



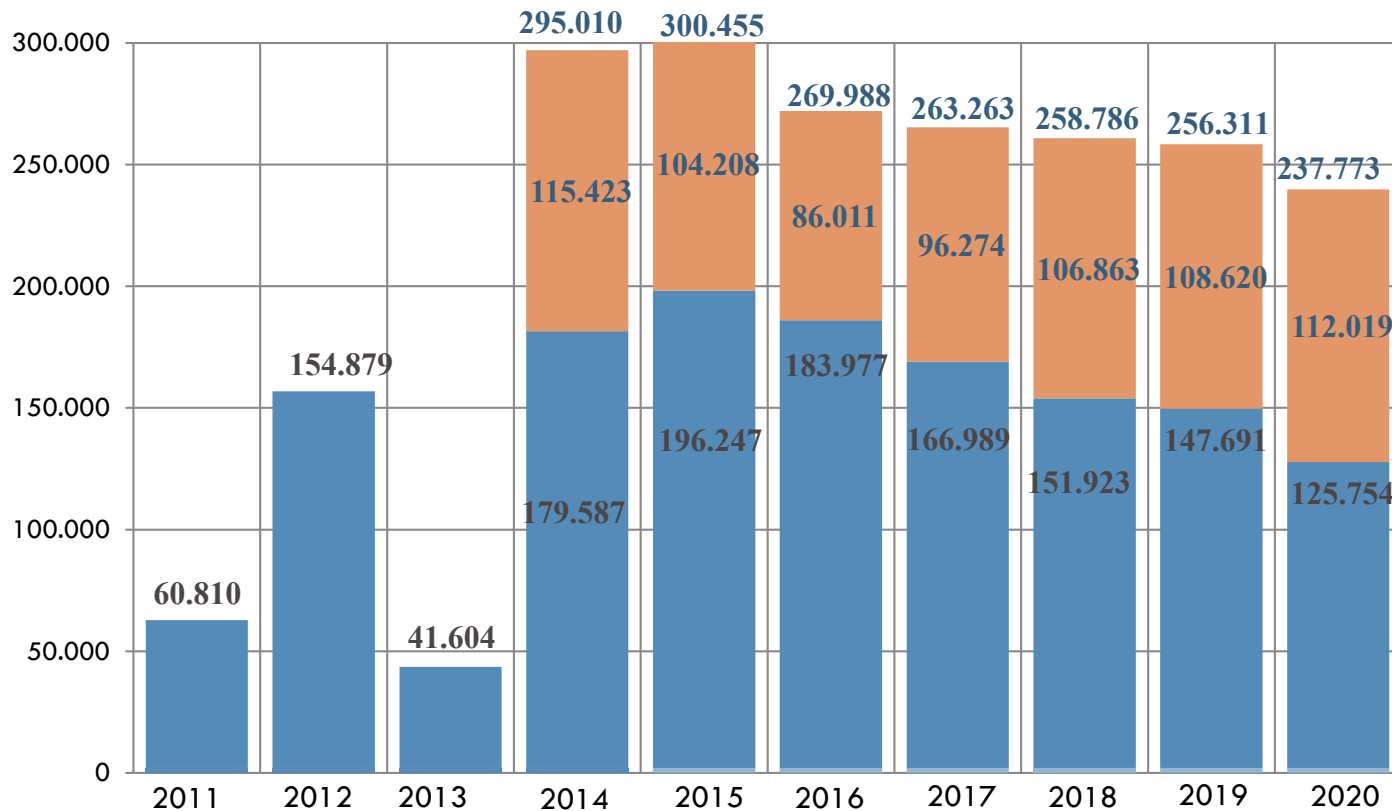
CIVIL MEDIATION LEGISLATIVE DECREE 28/2010

STATISTICS FOR THE PERIOD JANUARY 1ST – DECEMBER 31ST 2020

Incoming mediations

Statistical projection

March 2011 – December 2020



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

2020

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 2020			
INITIAL PENDING	INCOMING	RESOLVED	FINAL PENDING
13.492	14.910	12.911	15.491
18.292	19.573	16.705	21.161
7.194	6.913	5.926	8.181
5.723	6.818	5.656	6.884
182	110	93	199
10.435	16.424	14.053	12.807
1.295	1.854	1.646	1.504
1.583	1.157	978	1.762
4.963	4.796	4.396	5.363
829	1.339	1.168	1.000
6.956	11.451	11.170	7.237
16.902	15.318	12.954	19.266
3.229	3.679	3.475	3.432
20.497	20.908	18.112	23.293
	504	195	309
111.572	125.754	109.437	127.889

The comparison of incoming mediations between 2020 and 2019 shows a decrease of about 15%; the data is the result of the marked decline in the first half of the year caused by the Covid-19 health emergency (-29%) and the increase in the second half (71,774 incomings in 2020 against 70,799 in 2019).

In 2020, and more markedly from the third quarter, the number of incoming mediations for insurance disputes classified as statistical "outlier" increased 

Data by subject matter: focus on insurance contracts

2020

Following the decision no. 19596 of 18.09.2020 of the Supreme Court, incoming mediations for insurance disputes increased.

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

	January 1st - December 31st 2020				% Variation 2020 vs 2019
	INITIAL PENDING	INCOMING	RESOLVED	FINAL PENDING	
Insurance contracts	6.956	11.451	11.170	7.237	-8,0%
Insurance contracts "outlier"	5.977	112.019	107.761	10.235	3,1%
Total	12.933	123.470	118.931	17.472	2,0%

