

What is Early Neutral Evaluation?

Early Neutral Evaluation (“ENE”) is a confidential dispute resolution process to help parties settle their domestic relations disputes. Early Neutral Evaluation provides a neutral forum for parties and their attorneys to discuss the disputes in their case and receive a balanced and unbiased evaluative impression of the case. This evaluation can assist parties in assessing their case and exploring settlement opportunities.

During the ENE session the Evaluator will oversee the discussion to allow each party and their attorney the opportunity to be heard in an atmosphere of cooperation and respect.

In a nutshell, ENE helps parties understand what to reasonably expect if they had a trial in Warren County Domestic Relations Court. Having reasonable expectations helps parties reach an early settlement before incurring the major financial and emotional costs of extended litigation.

Who is the ENE Evaluator?

Currently, Magistrate Yvonne A. Iversen is the ENE Evaluator. Magistrate Iversen has been a Magistrate with our Court since 2001. Magistrate Iversen has extensive experience managing family law disputes and has also been trained as a family law mediator.

How does the process begin?

The assigned Judge or Magistrate will discuss ENE with the parties and/or their attorneys. If the Judge or Magistrate decides to send the case to ENE, an Order will be issued providing the day and time of the ENE session.

The ENE Order will also list the type of disputes to be evaluated: Parenting, Property and/or Spousal Support. Generally ENE takes 3-4 hours. A scheduling conference after ENE will also be scheduled for the attorneys and/or the parties to tell the assigned Judge or Magistrate if any agreements were reached during ENE.

Briefs/Intake Forms

In order to help the Evaluator prepare for the ENE session, both parties will submit briefs to the Evaluator and to the other party and/or attorney. Briefs must be delivered to the Evaluator, other party and/or attorney at least 7 days before the scheduled ENE session. Fines may be assessed for late submission or failure to submit briefs. These briefs will not be filed with the Clerk of Courts. The Evaluator will shred the briefs upon the completion of the ENE process. The format for each of the briefs is available on the Court’s website in the document center.

What are the advantages of ENE?

1. **Children:** ENE benefits children by helping their parents quickly resolve their conflict. When parents are in conflict over their children’s living arrangements or parenting time, children suffer emotionally. The sooner contested court cases are completed, the sooner children can begin to regain a sense of stability.
2. **Families Know Best:** ENE helps parents to reach a settlement rather than having the court decide for them what is best for their family.
3. **Time:** ENE provides the parties a chance to settle their dispute quickly, allowing the family to begin the process of moving forward.
4. **Cost:** Family Court disputes can be lengthy and expensive. Parties who are able to reach an agreement early in the process may save legal fees and other costs such as psychological evaluations.



What happens during ENE?

At the beginning of the ENE session, the Evaluator will fully explain the ENE process and ground rules. Each party will then have an opportunity to explain what disputes are at issue and his/her perspective on the solution to the issues. Attorneys will be given a brief opportunity to supplement their client's perspective. The Evaluator may ask questions of either party and/or the attorneys.

After a short break, the Evaluator will provide an evaluation of the probable outcome of the case if the case were to go to trial in Warren County Domestic Relations Court. Parties will then meet privately with their attorneys to discuss the evaluation. Both parties and their attorneys will then come together with the Evaluator to explore settlement proposals.