

EARLY SETTLEMENT CONFERENCE PROJECT OVERVIEW

The United States District Court, District of Minnesota has implemented an Early Settlement Conference Project (“ESCP”) to assist the Court in expediting its civil docket and improving access to justice for the underserved. The ESCP occurs as follows:

1. The Referral

- a. At the Rule 16 Scheduling Conference, the assigned Magistrate Judge will, in every case involving a civil *pro se* litigant, make an individual judgment regarding whether the case will benefit from referral to the ESCP.
- b. If the Court makes a referral to the ESCP, the Court will adopt a Scheduling Order that accommodates a period of one hundred twenty (120) days for participating in the ESCP.
- c. The Court will enter an Order of Referral to the ESCP that the Court will communicate to the *Pro Se* Project Coordinator in the same manner as current *Pro Se* Project referral letters. (See Referral Order)

2. Volunteer Lawyer Participation in ESCP

- a. The *Pro Se* Project Coordinator will locate a lawyer willing to assist the *pro se* litigant in an early Settlement Conference.
- b. The *Pro Se* Project Coordinator will notify the referring Judge’s chambers when a lawyer agrees to participate in the ESCP and to assist the *pro se* litigant in the Settlement Conference.
- c. The lawyer, or Special Settlement Conference Counsel, will enter a Notice of Limited Appearance. (See Notice of Limited Appearance)

- d. Upon Special Settlement Conference Counsel's entrance of the Notice of Limited Appearance, the referring Judge's chambers will schedule a Settlement Conference.
- e. The *pro se* litigant will meet with Special Settlement Conference Counsel who will review, explain, and have the *pro se* litigant sign a Declaration of the *Pro Se* Party ("Declaration"). The Special Settlement Conference Counsel will then enter the Declaration, which is a prerequisite to the Settlement Conference. (See Declaration)
- f. In the event a Notice of Limited Appearance and Declaration are not filed within the time allotted in the Scheduling Order, the case will proceed pursuant to the Pretrial Scheduling Order.

3. The Settlement Conference

- a. Upon Special Settlement Conference Counsel's entrance of a Notice of Limited Appearance, the Court will schedule a Settlement Conference to occur within ninety (90) days of the filing of the Notice of Limited Appearance.
- b. All parties must attend with counsel, as with any Settlement Conference.

4. After the Settlement Conference Concludes

- a. If the case settles, the Court will handle it as any other settled case.
- b. If the case does not settle, Special Settlement Conference Counsel and *pro se* litigant will have fifteen (15) days to decide whether the Special Settlement Conference Counsel will enter full appearance.
 - i. If within 15 days, Special Settlement Conference Counsel enters a full appearance, the case proceeds.
 - ii. If within 15 days, Special Settlement Conference Counsel does not enter a full appearance, the Court will enter Final Order Relieving Special Settlement Conference Counsel of Limited Appearance (“Final Order”) and the case will proceed pursuant to the Pretrial Scheduling Order. (See Final Order)