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

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

2020

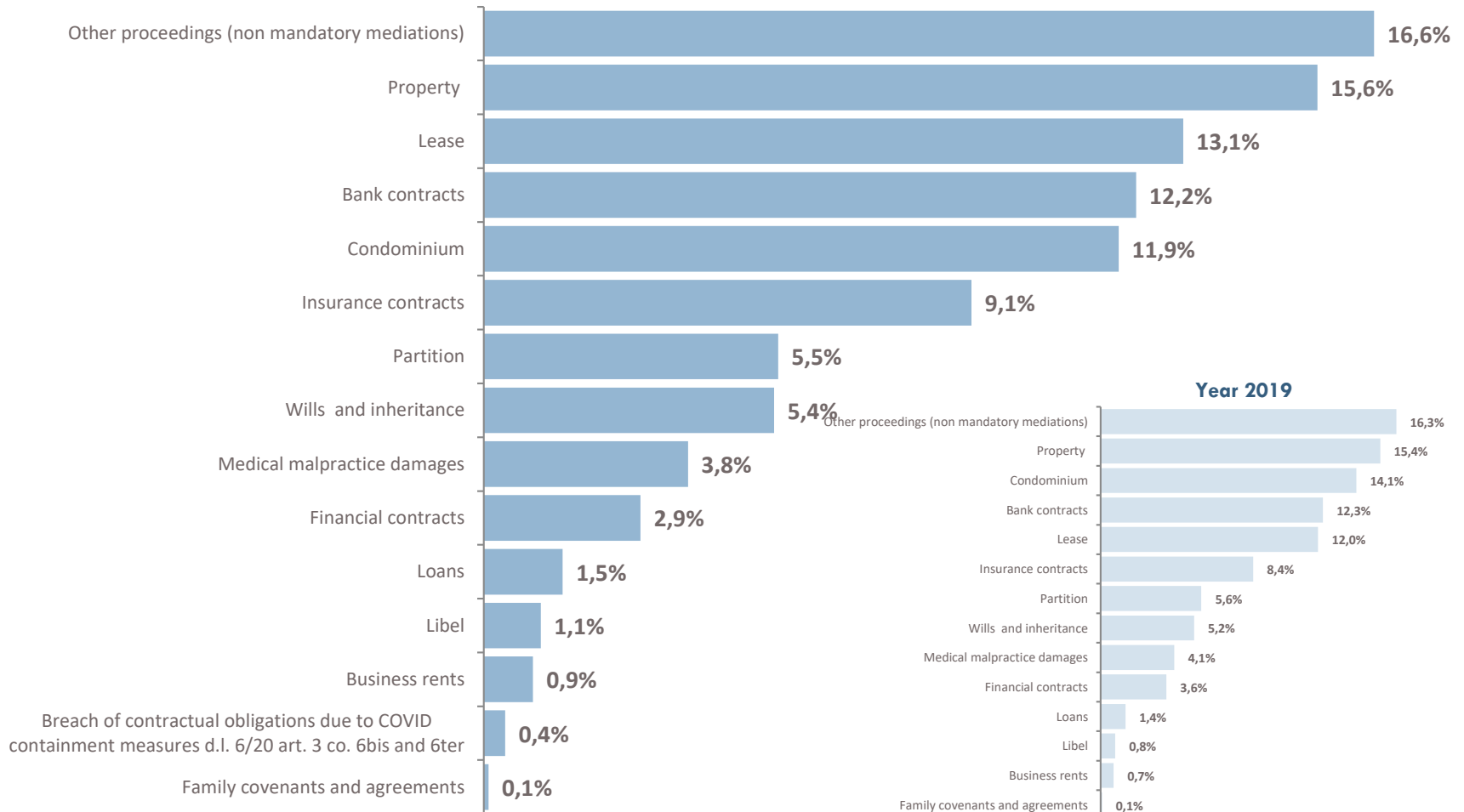
	January 1 st – December 31 st 2020			
	INITIAL PENDING	INCOMING	RESOLVED	FINAL PENDING
Condominium	13.492	14.910	12.911	15.491
Property	18.292	19.573	16.705	21.161
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Wills and inheritance	5.723	6.818	5.656	6.884
Family covenants and agreements	182	110	93	199
Lease	10.435	16.424	14.053	12.807
Loans	1.295	1.854	1.646	1.504
Business rents	1.583	1.157	978	1.762
Medical malpractice damages	4.963	4.796	4.396	5.363
Libel	829	1.339	1.168	1.000
Insurance contracts	6.956	11.451	11.170	7.237
Bank contracts	16.902	15.318	12.954	19.266
Financial contracts	3.229	3.679	3.475	3.432
Other proceedings (non mandatory mediations)	20.497	20.908	18.112	23.293
Breach of contractual obligations due to COVID containment measures d.l.6 / 20 art. 3 co. 6bis and 6ter		504	195	309
Total	111.572	125.754	109.437	127.889

In 2020, incoming mediations related to the COVID containment measures were 1.068, equal to 1% of the total

The data is the sum of **504** 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 **564** cases related to COVID containment measures in already existing matters.

