

POND FAMILY MEDIATION



Simplified divorce resolution.

Phone: (904) 209-9382 Email: Danielle@PondFamilyMediation.com
www.PondFamilyMediation.com

PRE-MEDIATION CASE SUMMARY

Please submit your Case Summary no later than three (3) business days before the mediation.

**This confidential mediation communication
is governed by Section 44.405, Florida Statutes.**

Please complete all sections that apply to this case to the best of your knowledge. Attorneys may complete this on behalf of their clients when applicable. Otherwise, pro se parties should complete this for themselves. The more information provided up front, the easier the mediation process can go.

1. Name of attorney submitting this summary:

2. Case Type (Pre or Post-Divorce)

3. Case Number:

4. Circuit court where case is pending or where case will be filed:

5. Name of the party represented here:

6. Address of the law firm who will attend the mediation:

7. Are there children involved in your case?

8. Factual disputes will be resolved by:

Judge(s) Jury Arbitrator(s)

Presiding Judge(s)/Arbitrator(s):

10. Trial/Final Hearing date (if known):

11. What is the status of discovery?

12. Pending dispositive motions or other motions which may impact settlement discussions:

13. Describe any past rulings in the case which may impact settlement discussions:

14. Estimated number of mediation hours requested:

15. Brief description of mediation need:

16. Why have settlement discussions been unsuccessful to date?

17. Check the correct response:

Has the dispute been mediated before?

Yes No

Has your client participated in a mediation conference

Yes No

before? Is a partial settlement a positive potential outcome of this mediation?

Yes No

Yes No



18. Are there any contempt or other charges related to this dispute filed?

Yes No

19. If YES, identify each purported claim and the current status:

20. If the case is not settled during mediation, estimate legal expenses from the date of the mediation conference through trial/final hearing:

21. Check any of the following concerns which apply to this case:

Time delays

Hurt feelings/On-going hostility

Time sharing arrangement (children)

Car payments

Balance of power between parties

Real property (homes, boats, RVs)

Child Support

Relocation

Alimony

Living situation (who stays in the house)

Attorneys' fees and costs

Safety at mediation conference

Mediation fees

Other (describe in text box below):

22. Negotiation history:

Original demand		Date:	
Original offer		Date:	
Current demand		Date:	
Current offer		Date:	

23. Are there significant assets in the marital estate that need to be liquidated or divided? If yes, please explain.

Yes No

25. Is there a co-parenting dispute?

Yes No

26. If YES, please describe:

27. Describe the best possible mediation outcome for the party you represent:

28. Describe the best possible litigation outcome for the party you represent:

29. Describe the worst possible mediation outcome for the party you represent:

30. Describe how motivated this party is to settle in mediation?

31. What is your understanding of your client's (or your) desired outcomes?

32. What is your understanding of the other party's requests and desired outcomes?

33. Are there any issues on which the parties have already reached agreement?

34. Are there any issues on which the parties are nearing agreement?

35. Explain any opportunities to reach a partial agreement in the event the entire dispute cannot be settled:

36. Are the parties highly contentious at this point?

Yes No

37. If yes above, what are the most contentious issues?

38. Specify any material terms and conditions your client requires for settlement (e.g., confidentiality clause, non-compete agreement, Medicare set-aside provisions, etc.):

39. Describe any unusual dynamics that could impact negotiations (e.g., personality conflicts between participants, hidden interests of the parties, etc.):

40. What is the LARGEST issue in dispute?

41. Describe any key conversations, documents, agreements, trusts, or other items that support your client's views or positions on the largest issue:

42. What is the SECOND LARGEST issue in dispute?

43. Describe any key conversations, documents, agreements, industry standards or other items that support your client's views or positions on the second largest issue:

44. What is the THIRD LARGEST issue in dispute?

45. Describe any key conversations, documents, agreements, other items that support your client's views or positions on the third largest issue:

46. Have you dealt with this opposing counsel before? (Attorney's only) Yes No

47. If YES, what is the nature of your relationship with opposing counsel today?

48. Do you give the Mediator permission to continue her efforts by separate phone calls, emails, and other communications following the scheduled mediation conference? Yes No

49. Do you give the Mediator permission to share your Pre-Mediation Case Summary with opposing counsel? Yes No

50. Key documents may be submitted to the Mediator as necessary to facilitate his understanding of the case, such as Any existing settlements (prenup), Financial Affidavit, etc.

Please list by name all documents accompanying your completed Pre-Mediation Case Summary:

Once you have completed your Pre-Mediation Case Summary, please email it – along with all accompanying documents – directly to your mediator:

EMAIL:

Danielle@PondFamilyMediation.com

WEB:

www.PondFamilyMediation.com

And please do not hesitate to call us should you have any questions:

Main Number:

(904) 209-9382

Thank you for choosing **Pond Family Mediation** to settle your case.

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