

**STATE OF ILLINOIS**  
**IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT KANE**  
**COUNTY, ILLINOIS**  
**THIS IS AN ARBITRATION CASE**

Case No. \_\_\_\_\_

Plaintiff(s)		Defendant(s)		
Plaintiff(s) Atty.		Defendant(s) Atty.		
Judge	Court Reporter	Deputy Clerk		
A copy of this order      should be sent      has been sent  Plaintiff Atty.    Defense Atty.    Other _____				
				File Stamp

**ORDER OF REFERRAL TO COURT - ANNEXED MEDIATION**

THIS CAUSE comes before the Court pursuant to Local Rule Article 12 of the Sixteenth Judicial Circuit for Major Civil Case Mediation, the Court finds that this cause is eligible for mediation and IT IS ORDERED:

1. The following mediator is appointed to serve in this matter:

By Stipulation of all parties;                      OR                      By appointment of the Court;                      OR

The parties shall designate a mediator within fourteen (14) days. If the parties are unable to agree upon a mediator, counsel shall promptly so notify the Court by motion and the Court shall appoint a mediator pursuant to Local Rule 12.03(A)(2).

2. Plaintiff (or an attorney agreed upon by all parties) shall obtain a date and time for mediation convenient to all. This designated attorney shall contact the mediator and schedule the mediation conference with the Kane County Arbitration Center, (630) 232-3437, within eight (8) weeks of this Order. Mediation conferences are to be held at the Kane County Arbitration Center, Kane County Courthouse, Second Floor, 100 South Third Street, Geneva, Illinois 60134, unless otherwise authorized by the Court.
3. All parties shall participate in mediation, unless otherwise ordered by the Court.
  - a. Trial counsel shall appear at the mediation conference, as well as each party or their representative with full authority to enter a complete settlement of the claim. If insurance is involved, an adjuster with authority to negotiate and recommend settlement shall attend. All parties are urged to include interested individuals who might facilitate settlement in the mediation. (Lienholders, government officials, and others whose approval is necessary or whose interest may be negotiated and compromised in order to reach a full and complete settlement shall attend the mediation conference.)
  - b. The Court may impose sanctions against any party who fails to attend mediation or who violates the terms of this Order.
  - c. Not less than ten (10) days prior to the mediation conference, each party shall present the mediator with a brief, written summary of the case containing a list of all pending and resolved claims and all issues to be addressed in mediation. Any party who wishes all or part of their summary contents to remain confidential shall inform the mediator, in writing, at the time the summary is tendered and shall clearly mark which portions are confidential. The summary shall include the following information:

ORDER OF REFERRAL TO COURT - ANNEXED MEDIATION (CONT.)

Case No. \_\_\_\_\_

3. (Cont.)

- (1) The names of all mediation participants
- (2) The facts of the occurrence
- (3) Opinions on liability
- (4) All damage and injury information
- (5) Any offers or demands of settlement

- d. All discussions, representations, and statements made at the mediation conference shall be privileged, consistent with a Confidentiality Agreement to be signed on behalf of each party prior to commencement of the first mediation conference. The Confidentiality Agreement shall be made a part of the case court record.
- e. Each court-appointed mediator shall mediate three (3) cases without compensation, pursuant to Local Rule 12.03(B). Thereafter, a court-appointed mediator shall be compensated by the parties at a rate of \$125 per hour, unless otherwise agreed to by the mediator and the parties in writing. A mediator selected by the parties shall be compensated as agreed to by the mediator and the parties in writing. Each party shall bear mediation costs proportionately.
- f. The mediator has no power to compel or enforce settlement agreements and shall not give legal advice. At the conclusion of the mediation, the parties shall reduce any settlement to written form, signed by all parties and/or their attorneys.

4. Mediation shall be completed within seven (7) weeks of the first mediation conference unless extended by order of the Court or by stipulation of the parties.

5. This cause is set for Post-Mediation Conference Status on \_\_\_\_\_ at \_\_\_\_\_ m. before Judge \_\_\_\_\_ or any Judge sitting in his/her stead in Courtroom \_\_\_\_\_, Kane County Courthouse, 100 South Third Street, Geneva, Illinois 60134.

6. MISC. ORDERS:

Plaintiff

Defendant

\_\_\_\_\_

\_\_\_\_\_

Plaintiff Attorney

Defendant Attorney

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Judge: \_\_\_\_\_