

Intake / Position Statement

This information serves two purposes. First, it lets me identify the issues that matter in this mediation before we meet. Second, it gives you a structured pre-mediation inventory of the facts and circumstances that will drive the day.

Answer as briefly as you can and skip anything that does not apply. If a question deserves a longer answer or additional material, use the space provided or attach separately. Save this PDF when you are finished and return it to katie@kbwpllc.com.

Your position statement: attach it separately if you have prepared one (ten pages is plenty), or use the Dispute section below as your statement. Either is fine; you do not need both.

CONFIDENTIALITY

As with everything I receive in the pre-mediation process, this form is treated as strictly confidential and is not shared with anyone without your specific permission. Position statements are for my eyes only unless you tell me otherwise.

If you have not already done so, please email any mediation-related court order to katie@kbwpllc.com.

THE CASE

Cause number *(n/a if pre-suit)*

Style

Court

District or court number *(n/a if needed)*

Name of judge *(n/a if needed)*

Trial date *(n/a if needed)*

First setting?

Scheduled mediation date

How the mediation arose

Have all necessary parties been joined?

If no, please elaborate:

INTAKE / POSITION STATEMENT · CONTINUED

YOUR SIDE AND THE OTHER SIDE

Used for my conflict check and for the pre-mediation calls. Not shared with the other side.

Party or parties you represent

Opposing party or parties

Opposing counsel and firm

Opposing counsel email and phone

ATTENDEES

List everyone from your side who will attend the mediation. This matters a great deal to how the day runs, and it is not shared with the other side.

PARTY	NAME ATTENDING	ROLE	ADDRESS	CELL PHONE
-------	----------------	------	---------	------------

SETTLEMENT AUTHORITY AND INSURANCE

Will a person with full authority to settle attend?

If not, who holds authority, and how will that person be reached during the session?

Is an insurance carrier involved?

Carrier and adjuster

Will the adjuster attend?

INTAKE / POSITION STATEMENT · CONTINUED

PRIOR SETTLEMENTS

Are there prior settlements not involved in this mediation?

If yes, identify the parties and the nature of the settlement with each:

DEMANDS AND OFFERS

State any demands or offers exchanged between the parties, with dates if you have them:

PRIOR MEDIATION

Has this matter been mediated before?

If yes, why is it being mediated again? What has changed since the last session that makes settlement more likely now?

DISCOVERY AND MOTIONS

Discovery status

Identify any pending motions that may bear on settlement:

THE DISPUTE

INTAKE / POSITION STATEMENT · CONTINUED

Briefly describe the dispute:

State the relief sought by each party (for example, damages, injunctive relief, declaratory relief):

If a party seeks damages, state the total amount sought and a breakdown by category of damages:

OTHER INFORMATION

Any other information or issues relevant to this mediation:

If the case cannot be settled at mediation, is there any narrowing of the legal issues that could be accomplished?

For example, pre-trial matters that could be agreed, or discovery disputes that could be resolved.

INTAKE / POSITION STATEMENT · CONTINUED

SESSION LOGISTICS

Preferred format

Interpreter, accessibility, audio-visual, or scheduling needs:

SUBMITTED BY

Name

Firm

Email

Date