

Fifth Judicial District  
Social Early Neutral Evaluation  
*In Forma Pauperis (ifp)* Fee and Confidentiality Agreement  
\_\_\_\_\_ & \_\_\_\_\_  
Court file: \_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_, parties to this agreement have engaged \_\_\_\_\_ and \_\_\_\_\_ to perform a Social Early Neutral Evaluation subject to the following terms:

Early Neutral Evaluation (ENE) is a short term, confidential evaluative process designed to facilitate prompt dispute resolution in Family Court matters.

1. It is understood that all ENE sessions will occur between \_\_\_\_\_, \_\_\_\_\_, and the parties present with counsel for each party.

2. Confidentiality. The parties will not:

a. Electronically record any of these proceedings without written consent of all participants.

b. Subpoena the evaluators or any records containing the notes or impressions of the evaluators;

c. Evidence produced during the ENE process that is not otherwise discoverable remains confidential. The parties and counsel are prohibited from attempts to obtain through discovery or use as evidence any records deemed to be confidential under the ENE process.

d. The parties will not subpoena the evaluators including but not limited to Members of the evaluator's staff, any records, or documents of the evaluator in any legal proceedings of any kind. If so called or subpoenaed, the evaluator may refuse to testify or produce the requested documents.

e. Should any party attempt to compel such testimony or production, such party shall be liable for, and shall indemnify the evaluator against any liabilities, costs or expenses, including reasonable attorney's fees, which the evaluator may incur in resisting such compulsion

3. Fees

ENE Team members normally bill SENE services at a flat fee of \$300.00 per party per session. Plus a \$25 travel fee if required. All payments are due at the beginning of the SENE session directly to the neutrals.

• Exceptions:

a. The (Petitioner/Respondent) \_\_\_\_\_ has qualified for in

*forma pauperis (ifp)* status with the courts; therefore required to pay \$50.00 per SENE session (plus travel fee if applicable) to be divided equally between the two neutral. The remaining balance will be paid out of the *ifp* fund directly to the neutrals or the neutrals agreed prior to the session to donate their time.

b. The (Petitioner/Respondent) \_\_\_\_\_ is required to pay the full \$300.00 (plus travel fee if applicable) fee per SENE session to be divided equally between the two neutral.

c. Both parties \_\_\_\_\_ and \_\_\_\_\_ have qualified for in forma pauperis (*ifp*) status with the courts; therefore required to pay \$50.00 per party per SENE session (plus travel fee if applicable) to be divided equally between the two neutral. The remaining balance will be paid out of the *ifp* fund directly to the neutrals or the neutrals agreed prior to the session to donate their time.

Services provided by the evaluators include: preparation for ENE sessions, time meeting with the parties and counsel during the ENE sessions, and drafting of any memorandum which summarizes any agreements of the parties and/or notification to the Coordinator or Judge that an agreement has been reached.

Each party shall pay to the evaluators at the beginning of the scheduled ENE session.

DATED: \_\_\_\_\_, 2016

\_\_\_\_\_  
Evaluator

\_\_\_\_\_  
Evaluator

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Attorney for Petitioner

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Attorney for Respondent

\_\_\_\_\_  
Additional person

(ALL PARTIES PRESENT IN THE ENE SESSION MUST SIGN THIS AGREEMENT)