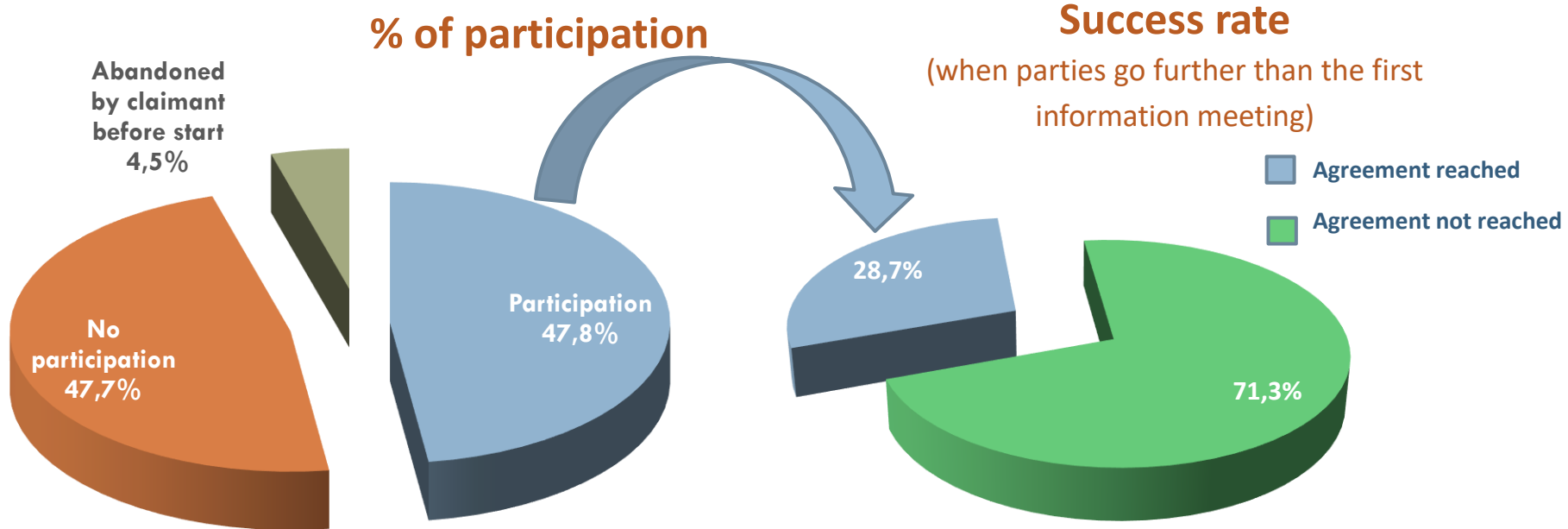
Incoming mediations by subject

2020



Success rate

2020



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

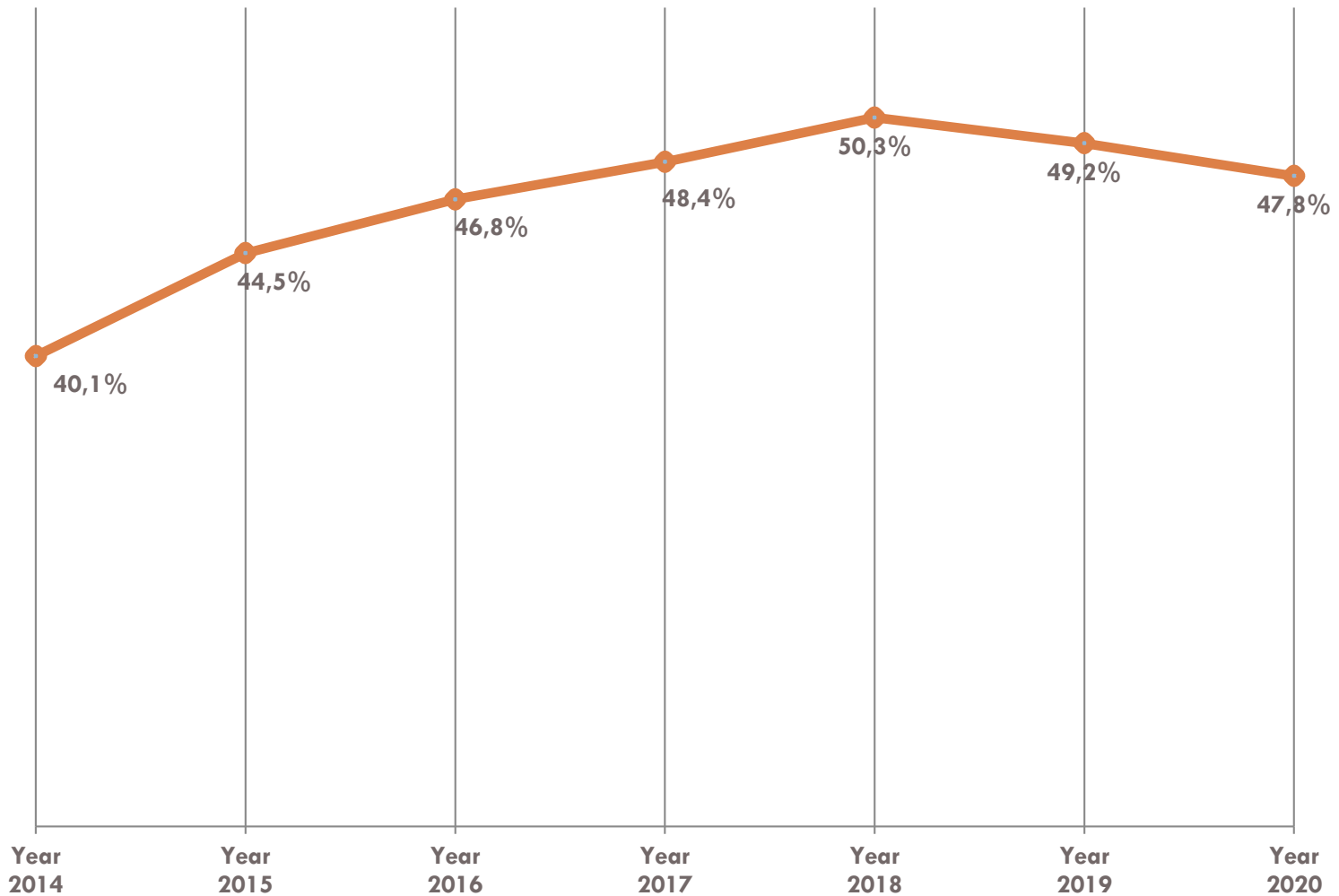
From an analysis carried out on a part of organisms it appears that the success rate rises to 46,7% if the parties agree to sit at the mediation table even after the first meeting introduced with Law 98/2013.

Participation by subject

2020

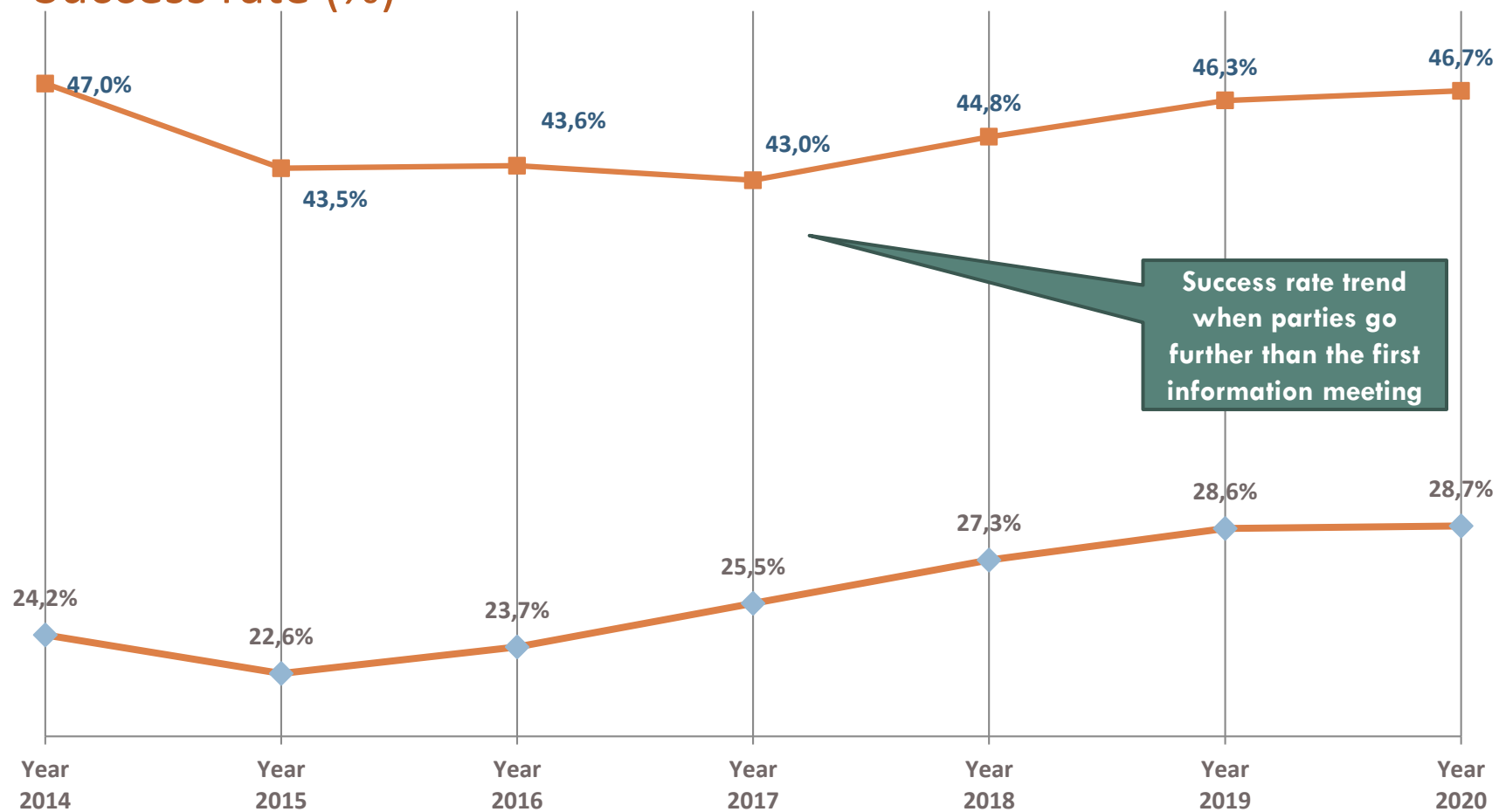
Subject	% of participation
Breach of contractual obligations due to COVID containment measures d.l.6 / 20 art. 3 co. 6bis and 6ter	70,3%
Wills and inheritance	64,2%
Partition	59,7%
Property	56,8%
Business rents	55,3%
Lease	55,1%
Condominium	52,4%
Family covenants and agreements	51,4%
Bank contracts	48,0%
Other proceedings (non mandatory mediations)	46,5%
Loans	43,1%
Medical malpractice damages	39,8%
Libel	39,5%
Financial contracts	38,9%
Insurance contracts	13,1%

