

## MEDIATION PREPARATION CHECKLIST

Step	Sent to Client or served (Y/N)	Include in Mediation Bundle (Y/N)
Obtain instructions to mediate, client's available dates and preferred mediator and counsel availability		
Once mediation date agreed, advise client and counsel in writing of date		
Attend to mediation logistics – where will it be held, what time will it commence, is catering required, is disabled access needed		
Review file for further evidence needed before mediation		
Ensure all expert liability evidence served – if not, serve asap. Ensure letter of instruction to expert served.		
Personal injury claims - all treating medical records and economic loss evidence served – if not, serve asap		
Ensure all expert quantum evidence served – if not, serve asap. Ensure letter of instruction to expert served.		
Review subpoenaed material and other evidence to ascertain whether requires service		
Provide client with advice on prospects, quantum range and settlement strategy (ideally at least 4 weeks prior)		
Personal injury claims – obtain details of Medicare, NDIS, Centrelink and/or private hospital paybacks		
Obtain details of any legal costs and disbursements to be paid		
Consider whether a pre-mediation conference or telephone call with mediator would be useful to focus parties on issues and materials for bundle.		
Provide particulars to other parties of all paybacks, out of pocket expenses, legal costs and disbursements – ideally at least 2 weeks prior to mediation		
Agree with other party the content and format of agreed bundle: usually, pleadings (including all interrogatories and		

notices to admit), particulars, expert evidence, key documents and position papers		
Collate agreed bundle – electronic or hard copy. Ideally deliver to mediator 10 business days before mediation		
Plaintiff prepare and serve position paper, Ideally 5 business days prior		
Defendant prepare and serve position paper, ideally 2 business days prior		
Provide your client with a copy of the other parties' position papers and obtain comments		
Is a pre-mediation conference with client required? At the very least, contact client 2 days before mediation to ensure comfortable with process and have authority and are ready to negotiate		
Prepare draft consent orders/deed of release or other documentation in anticipation of the matter resolving		
Attend mediation in good faith and ready to negotiate		

Julie Somerville is the founder, and principal mediator, of R3 Resolutions, a dispute resolution company specialising in facilitating the resolution of common law claims. Julie is well recognised for her ability to provide clarity to complex situations but with a level of empathy and warmth that is unique

Available dates and online bookings available on the R3 Resolutions website or by contacting Julie on 0421 048 456 or by email

