

**NEUTRAL CASE EVALUATION  
FOR  
EQUITABLE DISTRIBUTION CASES**

The Circuit Court Judges have approved the practice of counsel for the parties selecting a Neutral Case Evaluator for a pending Equitable Distribution case.

Should the case settle, the attorneys should notify the civil docket clerk to remove the case from the docket.

The following forms are available for use by Counsel and the Neutral Case Evaluator:

1. Neutral Case Evaluation Guidelines for Equitable Distribution Cases
2. Statement of Understanding

**NEUTRAL CASE EVALUATION GUIDELINES**  
**FOR EQUITABLE DISTRIBUTION CASES**

The following cases will generally be **EXCLUDED** from neutral case evaluation, unless counsel and the evaluator agree otherwise:

1. Any case where a custody or visitation issue is outstanding.
2. Cases where a pro se party is involved.
3. Cases where there are complex tracing issues.
4. Cases involving novel issues of law or where an issue is a case of first impression in the Commonwealth.

In recognition of the fact that the evaluators are working *pro bono*, they shall also have the right to refuse a case that would require an inordinate amount of time to handle.

In addition, the NCE evaluator and counsel shall be responsible for determining any possible conflict with the NCE evaluator prior to the scheduling of the settlement conference. If a conflict is discovered, a new evaluator should be selected.

Rooms for Settlement conferences can be reserved at the Court on Monday or Wednesday mornings at 8:30 a.m. by calling Judges Cambers at (703) 246-2221. Evaluators may also hold settlement conferences at their own office.

Prior to the start of the settlement conference, all counsel and parties must complete a Statement of Understanding, outlining the terms and conditions of the settlement conference.

**STATEMENT OF UNDERSTANDING**

**Please Note:** This form will be signed by all individuals immediately prior to the beginning of the conference session.

The attorney indicated below has been assigned as the Neutral Case Evaluator for your case. He/she will help you resolve your dispute. He/she will not act as an attorney or advocate for any party.

The parties and attorneys whose signatures appear below agree that all proceedings at their settlement conference, including any statement made or document prepared for the conference by any party, attorney or other participant, are privileged and shall not be disclosed in any subsequent proceeding or document, or construed for any purpose an admission against interest. The phrase "document prepared for the conference by any party, attorney or other participant" shall not be deemed to apply to any settlement agreement that may result from their conference. No party shall be bound by anything said or done at the conference unless a settlement is reached. If a settlement is reached, the agreement shall be reduced to writing and, when signed, shall be binding upon all parties to the agreement. The parties agree not to subpoena the evaluator or any documents submitted to the mediator or evaluator. In no event will evaluator voluntarily testify on behalf of a party.

Please sign below to acknowledge that you have read and understand this Statement, and agree to its terms.

\_\_\_\_\_  
**Plaintiff(s)**

\_\_\_\_\_  
**Defendant(s)**

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\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Neutral Case Evaluator**

**Case Name:** \_\_\_\_\_

**Chancery Number:** \_\_\_\_\_