

## QUESTIONNAIRE FOR ENE EVALUATORS AND REPORT OF PAYMENT

**Evaluator:** *Please return within 10 days after completion of the ENE process to the ADR Administrator, U.S. Courthouse, 200 N. W. 4<sup>th</sup> Street, Oklahoma City, OK 73102. Feel free to use additional paper. This form will **not** be placed in the court file.*

CASE NAME:

CASE NUMBER:

NAME OF EVALUATOR: \_\_\_\_\_

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**1. Please indicate which, if any, of the following occurred at the ENE session:**

*(Check all that apply)*

- I helped the parties clarify, narrow or eliminate issues.
- The parties engaged in case planning (i.e. discovery, motions).
- The parties reached agreement on one or more stipulations of fact.
- I helped the parties bridge a communication gap.
- I facilitated settlement discussions.
- The parties explored resolutions that the court could not order.
- The case settled.
- Other \_\_\_\_\_

**2. When, if at all, did you give your evaluation? (Check only one)**

- Immediately after I prepared it.
- During settlement discussions.
- After settlement discussions.
- In the mail or on the phone after the ENE session was completed.
- I did not give an evaluation. *(Skip to question no. 4)*

**3. If you gave an evaluation, what was its impact on settlement? (Check only one)**

- It made it *more* likely the case would settle.
- It made it *less* likely the case would settle.
- I don't know.

**4. How many hours did you spend:**

- \_\_\_\_\_ In pre-session phone conference?
- \_\_\_\_\_ Otherwise preparing for the session(s)?
- \_\_\_\_\_ In the actual session(s)?
- \_\_\_\_\_ In other contact (i.e., correspondence, follow-up calls)?

**5. Were the parties' ENE statements useful? \_\_ Yes \_\_ No If no, why not?**

6. **Status of litigation when ENE occurred** (e.g. \_\_\_ TRO, \_\_\_ pre-discovery, \_\_\_ partial discovery, \_\_\_ full discovery, \_\_\_ trial preparation commenced, \_\_\_ other \_\_\_\_\_.) (Check one)
7. **Are you billing/the parties paid for any of your time?** \_\_\_ Yes \_\_\_ No  
If yes, please indicate fees charged - pre-session (preparation) charges \_\_\_\_\_; fees for session \_\_\_\_\_; fees for follow-up session, if any \_\_\_\_\_.
8. **On balance, do you believe that the ENE procedure resulted in benefits to the parties sufficient to justify the resources that the parties and you devoted to the ENE process?**  
\_\_\_ Yes \_\_\_ No If yes, what were the principal benefits? If no, please indicate why not.
9. **Did you confront a situation you considered to pose an ethical problem or dilemma?**  
\_\_\_ Yes \_\_\_ No If yes, please explain the problem and how you handled it.
10. **In hindsight, is there anything you would have done differently in handling this case?**  
\_\_\_ Yes \_\_\_ No If yes, please explain.
11. **What, if anything, could the ADR program have done to better prepare you for the session or to increase the value of ADR in this case?**
12. **We welcome your ideas for court-sponsored training and comments about the court's ADR programs in general** (e.g., suggested modifications of the various court forms and outlines). Use the space below, attach your comments, or call us at (405)609-5078.

Name \_\_\_\_\_

Date \_\_\_\_\_