

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
MULTI-DOOR DISPUTE RESOLUTION DIVISION**

MEDIATION PROCEDURES for Pro Se Parties

The Court has instituted the following procedures for all cases ordered to participate in mediation. Parties and their attorneys are cautioned that sanctions may be imposed on those who do not comply.

Steps in preparation for mediation

1. All parties are required to appear for mediation: All parties are required to appear for mediation at the Multi-Door Dispute Resolution Division as stated in your Scheduling Order unless they have been previously excused by the Judge. Mediation will not go forward if parties do not appear and chambers will be notified of the “No-Show”.

Extensive experience throughout the country has shown that a high percentage of civil cases referred for mediation are amicably settled without the need for an expensive and time-consuming trial. The likelihood of settlement is enhanced when *all* parties to the lawsuit meet face-to-face for discussions in the presence of a neutral party. This is true even where an insurance company is involved.

2. If you believe that you have been incorrectly notified to appear for mediation: Contact the Civil Actions Branch at 202-879-1133. Where no such action is taken, the party or attorney will be required to participate fully in the mediation.

3. All parties are required submit a Confidential Settlement Statement (CSS) to Multi-Door 21 days prior to mediation: The CSS provides valuable information to your mediator to prepare for mediation. 21 days prior to mediation you must complete and submit the attached CSS by email to CivilMRC-CSS@dcsc.gov; or mail to Multi-Door Dispute Resolution Division, 410 E Street, N.W., Suite 2900, Washington, D.C. 20001. Please see the attached filing instructions for more details.

4. Parties are required to notify Multi-Door if settlement occurs prior to mediation: The original and one copy of the *praecipe* or document disposing of the case must be filed with the clerk's office. A copy must also be sent to the Multi-Door Division.

5. Parties may attend private mediation instead of Multi-Door mediation: If authorized by the Judge, parties may attend private mediation and are bound by the attendance guidelines outlined in item #1 of this document.

6. You may reschedule mediation one time if all parties agree: A one-time consent request for rescheduling mediation, before the CSS return date (21 days before mediation), may be granted by submitting an email to the CivilMRC-CSS@dcsc.gov inbox and copying opposing parties and/or counsel with an agreed upon mediation date and time that is no earlier than 21 days after the date of the request. All Civil mediations take place on Tues, Wed or Thurs at 9am or 11am. All subsequent requests for a continuance must be submitted to the assigned Judge through a motion.

Day of Mediation: Requirements and Information

7. You are not required to bring anything to mediation: The mediator will not be making a decision based on evidence, but you can bring any documents that you think will help you discuss the issues during mediation.

8. You may have an attorney, friend, relative or other support person present at the mediation

9. You are not required to be represented by an attorney at mediation: You may seek legal advice or assistance before signing an agreement in mediation.

10. Check-in approximately 15 minutes prior to your scheduled mediation: Civil mediations are held on the 1st floor of Building C, 410 E Street NW. Check in with the case manager at the counter as soon as you arrive (Please call our receptionist if you are running late 202-879-1549).

11. Mediation lasts approximately 2 hours: While there is no time requirement, we ask that you plan for a minimum of 2 hours.

About the Mediation Process

12. Mediation sessions are confidential: The participants will be asked to sign an "Agreement to Mediate" at the beginning of the session confirming their understanding of the session's confidential nature. All communications shared during mediation in this case are confidential, including any notes or other documents created during mediation, consistent with the D.C. Uniform Mediation Act, §16-4207. Exceptions to confidentiality: The mediator or staff may disclose communications of abuse, neglect, abandonment, exploitation or threats and/or statements of a plan to cause bodily harm or injury.

13. The mediator will meet initially with all the parties: He or she may then meet with each side privately as necessary to clarify important issues and to allow parties to reveal in confidence the factors viewed as critical to settlement. Through a series of meetings with the parties, individually and together, the mediator will try to facilitate an agreement that will satisfy the interests of all concerned.