Rate of Counterparty Participation in a Mediation Process



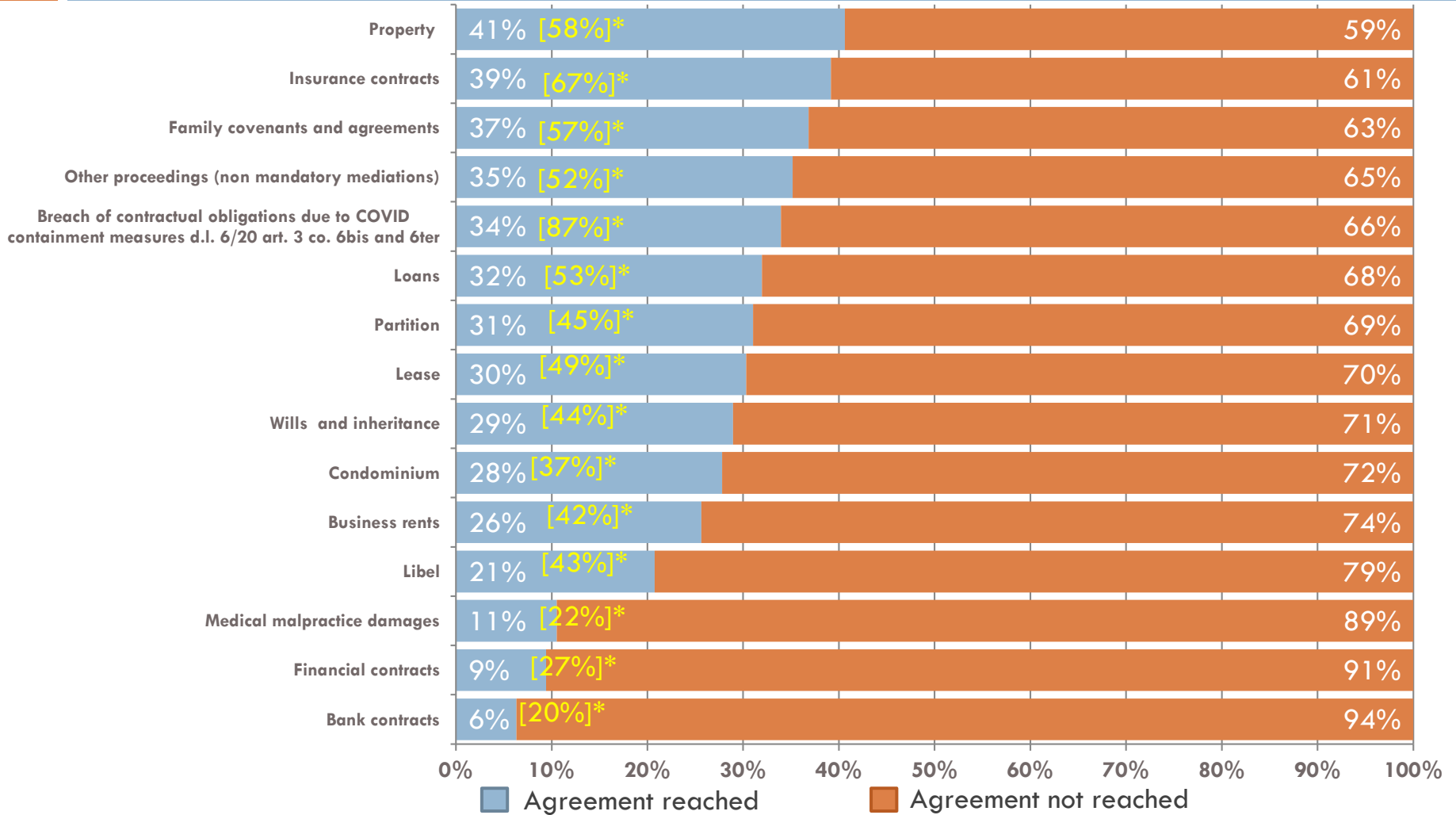
Trend of success rates

Success rate (%)



