

**United States District Court  
District of Rhode Island<sup>1</sup>  
Office of Alternative Dispute Resolution**

**SUGGESTED ADR BRIEFING GUIDELINES**

*Please include the following:*

1. A brief, but complete statement of the **facts**.
2. A statement of the **issues** crucial to the case.
3. The **governing law** relied upon. Be certain to provide **citations**.
4. **Discovery completed** as of the date of submission of the brief/statement.
5. Description of **settlement negotiations** as of the date of submission. This should include the **amount of any demand made by plaintiff(s) or offers by defendant(s)**. It is important to include the **rationale** for how parties arrived at their respective demands or offers.
6. **Obstacles to settlement**.
7. Name and relationship to the case of the person who will be attending the mediation with **full settlement** authority. Any **other persons attending** should also be disclosed, including their relationship to the case.
8. Any other information that counsel or the litigants feel would be helpful.
9. Do not exchange briefs with opposing counsel.

**IMPORTANT!**

1. Briefs must be received **no less than five days prior** to the scheduled ADR proceeding.
2. **Lead counsel** and a person on both sides of the litigation having **full settlement authority** (as defined in the ADR Plan) must be present at the scheduled ADR proceeding.
3. **Telephonic availability** shall not be deemed good faith compliance with the requirement set forth in No. 2 above, unless approved by the mediator in writing in advance of ADR proceedings.

*Revised: April 17, 2008*

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<sup>1</sup> Each panel neutral has his/her own policy regarding the submission and content of ADR briefs/statements. Check with the assigned neutral to inquire if such pre-ADR submissions are required, and if so what their requirements are.