

**Mediation and Assessment Program (MAP)
Frequently Asked Questions**

1) How do I contact the MAP office?

- map@mow.uscourts.gov email
- (816) 512-5080 phone/(816) 512-5089 fax
- Mediation and Assessment Program
Charles Evans Whittaker Courthouse
400 E. 9th St., Rm. 3238
Kansas City, MO 64106

2) What is the deadline to mediate?

- The parties have up to 75 calendar days after the Rule 26 meeting to mediate the case. (See MAP General Order Section V.B.)

3) What is the deadline to file the Designation of Mediator and how should it be filed?

- For cases assigned to the outside mediator category, the parties have up to 14 calendar days after the Rule 26 meeting to file the Designation as an ADR event in ECF. (See MAP General Order Section VI.A.1.)

4) What do I include in the Designation of Mediator?

- 1) the name of the mediator agreed upon by the parties;
- 2) the date;
- 3) the time; and
- 4) the location of the mediation. (See MAP General Order Section VI.A.1.)

5) Who is on the Court's List of Mediators?

- See list on Court's website:
http://mow.uscourts.gov/district/map/complete_neutral_list.pdf

6) May I use a mediator who is not listed on the Court's List of Mediators?

- Yes, if approved in advance in writing by the MAP Director. (See MAP General Order Section VI.A.1.) Your request should include information about the proposed mediator's training, qualifications and experience as a mediator, or a link to his or her firm bio if it contains this information. Copy opposing party/counsel on your request and note that email is preferred:
map@mow.uscourts.gov.

7) Who is required to attend the mediation and do they have to appear in person?

- The parties, party alternate (when applicable), insurer (when applicable), and lead trial counsel are all required to attend the mediation in person. (See MAP General Order Section V.E.4.)

8) When mediating a case with the MAP Director, what do I include in the mediation statement?

- The mediation statement may be up to three pages in a single-spaced letter format. Email preferred: map@mow.uscourts.gov.
- The statement should include:
 - a brief overview of the case including the claims, pertinent defenses and key issues in dispute;
 - the major players;
 - strengths and weaknesses;
 - available damages/applicable damage caps;
 - the amounts and terms of any prior settlement negotiations; and
 - the specific name of each person attending and his/her title and entity.

9) When is the post-mediation status report due and what should it include?

- The parties have up to 10 calendar days following their mediation with an outside mediator to send their status report(s) to MAP. (See MAP General Order Section VI.B.3) Email preferred: map@mow.uscourts.gov.
- The report should include:
 - how long the mediation lasted;
 - whether all required parties attended in person;
 - the outcome of the mediation; and
 - if the case did not resolve, whether additional settlement discussions would be productive and at what point in time/after what specific events.

10) Am I required to share the mediation statement or the post-mediation status report with the other party or parties?

- No, you are not required to share this information. These items may be submitted solely to the MAP Director without copying the opposing party or parties.

11) How do I request an extension of a MAP deadline(s)?

- Send a written request to the MAP office within 5 business days of receiving notice of an event or deadline. Include a detailed reason and the opposing party's position. Email preferred: map@mow.uscourts.gov. (See MAP General Order Section V.C.1.)

12) How do I request to opt out of the Program?

- Although cases will not normally be allowed to opt out of MAP, you may send a written request to the MAP office within ten calendar days of receiving the initial Notice of Inclusion that the case is assigned to MAP. Include a detailed reason in your request and the opposing party's position, if available. Email preferred: map@mow.uscourts.gov. (See MAP General Order Section V.D.)

13) Do I electronically file with the Court a request for extension of a MAP deadline(s), a request to opt out or the post-mediation status report?

- No, a request for extension, a request to opt out and post-mediation status reports are not filed with the Court and instead should be submitted in writing to the MAP Office. Email preferred: map@mow.uscourts.gov. If the MAP Director denies a request for extension or opt out, while discouraged, the parties may then file a written motion. (See MAP General Order Sections V.C. and V.D.)

14) What happens if my case is resolved before the MAP mediation?

- If you are already scheduled for mediation or a teleconference with the MAP Director or one of the Mediating Judges, please contact the MAP Office as soon as you have resolved the case so the date may be used for another matter.