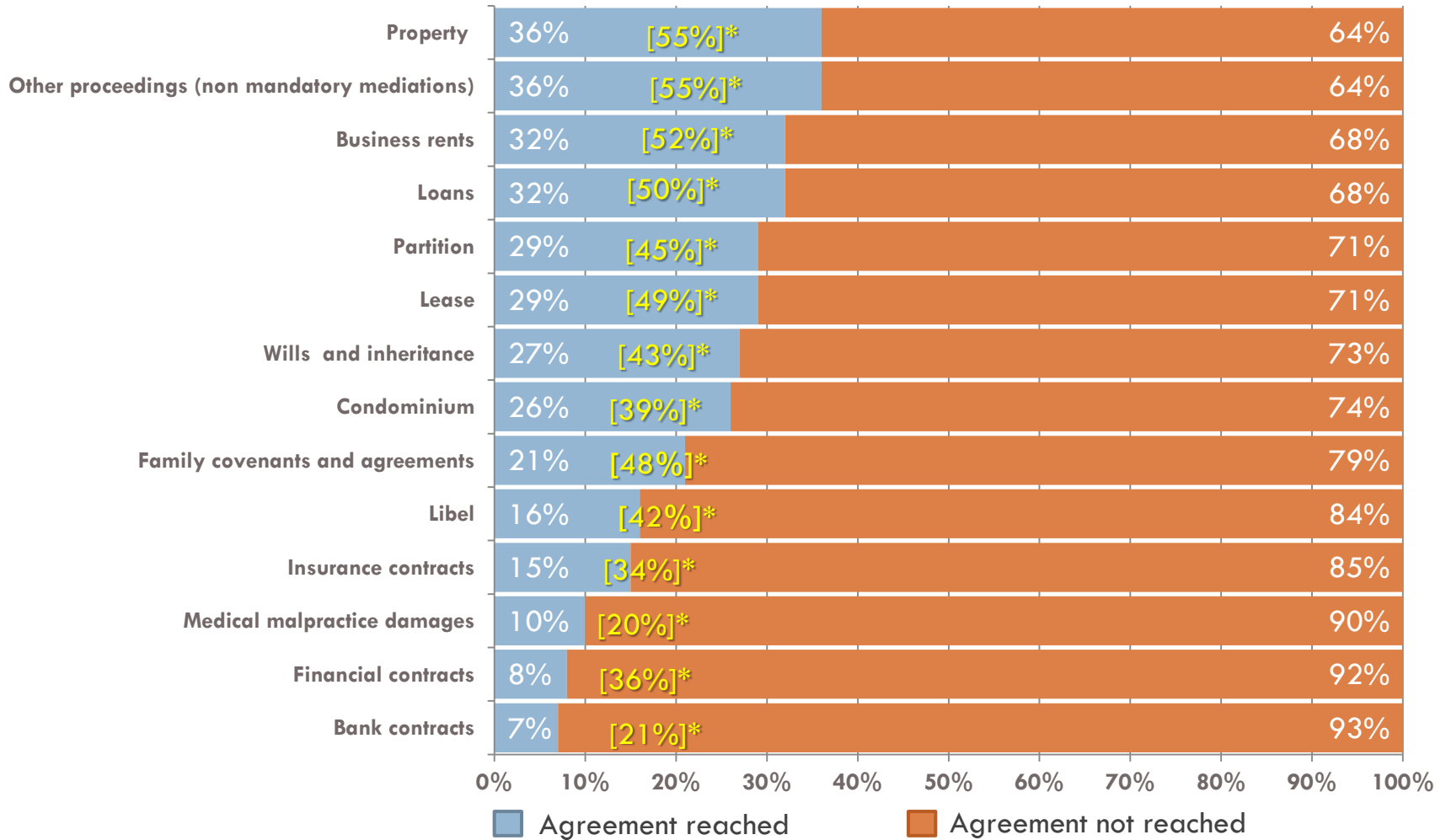
Participation by subject

2016

Subject	% of participation	Ranking of participation
Wills and inheritance	62,3%	62,3%
Partition	58,9%	58,9%
Property	55,2%	55,2%
Family covenants and agreements	54,5%	54,5%
Condominium	52,9%	52,9%
Business rents	52,6%	52,6%
Lease	51,6%	51,6%
Loans	45,9%	45,9%
Bank contracts	45,9%	45,9%
Other proceedings (non mandatory mediations)	42,8%	42,8%
Financial contracts	39,8%	39,8%
Libel	38,0%	38,0%
Medical malpractice damages	38,0%	38,0%
Insurance contracts	14,6%	14,6%

