

SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY

vs.

Case # _____

STATEMENT OF POLICIES AND
PROCEDURES FOR SETTLEMENT
CONFERENCES; ACKNOWLEDGEMENT
OF RECEIPT AND STIPULATION

The undersigned Trial Judge intends to conduct a Settlement Conference with the parties in this case. This statement sets forth certain policies and procedures governing the Settlement Conference. Any questions or issues regarding these policies or procedures must be brought to the attention of the Trial Judge before commencement of the Settlement Conference and before signing the acknowledgement and stipulation below.

1. The Settlement Conference is not a mediation. The mediation privilege as defined in Evidence Code Section 1119 is not applicable during, or in connection with, this Settlement Conference procedure. As such, there is no mediation confidentiality in connection with these settlement proceedings.
2. Participation by the Trial Judge in this Settlement Conference is voluntary, and any party may choose, without any detriment whatsoever, not to have the Trial Judge participate in this Settlement Conference.
3. The Trial Judge will conduct the Settlement Conference as deemed appropriate, including potentially discussing all aspects of the case candidly with counsel and/or the parties. The Trial Judge is given the express consent of the parties and their counsel to confer separately with the parties, and/or their counsel, during such resolution efforts. The parties understand that the Trial Judge may have substantive discussions with one party (and counsel) without the presence of other parties (and counsel) or with counsel alone, without their clients being present. If a party is represented by counsel, the Trial Judge will not meet, or have substantive discussions about the case, with that party alone without the express permission of the party and counsel.

4. In conducting the Settlement Conference, the Trial Judge is and will remain impartial, but the Trial Judge may review and discuss the probable evidence, issues concerning damages, the applicable law, legal arguments, possible outcomes of the case and appropriate and appropriate terms for settlement. Any statement, point of view, opinion or evaluation expressed by the Trial Judge is not a statement or commitment by the Trial Judge as to how the Trial Judge will rule on any factual or legal issue in the case, nor what the ultimate outcome of the case will be.
5. The parties may choose to keep discussions with the Trial Judge confidential but must notify the court prior to these discussions, in writing, of their intent to keep the information confidential.
6. The techniques employed by the Trial Judge are designed to facilitate and encourage settlement, but no party is obligated to settle the case. Nothing said or done by the Trial Judge is intended to pressure or coerce any party or counsel to settle the case and should not be so interpreted. THE DECISION TO SETTLE OR NOT IS ENTIRELY THE PREROGATIVE OF THE PARTIES AND THEIR COUNSEL.

Date: _____

JUDGE OF THE SUPERIOR COURT

**ACKNOWLEDGEMENT OF RECEIPT OF THE STATEMENT OF POLICIES AND PROCEDURES FOR
SETTLEMENT CONFERENCES AND STIPULATION THEREON**

Date	Name of Party <input type="checkbox"/> Attorney <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Cross-Complainant <input type="checkbox"/> Cross-Defendant	Signature
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Date	Name of Party <input type="checkbox"/> Attorney <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Cross-Complainant <input type="checkbox"/> Cross-Defendant	Signature
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