

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**EARLY NEUTRAL EVALUATION**

**INFORMATION PACKET**

**Instructions**

**Selection and Appointment of Evaluator**

**Report by Parties at Conclusion of ENE**

**List of Panel Evaluators**

**Reference: Plan for Alternative Dispute Resolution and Settlement Procedures  
LCvR16.3, Supp. §§ 4.1 - 4.9**



**Early Neutral Evaluation (ENE) as a Court ADR Program:**

- **Issue Clarification**
- **Direct Communication**
- **Assessment/ Evaluation**
- **Focus on Cost Reduction**
- **Case Planning Guidance**
- **Settlement Facilitation, if requested**
- **Operates Within the Benefits and Safeguards of The Civil Justice System**
- **Voluntary-Parties Agree/Select the Process; Court Then Refers by Order**
- **Parties Agree/Select the Attorney-Evaluator with the Necessary Expertise**
- **If the Case Does Not Settle, It Stays on the Trial Track.**

United States District Court  
Western District of Oklahoma

**INSTRUCTIONS  
SELECTION OF & ARRANGEMENTS with EVALUATOR  
and PROPOSED ORDER OF APPOINTMENT**

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- A List of the Panel of Evaluators for ENE is usually available at the Status/Scheduling Conference for your case or in the Office of the Court Clerk and is also available at ADR /Settlement on the Court's **website at [www.okwd.uscourts.gov](http://www.okwd.uscourts.gov)**.
- Counsel are to agree on a choice for evaluator. An alternative choice may be needed should any conflict of interest arise. Additional information concerning the evaluators, i.e. resumes, fee schedules, etc., is available in the Book of Evaluators available in the Court Clerk's Office.
- Counsel may discuss fees with prospective evaluators when making arrangements for the ENE session. All evaluators are to perform at least 1 pro bono mediation per year if requested by the parties in an appropriate case or if requested or ordered by the Court. Call ADR Staff for assistance.
- **Selection of the evaluator and arrangements for the ENE session are to be made on the enclosed/attached form either as directed by the Court at the Status/Scheduling Conference or as soon thereafter as is appropriate and no later than 30 days prior to the completion date set forth in of the Court's Scheduling Order(s) or other Order of Referral. Counsel must contact the evaluator, have the evaluator complete a conflicts check and make the arrangements for the ENE session in order to complete the Arrangements portion of this form.**
- The completed Selection and Arrangements form should be filed with Court. *The ECF Attorney Menu has this document as a filing choice.*
- **The proposed Order Appointing the Evaluator form** should be completed contemporaneously with filing the agreed selection/arrangements and submitted to the e-mail box of the assigned judge as set forth in the ECF Policy Manual.
- **Sessions may be re-set with the evaluator anytime before the completion deadline. Extensions must be sought thereafter through the Court. Generally all referrals are voluntary based on the request of the parties in their Joint Status Report and as discussed at the Status/Scheduling Conference or by other request or motion to the Court. ALL REFERRALS TO ENE ARE PURSUANT TO COURT ORDER, and MAY NOT BE CANCELLED, UNLESS RE-SET WITHIN THE APPROPRIATE TIME, WITHOUT PERMISSION OF THE COURT.**
- You may wish to review LCvR16.3, Supp. § 4.1 et seq. Early Neutral Evaluation, give a copy of the ADR booklet, **RESOLVING DISPUTES IN FEDERAL COURTS** as well as a copy of the **ENE Educational Brochure** to your clients - see website.

Please do not hesitate to call the Court's ADR staff for assistance:

ADR Administrator and Settlement Staff Attorney (405) 609-5078