

Preparing to Refer a Matter

A checklist for attorneys and their staff

Having these items ready keeps the conflict check, terms, and scheduling moving quickly.

STEP 1: GENERAL INQUIRY

- ☐ Your name, firm, and contact information
- ☐ The general type of matter, for example employment, contract, or personal injury
- ☐ Whether the matter is time-sensitive, such as an approaching statute of limitations or court-ordered deadline
- ☐ No party or counsel names, dispute facts, pleadings, medical records, settlement communications, or other documents at this stage

STEP 2: CONFLICT CHECK

Once the inquiry moves forward, we will explain how to provide the following through the appropriate channel:

- ☐ All parties, including individuals and entities
- ☐ Counsel for each party
- ☐ Carriers, insurers, and third-party administrators
- ☐ Parents, subsidiaries, affiliates, and other related entities

WHAT WE HANDLE

We respond quickly to every inquiry. The conflict check is thorough, and we do not let it slow the matter down. Availability, fees, and terms are confirmed in writing before a date is finalized.

STEP 3: TERMS AND SCHEDULING

- ☐ Whether the matter is pending or pre-suit, and the court and index number if pending
- ☐ Any timing constraints, including court deadlines and discovery schedules
- ☐ Half-day or full-day session, based on the complexity of the matter
- ☐ In-person or virtual format
- ☐ Who will attend for each side, and whether each has settlement authority or ready access to it
- ☐ Whether an insurer or other decision-maker needs to attend or be available
- ☐ Any accommodation needs, including interpreters or accessibility

STEP 4: BEFORE THE SESSION

- ☐ Mediation statement, if requested, submitted by the agreed date
- ☐ Client prepared on strengths, risks, and realistic outcomes
- ☐ Client given our one-page guide, What to Expect at Your Mediation
- ☐ Draft settlement terms or a term sheet, if useful, so agreement can be documented the same day
- ☐ Calendar cleared for the full session

YOUR RELATIONSHIP WITH YOUR CLIENT

You know this client and this matter. Our role is to support that relationship, not to work around it. We keep you informed at each step and defer to your judgment on timing and readiness.