

COURT OF APPEAL, FIFTH APPELLATE DISTRICT

**CIVIL APPEAL CASE SCREENING QUESTIONNAIRE
TO DETERMINE SUITABILITY FOR MEDIATION**

*This questionnaire will assist the court in selecting cases for mediation to be conducted by a sitting justice of this court. The court intends to select cases shortly after the notice of appeal is filed and before the expense of preparing the record on appeal and appellate briefs has been incurred, This questionnaire is to be completed and signed by each party, or their counsel of record, and served on all other parties, or counsel of record, and filed with the court **within ten (10) calendar days** of mailing of this questionnaire.*

1. Case Name and Number: _____

2. Name of Party/Client: _____

3. Name of Attorney: _____

4. Subject Matter (Check all that apply):

- | | | |
|---|--|--|
| <input type="checkbox"/> Attorney Fees | <input type="checkbox"/> Family Law | <input type="checkbox"/> Personal Injury |
| <input type="checkbox"/> Business/Contract | <input type="checkbox"/> Insurance | <input type="checkbox"/> Probate |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Professional Negligence | <input type="checkbox"/> Intellectual Property |
| <input type="checkbox"/> Employment | <input type="checkbox"/> Environmental | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Other (specify): _____ | | |

5. Date Notice of Appeal Filed: _____

6. Trial Court Venue: _____

7. Name of Trial Judge: _____

8. The trial court judgment resulted from:

- | | | | |
|---|--------------------------------------|--|--|
| <input type="checkbox"/> Jury Trial | <input type="checkbox"/> Court Trial | <input type="checkbox"/> Summary Judgment | <input type="checkbox"/> Demurrer |
| <input type="checkbox"/> Dismissal | <input type="checkbox"/> Nonsuit | <input type="checkbox"/> Arbitration Award | <input type="checkbox"/> Administrative Mandamus |
| <input type="checkbox"/> Order (specify): _____ | | | |
| <input type="checkbox"/> Other (specify): _____ | | | |

9. What was the judgment?: _____

10. Length of trial or hearing appealed from: _____ (number of court days)

You have a maximum of 1000 words to address questions 11-19 on this page. Please use the text box immediately following question 19 to respond and please identify which question you are addressing (i.e., #2, #3. etcetera.)

11. If there have been any prior appeals in this case (or a related case), state the case name, case number and identify the appellate court:
12. Has anything changed since the most recent settlement offers/demands that may affect the settlement position of any party?: *(If so, explain.)*
13. Identify all ADR processes in this case in which you have participated (e.g., mediation, arbitration, or settlement conferences). *State the name of all judges, mediators, or other neutral parties involved and the dates of same:*
14. Briefly state the facts of the case:
15. Describe any ongoing personal, professional, or business relationship between any of the parties to this appeal:
16. Identify all persons, other than the parties, whose agreement is necessary for the mediation of this appeal and any related litigation or dispute (e.g., an insurance adjuster, spouse, lien holder):
17. State whether any boards, councils or groups of persons must approve any settlement agreement:
18. Identify the primary issues on appeal:
19. Is there a claim for recovery of attorney fees?: *(If so, state the amount and legal authority.)*

20. Are there any insurance issues that may hinder settlement?: _____

21. Are there any liens?: *(If so, state their amounts.)* _____

22. State whether you believe this case would benefit from a mediation conducted by the appellate court.:
 Yes No

23. If you indicated “No,” explain your reasons:

24. The impediments, if any, to resolving this case are:

Date: _____

Signature

Print Name of Party or Attorney