

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

Plaintiff(s)
v.
Defendant(s)

No. \_\_\_\_\_

GENERAL CHANCERY COURT-ANNEXED MEDIATION ORDER OF REFERRAL

Pursuant to Cook County Circuit Court Rule 21 for Chancery Division Court-Annexed Mediation, the Court finds this cause eligible for mediation. It is Ordered:

A. Mediator appointed to serve is: \_\_\_\_\_.

4420 [ ] By stipulation of all parties;

4421 [ ] By appointment of the court:

4422 [ ] The parties shall designate a mediator within 21 days. If the parties are unable to agree on a mediator, the court shall appoint a mediator pursuant to Local Rule 21.03(A)(2). Status on designation of the mediator is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

B. The parties or \_\_\_\_\_, agreed on by all parties, shall arrange a date and time for mediation convenient to all.

C. All parties, or their representative with full authority to enter into a complete compromise and settlement, shall participate in mediation, unless otherwise ordered by the court.

D. Time and Reports:

1. Mediation shall be completed within 7 weeks of the first mediation session unless extended by court order.

2. If an agreement is reached, it shall be reduced to writing and signed by the parties.

3. Agreement - Necessary Filings

Within 10 days of executing a written settlement agreement, the PARTIES shall move for dismissal and attach to their motion Form 4 (Memorandum of Agreement/No Agreement) and Form 6 (Mediator Report). No Order of Dismissal will be entered unless Form 4 and Form 6 are provided to the court.

4. No Agreement - Necessary Filings

If the parties reach no agreement, the MEDIATOR, within 10 days of concluding that further mediation would not be likely to result in agreement, shall complete and sign Form 4 (Memorandum of Agreement/No Agreement) and Form 6 (Mediator Report), and provide a copy to the parties, and the original to the court. Failure to do so may be considered in determining future appointment as a Chancery Divison mediator.

E. [ ] Discovery shall continue during mediation.

or

[ ] Discovery related to \_\_\_\_\_ shall be stayed until the post-mediation Status Hearing.

F. 1. The court may impose sanctions against any party who fails to attend mediation or violates the terms of this order.

- 2. If insurance is involved, an adjuster with authority to negotiate and recommend settlements may attend. If a party is a public entity, that party shall be deemed to appear at mediation session by the physical presence of (a) a representative of the party with full authority to negotiate on behalf of the party and to recommend settlement to the appropriate decision-making body and (b) the party's counsel of record.
- 3. Unless the mediator requests a different procedure, **not less than 10 days** before the initial mediation session, each party shall present the mediator with a brief written summary of the case containing a list of all pending and resolved claims and all issues to be addressed in mediation. Any party who wishes all or part of its contents to remain confidential from other parties shall inform the mediator, in writing, at the time the summary is tendered and mark which portions are confidential. The summary shall include the following information: (i) Names of all mediation participants; (ii) facts of the occurrence; (iii) opinions on liability; (iv) all damage and injury information; and (v) any offers or demands of settlement. All oral and written communications with the mediator at any time shall be deemed confidential and privileged in accordance with the provisions of the Uniform Mediation Act 710 ILCS 35/1 (See Rule 21. 07 of the Rules of the Circuit Court of Cook County).

G. This cause is set for post-mediation status on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m.

H. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ENTERED:**

**Dated:** \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
**Judge**

\_\_\_\_\_  
**Judge's No.**