

INTRODUCTION  
PART 1

- A. Welcome everyone: Welcome, thanks for agreeing to conciliation. Is it okay if we use first names?
- B. Disclose Conflicts: (If you know 1 or more of the parties or if there is a minor conflict and ask if they wish you to proceed)
- C. Persons not named in suit: Ask other party if it's alright that they be in joint session, otherwise they can come back for private session.  
If they remain for joint session, ask that they not speak in joint sessions.
- D. Goals: Our goal is to learn what's most important to you, help you understand each other and talk about your options. You control the outcome.
- I. Conciliators: Conciliation is a successful way of resolving disputes without going to litigation. If you do not reach a resolution, you may continue to litigate. As Conciliators, we assess the strengths and weaknesses of the case, and explore settlement.
- F. Neutrality: Our intention is to be neutral. If at any time you feel we are not being neutral, please let us know so we can address your concerns.
- G. Conciliation Report: At the conclusion of the Conciliation, we report back to the court to let them know if a settlement has been reached, the terms of the settlement, if the case is ready for trial, list of issues, if exhibits have been identified, if material facts or damages are in dispute, if discovery has been completed, and the estimated length of trial
- H. Process: WE START with a checklist of your readiness for trial;  
NEXT, we ask you to briefly tell us what happened in 2 or 3 sentences;  
THEN, we take a short break to go over our notes;  
AFTER, we'll meet with each party privately to learn more; and  
FINALLY, we'll have everyone back together to write up an agreement or discuss the next steps or plan for trial.

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PART 2

- i. Confidentiality: Conciliation is voluntary. You can withdraw at any time.  
  
It is confidential. We won't discuss things outside this room or repeat information from private sessions if asked not to.
- J. Guidelines: We take notes to keep track of things and so can you.  
We ask that only 1 party speak at a time
- K. Questions: Any questions?

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PART 3

- L. Necessary Information: Do you have all information necessary to resolve the case today?
- M. Settlement Authority: Do you have the authority to settle the case today?
- N. Checklist: FIRST, we are going to complete our Conciliation Checklist.

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PART 4

- P. Stories: NOW we are going to ask each of you to tell us what happened from your point of view.  
AT THIS POINT your stories may be very different. Don't worry about that.  
WE ASK that it be very brief, just 2 or 3 sentences.