

Pre-Mediation Written Submissions Considerations

Please note that individual mediators may have specific preferences that impact the submission process. Speak with your ADR Systems case manager prior to submitting for further details.

Confidentiality

Discuss with opposing counsel whether submissions should be shared with only the mediator, all counsel or a combination. Once you come to an agreement, 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.

Submission

Unless there is an alternative agreed timeframe that has been approved by the mediator, please provide written submissions at least two weeks prior to the mediation date. All submissions must be sent via email to mteggelaar@adrsystems.com. Submissions totaling more than 50 pages (including exhibits) must also be delivered to ADR Systems, 20 North Clark Street, 29th Floor, Chicago, IL 60602 c/o Michelle Teggelaar via messenger or overnight courier service.

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 and/or 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
- 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 the 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 for 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.