



EVIDENCE & RESOLUTION

Accident Mediation Participation Workbook

Prepare the materials, logistics, questions and decision record needed to participate thoughtfully in that specific process.

WHAT THIS WORKBOOK HELPS YOU DO

01

Complete your process and participation instructions

02

Complete your facts and open issues

03

Complete your proposal and term comparison

A claimant with an actual mediation or settlement conference scheduled.

Use it on screen or on paper. Save a personal copy before entering information. Blank response areas are fillable; printed copies work just as well. Keep completed copies private.

Scope. Educational organization tools, not legal, medical, tax or financial advice. No claim result, coverage decision or payment is promised. Verify policy language, current local rules and all deadlines with the appropriate professional or official source.



START HERE

Start with a clear working file

Work on one claim, account or issue at a time. Keep originals unchanged and label working copies with a short evidence ID. Complete the guidance in order, then use the worksheets to turn questions into an organized next step.

A practical order

- 01 Read the four guidance pages before filling the worksheets. Mark facts you can support and questions that still need an answer.

GUIDANCE / PAGES 03-06

- 02 Use the fictional examples to check your method. Their facts and dollar amounts do not describe your claim or predict an outcome.

EXAMPLES / PAGE 07

- 03 Complete the four working sheets, then use the readiness check and next-step page. Duplicate a worksheet when you need another record.

WORKSHEETS / PAGES 08-11

Protect your information

Store completed copies somewhere private. Use a claim or account suffix when a full identifier is unnecessary. Share only relevant copies through a verified recipient and appropriate channel. A saved PDF can contain personal information even when it is not open on screen.

Before a deadline. Do not wait to finish this workbook when a notice, release, court paper or policy deadline needs attention. Verify the actual requirement and seek qualified help promptly.



GUIDANCE 1

01

Identify the process you are attending

Read the invitation, court order, mediation agreement and organizer's instructions. Identify whether this is private mediation, a court settlement conference or another procedure, and who will lead it. Record required attendees, submission dates, fees and whether attendance is in person or remote. Do not import instructions from a different court program. Ask your attorney or the organizer to explain unclear expectations. This workbook supports participation in an already identified process; it does not determine whether mediation is the right legal strategy or whether you should settle.

Separate shared material from private preparation

Make a list of what must be sent, to whom, and through which channel. A document intended only for your lawyer should not accidentally become a joint submission. Likewise, a mediator-only statement is not automatically permitted in every program. Confirm the rules before labeling or sharing anything as confidential. Keep your private notes and official submissions in separate folders, and record each version. A confidentiality heading cannot by itself override applicable law, a court order or the actual agreement governing the session.

RELATED WORKING SHEETS

- Process and participation instructions
- Facts and open issues

Sources for this page: [1], [2], [3]. See the linked source guide.



GUIDANCE 2

Build a concise factual reference

02

Prepare a short chronology, a document index, and a list of facts that are agreed, disputed or still unknown. Keep each item connected to a source. This reference should help you answer questions accurately without rereading a large file during the session. Do not smooth over inconsistencies or turn an estimate into a confirmed expense. If new information arrives, identify what changed and discuss its significance with counsel. A good reference helps everyone see the questions that remain; it is not a declaration that your account is legally proven.

Identify interests and practical constraints

Write down what you need to understand before making a decision: timing, unresolved treatment, liens, fees, non-monetary terms, privacy, payment mechanics or other consequences. Distinguish a personal preference from a legal requirement or a condition you cannot change. Ask counsel which constraints matter to the decision and what information is missing. Do not let a gross offer stand in for an explanation of the whole arrangement. This workbook deliberately supplies no recommended settlement number or fixed negotiation formula.

RELATED WORKING SHEETS

- Facts and open issues
- Proposal and term comparison

Sources for this page: [1], [2], [3]. See the linked source guide.



GUIDANCE 3

03

Verify participation and accessibility

Confirm how you will communicate with your lawyer privately, how breaks work, and whether an interpreter or accessibility arrangement must be requested in advance. For a remote session, test the official platform, audio and a private location. Do not record the session without verified permission under the applicable rules and law. Identify whether anyone else may attend and whether their attendance must be approved. Keep contact information for connection problems, but do not send confidential details through an unverified backup channel.

Use a disciplined discussion record

During the session, note proposals accurately and label whether they are tentative, conditional, withdrawn or accepted under the actual process. Include important non-money terms and questions requiring clarification. Do not record a conclusion simply because a conversation sounded positive. Ask for time to understand a proposal and consult counsel where needed. Private notes may themselves raise confidentiality or preservation questions; follow the instructions that apply. The aim is to remember what was actually proposed, not to create a polished narrative after the fact.

RELATED WORKING SHEETS

- Process and participation instructions
- Proposal and term comparison

Sources for this page: [1], [2], [3]. See the linked source guide.