Success rate by subject

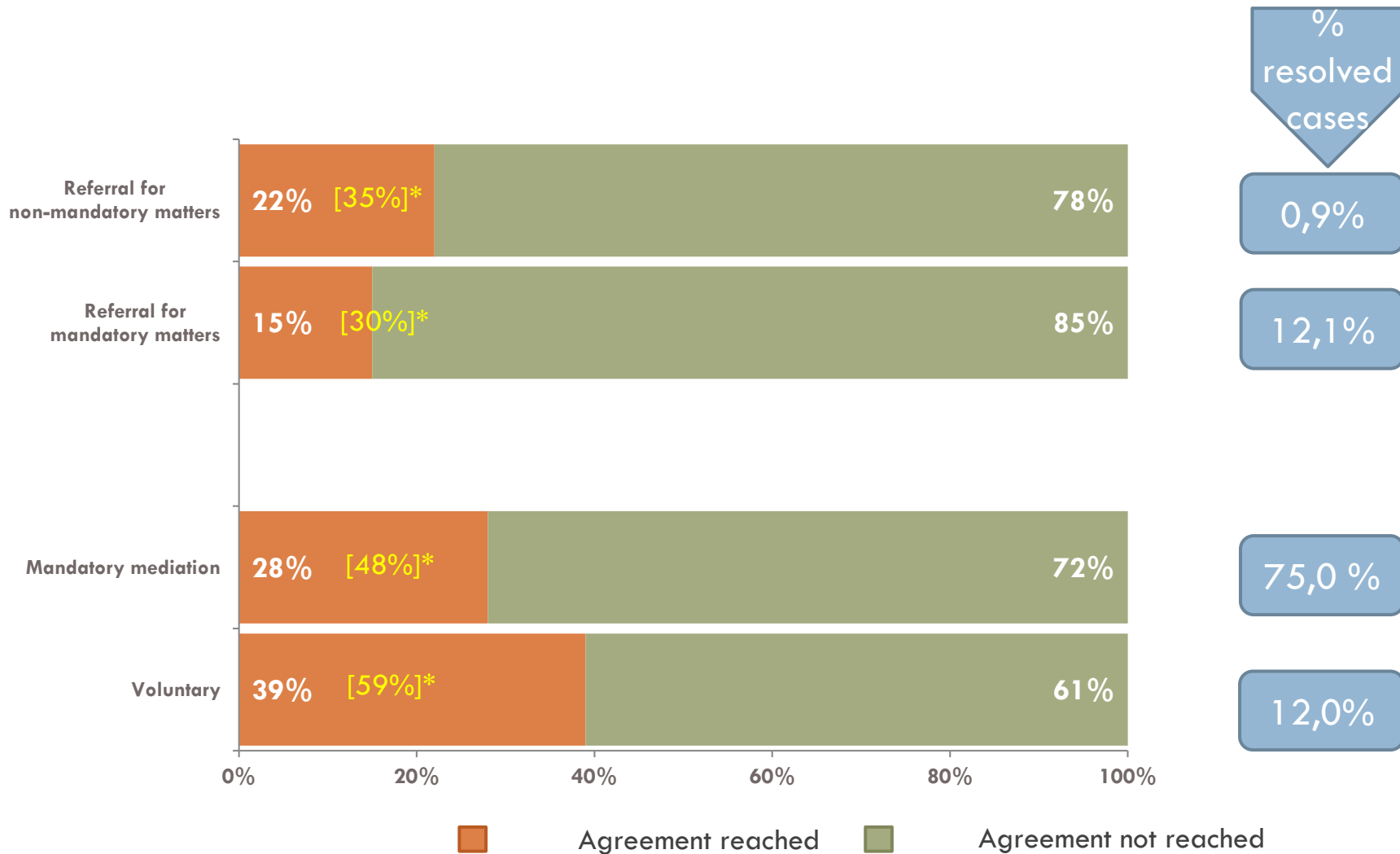
2020



* Outcome of the procedures when parties agree on meeting

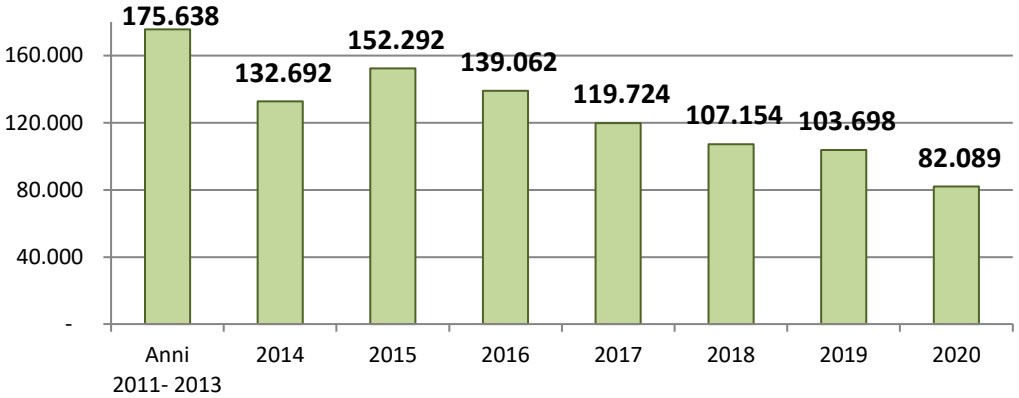
Success rate by Type of Referral

2020

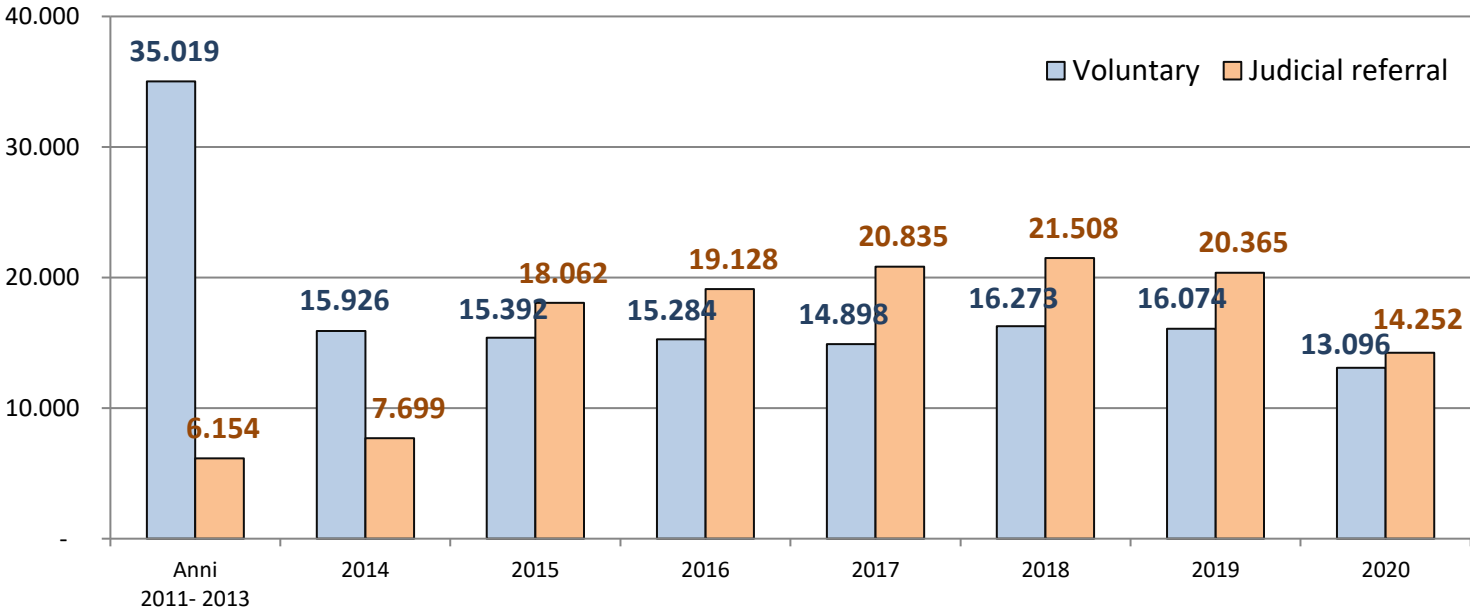
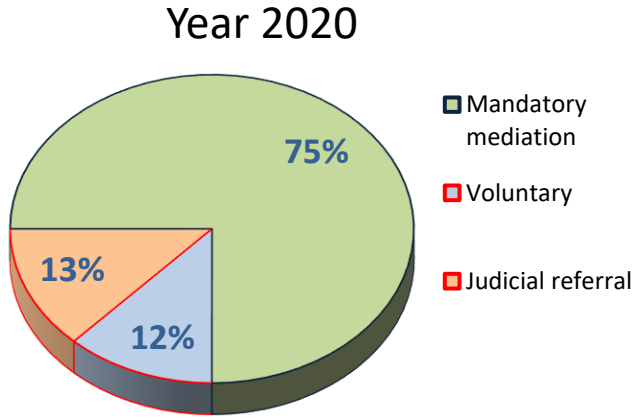


