



Pre-Mediation Written Submissions Considerations

Will submissions be confidential to the mediator only, shared with all counsel or a combination? Discuss this with opposing counsel, come to some agreement, and communicate it to the ADR Systems' case manager. If you would like to know a particular mediator's preference regarding submissions, contact your case manager. Clearly mark any submission materials that are confidential.

Length

Consider a page limit for the narrative portion of the submission with the other attorneys. Use it as an exercise to clearly and succinctly articulate the issues.

Submit

Unless there is an alternative agreed timeframe that has been approved by the mediator, please send written submissions at least two weeks prior to the mediation date. Submissions totaling 50 pages or less (including exhibits) may be submitted via email to sblake@adrsystems.com. Submissions totaling more than 50 pages may be sent to ADR Systems, 20 North Clark Street, 29th Floor, Chicago, IL 60602 c/o Sue Blake.

Consider including:

- Statement of facts
- Most recent complaint/answer
- Substantive motions/response
- Court orders
- Theory relative to liability
- Pertinent case law
- Pertinent contracts, statutes, and verdicts reports
- Basis for damages
- Summary of expert reports
- Summary of non-expert witnesses
- Summary of consultant reports
- Status of case/trial dates
- Brief history of negotiations to date
- Prior demand and offers
- Photographs, charts, data
- Deposition with the pertinent lines highlighted if possible

Organization

- Cover letter or memorandum should include: name of case, party represented, date of session, name of neutral and ADR Systems case number. Reference the ADR Systems agreement to mediate for the case number.
- ADR Systems neutrals read all documents submitted. Organize documents so that time spent is efficient and cost effective for counsel and your clients.

Special Equipment

Please notify your case manager at least one week in advance of the date of your session, if you have unique room requirements the day of the case (projector, screen, DVD player, handicap access, etc.). Some equipment may require an additional fee.

Please direct any additional questions to your ADR Systems case manager.