GUIDANCE 4

04

Review terms before a commitment

Before agreeing to terms, make sure the appropriate adviser explains the parties, claims released, payment timing, fees, costs, liens, confidentiality, enforcement and any required approval. A short term sheet or oral agreement may have consequences even if a longer document is expected later; do not assume nothing matters until a final packet arrives. This workbook does not authorize you to sign or decide whether a release is acceptable. If you do not understand a term or lack authority to agree, raise that issue before committing.

Document the outcome and remaining work

After the session, distinguish no agreement, partial agreement, tentative terms and a completed agreement. Record follow-up documents, approvals, deadlines and the person responsible for each. If the case does not resolve, verify what remains scheduled in the underlying proceeding. Do not assume mediation cancels litigation deadlines. Store the outcome and any final signed documents appropriately, following confidentiality and preservation requirements. Seek qualified help when you need an agreement interpreted or its consequences explained.

Record the actual mediation outcome and any remaining documents or approvals.



Sources for this page: [1], [2], [3]. See the linked source guide.



FICTIONAL EXAMPLES

Work through the examples

These invented cases demonstrate the method. They are not case results, estimates of what you will receive or statements of universal rights.

01 A shared-screen mistake avoided

A claimant has lawyer-only notes open during a remote mediation.

Next step: Keep private preparation separate and confirm exactly which document may be shared.

Avoid. Assuming every participant may see everything because the process is called confidential.

02 A conditional offer

A proposed payment depends on a separate approval.

Next step: Record the condition and the next verification step.

Avoid. Telling others the case is fully settled before the condition is resolved.



WORKSHEET 1

01

Process and participation instructions

Copy requirements from the actual order or agreement.

Program/mediator

Instruction source/date

Required attendees

Submission audience

Deadlines

Fees

Confidentiality question

Accessibility/remote arrangements

Related guidance: [Identify the process you are attending](#)



WORKSHEET 2

02

Facts and open issues

Keep agreed facts, disputed facts and unknowns distinct.

Issue

Status

Source document

Countervailing information

Question

Person to answer

Material for approved submission

Related guidance: [Build a concise factual reference](#)



WORKSHEET 3

03

Proposal and term comparison

Record the whole proposal and whether it is tentative or conditional.

Proposal time/source

Gross amount if any

Payment timing

Parties/claims

Other terms

Condition

Question for counsel

Status

Related guidance: [Review terms before a commitment](#)



WORKSHEET 4

04

Outcome and follow-up

Keep underlying case dates active until verified instructions change them.

Outcome

Document/approval still needed

Responsible person

Verified date

Source

Confirmation received

Unresolved question

Related guidance: [Review terms before a commitment](#)



READINESS REVIEW

Check the file before using it

REVIEW EACH ITEM BEFORE MOVING ON

- ☐ Each working figure or statement is linked to an identifiable document.
- ☐ Missing information is marked as unverified rather than estimated as fact.
- ☐ The exact question and the person or organization able to answer it are identified.
- ☐ The current document version and any conflicting version are preserved.
- ☐ Independent deadlines and the source of each deadline have been checked.
- ☐ The final written response has been compared with the original question.

What still needs attention

Open fact or decision, who can resolve it, and the source needed

Completion standard. The working file is complete when the important facts are supported, the next action is assigned and any unresolved issues remain clearly visible. A completed checklist does not establish coverage, entitlement or legal compliance.



ACTION PLAN

Write down the next step

Choose the smallest useful next step. Make the request specific enough that the recipient can locate the record and explain or address the exact issue. Keep proof of what you sent and what came back.

The exact issue or request

Evidence IDs and document versions that support the request

Verified recipient and channel

Date sent and follow-up date

What response will resolve the issue, and what still needs professional review

Separate decisions. A courtesy follow-up date is not a legal deadline. A document request does not automatically pause another requirement. Do not sign, settle, move property or disclose sensitive records merely because a box on this page is complete.



REFERENCE GUIDE

Sources and scope

The linked official sources support the educational background. The forms and examples are original organization tools. Sources were checked on October 1, 2026; policies, procedures and law may change. Recheck the current source before relying on a rule.

[1] Fourth Circuit: Preparing for a mediation

The court describes preparation, joint sessions/caucuses and its confidentiality framework. Scope: Appellate court program example, not universal mediation procedure.

<https://www.ca4.uscourts.gov/mediation/preparing-for-a-mediation>

[2] Sixth Circuit: About mediation conferences

The program distinguishes expected participation from voluntary resolution. Scope: Its local rules govern its conferences; confidentiality protections are not identical nationwide.

<https://www.ca6.uscourts.gov/about-mediation-conferences>

[3] Northern District of California ADR local rules

Local ADR rules address participation and qualified confidentiality protections. Scope: The actual program's current order and rules must be checked.

<https://cand.uscourts.gov/rules-forms-fees/local-rules/adr-local-rules>

Keep the scope clear

No universal confidentiality promise

No undisclosed recording

No settlement number recommendation

No assumption tentative terms are nonbinding