

Court of Appeal, Fifth Appellate District



CIVIL APPEAL CASE SCREENING QUESTIONNAIRE TO DETERMINE SUITABILITY FOR MEDIATION

This questionnaire will assist the court in selecting cases for mediation. For that reason, it is important that this questionnaire be completed in detail. The court intends to select cases shortly after the notice of appeal is filed and before the expense of preparing the record on appeal and appellate briefs has been incurred. This questionnaire is to be completed and signed by each party, or their counsel of record, and served on all other parties, or counsel of record, and filed with the court within ten (10) calendar days of mailing of this questionnaire.

Case Name and Court of Appeal Number:

Name of Attorney:

Name(s) of Client(s):

Appellant or Respondent:

Trial Court Venue:

Name of Trial Judge:

Facts of Dispute:

PLEASE ATTACH A COPY OF THE VERDICT, ORDER, OR JUDGMENT APPEALED FROM

What are the issues on appeal?

Identify all prior mediations/settlement conferences by date and state names of mediators/judges:

Describe in detail any information that will assist the Court in deciding whether this case is suitable for mediation:

Do you *and your client* believe that this case has a reasonably good chance of settling at an appellate court mediation:

Yes

No

If “yes,” why do you think so?

If “no,” why do you think so?

On a scale of 1 to 10, with “1” signifying no chance of resolving and “10” signifying a certainty of resolving, how do you rate the chances that mediation will be successful?

Date Notice of Appeal filed:

Date:

Signature

Print Name of Party or Attorney

Mediations in this court, unlike other districts, are conducted by a sitting justice. However, the Fifth District is expanding the appellate mediation services it provides to litigants in this district. The Court is piloting a project to use the services of the Sixth District Mediation Program to mediate select Fifth District cases. The Sixth District’s Program uses outside mediation specialists to mediate appeals. These specialists provide up to 4 hours of pro bono mediation services to appellate litigants and will conduct all Fifth District mediations remotely via Zoom.

If this case is selected to participate in the mediation program, please select below if you would be willing to participate in the Mediation Pilot Project.

___ Yes, we would be interested in participating in the Mediation Pilot Project.

___ No, we are not interested in being considered for the Mediation Pilot Project.