* Outcome of the procedures when parties agree on meeting

Categories of mediation – resolved cases

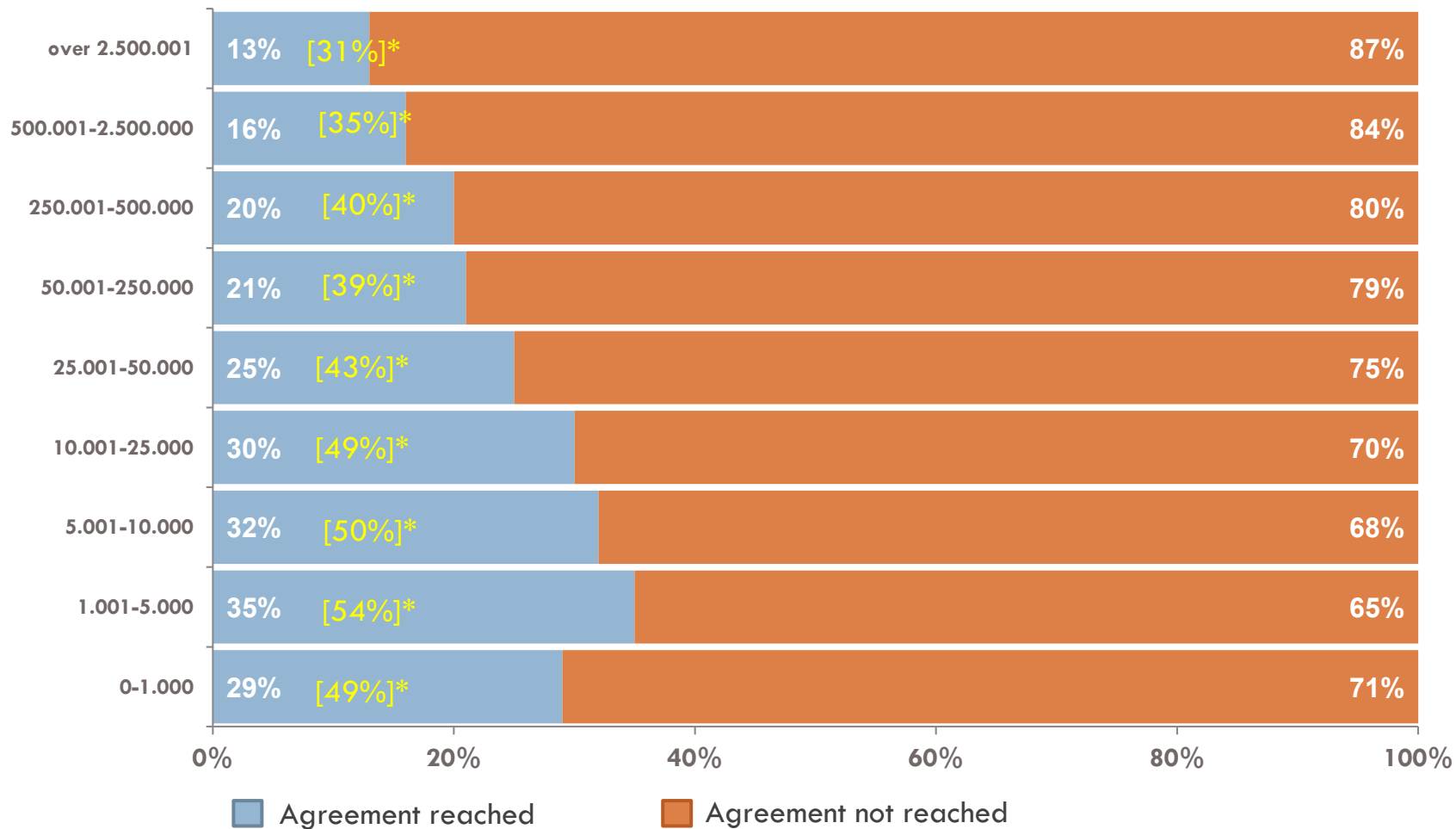


Mandatory mediation



Success rate by value range

2020



* Outcome of the procedures when parties agree on meeting

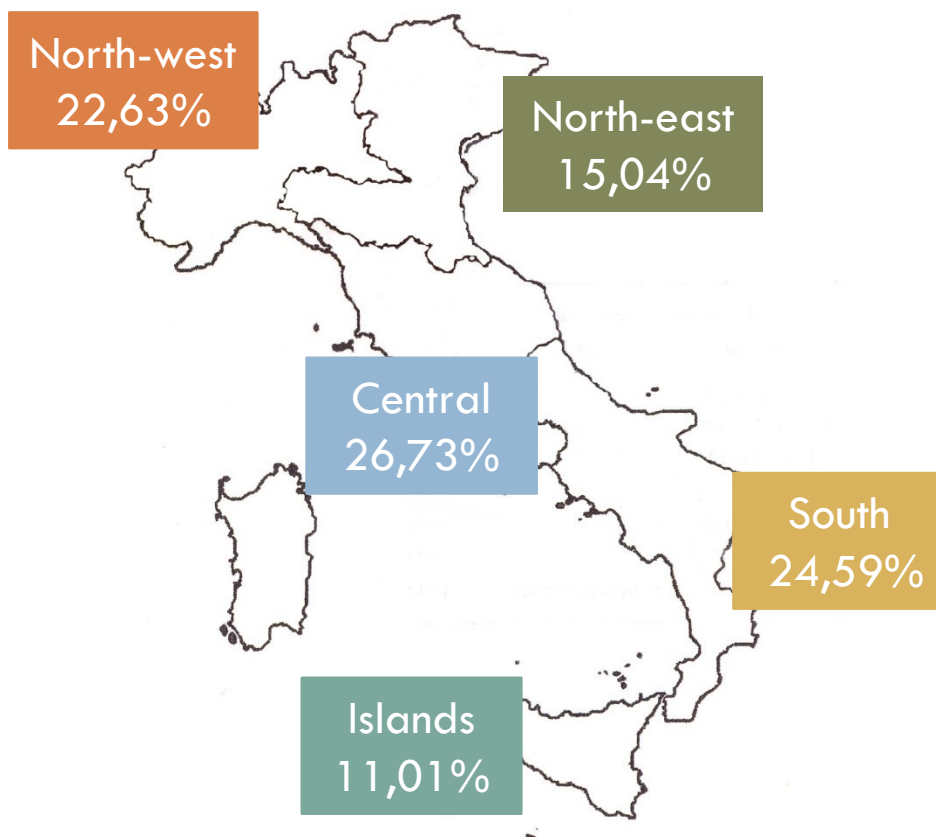
Success rate by type of mediation body

2020

Type of mediation organization	Number of organizations as of 31.12.2020	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	75	9.420	28,0%	49,7%
PRIVATE ORGANIZATIONS	359	64.019	32,3%	53,7%