Success rate analysis by subject

2016



* Outcome of the procedures when parties agree on meeting

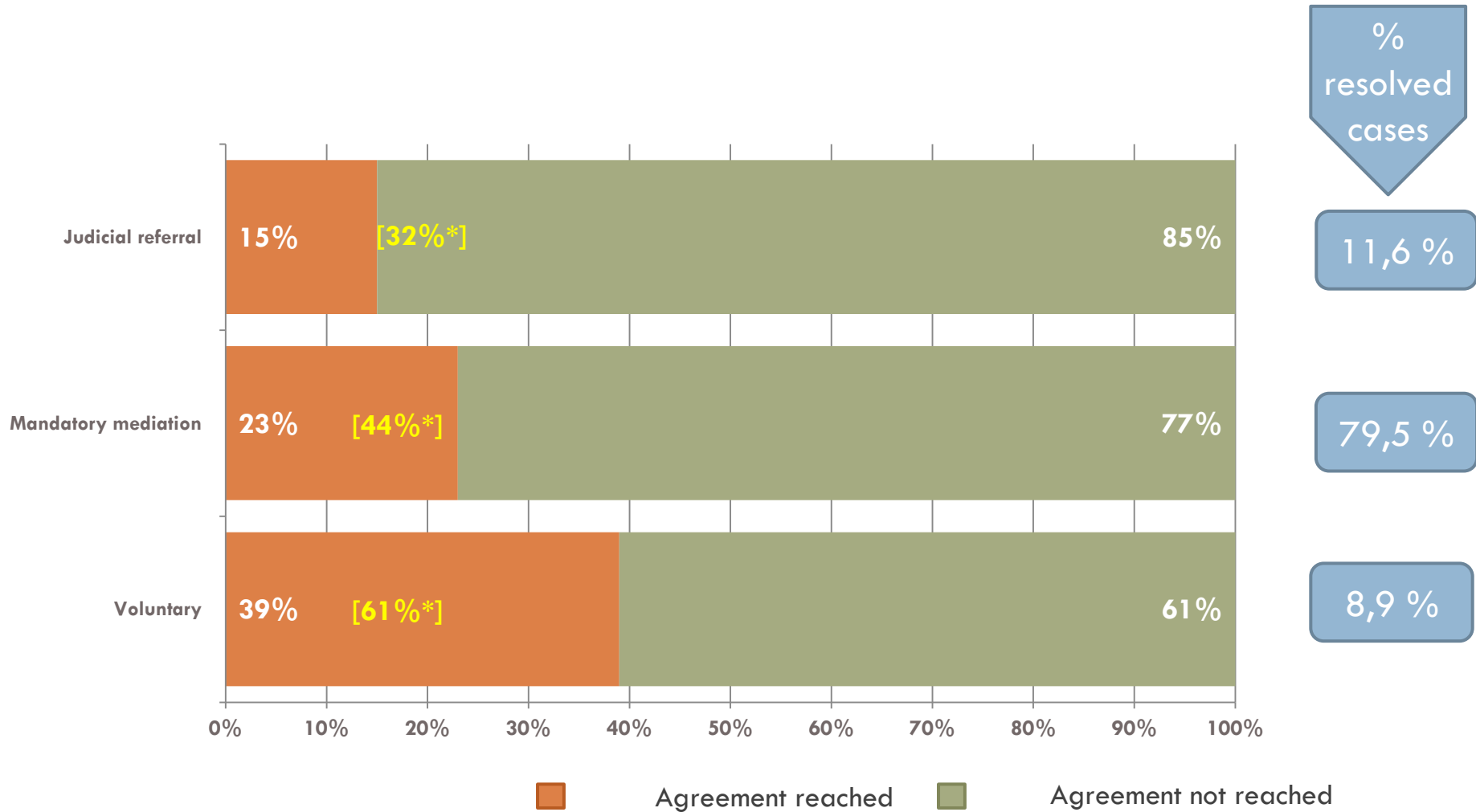
Success rate by type of mediation body

2016

Type of mediation organization	Number of organizations as of 30.09.2016	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	87	18.728	23,1%	46,9%
PRIVATE ORGANIZATIONS	516	90.270	26,6%	47,9%
BAR ASSOCIATIONS	105	62.987	20,9%	37,2%
OTHER PROFESSIONAL ASSOCIATIONS	70	1.489	35,5%	51,0%
Totale complessivo	778	173.474	24,1%	43,6%

