

### Attorney List:

- ✚ Arendt, Sarah: SENE & FENE, Mediator
- Bluth, Joe: SENE, Mediator
- Borman, Joseph: SENE, Mediator
- Braaten, Gena: SENE
- Chambers, Susan: SENE & FENE, Mediator
- Drasin, John: SENE & FENE, Family Law and Civil Mediator
- Frago, Brad: SENE & FENE, Mediator
- Goehle, Janet L. SENE & Mediator
- Heine, Linda: SENE & FENE, Mediator
- Kroon, Herbert: SENE & FENE, Mediator

### Financial Neutral Providers:

- Miller, Mike: CFP
- Stoner, Dax: FENE Rule 706 financial expert

**For Social (custody & parenting time) Early Neutral Evaluations, neutral teams must have one attorney and one child related professional.**

**Teams must also be gender neutral (one male and one female).**

### Child Related Specialist List:

- Lonny Ausetth: SENE, Mediator
  - ✚ Breimhorst, Carol: SENE
  - ✚ Cournoyer, Kimberly: SENE
  - ✚ Domeier, Therese: SENE
  - Finley, Gail: SENE, Mediator
  - Hext, Louisa: SENE, Mediator
  - Johnson, Jeff: SENE, Mediator
  - ✚ Johnson, Susan: SENE, Mediator
  - Kassebaum, Erin: SENE, Mediator
  - Liverseed, Wendy: SENE, Mediator
  - Millenacker, Michelle: SENE, Mediator
  - ✚ Panowitsch, Henry: SENE
  - Putz, Matthew: SENE, Mediator
  - ✚ Stevens, Dara: SENE
- ✚ Under Rule 114.01(a) of the Minnesota General Rules of Practice requires that most civil and family case types filed in district court are subject to Alternative Dispute Resolution (ADR) processes. Rule 114, which governs Early Neutral Evaluations, works through the State ADR roster; however, attorneys and parties may agree in writing to team members who are not on the roster.
- ✚ Providers not on the State ENE roster
- **The Early Neutral Evaluation Program does not provide interpreters. If a party needs an interpreter, they must hire their own or have a friend translate for them.**



## FIFTH JUDICIAL DISTRICT

### EARLY NEUTRAL EVALUATION PROGRAM



*Helping parents resolve disputes.*

To schedule an ENE session contact:

Ruth Ann Harms, Coordinator  
Fifth Judicial District  
Phone: 507-594-3044  
E-mail: [Ruth.Harms@Courts.State.MN.US](mailto:Ruth.Harms@Courts.State.MN.US)

Revised: 6/18/2024

## What Is ENE?

### EARLY NEUTRAL EVALUATION (ENE)

Is a voluntary, confidential, high quality, affordable, prompt, evaluative alternative dispute resolution (ADR) process focused on generating a durable settlement.

### Social Early Neutral Evaluation [SENE]

In social ENE (SENE), custody and parenting time issue areas are addressed.

### Financial Early Neutral Evaluation [FENE]

In financial ENE (FENE), financial and marital estate issues are addressed.

### Who may participate?

- Parties filing for divorce or custody.
- Parents who are not married
- Parties who already have a decree but have a dispute.

### Who Conducts ENE?

**SENE:** A team of two neutrals, one an Attorney and the other a Child Related Professional, with 5 years' experience in divorce and custody matters and have completed specific ENE training.

**FENE:** One neutral attorney or accountant with five years' experience in divorce and custody matters. Neutrals must have completed specific ENE training.

## COST:

### SENE and FENE FEE RATE:

Per Fifth Judicial District Administrative Order #23 (can be found on the Minnesota Judicial Branch website at <http://mncourts.gov/Find-Courts/Fifth-Judicial-District.aspx>)

The following guidelines shall be used in determining and assessing fees for parties participating in the social and financial Early Neutral Evaluation (ENE) process within the Fifth Judicial District:

1. Each party in a social or financial ENE session shall pay \$400 for the first four hours and \$50 per hour for each additional hour (plus travel fee if applicable).
2. A party who qualifies for *in forma pauperis* (IFP) status shall pay \$150 per ENE session (plus travel fee if applicable).
3. If in-person each party shall pay an ENE provider traveling more than 25 miles to an ENE session a travel fee of \$35 per session.
4. To alleviate "no show" and "no payment" issues, pro se (self-represented) parties shall submit payment to the provider one week prior to their ENE session.

### Cancelation fee of \$75 for less than 24-hour notice.

### What is Rule 114 Qualified?

A "neutral" is an individual or organization who provides an ADR service, such as mediation or arbitration, as stated in Rule 114.02(b). Neutrals who are on the State Court Administrator's Rule 114 Neutral Roster are "qualified neutrals."

The ADR Review Board, appointed by the Supreme Court, approves individuals and organizations who are qualified under Rule 114 to act as neutrals in court-referred cases.

## How long does ENE take?

### SENE

A typical SENE session takes 3-5 hours depending on the issues involved. On rare occasions an ENE may require more than one session.

### Timeline of an Early Neutral Evaluation Session:

- Introductions by Neutral Team (15 min)
- Presentation of parties (20-30 min)
- Response from each party (10-15 min)
- Questioning by Neutral Team (15-20 min)
- Neutral Team consults with each other (15-20 min)
- Feedback from the Neutral Team (30-45 min)
- Parties can discuss with attorney or family member outside the room (10-15 min)
- Engage in Negotiations (1 hour)

### FENE

A typical FENE session is shorter but multiple sessions are more likely.

### What are the benefits of ENE?

1. Children: The sooner contested court cases are completed; the sooner children can begin to regain a sense of stability.
2. Families Know Best: ENE helps parents to reach a settlement rather than having the court decide for them what is best for their family.
3. Cost and Time: Parties who can reach an agreement early in the process may save legal fees. ENE provides the parties a chance to settle their dispute quickly.
4. Cost: costs such as custody evaluations.