BAR ASSOCIATIONS	105	35.352	24,04%	38,1%
OTHER PROFESSIONAL ASSOCIATIONS	39	646	33,2%	58,9%
Total	578	109.437	28,7%	46,7%

Geography of mediations

2020

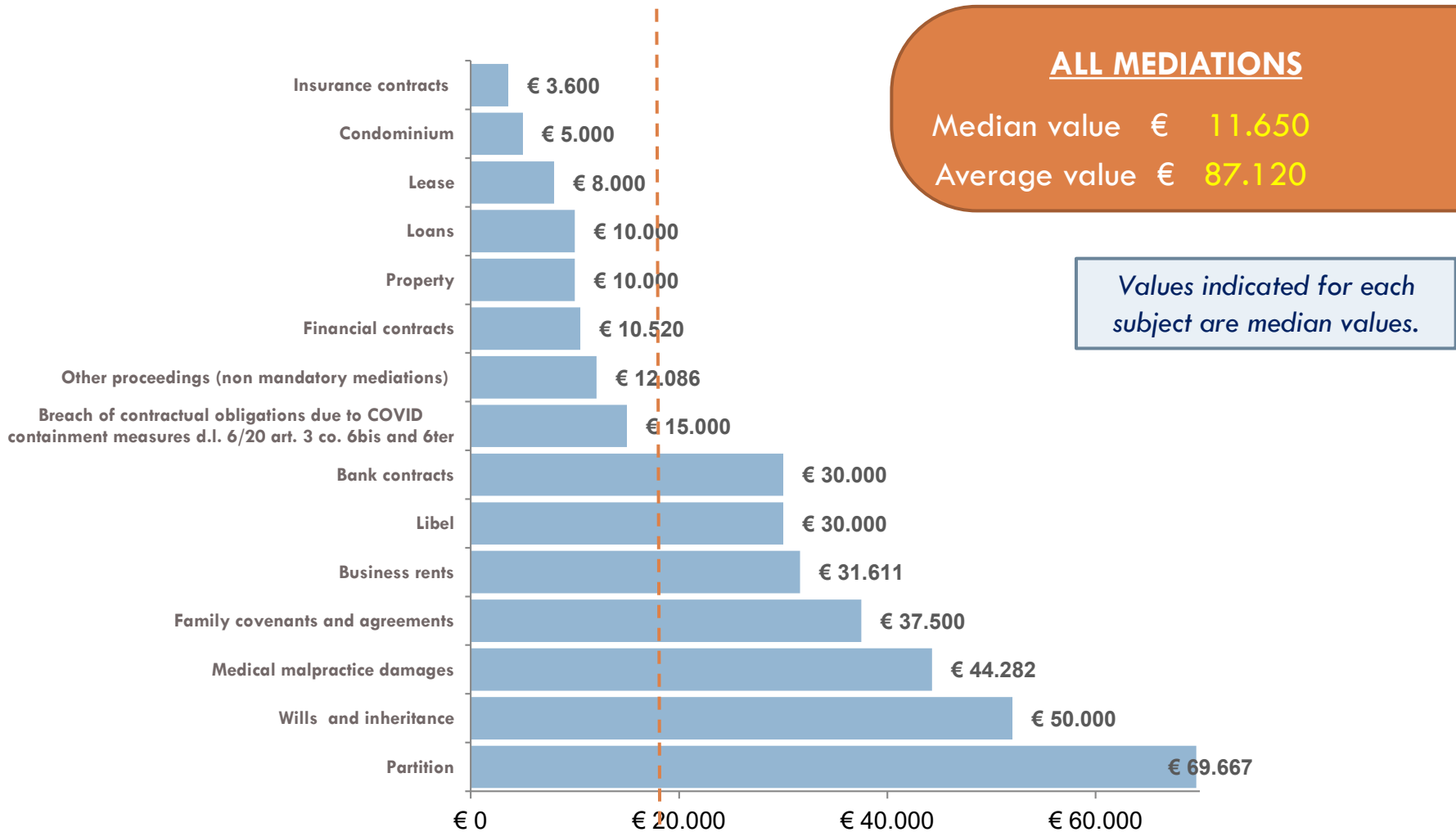


REGIONS	%
LAZIO	14,1%
LOMBARDY	13,2%
CAMPANIA	10,3%
TUSCANY	10,0%
SICILY	8,3%
EMILIA-ROMAGNA	6,7%
PIEDMONT	6,2%
PUGLIA	5,7%
VENETO	5,5%
CALABRIA	4,0%
ABRUZZO	3,2%
LIGURIA	2,9%
SARDINIA	2,7%
FRIULI-VENEZIA GIULIA	1,5%
MARCHE	1,3%
UMBRIA	1,3%
TRENTINO-ALTO ADIGE	1,3%
BASILICATA	1,0%
MOLISE	0,4%
VALLE D'AOSTA	0,3%

