

Tenth Judicial District Early Neutral Evaluation Program

Early Neutral Evaluation (ENE) is a confidential, voluntary process designed to help parties reach an agreement on custody, parenting time (visitation), and financial disputes early in the case. Experienced professionals evaluate the parties' custody, parenting time and/or financial disputes. Feedback is provided based on case presentations and a limited amount of information gathering. The parties may choose to participate in the ENE process at the Initial Case Management Conference (ICMC).

For Social ENE (SENE), the parties select two neutral providers to address custody and parenting time issues. For opposite gender parents, parties may select one male and one female provider. Same gender parents may select same gender providers. The initial session is scheduled for four hours. The SENE is usually completed within one month of the ICMC.

A Financial ENE (FENE) addresses child support, spousal maintenance, and/or division of property. The parties select one provider. The initial session is scheduled for three hours. The FENE is usually completed within two months of the ICMC.

There is a cost for participating in ENE. The amount of the fee for each party is determined by the court at the time of the ICMC. The sliding fee scale used by the court is located on the County Information tab at <http://mncourts.gov/Help-Topics/ENE-ECM.aspx>.

Parties and their attorneys, if represented, go to the ENE sessions together. At the ENE session, each party is asked to identify the important issues in the case and explain their position on those issues. Unless it is necessary to get more information, the providers give feedback about each party's case. Settlement possibilities are discussed and areas needing more information are identified.

The ENE providers may gather additional information as necessary and may interview parties, interview children, or get more information they believe would be helpful to the process.

The parties can agree to have more ENE sessions if the case is not settled in the first session. The parties will pay for these additional sessions based on the fee policy. If a full agreement is not reached, the providers will identify important issues that may need more attention.

At the end of the ENE process, the providers send a report to the court indicating whether full, partial or no settlement is reached. If a partial or full agreement is reached, the parties or attorneys, if represented, must submit the written agreement to the court. The Sherburne County Law Library provides free drafting services to self-represented parties who reach an agreement through the ENE process in Sherburne County cases.

Providers may not be called as witnesses regarding information obtained or recommendations given during the ENE process.

If a full agreement is not reached, the court will issue a scheduling order.

For information about the Initial Case Management Conference (ICMC), watch the video at <http://mncourts.gov/Help-Topics/ENE-ECM.aspx#tab07Resources>. For ENE Program information and resources, go to the County Information tab at <http://mncourts.gov/Help-Topics/ENE-ECM.aspx> and choose the county your case is in. If you have questions, you may also contact 10CourtHelp@courts.state.mn.us.