

## SHERBURNE COUNTY FAMILY COURT EARLY NEUTRAL EVALUATION

### PROGRAM DESCRIPTION

Early Neutral Evaluation (ENE) is a confidential, voluntary, evaluative process designed to facilitate prompt dispute resolution in custody, parenting time (visitation), and financial matters. The program offers the evaluative impressions of experienced professionals to parties engaged in custody, parenting time, and financial disputes. Feedback is provided to parties and their attorneys based on case presentations and a limited amount of information gathering. The ENE process is typically completed within one month. A party may choose to end the ENE session at any time.

1. For Social ENE (SENE), the parties select two neutral providers. For opposite gender parents, there is one male provider and one female provider, to address custody and parenting time issues. Same gender parents may select same gender providers. The initial session is scheduled for four (4) hours.
2. For Financial ENE (FENE), there is one neutral provider assigned to the case. The initial session will be scheduled for three (3) hours.
3. There is a cost for participating in Early Neutral Evaluation. Each person pays a fee and the amount of the fee is determined by the court at the Initial Case Management Conference (ICMC) using a sliding fee scale based on each person's income, or by the hourly rate normally charged by the party's attorney. The current fee schedule used by the court is available below, along with other ENE Program information, such as the Rosters of SENE and FENE Providers.
4. Parties and their attorneys, if they are represented, attend the ENE sessions together. Parties and attorneys work with the judge at the ICMC to select a date for the initial ENE session. The ENE Session is typically scheduled within 7-14 days of the ICMC. At the ENE session, each attorney or self-represented (pro se) party is asked to identify the important issues in the case with the party himself/herself giving more explanation and reason to support his or her perspective and opinion on each issue. Unless it is necessary to gather additional information, the ENE team provides immediate feedback about each party's case. Settlement possibilities are discussed and areas needing further scrutiny are identified.
5. The ENE provider(s) may gather additional information as necessary and may interview parties, interview child(ren), or gather limited collateral data.
6. The attorneys and parties may need additional sessions to complete the ENE process. The parties will pay for these additional sessions based on the sliding fee scale. Settlement options for full and partial agreements are discussed. If the case does not settle, the ENE provider(s) identify critical issues that may need additional attention.

7. At the conclusion of the ENE process, a written report regarding the outcome is provided to the court by the ENE provider(s), so the court will know what action to take next. If a partial or full agreement is reached, the parties or their attorneys, if represented by counsel, will submit a written agreement to the court. ENE provider(s) may not be called as a witness with respect to the information obtained or the recommendations made during the ENE process.
8. If a full or partial settlement is reached, and at least one party is represented by an attorney, one party's attorney will draft the appropriate documents for filing with the court. For cases in which neither party is represented by an attorney and a full settlement is reached, an attorney will be available free of charge to help the parties draft documents necessary to finalize the dissolution. If a partial settlement or no settlement is reached, the court will issue a scheduling order.
9. For general information on ENE Programs in the Tenth Judicial District (which includes Anoka, Chisago, Isanti, Kanabec, Pine, Sherburne, Washington, and Wright Counties), people may contact the Tenth District ENE Program Coordinator, Angela Lussier, at 763-479-4320, or by [email](#).