

Court File No. _____

- In Re the Marriage of:
- In Re the Custody of the Child(ren) of:

_____,
Petitioner,

STIPULATION TO WAIVE ICMC AND
PARTICIPATE IN INITIAL ADR

and

_____,
Respondent.

1. This matter is currently scheduled for an Initial Case Management Conference (ICMC) on _____ (date).

2. The parties agree to waive the ICMC and participate in the following type(s) of Alternative Dispute Resolution (ADR) process(es):

- Social Early Neutral Evaluation (SENE) and/or
- Financial Early Neutral Evaluation (FENE).
- Other ADR: _____(type).

3. Petitioner is represented by attorney: _____.

4. Respondent is represented by attorney: _____.

5. The parties do not have joint minor child(ren) have the following joint minor child(ren):

Child(ren)'s name(s)	Date(s) of birth

6. An Order for Protection (OFP) is not currently in effect between the parties is currently in effect between the parties and the parties will inform the ADR provider(s) of the existence of an OFP before the first ADR session. Any OFP currently in effect must be attached to this Stipulation.

7. For Dissolution Cases Only: The parties agree on the date of valuation; the date of valuation shall be _____ (date).

8. Early Neutral Evaluations

- a. The parties agree to use the following Rice County SENE and/or FENE provider(s):

Name of ENE provider	Type of ENE
	<input type="checkbox"/> SENE <input type="checkbox"/> FENE
	<input type="checkbox"/> SENE <input type="checkbox"/> FENE
	<input type="checkbox"/> SENE <input type="checkbox"/> FENE

- b. The parties agree and understand that they are individually responsible for payment of the fees for ENE as set forth below.
- c. The parties agree to abide by the following cancellation policy: ENE session(s) cannot be cancelled unless a full written stipulation on all issues is completed no less than five (5) business days before the ENE session with notice to the ENE Provider(s). If the parties fail to attend ENE or fail to give timely and proper notice of the cancellation of the session because of a full agreement having been completed and reduced to writing, the parties will be responsible for payment of the full cost of the missed ENE session. In addition to paying the cost of the session, the Court may consider the failure to attend a violation of the ENE Order, and take such violation into consideration when determining the issue of an award of attorney fees or other disputed issues between the parties.
- d. The following party is IFP status: Petitioner Respondent.
- e. For purposes of determining ADR fees only, and for no other purpose in the case, Petitioner's gross annual income is: _____, and Respondent's gross annual income is: _____.
- f. Petitioner shall pay \$_____ for the initial FENE session, and \$_____ for each additional hour.
 Petitioner shall pay \$_____ for the initial SENE session, and \$_____ for each additional hour.
 Respondent shall pay \$_____ for the initial FENE session, and \$_____ for each additional hour.
 Respondent shall pay \$_____ for the initial SENE session, and \$_____ for each additional hour.

9. Other forms of ADR

- a. The parties agree to participate in: _____ (ADR type).
- b. The parties agree to use the following _____ (ADR type) neutral providers:

Name of neutral ADR provider	Type of ADR	Neutral's Phone #	Complete Mailing Address

- c. The parties agree and understand that they are individually responsible for payment of any fees charged by the other ADR type neutrals and that those fees are set by the neutrals.

10. The parties understand that the Court will not approve this Stipulation unless the initial ADR session(s) has/have first been scheduled.

- The parties are scheduled to attend an SENE session on _____ (date).
- The parties are scheduled to attend an FENE session on _____ (date).
- The parties are scheduled to attend a _____ (type of ADR) session on _____ (date).
- The parties are scheduled to attend a _____ (type of ADR) session on _____ (date).

11. The parties agree to engage in informal voluntary discovery for so long as they are actively participating in ADR. No later than _____ (date) the parties shall provide, to each other, a letter requesting relevant information and documents they need to resolve this case. The requested information and documents shall be provided to the requesting party no later than _____ (date).

12. The parties agree to provide documents to the initial ADR provider(s) as directed by the ADR provider(s).

13. The parties understand that information produced during the ADR process not otherwise discoverable, and impressions or opinions made by the ENE provider(s) or other ADR neutrals, shall remain confidential.

14. The parties understand that the ICMC will remain as scheduled unless and until the Court grants their request to waive the ICMC. It is the responsibility of the parties to contact the court to inquire whether their request is granted or denied.

SIGNATURES AND CONTACT INFORMATION

Petitioner:

Respondent:

Signature Date

Signature Date

Street address

Street address

City / State / Zip

City / State / Zip

Telephone number

Telephone number

Email address

Email address

Petitioner's Attorney:

Signature Date

Street address

City / State / Zip

Telephone number

Email address

Respondent's Attorney:

Signature Date

Street address

City / State / Zip

Telephone number

Email address

Attorney for Child Support Office:

Signature Date

Street address

City / State / Zip

Telephone number

Email address

- In Re the Marriage of:
- In Re the Custody of the Child(ren) of:

Court File No. _____

_____,
Petitioner,

and

_____,
Respondent.

ORDER
 GRANTING DENYING
 WAIVER OF ICMC AND
 PARTICIPATION IN INITIAL ADR

ORDER DENYING ICMC WAIVER

1. The parties’ request to waive the ICMC is **DENIED**.
2. Court Administration shall serve a copy of this Order upon each party or counsel (if represented).

BY THE COURT:

JUDGE OF DISTRICT COURT

ORDER GRANTING ICMC WAIVER AND ORDER FOR ENE

1. The parties’ request to waive the ICMC and participate in initial ADR on the terms and conditions set forth in their attached Stipulation is **GRANTED**.
2. The ICMC is waived and Court Administration shall strike it from the court calendar.
3. The ADR provider(s) shall confer with the parties and counsel (if represented) and complete the ADR process(es) within 60 days from the date of this Order. Any unresolved issues shall proceed to a Scheduling Conference.
4. If the parties have a joint minor child, then each party must complete a parenting education program within 60 days from the date of this Order. A list of approved courses is available online: <http://www.mncourts.gov/Find-Courts/Third-Judicial-District/Parents-Forever-Classes.aspx>.
5. Court Administration shall review this file in 65 days from the date of this Order. If the matter is not settled by the time of the 65-day review, Court Administration shall schedule a Scheduling Conference and issue notices to the parties.

6. Court Administration shall serve a copy of this Order on each party or counsel (if represented) and on the ADR providers listed in the Stipulation.
7. The parties' Stipulation to Waive ICMC and Participate in initial ADR is attached to and incorporated herein.

BY THE COURT:

JUDGE OF DISTRICT COURT