

LIMITED ISSUES SETTLEMENT CONFERENCE {LISC}

Parameters for Participation in Pilot Program

Limited Issues Settlement Conference {LISC} is a program designed to assist parties in final and complete resolution of cases which have been before the Probate and Family Court on one or more occasions and in which, although the majority of the issues have been resolved, a few unresolved issues prevent the matter from moving to judgment.

* Any contested matter pending in Probate and Family Court may opt to participate in Limited Issues Settlement Conference.

* Majority of contested issues in the case should be already resolved (via some procedure / mechanism such as Temporary Order, Pre-Trial Conference, Stipulation or, if no actual court involvement, agreement in principle between the parties).

* There should be an expectation that remaining contested issues may be resolved with some input from an active or retired Probate and Family Court justice who is very familiar and experienced with the types of issues identified. The parties will be afforded up to sixty (60) minutes with the active or retired justice.

* At least one party MUST be represented by counsel.

* Both parties must agree to be scheduled for a Conference.

* Necessary documents to be supplied to court on the day of the Conference:

copy of all pleadings connected with the matter currently before the court;

copy of relevant Agreements / Temporary Orders / Pre Trial Conference Order;

copy of Financial Statements of both parties if financial issues are part of the overall case (NOTE: If Financial Statements were prepared more than 30 days before the Conference, they must be resigned and redated if no changes, or updated anew. Counsel is to advise both parties to bring information necessary to complete new Financial Statements, and, to arrive early to complete them.);

draft of a working agreement which has been circulated to all parties ten (10) days prior to the Conference date; and,

a proposed judgment regarding the contested issues from each party.

* If all matters are fully resolved on the day of the Conference, the required Judgment or Decree will be entered that day, obviating the need for further court involvement.

* If all matters are not fully resolved on the day of the Conference, the case will return to court for the next scheduled event.

- * All discussions are confidential so no report regarding LISC will be shared with the court or the trial judge.
- * There is no fee to participate in the Conference.
- * Conferences are scheduled on the first Friday of each month at the Norfolk Probate and Family Court in Canton, MA. There is free parking at that division.
- * The Request for Limited Issues Settlement Conference form is available at -

<http://www.mass.gov/courts/docs/forms/probate-and-family/cjd114-fill.pdf>
- * Request must be completed in its entirety and submitted to Jocelyne D. Welsh, Esq. as indicated on the form.

September 19, 2013