14. Cases that settle at mediation: If the case is settled at the time of mediation, a copy of the settlement *praecipe* or other document memorializing the settlement must be filed promptly with the Multi-Door Division case manager. If the parties need approval of the settlement by the Court, the Multi-Door Division will set a status hearing on the Judge's calendar. The parties are responsible for filing a motion for court approval of the settlement. Please note that settlements involving minors require judicial approval. *See* D.C. Code § 21-120 (2001).

15. Cases that do not settle at mediation: If the case does not settle, the case manager will schedule the next event with you at the counter after your mediation.

Do you have questions about mediation or need special accommodations? Call Multi-Door at 202-879-1549

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MEDIATION READINESS CERTIFICATE AND CONFIDENTIAL SETTLEMENT STATEMENT
FILING INSTRUCTIONS

The General Mediation Order requires attorneys and Pro Se parties to file the Confidential Settlement Statement (CSS) attached.

Instructions for filing and completing your CSS

Only send the completed CSS form to Multi-Door: Do not send copies of the CSS to the clerk, assigned Judge, or other attorneys/parties. Do not deliver CSS forms to the Civil or Landlord & Tenant Division or any after-hours filing box. Proper filing with the Multi-Door Division will ensure that the CSS remains confidential and is neither filed on the docket nor shown to anyone other than the mediator assigned to the case. For additional filing information, please call the Multi-Door Division at 202-879-1549.

Submit the completed CSS form by e-mail to CivilMRC-CSS@dcsc.gov.

You will receive a reply message as proof of filing: For recordkeeping purposes, CSS forms sent after 5:00 p.m. are considered received on the next working day.

If you cannot e-mail your CSS: Deliver or mail them to the Multi-Door Dispute Resolution Division, 410 E Street, N.W., Suite 2900, Washington, D.C. 20001. Delivery must be made between the hours of 8:30 am and 5:00 p.m. There is no after-hours filing box for MRC and CSS forms.

How to fill out your CSS: Please be comprehensive and candid in your CSS; this information is important to the mediation. You are encouraged to include additional information that may be helpful to the mediator.

If your mediation is rescheduled: you must resubmit the original or a revised CSS, with the correct date indicated.

CONFIDENTIAL SETTLEMENT STATEMENT
Multi-Door Dispute Resolution Division

Judge _____ Case Number _____

Case Caption _____

This case is scheduled for a:

Mediation Conference on _____ at 9:00 11:00

Do any of the parties involved require an interpreter? Yes No

If yes, please identify the specific language the court interpreter needs to be certified in:

Mediator Expertise Desired: _____

(please specify)

Submitted by:

Check one

Attorney or *Pro Se* Party

- Plaintiff Defendant
- 3rd party Plaintiff
- 3rd party Defendant

Telephone

Email Address

List below the names of all parties you represent. (Attach an additional page if necessary). The filing of one settlement statement will suffice for all of the parties that you represent in this matter, provided all of the parties are listed.

Name of party

Name of party

Name of party

Name of party

Please provide answers to the following questions:

1. Describe in detail the facts of the case and the claims being raised:

2. (Plaintiff Only) Describe the type and scope of injuries and any monetary and/or equitable relief being sought (please list items separately, such as lost wages, medical costs, etc.):

3. (Defendant Only) Describe any counterclaims being raised:

4. How do you assess the value of this case for settlement purposes?

Minimum \$ _____ Maximum \$ _____

5. Describe any settlement offers/demands that you have made and the current status of settlement discussions:

6(a). (Defendant Only) If the claims at issue are covered by insurance please provide the policy limits:

6(b). (Defendant Only) If yes, please identify the insurance company and the name of the claims representative who you anticipate will be attending the session because his authority may be needed to settle the case. (See Super. Ct. Civ. R 16(j)).

7. (Plaintiff only) Identify any outstanding liens, their amounts, and any negotiations with lien holders:

8. Identify anyone who is not listed as a party that you believe should be present at mediation for meaningful settlement negotiations:

9. Describe any relational factors or history between the parties that could impact the mediation (positively or negatively):

10. What additional information, not found in filings, should the mediator know in order to engage parties in meaningful settlement negotiations? (Remember that the discovery deadline precedes the mediation date.)

Date submitted

SUBMIT