

## **JUDICIAL SETTLEMENT CONFERENCE PROGRAM**

### **Checklist for Lawyers**

#### **When Judge Decides to Order Case to a Judicial Settlement Conference:**

Parties agree on a settlement judge from the master list (if the parties cannot agree on a judge, the court will choose a settlement judge). Parties are asked to choose a judge located within 100 miles of the settlement conference site when possible.

For [Judicial Settlement Conference Program Judges](#)

Parties inform the referring circuit court judge of their selection.

#### **Once the Settlement Judge is Identified:**

Counsel **must** prepare a confidential pre-conference brief of **no more than 5 pages** for the settlement judge that may include:

a brief statement of the facts;

a list of damages (plaintiff only);

a concise theory of liability (plaintiff only);

defenses to plaintiff's liability theory (defendant only);

a statement describing the settlement history of the case, including all demands, settlement offers, and counter-offers with their corresponding dates;

the trial date and expected length of trial, and

a list identifying the parties who will attend the conference.

Ask the settlement judge how to transmit the brief (i.e., mail, fax or email).

#### **The Pre-Settlement Conference Call:**

Contact the settlement judge to schedule a phone conference in advance of the settlement conference.

Verify with settlement judge the date, time, and location of the settlement conference.

Ensure that parties with settlement authority will attend the settlement conference.

**At the Settlement Conference:**

At the beginning of the settlement conference, all parties, counsel, the settlement judge and other participants should sign the Agreement Concerning Settlement Conference Process form, which addresses confidentiality.

If the case settles, the parties must inform the referring circuit court in writing.

At the conclusion of the settlement conference, parties/counsel complete exit surveys and mail, fax or email them to Dispute Resolution Services.