Analysis made with a sample of resolved cases

Economic value of mediation disputes

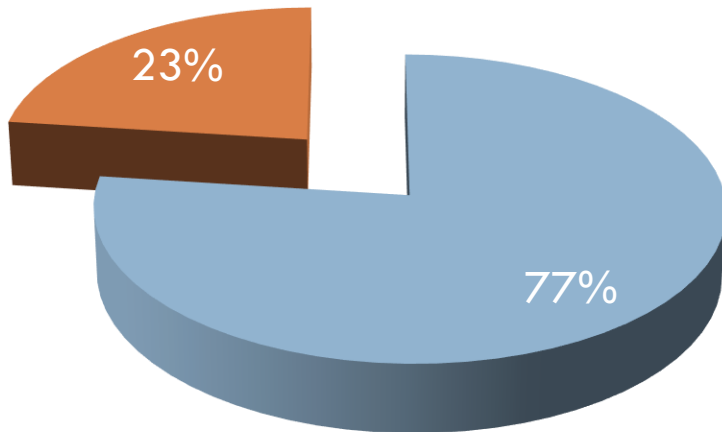
2020



Lawyer's assistance in voluntary mediation

2020

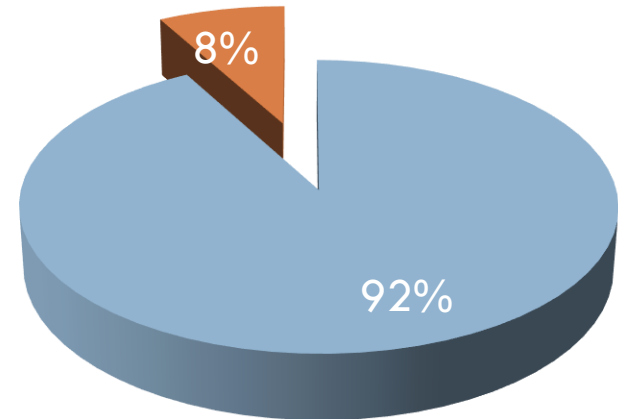
Total claimants



Year 2019	77% Assisted by lawyer
	23% NOT assisted by lawyer

- Assisted by lawyer
- NOT assisted by lawyer

Total defendants



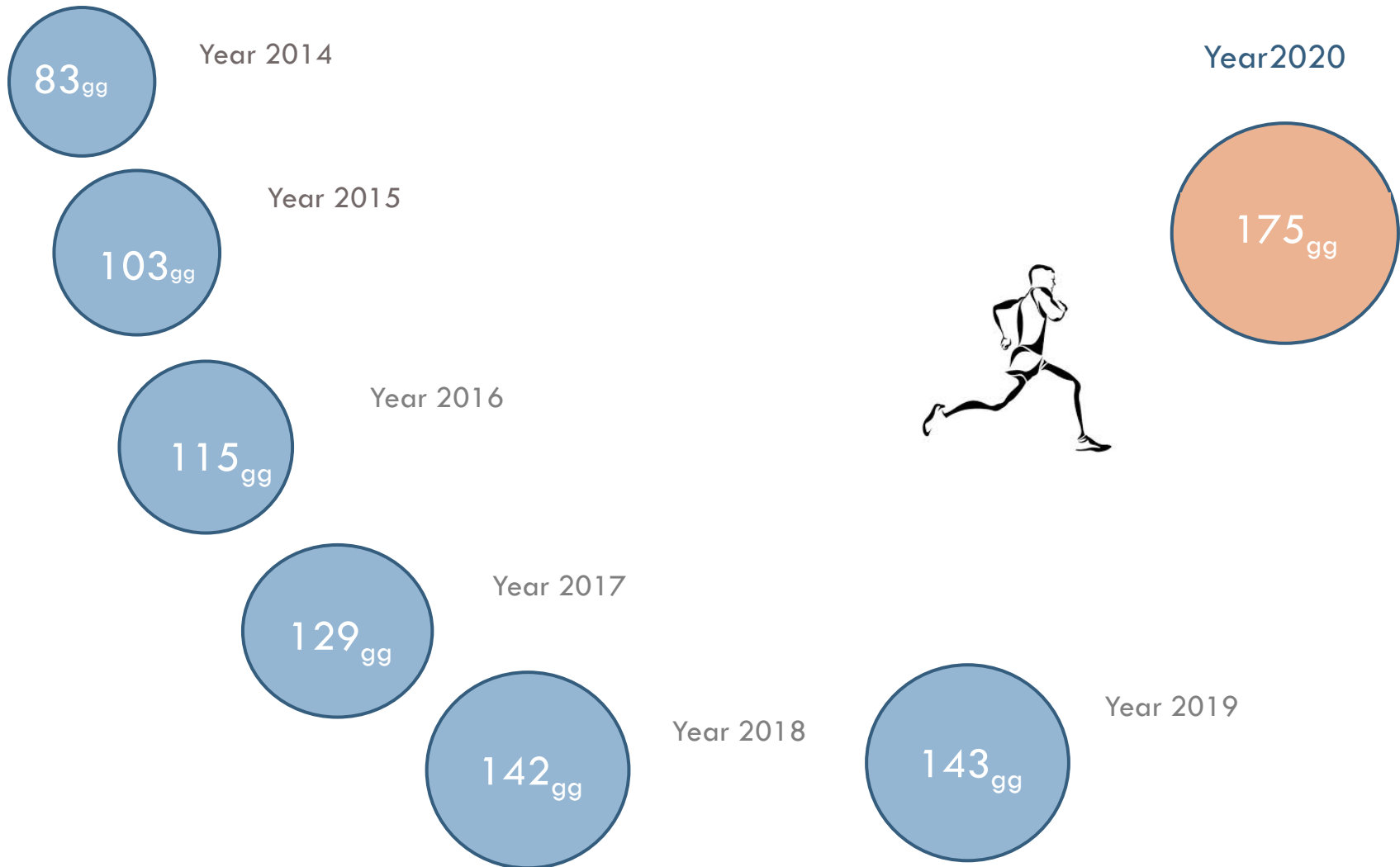
Year 2019	87% Assisted by lawyer
	13% NOT assisted by lawyer

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>