



Felony Mediation: Perspectives from Jefferson County

Chief Circuit Judge Eric Haner

The use of felony mediation to resolve criminal cases in Jefferson County gained significant momentum over the past several years. On June 30, 2026, the program came to an end. Its conclusion provides an opportunity to consider the role that felony mediation played in the resolution of criminal cases in Jefferson County. Before turning to those perspectives, a brief overview of the program provides helpful context.

The Kentucky Supreme Court created the statewide felony mediation program pursuant to its authority to develop rules promoting the efficient operation of the court system, invoking KRS 454.011, the General Assembly’s declaration of public policy encouraging dispute resolution by referring parties to mediation before trial or hearing. Participation in the program required a referral by the presiding judge, either upon the request of one or both parties or on the court’s own initiative. If accepted, the Chief Justice entered an order assigning the case to a retired judge who had completed mediation training and was registered with the program.

To better understand the program’s impact, retired judges who served as mediators, attorneys from the Office of the Jefferson County Commonwealth’s Attorney, attorneys from the Louisville office of the Department of Public Advocacy and a member of the private criminal defense bar were asked to reflect on their experiences.

The responses revealed several common themes.

Retired District Judge Anne Haynie believed felony mediation was helpful in resolving cases because “a mediator can provide the perspective necessary for both parties to accurately evaluate their case” and “being heard enables both sides to be less critical and more understanding of the criminal justice system.” This sentiment was echoed by attorneys on both sides, who all said “yes” when asked if felony mediation was a successful program, with some describing the program as “incredibly” and “extremely” successful. Department of Public Advocacy attorney Rick Lawniczak said the felony mediation program became “an indispensable part of criminal practice for the defense and prosecution alike.”

Participants also identified the types of cases they thought were appropriate for mediation. Judge Haynie believed Class A and B felonies were best suited for mediation because “the broader the penalty range, the broader the options for settlement.” Mike Goodwin, a member of the private criminal defense bar, said he was “surprised by the number of serious cases that have been resolved through the felony mediation program,” and that “mediation can allow the parties to reach an agreement that may not have been possible without a mediator.”

The value of a neutral mediator emerged as another recurring theme. Retired Circuit and Court of Appeals Judge Denise Clayton found having a neutral mediator helpful because it allowed defendants and victims the benefit of “being heard” without “time constraints.” Stacy Greive of the Office of the Jefferson County Commonwealth’s Attorney valued having a neutral, experienced mediator who looked “objectively at a case and gave objective, neutral opinions to both the defense and the prosecution.” As a prosecutor, Greive “welcomed the objective observation [of the mediator] to assist [her] in doing the right and just thing” in a case. Department of Public Advocacy attorney Chris Schramm valued the judges’ input about the case and found it important to be “up front” with the mediators, and share “the facts, good and bad, to help them understand each party’s position.”

The benefits of felony mediation for victims and defendants were another consistent theme in the participants’ responses.

Judge Clayton noted the ability to get beyond legal arguments and focus on “the defendant’s actions” and the “individuals harmed.” Andrew Reinhardt of the Office of the Jefferson County Commonwealth’s Attorney noted the benefit of getting family members and victims together to explain the “intricacies” of a plea, and the benefits of “finality.” Greive said that mediation “gave victims and families of victims a seat at the table in the plea negotiation process,” which helped them gain “confidence in the criminal justice system.”

Several attorneys from the Department of Public Advocacy emphasized the importance of allowing defendants to participate directly in the process. Hannah Pfeiffer found helpful the ability for her clients “to participate in [their] own negotiation.” Linda Dixon also recognized the value in her client’s “ability to actively participate” and to hear “from someone who seemingly has no stake in the case.” Meghan Alderson said mediation allowed her “clients to tell their story and that can provide closure that I can’t give to them.” Sheila Seadler said mediation gave her the “peace of mind” that she had availed herself “of all of the available resources to ‘counsel’ [her] client.”

Every attorney interviewed supported reinstating the program. Department of Public Advocacy attorney Nikole Seay said she “would greatly support” mediation coming back because it helped “in ways that regular negotiations never could.” Department of Public Advocacy attorney Kadison Roberts said felony mediation was effective in getting cases resolved “quickly and fairly.” Several attorneys anticipated that, without the program, more cases would remain pending longer and proceed to trial. Goodwin said the legal community has lost “a valuable tool” in resolving cases, while Lawniczak characterized felony mediation as “vital to the practice of criminal law.”

From the court’s perspective, mediation often accomplished something that could not be measured by a docket sheet. Cases that appeared unlikely to resolve sometimes became resolvable after the parties had the opportunity to meet with an experienced neutral mediator. Even when mediation did not immediately result in an agreement, it often clarified the issues, narrowed the areas of disagreement and laid the groundwork for a later resolution.

Statistics from the Administrative Office of the Courts likewise reflect the significant use of felony mediation in Jefferson County. In 2024, 34 felony cases were mediated, resulting in 24 settlements. In 2025, the number of mediations more than doubled to 72, with 55 settlements. Through June 26, 2026, before the program concluded on June 30, an additional 67 felony cases were mediated, resulting in 42 settlements. So, for this entire period, 173 felony cases were mediated, with 121 resulting in settlement, an overall settlement rate of 70%.

The Kentucky Supreme Court identified several goals for the felony mediation program, including reducing docket congestion, promoting the earlier resolution of criminal cases, reducing caseloads for the Commonwealth and the Department of Public Advocacy, encouraging victim participation and restorative justice principles and reducing public expense through lower jail populations. Based on the statistics from the Administrative Office of the Courts and the observations shared by the retired judges, prosecutors and defense attorneys interviewed for this article, it appears that the felony mediation program achieved its stated goals in Jefferson County.

It will certainly be missed.

Judge Eric Haner presides in Division One of the Jefferson Circuit Court, and is the Chief Regional Judge. ■





RETIRED JUDGE
TARA HAGERTY
FAMILY LAW MEDIATION
JUDGE@TARAHAGERTY.COM
TARAHAGERTY.COM • 502.558.7991







Judge Hugh
Smith Haynie
(ret.)



Rebecca C.
Reynolds

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