Success rate of Mediation by Type of Referral

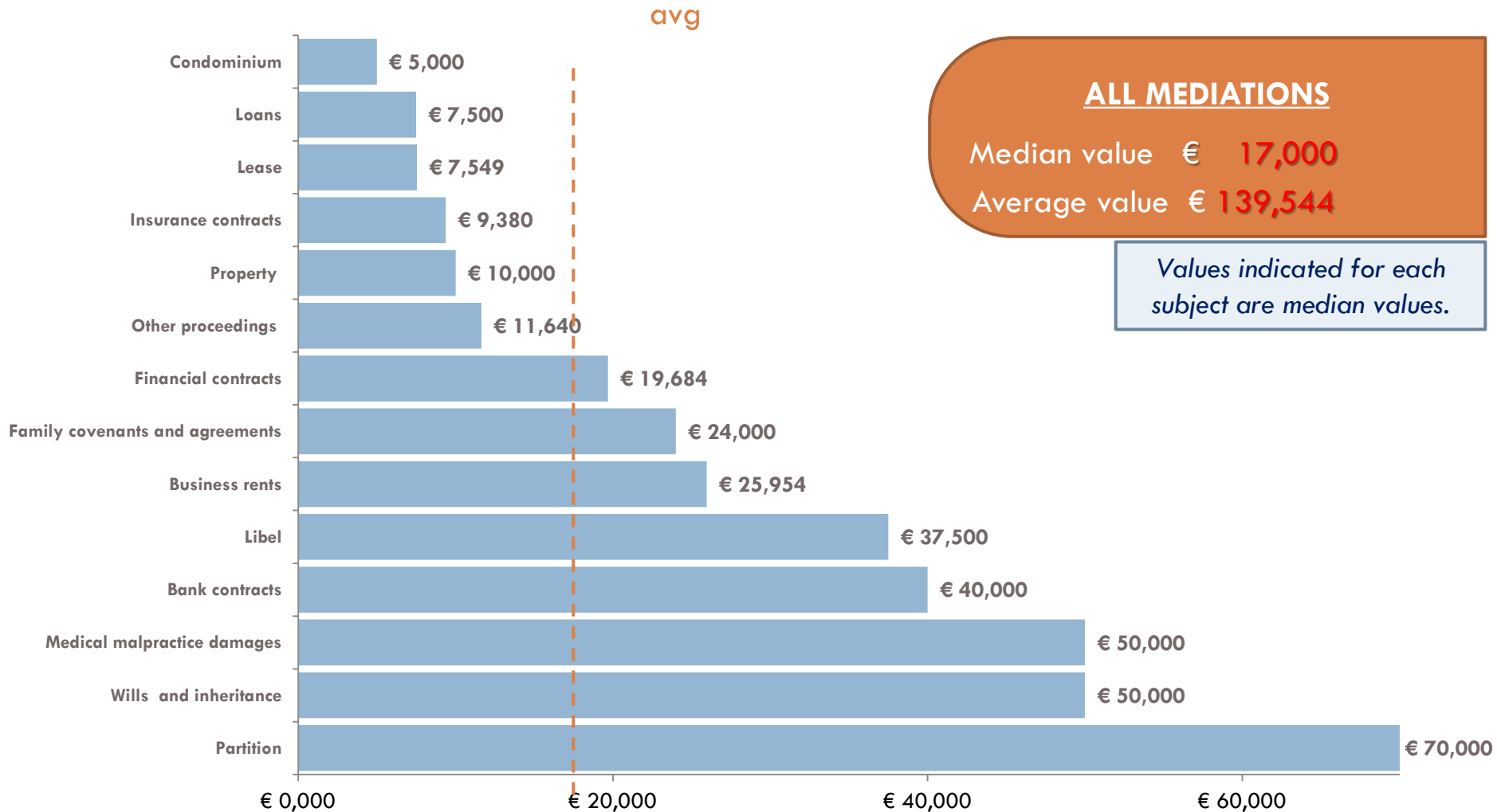
2016



* Outcome of the procedures when parties agree on meeting

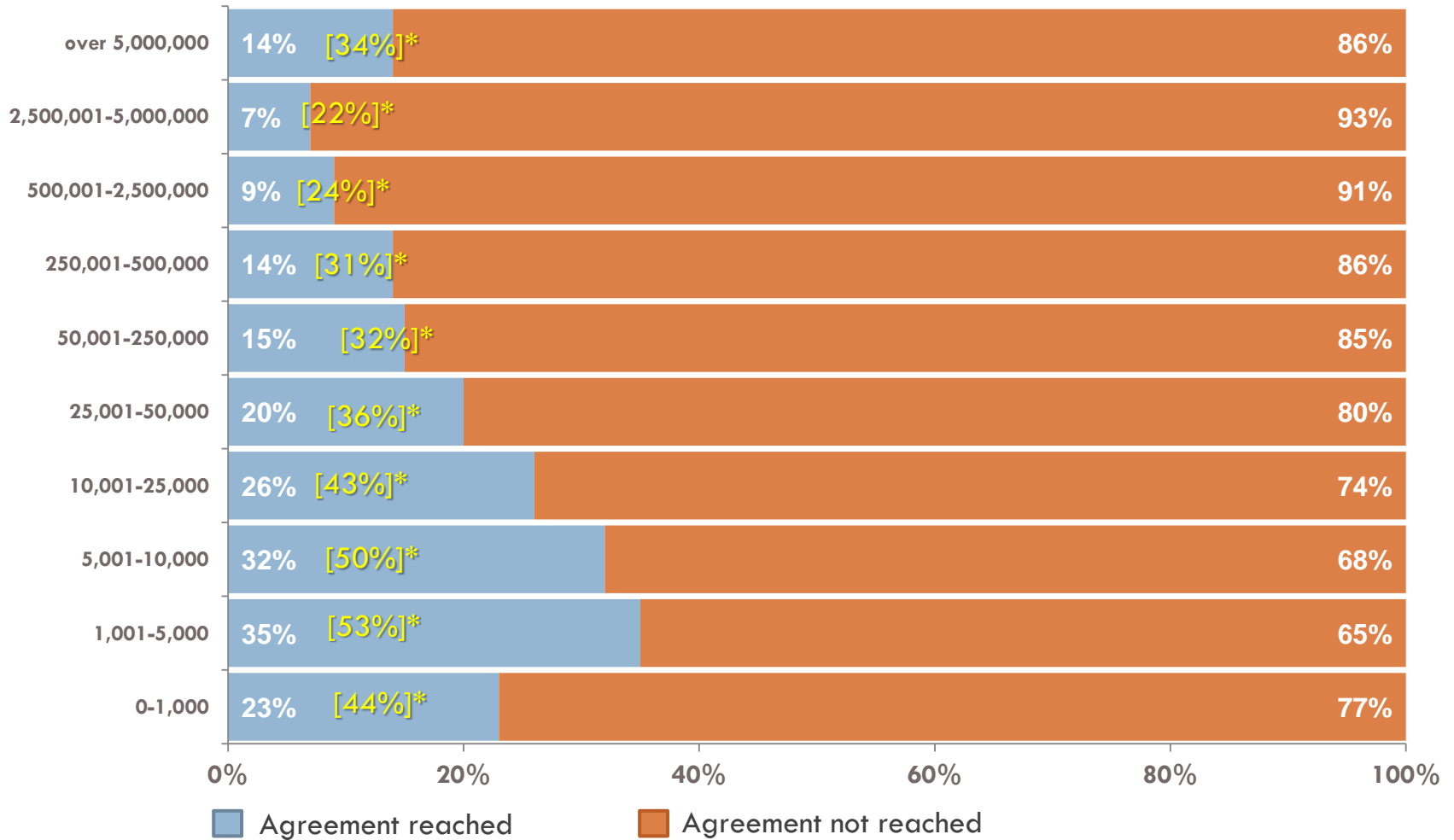
Economic value of mediation disputes

2016



Success rate by value range

2016



* Outcome of the procedures when parties agree on meeting

