

A. PRIOR TO SCHEDULED DAY FOR CONCILIATION

Prior to Conciliation - Agreement to Participate, Confidentiality Agreement, and list of people attending conciliation will be completed and signed prior to the session.

B. PRIOR TO START TIME FOR CONCILIATION

Conciliators Meet about 15-30 minutes prior to start time for Conciliation.

1. Review the Volunteer Checklist for Prior to Conciliation
2. Review the Volunteer Checklist for During Conciliation

C. FIRST JOINT SESSION

1. **Read Prior to Introduction**
2. **Read the Conciliation Introduction**
3. **Conciliator's Checklist:** Complete Checklist quickly to determine readiness for trial and settlement authority.
4. **Brief Opening Statement** Ask parties to make a brief opening statement in 2 or 3 sentences.

D. FIRST CONCILIATOR'S BREAK

1. Decide with you co-conciliator if you want to start with the Plaintiff or Defendant.

E. FIRST JOINT SESSION

1. Concentrate on differences and look for ways to compromise.

F. SECOND PRIVATE SESSION

1. Do a second private session If necessary to clarify remaining issues
2. Work towards conclusion
3. Identify agreed upon issues
4. Ask for Parties' Ideas on how to resolve contested issues

F. FINAL JOINT SESSION

1. **CONCILIATION REPORT:** All Cases **MUST COMPLETE** the **CONCILIATION REPORT**
 - a) **Whether it settles or not**
 - b) List agreed upon issues
 - c) List remaining issues to be resolved
 - d) List the number of witnesses, including expert witnesses, for both Parties
 - e) Estimate the time needed for trial
 - f) List the reasons the matter is ready / not ready for trial
 - g) Complete Stipulation or Agreement form, if applicable, to be returned to court with Conciliation Report
 - h) Report is circulated by the coordinator to be signed by the parties and their attorneys
2. **NO AGREEMENT:** Parties to plan to go to the next scheduled court event (usually Pretrial Conference)
 - a) Determine if Parties are ready for trial
3. **CONTINUE CONCILIATION ON ANOTHER DATE.** Parties may request to prior to the next scheduled court event.
4. **AGREEMENTS:**
 - A. **Agreement: If all terms have been met:**
 - i) Write up Agreement terms and coordinator will circulate for parties' signatures

B. **Agreement: If attorneys will draft agreement later at his/her office**

- i) Ask parties to commit to time to put Agreement in Writing;
- ii) Write up the list of terms of the agreement and attach to Conciliation Report to be sent for parties' signatures, if parties choose to do so, OR
- iii) Parties may choose to state in Conciliator's Report that Stipulation of Dismissal or Agreement for Judgment will be filed on or before DATE.

C. **Agreement: Need additional time to obtain additional information or make payment**

- i) Ask Parties to commit to time necessary to do so
- ii) Put Agreement in writing, if applicable
- iii) Complete Conciliation Report, and include how and when information will be obtained

D. **Partial Agreement: List Agreed terms and attach to Conciliation Report**

- i) Complete Conciliation Report and attached Agreement terms, circulate for signing

5. **Evaluation Form:** Let the parties know we will be sending a link with a request to complete evaluation