

**NEUTRAL CASE EVALUATION (NCE)
DOMESTIC STATEMENT OF UNDERSTANDING**

Style of Case _____ **v.** _____

CL. No.: _____ - _____

Please Note: This form will be signed by parties and counsel prior to the beginning of the NCE conference session.

The attorney indicated below has been assigned as a Neutral Case Evaluator (NCE) to promote settlement of your case. The NCE will not act as an attorney or as an advocate nor provide any legal advice to either party. You should consult with independent legal counsel and you have done so as evidenced by your counsel's signature below.

The parties and attorneys participating in the NCE agree that all proceedings before the NCE, including any statements made or positions taken or documents prepared for the NCE conference are **confidential** pursuant to Va. Code §8.01-581.22. The positions taken by a party in these proceedings may not be disclosed by the opposing party in any subsequent proceeding nor are any statements of the parties or counsel made in the NCE to be used by the opposing party in any trial. No party shall be bound by anything said or done at the conference unless a settlement is reached. Any agreement shall be reduced to writing and, when signed, shall be binding upon all parties to the agreement. Any settlement agreement that may result from the NCE process is not privileged. Each party understands that any agreement will affect his or her legal rights, and you should have any agreement reviewed by your attorney prior to signing it. The parties agree not to subpoena the NCE to appear at any hearing or deposition, nor to subpoena or request any documents submitted to NCE. In no event will an NCE voluntarily testify on behalf of a party.

Provided However, materials or evidence used in the NCE process may be documents which are otherwise discoverable, useable and admissible in your case, and the fact that these documents were used in the NCE process does not immunize such documents under any privilege. For example, in a case where the dispute involves support, then financial information must be disclosed to each party and the court for the purpose of computing child support and/or spousal support. This information may be used in the NCE and in a trial of the matter.

Please sign below to acknowledge that you have read and understand this Statement.

Plaintiff

Defendant

Counsel for Plaintiff

Counsel for Defendant

Date: _____

Neutral Case Evaluator