Legal Aid

2013 – 2016

% of claimants to whom legal aid was granted	% of defendants to whom legal aid was granted
1,0%	1,2%

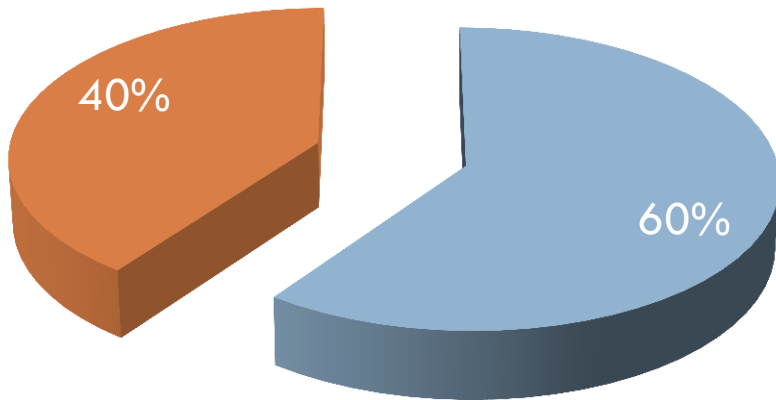
Categories of mediation	% of claimants to whom legal aid was granted	% of defendants to whom legal aid was granted
Judicial referral	1,1%	1,6%
Mandatory mediation	0,9%	1,1%
Voluntary	1,5%	1,4%

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%	0,8%
Chambers of Commerce	1,8%	0,5%
Bar associations	1,0%	1,2%
Private organizations	0,9%	1,4%

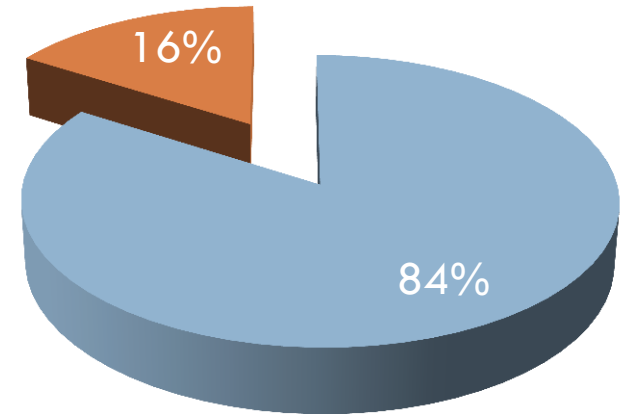
Lawyer's assistance in voluntary mediation

