

## **ANOKA COUNTY FAMILY COURT MODERATED SETTLEMENT CONFERENCE PROGRAM DESCRIPTION**

The Moderated Settlement Conference (MSC) Program is a confidential, voluntary evaluative process designed to facilitate dispute resolution in the later stages of family court matters. The program offers the evaluative impressions of experienced attorney-moderators (called MSC Neutrals) to parties engaged in custody, parenting time, and financial disputes. The MSC is held at the Courthouse and is typically completed after the first pretrial in the case if the cases did not settle at that hearing. Based on all of the information in the Court file, the MSC Neutral provides an opinion and feedback to the parties and their attorneys and assists in the settlement process. Any agreements reached during this conference will be placed on the record before the blocked judge that day.

1. If the attorneys and parties consent to participate in this program, a court order will issue at the first pretrial hearing setting forth the time and date of the Moderated Settlement Conference, which will be held at the Anoka County Courthouse. The order will provide the contact information for attorneys and parties and for the MSC Neutral. Attorneys will be able to select their own MSC Neutral or one will be randomly assigned to the case. All MSC Neutrals must meet the basic ENE provider requirements to be on the roster, but also must be a licensed attorney.
2. The opinion of the MSC Neutral is provided to parties and their attorneys based on all of the information in the Court file and the parties' discussions. The MSC Neutral will have access to the court file, including custody evaluations and any other reports. In addition, attorneys may provide other ex parte information to the MSC Neutral.
3. There is a cost for participating in the Moderated Settlement Conference. Each party pays a fee to the MSC Neutral. The amount of the fee is determined by taking one-half of the hourly rate he or she is paying his or her attorney. In the event one or both parties is pro se, the fee is calculated according to their income and assets pursuant to the MSC Fee Policy set forth in the MSC Order. Parties should anticipate paying for three hours of the Neutral's time. The Neutral will be paid in cash prior to commencement of the session. *No checks or credit cards will be accepted by the Neutral.*
4. During the MSC, each attorney or pro se party will present the important issues in the case and provide documentation as and for each of their claims. The MSC Neutral will provide feedback and an opinion based on their experience as to a likely outcome of the case. Based on that feedback, the parties may work with the Neutral to reach agreement on some or all issues.
5. The MSC Neutral may request, and attorneys and parties have the option to agree to, additional sessions to complete this process
6. If a full or partial settlement is reached, the parties will place the agreement on the record before their assigned judge on the day of the MSC. These agreements are final and binding on the parties.
7. In addition to reporting full and partial settlements, the MSC Neutral and the attorneys of the parties may meet with the judge as indicated in paragraph 5 of the MSC Order.
8. If the parties do not reach a settlement of all of their issues, those issues will be set for trial.