2016

Total claimants



Total defendants



Year 2015	52% Assisted by lawyer
	48% NOT assisted by lawyer

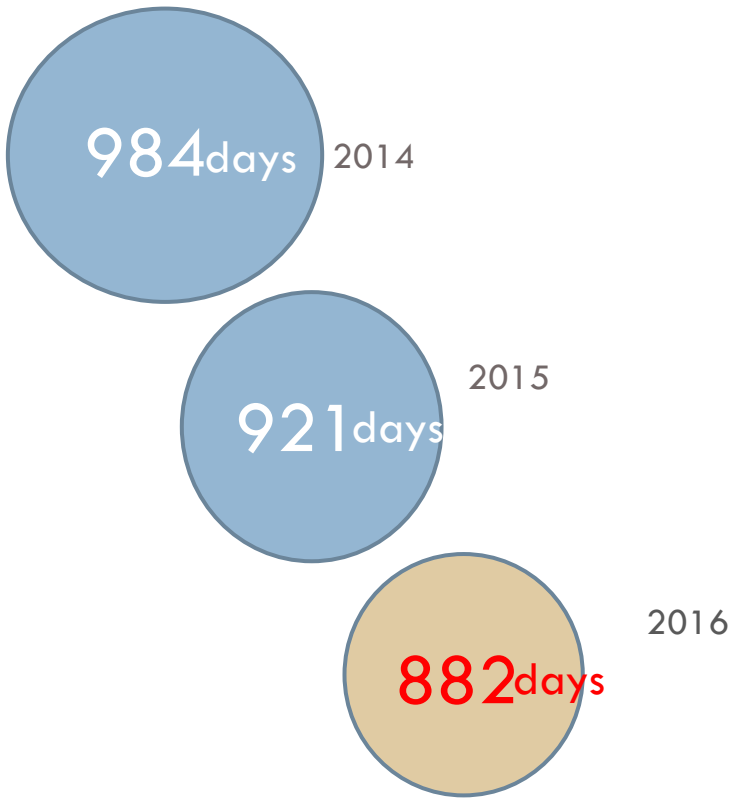
■ Assisted by lawyer
■ NOT assisted by lawyer

Year 2015	83% Assisted by lawyer
	17% NOT assisted by lawyer

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

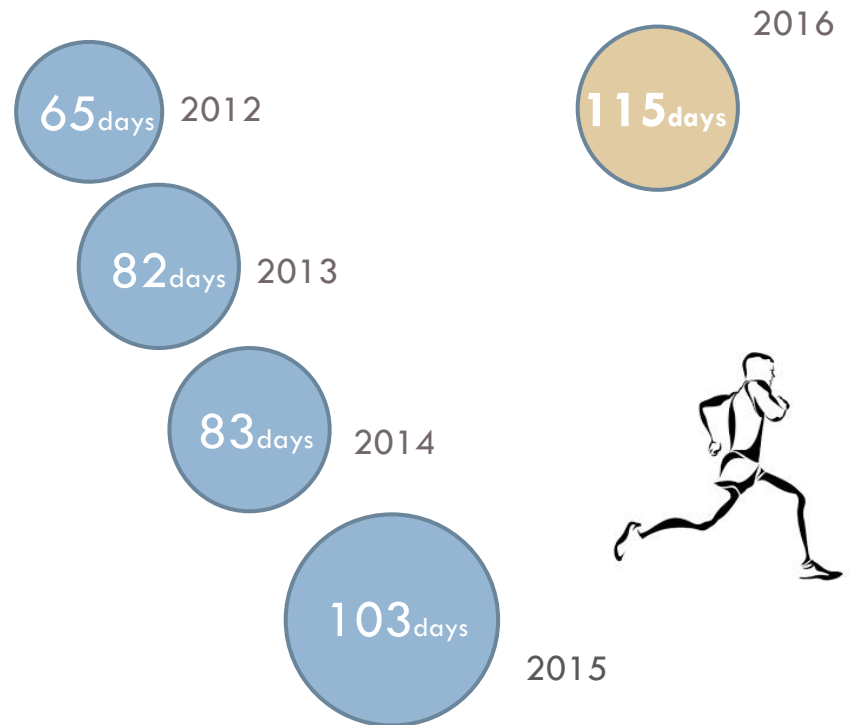
Days in mediation compared to days in Court

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>